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I

(Acts whose publication is obligatory)

**REGULATION (EC) No 450/2003 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 27 February 2003
concerning the labour cost index
(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the European Central Bank ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) A range of statistics, of which labour cost indices form an essential part, is relevant for an understanding of the inflationary process and the dynamics of the labour market.
- (2) The Community, and particularly its economic, employment and monetary authorities, need to have regular and timely labour cost indices for the purpose of monitoring changes in labour costs.
- (3) The Action Plan on Economic and Monetary Union statistical requirements, produced by the European Commission (Eurostat) in close collaboration with the European Central Bank, identifies as a priority the development of a legal basis covering short-term labour cost statistics.
- (4) The benefits of collecting, at Community level, complete data on all segments of the economy should be balanced against the reporting possibilities and the response burden on small and medium-sized enterprises (SMEs).

(5) The Regulation is in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. The creation of common statistical standards for labour cost indices can only be achieved on the basis of a Community legal act because only the Commission can coordinate the necessary harmonisation of statistical information at Community level, while the collection of data and compilation of comparable labour cost indices can be organised by the Member States.

(6) Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics ⁽⁵⁾ provides the general framework for the production of labour cost indices under this Regulation.

(7) The measures necessary for the implementation of this Regulation 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 ⁽⁶⁾.

(8) The Statistical Programme Committee (SPC), established by Council Decision 89/382/EEC, Euratom ⁽⁷⁾, has been consulted in accordance with Article 3 of that Decision,

HAVE ADOPTED THIS REGULATION:

Article 1

Objective

The objective of this Regulation is to establish a common framework for the production, transmission and evaluation of comparable labour cost indices in the Community. Member States shall produce labour cost indices for the economic activities defined in Article 4.

⁽¹⁾ OJ C 304 E, 30.10.2001, p. 184.

⁽²⁾ OJ C 48, 21.2.2002, p. 107.

⁽³⁾ OJ C 295, 20.10.2001, p. 5.

⁽⁴⁾ Opinion of the European Parliament of 28 February 2002 (OJ C 293 E, 28.11.2002, p. 20), Council Common Position of 23 September 2002 (OJ C 269 E, 5.11.2002, p. 10) and Decision of the European Parliament of 18 December 2002 (not yet published in the Official Journal).

⁽⁵⁾ OJ L 52, 22.2.1997, p. 1.

⁽⁶⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁷⁾ OJ L 181, 28.6.1989, p. 47.

Article 2

Definitions

1. The labour cost index (LCI) is defined as the Laspeyres index of labour costs per hour worked, chain linked annually and based upon a fixed structure of economic activity at NACE Rev.1 section level, where NACE Rev.1 is the classification established by Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community ⁽¹⁾. Further disaggregations of NACE Rev.1 sections, to be included in the fixed structure, shall be defined in accordance with Article 4(1). The formula to be used for the calculation of the LCI is defined in the Annex to this Regulation.

2. The labour costs are the total quarterly costs incurred by the employer in the employment of labour. The labour cost items and total staff employed are defined by reference to Annex II, Sections A and D (items D.1, D.4 and D.5 and their subcomponents, excluding items D.2 and D.3) of Commission Regulation (EC) No 1726/1999 of 27 July 1999 implementing Council Regulation (EC) No 530/1999 concerning structural statistics on earnings and on labour costs as regards the definition and transmission of information on labour costs ⁽²⁾.

3. The hours worked are defined by reference to Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community ⁽³⁾, Annex A, Chapter 11, paragraphs 11.26 to 11.31.

4. Technical specification of the index, including revisions to the weighting structure, can be redefined in accordance with the procedure referred to in Article 12(2).

Article 3

Scope

1. This Regulation shall apply to all activities defined in sections C to O of NACE Rev.1.

2. The inclusion of economic activities defined by NACE Rev.1 sections L, M, N and O in the scope of this Regulation shall be determined in accordance with the procedure referred to in Article 12(2), taking into account the feasibility studies defined in Article 10.

3. The LCI shall represent all statistical units as defined in Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community ⁽⁴⁾.

⁽¹⁾ OJ L 293, 24.10.1990, p. 1. Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

⁽²⁾ OJ L 203, 3.8.1999, p. 28.

⁽³⁾ OJ L 310, 30.11.1996, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 359/2002 (OJ L 58, 28.2.2002, p. 1).

⁽⁴⁾ OJ L 76, 30.3.1993, p. 1. Regulation as amended by the 1994 Act of Accession.

Article 4

Breakdown of variables

1. The data shall be broken down by economic activities defined by NACE Rev.1 sections and by further disaggregations, not beyond the level of NACE Rev.1 divisions (2 digit level) or groupings of divisions, taking account of contributions to total employment and to labour costs at Community and national levels, defined in accordance with the procedure referred to in Article 12(2). Labour cost indices shall be provided separately for the three labour cost categories identified below:

- (a) total labour costs;
- (b) wages and salaries, defined by reference to item D.11 in Annex II to Regulation (EC) No 1726/1999;
- (c) employers' social contributions plus taxes paid by the employer less subsidies received by the employer, as defined by the sum of items D.12 and D.4 less D.5 in Annex II to Regulation (EC) No 1726/1999.

2. An index estimating total labour costs, excluding bonuses, where bonuses are defined by D.11112 in Annex II to Regulation (EC) No 1726/1999, shall be provided, broken down by economic activities defined in accordance with the procedure referred to in Article 12(2), and shall be based on the NACE Rev.1 classification, taking into account the feasibility studies defined in Article 10.

Article 5

Frequency and back data

1. The data for the LCI shall first be compiled for the first quarter of 2003, and thereafter for each quarter (ending on 31 March, 30 June, 30 September and 31 December of each year).

2. Back data covering the period from the first quarter of 1996 to the fourth quarter of 2002 shall be made available by the Member States. The back data shall be provided for each of the NACE Rev.1 sections C to K and for the labour cost items mentioned in Article 4(1).

Article 6

Transmission of results

1. The data referred to in Article 4 shall be supplied in index form. The weights used to calculate the index, defined in the Annex to this Regulation, shall be made available for publication at the same time.

The appropriate technical format to be used for the transmission of the results referred to in Article 4, and the adjustment procedures to be applied to the data shall be defined in accordance with the procedure referred to in Article 12(2).

2. Member States shall transmit the data, broken down as specified in Article 4, to the Commission (Eurostat) within 70 days of the end of the reference period. Metadata, defined as the explanations needed to interpret the changes in the data either arising from methodological or technical changes, or due to changes in the labour market, shall be delivered with the data.

3. The back data referred to in Article 5 shall be transmitted to the Commission (Eurostat) at the same time as the LCI for the first quarter of 2003.

Article 7

Sources

Member States may produce the necessary estimates by using a combination of different sources specified below by applying the principle of administrative simplification:

- (a) surveys, where statistical units, as defined in Regulation (EEC) No 696/93, are asked to give timely, accurate and complete information;
- (b) other appropriate sources, including administrative data if these are appropriate in terms of timeliness and relevance;
- (c) appropriate statistical estimation procedures.

Article 8

Quality

1. The current data and back data transmitted shall satisfy separate quality criteria to be defined under the procedure referred to in Article 12(2).

2. The Member States shall provide annual quality reports to the Commission, beginning in 2003. The content of the reports shall be defined under the procedure referred to in Article 12(2).

Article 9

Transition periods and derogations

1. Transition periods relating to the implementation of this Regulation may be granted under the procedure referred to in Article 12(2), not extending more than two years from the date of entry into force of this Regulation.

2. During the transition periods, derogations from this Regulation may be accepted by the Commission insofar as the national statistical systems require major adaptations.

Article 10

Feasibility studies

1. The Commission shall, in accordance with the procedure referred to in Article 12(2), institute a series of feasibility studies, to be undertaken by the Member States, in particular by those which cannot provide the data for NACE Rev. 1 sections L, M, N, and O (Article 3(2)) or the breakdown of the index estimating total labour costs, excluding bonuses (Article 4(2)).

2. The feasibility studies shall be carried out, taking into account the benefits of collecting the data in relation to the cost of collection and the burden on business, to assess:

- (a) how the quarterly labour cost indices defined in Article 4(1) can be obtained for NACE sections L, M, N and O; and
- (b) how the index estimating total labour costs, excluding bonuses, defined in Article 4(2) can be obtained.

3. The Member States undertaking the feasibility studies shall submit an interim report on their results to the Commission no later than 31 December 2004. The participating Member States shall submit a final report on the feasibility studies to the Commission no later than 31 December 2005.

4. The feasibility studies concerning paragraph 2(a) shall take into account the results of the pilot studies referred to in the Annexes to Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics ⁽¹⁾.

5. Measures adopted under Article 11(h) pursuant to the results of the feasibility studies shall respect the principle of cost-effectiveness, as defined in Article 10 of Regulation (EC) No 322/97, including the minimisation of the burden on respondents.

6. The implementation of measures adopted under Article 11(h) pursuant to the results of the feasibility studies shall make possible the transmission of data for the first quarter of 2007, provided that the results of the feasibility studies allow for the cost-effective production of data of sufficient quality.

Article 11

Implementing measures

The measures for implementing this Regulation, including measures to take account of economic and technical changes, shall be laid down in accordance with the procedure referred to in Article 12(2). Such measures shall concern in particular:

- (a) definition, in accordance with Article 4(1), of the disaggregations to be included in the fixed structure;
- (b) technical specification of the index (Article 2);

⁽¹⁾ OJ L 14, 17.1.1997, p. 1. Regulation as amended by Regulation (EC, Euratom) No 2056/2002 (OJ L 317, 21.11.2002, p. 1).

- (c) inclusion of NACE Rev.1 sections L, M, N and O (Article 3);
- (d) breakdown of indices by economic activities (Article 4);
- (e) format for transmission of results and the adjustment procedures to be applied (Article 6);
- (f) separate quality criteria for current and back data transmitted and contents of quality reports (Article 8);
- (g) transition period (Article 9);
- (h) the establishment of feasibility studies and decisions pursuant to their results (Article 10); and
- (i) the methodology to be used for chaining the index (Annex).

Article 12

Procedure

1. The Commission shall be assisted by the Statistical Programme Committee instituted by Article 1 of Decision 89/382/EEC, Euratom.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 13

Reports

The Commission shall submit a report on the implementation of this Regulation to the European Parliament and the Council every two years. This report shall evaluate in particular the quality of the transmitted LCI series data and the quality of the transmitted back data.

The first report shall be submitted no later than 31 December of the year following the entry into force of this Regulation. It will refer only to the actions executed by Member States to prepare the application of this Regulation.

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

Done at Brussels, 27 February 2003.

For the European Parliament

The President

P. COX

For the Council

The President

M. CHRISOCHOÏDIS

ANNEX

The formula to be used for the calculation of the LCI

1. Define:

w_i^t = labour costs per hour worked of employees in economic activity i in period t

h_i^t = hours worked by employees in economic activity i in period t

$W_i^j = w_i^j * h_i^j$ = labour costs of employees in economic activity i in annual period j.

2. The basic Laspeyres formula to be used to calculate the LCI for period t with annual base period j is defined as:

$$LCI_{tj} = \frac{\sum_i w_i^t h_i^j}{\sum_i w_i^j h_i^j} = \frac{\sum_i (w_i^t / w_i^j) w_i^j h_i^j}{\sum_i W_i^j} = \frac{\sum_i (w_i^t / w_i^j) W_i^j}{\sum_i W_i^j}$$

3. The methodology for chaining the index will be defined in accordance with the procedure referred to in Article 12(2).

4. The weights used to calculate the index and referred to in Article 6(1), are the values of:

$$\frac{W_i^j}{\sum_i W_i^j}$$

where W_i^j , i and j are defined in paragraph 1 of this Annex. These weights should be used for the calculation of the index within two years of the period to which they relate.

**DECISION No 451/2003/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 27 February 2003**

**amending Decision No 253/2000/EC establishing the second phase of the Community action
programme in the field of education 'Socrates'**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 149 and 150 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

After consulting the Committee of the Regions,

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

Whereas:

- (1) Section IV, Point B.2 of the Annex to Decision No 253/2000/EC of the European Parliament and of the Council ⁽⁴⁾ establishes that Community assistance towards the realisation of projects selected for funding under the Community action programme in the field of education 'Socrates' (hereinafter referred to as the 'programme') will not normally exceed 75 % of the total costs of the project, except in the case of accompanying measures.
- (2) Decision No 819/95/EC of the European Parliament and of the Council of 14 March 1995 establishing the Community action programme 'Socrates' ⁽⁵⁾ did not stipulate a minimum level of cofinancing.
- (3) Projects within the decentralised actions of the programme cannot be realised without a significant contribution in the form of staff time and infrastructure support from the organisations involved in the project partnership. The Community assistance granted to these projects does not cover the costs of the contributions of such staff, but may cover up to 100 % of the other costs incurred in realising the project.
- (4) The target group for such projects is primarily small institutions such as schools and adult education institutes, which generally have limited administrative resources.
- (5) The Community has not previously required institutions participating in projects within the decentralised actions of the programme to provide information about the cost of the contribution of the staff they employ towards the realisation of the projects.
- (6) The sums granted as Community assistance to projects within the decentralised actions of the programme are small, averaging EUR 3 315 in 2000.

- (7) The European Parliament in its Resolution of 28 February 2002 on the implementation of the Socrates programme has expressed concern about the disproportionately onerous administrative procedures for beneficiaries of small grants, especially under the Comenius action, and has called on the Commission to propose any legislative changes necessary to abolish the cofinancing requirement for such grants.
- (8) The Commission in its White Paper — Part II — Action Plan entitled Reforming the Commission committed itself to improving and simplifying its internal and external procedures, as far as they relate to other institutions, Member States and citizens.
- (9) It is not consistent with the principles of simplification and proportionality to apply a new requirement on the institutions participating in projects within the decentralised actions of the programme to account for the contribution towards their realisation made by staff employed by these institutions, solely in order to demonstrate that the Community assistance does not normally exceed 75 % of the total costs of the project.
- (10) There is a need therefore to amend the provision contained in the first paragraph of Section IV, Point B.2 of the Annex to Decision No 253/2000/EC in order to permit appropriate flexibility in the application of this cofinancing requirement,

HAVE DECIDED AS FOLLOWS:

Article 1

The first paragraph of Section IV, Point B.2 of the Annex to Decision No 253/2000/EC shall be replaced by the following:

'As a general rule, Community financial assistance granted for projects under this programme is intended partially to offset the estimated cost necessary to carry out the activities concerned and may cover a maximum period of three years, subject to a periodic review of progress achieved. In accordance with the cofinancing principle, the beneficiary's contribution may take the form of the provision of the personnel and/or infrastructure necessary for the realisation of the project. Assistance may be granted in advance to enable preparatory visits to take place in respect of the projects in question.'

⁽¹⁾ OJ C 203 E, 27.8.2002, p. 133.

⁽²⁾ OJ C 241, 7.10.2002, p. 97.

⁽³⁾ Opinion of the European Parliament of 3 September 2002 (not yet published in the Official Journal) and Council Decision of 27 February 2003.

⁽⁴⁾ OJ L 28, 3.2.2000, p. 1.

⁽⁵⁾ OJ L 87, 20.4.1995, p. 10. Decision as last amended by Decision No 68/2000/EC (OJ L 10, 14.1.2000, p. 1).

Article 2

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

Done at Brussels, 27 February 2003.

For the European Parliament

The President

P. COX

For the Council

The President

M. CHRISOCHOÏDIS

COUNCIL REGULATION (EC) No 452/2003**of 6 March 2003****on measures that the Community may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By Regulation (EC) No 384/96 ⁽¹⁾, the Council adopted common rules for protection against dumped imports from countries which are not members of the Community.
- (2) By Regulation (EC) No 2026/97 ⁽²⁾, the Council adopted common rules for protection against subsidised imports from countries which are not members of the Community.
- (3) By Regulation (EC) No 519/94 ⁽³⁾ and (EC) No 3285/94 ⁽⁴⁾, the Council adopted common rules for the adoption of safeguard measures against imports from certain countries which are not members of the Community. Safeguard measures may take the form of tariff measures applicable either to all imports or to those imports in excess of a pre-determined quantity. Such safeguard measures imply that the goods are eligible to enter the Community market upon payment of the relevant duties.
- (4) The importation of certain goods may be subject to both anti-dumping or anti-subsidy measures on the one hand and safeguard tariff measures on the other. The objectives of the former are to remedy market distortions created by unfair trading practices, whilst the objectives of the latter are to grant relief against greatly increased imports.
- (5) However, the combination of anti-dumping or anti-subsidy measures with safeguard tariff measures on one and the same product could have an effect greater than that intended or desirable in terms of the Community's trade defence policy and objectives. In particular, such a combination of measures could place an undesirably onerous burden on certain exporting producers seeking to export to the Community, which may have the effect of denying them access to the Community market.
- (6) Consequently, exporting producers seeking to export to the Community should not be subject to undesirably onerous burdens and should continue to have access to the Community market.
- (7) It is therefore desirable to ensure that the objectives of the safeguard tariff measures and anti-dumping and/or anti-subsidy measures can be met without denying those exporting producers access to the Community market.
- (8) Therefore, specific provisions should be introduced to enable the Council and the Commission, where they consider it appropriate, to take action with a view to ensuring that a combination of anti-dumping or anti-subsidy measures with safeguard tariff measures on the same product does not have such an effect.
- (9) While it may be foreseeable that both the safeguard duty and the anti-dumping or anti-subsidy measures may become simultaneously applicable to the same product, it is not always possible to determine in advance at which precise point in time this may occur. Therefore, the Council and the Commission should be in a position to provide for such a situation in a manner ensuring sufficient predictability and legal certainty for all operators concerned.
- (10) The Council and the Commission may consider it appropriate to amend, suspend or repeal anti-dumping and/or anti-subsidy measures or to provide for exemptions in whole or in part from any anti-dumping or countervailing duties which would otherwise be payable, or to adopt any other special measures. Any suspension or amendment of, or exemption from, anti-dumping or anti-subsidy measures should be granted only for a limited period of time.
- (11) Any measures taken under this Regulation should be applicable from the date of their entry into force, unless otherwise specified therein, and should therefore not provide a basis for the reimbursement of duties collected prior to that date,

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 1972/2002 (OJ L 305, 7.11.2002, p. 1).

⁽²⁾ OJ L 288, 21.10.1997, p. 1. Regulation as amended by Regulation (EC) No 1973/2002 (OJ L 305, 7.11.2002, p. 4).

⁽³⁾ OJ L 67, 10.3.1994, p. 89. Regulation as last amended by Regulation (EC) No 1138/98 (OJ L 159, 3.6.1998, p. 1).

⁽⁴⁾ OJ L 349, 31.12.1994, p. 53. Regulation as last amended by Regulation (EC) No 2474/2000 (OJ L 286, 11.11.2000, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

1. Where the Commission considers that a combination of anti-dumping or anti-subsidy measures with safeguard tariff measures on the same imports could lead to effects greater than is desirable in terms of the Community's trade defence policy, it may, after consultation of the Advisory Committee established by Article 15 of Regulation (EC) No 384/96 or by Article 25 of Regulation (EC) No 2026/97, propose to the Council that, acting by simple majority, it adopt such of the following measures as it deems appropriate:

- (a) measures to amend, suspend or repeal existing anti-dumping and/or anti-subsidy measures;
- (b) measures to exempt imports in whole or in part from anti-dumping or countervailing duties which would otherwise be payable;

(c) any other special measures considered appropriate in the circumstances.

2. Any amendment, suspension or exemption pursuant to paragraph 1 shall be limited in time and shall apply only when the relevant safeguard measures are in force.

Article 2

Any measure adopted pursuant to this Regulation shall apply from its date of entry into force. It shall not serve as basis for the reimbursement of duties collected prior to that date unless otherwise provided in that measure.

Article 3

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

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

Done at Brussels, 6 March 2003.

For the Council

The President

D. REPPAS

**COUNCIL REGULATION (EC) No 453/2003
of 6 March 2003**

amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) Following the European Council held in Seville on 21 and 22 June 2002, which considered as a top priority the review of Regulation (EC) No 539/2001 by the end of 2002 ⁽³⁾, the Commission has evaluated the Member States' replies to the questionnaire it sent them in the light of the relevant criteria for the review of Regulation (EC) No 539/2001, namely illegal immigration, public policy and security, the European Union's external relations with third countries, regional coherence and reciprocity. It has found that Ecuador should be transferred from Annex II to Annex I to Regulation (EC) No 539/2001 in the light of the illegal immigration criterion.
- (2) Developments in international law, entailing changes in the status or designation of certain States or entities, should be reflected in the Annexes to Regulation (EC) No 539/2001. In Annex I to that Regulation, East Timor should be removed from Part 2 (territorial entities) and added to Part 1 (States).
- (3) Since the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons provides for free movement without visas for nationals of Switzerland and of the Member States, Switzerland should no longer be mentioned in Annex II to Regulation (EC) No 539/2001.
- (4) It is clear from the Member States' replies to the questionnaire that an in-depth review of the reciprocity rule is called for, on which the Commission will report at a later date.
- (5) The visa requirement for Ecuador should be applied uniformly by the Member States. A date should accordingly be set from which all Member States have to apply the visa requirement,
- (6) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded

by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* ⁽⁴⁾, which fall within the area referred to in Article 1, point A, of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement ⁽⁵⁾.

(7) The United Kingdom and Ireland are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.

(8) This Regulation constitutes an act building on the Schengen *acquis* or otherwise related to it within the meaning of Article 3(1) of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 539/2001 shall be amended as follows:

1. in Annex I:
 - (a) 'East Timor' shall be moved from Part 2 (Entities and territorial authorities that are not recognised as States by at least one Member State) to Part 1 (States), where it shall appear before 'Egypt';
 - (b) 'Ecuador' shall be inserted in Part 1, where it shall appear between 'East Timor' and 'Egypt';
2. 'Ecuador' and 'Switzerland' shall be deleted from Part 1 of Annex II.

Article 2

The Commission shall report to the European Parliament and the Council no later than 30 June 2003 on the implications of reciprocity and, if necessary, shall present appropriate proposals.

Article 3

1. This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.
2. Member States shall apply the visa requirement with regard to nationals of Ecuador as from 1 June 2003.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ Opinion delivered on 12 February 2003.

⁽³⁾ OJ L 81, 21.3.2001, p. 1. Regulation as last amended by Regulation (EC) No 2414/2001 (OJ L 327, 12.12.2001, p. 1).

⁽⁴⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁵⁾ OJ L 176, 10.7.1999, p. 31.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

Done at Brussels, 6 March 2003.

For the Council

The President

D. REPPAS

COMMISSION REGULATION (EC) No 454/2003
of 12 March 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 13 March 2003.

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

Done at Brussels, 12 March 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 12 March 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	94,2
	204	63,1
	212	117,7
	624	129,4
	999	101,1
0707 00 05	052	63,0
	068	135,6
	204	92,7
	220	186,1
	999	119,3
0709 10 00	220	169,3
	999	169,3
0709 90 70	052	107,6
	204	87,7
	999	97,7
0805 10 10, 0805 10 30, 0805 10 50	052	62,5
	204	45,1
	212	52,8
	220	45,1
	624	63,8
	999	53,9
0808 10 20, 0808 10 50, 0808 10 90	039	109,6
	388	102,0
	400	113,2
	404	100,2
	508	91,2
	512	88,2
	524	70,7
	528	89,5
	720	126,0
	999	99,0
0808 20 50	204	46,1
	388	72,9
	512	62,8
	528	65,3
	999	61,8

⁽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 455/2003
of 11 March 2003
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to 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 ⁽³⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 March 2003.

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

Done at Brussels, 11 March 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 68, 12.3.2002, p. 11.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	33,89	251,63	313,10	23,27
1.30	Onions (other than seed) 0703 10 19	37,83	280,93	349,56	25,98
1.40	Garlic 0703 20 00	154,58	1 147,84	1 428,23	106,15
1.50	Leeks ex 0703 90 00	65,32	485,07	603,56	44,86
1.60	Cauliflowers 0704 10 00	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	58,20	432,17	537,74	39,97
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,15	567,58	42,18
1.100	Chinese cabbage ex 0704 90 90	112,75	837,24	1 041,75	77,43
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—
1.130	Carrots ex 0706 10 00	25,23	187,35	233,11	17,33
1.140	Radishes ex 0706 90 90	73,11	542,89	675,50	50,20
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	380,50	2 825,45	3 515,65	261,29
1.170	Beans:				
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	161,97	1 202,75	1 496,56	111,23
1.170.2	— Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	287,96	2 138,28	2 660,61	197,74
1.180	Broad beans ex 0708 90 00	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	292,22	2 169,88	2 699,93	200,66
1.200.2	— other 0709 20 00	415,70	3 086,82	3 840,86	285,46
1.210	Aubergines (eggplants) 0709 30 00	128,92	957,33	1 191,19	88,53

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	106,02	787,26	979,57	72,80
1.230	Chantarelles 0709 59 10	809,36	6 009,98	7 478,08	555,79
1.240	Sweet peppers 0709 60 10	154,71	1 148,84	1 429,48	106,24
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	118,26	878,16	1 092,67	81,21
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	113,23	840,81	1 046,20	77,76
2.40	Avocados, fresh ex 0804 40 00	212,71	1 579,52	1 965,36	146,07
2.50	Guavas and mangoes, fresh ex 0804 50 00	75,37	559,65	696,36	51,75
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	—	—	—	—
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	—	—	—	—
2.60.3	— Others 0805 10 50	—	—	—	—
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	142,69	1 059,56	1 318,38	97,99
2.70.2	— Monreales and satsumas ex 0805 20 30	124,14	921,81	1 146,99	85,25
2.70.3	— Mandarines and wilkings ex 0805 20 50	57,26	425,19	529,05	39,32
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	70,21	521,37	648,73	48,21
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	74,58	553,83	689,12	51,22
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	59,33	444,98	553,68	41,15
2.90.2	— pink ex 0805 40 00	61,17	454,21	565,17	42,00
2.100	Table grapes 0806 10 10	149,94	1 113,40	1 385,38	102,96
2.110	Water melons 0807 11 00	27,34	203,02	252,61	18,77

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	54,42	404,10	502,82	37,37
2.120.2	— Other ex 0807 19 00	80,38	596,85	742,65	55,20
2.140	Pears				
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	—	—	—	—
2.140.2	— Other ex 0808 20 50	—	—	—	—
2.150	Apricots 0809 10 00	430,13	3 193,97	3 974,18	295,37
2.160	Cherries 0809 20 95 0809 20 05	482,89	3 585,75	4 461,66	331,60
2.170	Peaches 0809 30 90	237,93	1 766,74	2 198,31	163,38
2.180	Nectarines ex 0809 30 10	125,47	931,71	1 159,31	86,16
2.190	Plums 0809 40 05	113,04	839,42	1 044,47	77,63
2.200	Strawberries 0810 10 00	238,04	1 767,57	2 199,34	163,46
2.205	Raspberries 0810 20 10	361,18	2 681,98	3 337,12	248,02
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 638,18	12 164,47	15 135,96	1 124,94
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	29,12	216,27	269,10	20,00
2.230	Pomegranates ex 0810 90 95	280,08	2 079,76	2 587,80	192,33
2.240	Khakis (including sharon fruit) ex 0810 90 95	165,99	1 232,56	1 533,65	113,98
2.250	Lychees ex 0810 90 30	129,84	964,11	1 199,62	89,16

**COMMISSION REGULATION (EC) No 456/2003
of 12 March 2003**

**laying down special rules on the prefinancing of export refunds for certain beef and veal products
placed under a customs-warehousing or free-zone procedure**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 33(12) thereof,

Whereas:

- (1) Chapter 3 of Title II of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽³⁾, as last amended by Regulation (EC) No 253/2002 ⁽⁴⁾, lays down the rules for advance payment of the refund for products and goods placed under a customs-warehousing or free-zone procedure.
- (2) Taking account of the conditions for the production of certain cuts of boned beef and veal and for placing them in storage, thus making them eligible under the arrangements for the advance payment of the refund, and also of the way in which those products are exported, the control provisions laid down in Article 27 of Regulation (EC) No 800/1999 should be supplemented with specific provisions. Those additional provisions concern, in particular, the creation of a computerised database by those operators who wish to participate in these arrangements, approved by the customs authorities responsible for control and to which the latter must have direct access.
- (3) A derogation should be made for some beef and veal products from the maximum period for which products may remain under a customs-warehousing or free-zone procedure provided for in Article 29(5) of Regulation (EC) No 800/1999. In order for these arrangements to function, in view of the special conditions prevailing in the beef and veal sector, that period should be four months.
- (4) In order to make operations more transparent and checks quicker and more effective, the number of operations to be subject to either phase of the procedure should be restricted.
- (5) In order to ensure the smooth operation of these arrangements, the control criteria and frequency and the consequences to be drawn where a discrepancy is

detected between the actual stocks and the database should be laid down. In addition, a derogation should be made from Article 26(7) of Regulation (EC) No 800/1999.

- (6) The Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to Regulation (EC) No 800/1999, for products falling within codes 0201 30 00 9100 and 0201 30 00 9120 of the agricultural product nomenclature for export refunds introduced by Commission Regulation (EEC) No 3846/87 ⁽⁵⁾ placed under a customs-warehousing or free-zone procedure, the prefinancing of export refunds shall be subject to the rules set out in this Regulation.

Article 2

1. Eligibility for prefinancing of the refund for the products referred to in Article 1 under the storage scheme shall be conditional on the issue of written authorisation by the customs authority responsible for the management and control of the scheme.

2. The authorisation referred to in paragraph 1 shall be issued only to operators giving a written undertaking to maintain a computerised database of products to be placed under the prefinancing arrangements (hereinafter called 'the database'). Where the products are stored in several places, authorisation may be granted for a database for each warehouse.

Where all or part of the goods are stored by a third party acting on behalf of the operator, the database may be maintained by that third party on the responsibility of the operator, who shall be answerable for its accuracy.

The competent customs authorities shall make prior checks to ensure that the database, to which they must have direct access without any need for prior notification, has been set up and is operational. The authorisation referred to in paragraph 1 shall lay down the procedure for accessing the database.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁴⁾ OJ L 183, 12.7.2002, p. 12.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

Article 3

The database must:

- (a) permit the meat covered by the arrangements to be traced administratively throughout the period of storage;
- (b) provide an up-to-date report in real time of the quantities of meat in storage, which must be available on the basis of each of the criteria referred to in the third subparagraph.

Traceability as referred to at (a) above shall be based on a unique identification reference assigned to meat from one boning operation carried out before the products concerned are placed under the prefinancing arrangements. One boning operation means the meat boned on a single day or part of a day.

The unique identification reference referred to in the second subparagraph shall comprise:

- a unique number,
- the date of production of the boned meat,
- the number of the boned meat certificate referred to in Article 4 of Commission Regulation (EEC) No 1964/82 ⁽¹⁾,
- the number of boxes per type of cut obtained and the net weight before freezing.

Article 4

1. The database shall be kept up-to-date and shall indicate the entry into and the removal from storage of products up to the day of presentation of:

- (a) the payment declaration referred to in Article 26(1) of Regulation (EC) No 800/1999;
- (b) the export declaration referred to in Article 32 of Regulation (EC) No 800/1999.

2. Storage in a Member State other than the one in which the payment declaration is accepted must be indicated in the database. Operators intending to use such storage arrangements shall inform the customs authorities thereof. Those authorities shall approve, *inter alia*, the procedure for tracking the products concerned in the database.

Article 5

The customs authorities shall accept the declarations referred to in Article 4 only after verifying that the operation for which the declaration has been issued is entered in the database as an 'entry' or a 'removal'.

However, the customs authority may accept declarations as referred to in Article 4 before making the check referred to in the first paragraph. In such cases, the operator must confirm to the authorities that the relevant entry has been made in the

database. The customs authorities may thus postpone and group these checks but must carry them out at least once in each period of two calendar months.

Article 6

Where Article 30 of Regulation (EC) No 800/1999 is applied, acceptance by the authority of the Member State of storage of the control copy T5 and the export declaration shall be subject to confirmation by the exporter that the relevant entry has been made in the database.

In such cases, the customs authority of the Member State in which the payment declaration has been accepted shall satisfy itself, in accordance with the second paragraph of Article 5, that the database mentions the operation.

Article 7

A maximum of two payment declarations may be accepted for each boning operation. A payment declaration may refer to a maximum of two boned meat certificates as referred to in Article 4 of Regulation (EEC) No 1964/82.

Article 8

Notwithstanding Article 29(5) of Regulation (EC) No 800/1999, products may remain under a customs-warehousing or free-zone procedure for four months from the date of acceptance of the payment declaration.

Article 9

1. The customs authorities shall carry out at least two unannounced checks per calendar year on the operation and content of the database.

Checks shall cover a total of at least 5 % of the total quantities of products that, according to the database, are in storage on the day checks begin. These checks shall ensure that the meat located in the storage premises is entered in the database and that, conversely, the meat entered in the database can be identified in the storage premises.

A report shall be drawn up for each check.

Where the sample of products to be checked includes meat stored in warehouses in other Member States, the customs authorities shall use the mutual-assistance arrangements referred to in Article 4(1) of Council Regulation (EC) No 515/97 ⁽²⁾.

2. The customs authorities shall inform the agency responsible for paying the export refund of:

- (a) all authorisations issued or withdrawn;
- (b) all checks carried out.

⁽¹⁾ OJ L 212, 21.7.1982, p. 48.

⁽²⁾ OJ L 82, 22.3.1997, p. 1.

Where there is presumed to be a risk of an irregularity, paying agencies may request the customs authorities to carry out a check.

3. Article 26(7) of Regulation (EC) No 800/1999 shall not apply to products subject to the checks provided for in this Regulation.

Article 10

Where the customs authorities find a discrepancy between the physical stock and the stock recorded in the database or that Article 4(2) has been infringed, the authorisation referred to in Article 2(1) shall be withdrawn for a period to be determined by the Member States, which may not be less than three months from the date on which the problem is detected.

Authorisation shall not be withdrawn where the infringement of Article 4(2) or the discrepancy between the physical stock and the stock registered in the database is the result of *force majeure*.

Authorisation shall also not be withdrawn where the quantities missing or not entered in the database are less than 1 % of the total weight of products selected for the check and are due to omissions or simple administrative errors, provided that corrective measures are taken to ensure that similar errors do not recur. If they recur, the customs authorities may then withdraw authorisation.

Article 11

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

It shall apply to payment declarations accepted from 1 October 2003.

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

Done at Brussels, 12 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 457/2003
of 12 March 2003**

**amending Regulation (EC) No 98/2003 as regards the establishment of the forecast supply balances
and the setting of the Community aid for the supply of beef and veal to Madeira and the Canary
Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima) ⁽¹⁾, and in particular Article 3(6) thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ⁽²⁾, as last amended by Commission Regulation (EC) No 1922/2002 ⁽³⁾, and in particular Article 3(6) thereof,

Whereas:

(1) Commission Regulation (EC) No 98/2003 ⁽⁴⁾, as amended by Regulation (EC) No 399/2003 ⁽⁵⁾, establishes the supply balances and Community aid for the supply of certain essential products for human consumption, for processing and as agricultural inputs and for the supply of live animals and eggs to the outermost regions under Council Regulations (EC) No 1452/2001 ⁽⁶⁾, (EC) No 1453/2001 and (EC) No 1454/2001.

(2) Under Article 33 of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽⁷⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽⁸⁾, export refunds in this sector are set at regular intervals. They were last set by Commission Regulation (EC) No 118/2003 ⁽⁹⁾. Different refunds may be set for different destinations or groups of destinations.

(3) To ensure a better supply of beef and veal products to the outermost regions, it should be specified that, where a refund amount for export of a product on the supply balance to a destination listed in code B03 is set at a level higher than the amounts laid down for that product in Regulation (EC) No 98/2003, that higher amount of aid is granted.

(4) Regulation (EC) No 98/2003 should be amended accordingly.

(5) Given that Regulation (EC) No 98/2003 applies from 1 January 2003, this Regulation should apply from the same date to ensure proper supply.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes III and V to Regulation (EC) No 98/2003 are hereby amended in accordance with the Annex hereto.

Article 2

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

It shall apply from 1 January 2003.

⁽¹⁾ OJ L 198, 21.7.2001, p. 26.

⁽²⁾ OJ L 198, 21.7.2001, p. 45.

⁽³⁾ OJ L 293, 29.10.2002, p. 11.

⁽⁴⁾ OJ L 14, 21.1.2003, p. 32.

⁽⁵⁾ OJ L 59, 4.3.2003, p. 13.

⁽⁶⁾ OJ L 198, 21.7.2001, p. 11.

⁽⁷⁾ OJ L 160, 26.6.1999, p. 21.

⁽⁸⁾ OJ L 315, 1.12.2001, p. 29.

⁽⁹⁾ OJ L 20, 24.1.2003, p. 3.

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

Done at Brussels, 12 March 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

1. Part 7 of Annex III to Regulation (EC) No 98/2003 is replaced by the following:

Part 7*Beef and veal sector*

Forecast supply balance and Community aid for the supply of Community products per calendar year

MADEIRA

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat: — meat of bovines, fresh or chilled	0201 0201 10 00 9110 ⁽¹⁾ 0201 10 00 9120 0201 10 00 9130 ⁽¹⁾ 0201 10 00 9140 0201 20 20 9110 ⁽¹⁾ 0201 20 20 9120 0201 20 30 9110 ⁽¹⁾ 0201 20 30 9120 0201 20 50 9110 ⁽¹⁾ 0201 20 50 9120 0201 20 50 9130 ⁽¹⁾ 0201 20 50 9140 0201 20 90 9700	4 000	144	162	(*)
	0201 30 00 9100 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9120 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9060 ⁽⁶⁾		120	138	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100	1 800	130	148	(*)
	0202 30 90 9200 ⁽⁶⁾		108	126	(*)

NB The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Regulation (EC) No 1254/1999. Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of the aid shall be equal to the amount of the refund granted for products falling within the same code of the agricultural product nomenclature for export refunds for destination B03 in force when the aid is applied for.

2. Part 8 of Annex V to Regulation (EC) No 98/2003 is replaced by the following.

Part 8

Beef and veal sector

Forecast supply balance and Community aid for the supply of Community products per calendar year

Description	CN code	Quantity (tonnes)	Aid (EUR/tonne)		
			I	II	III
Meat: — meat of bovines, fresh or chilled	0201 0201 10 00 9110 ⁽¹⁾ 0201 10 00 9120 0201 10 00 9130 ⁽¹⁾ 0201 10 00 9140 0201 20 20 9110 ⁽¹⁾ 0201 20 20 9120 0201 20 30 9110 ⁽¹⁾ 0201 20 30 9120 0201 20 50 9110 ⁽¹⁾ 0201 20 50 9120 0201 20 50 9130 ⁽¹⁾ 0201 20 50 9140 0201 20 90 9700	20 000	133	151	(*)
	0201 30 00 9100 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9120 ⁽²⁾ ⁽⁶⁾ 0201 30 00 9060 ⁽⁶⁾		111	129	(*)
— meat of bovines, frozen	0202 0202 10 00 9100 0202 10 00 9900 0202 20 10 9000 0202 20 30 9000 0202 20 50 9100 0202 20 50 9900 0202 20 90 9100	16 500	104	122	(*)
	0202 30 90 9200 ⁽⁶⁾		87	105	(*)

NB The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

(*) The amount shall be equal to the refund for products falling within the same CN code granted under Article 33 of Regulation (EC) No 1254/1999. Where the refunds granted under Article 33 of Regulation (EC) No 1254/1999 have differentiated amounts, the amount of the aid shall be equal to the amount of the refund granted for products falling within the same code of the agricultural product nomenclature for export refunds for destination B03 in force when the aid is applied for.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 February 2003

amending Decision 2000/265/EC on the establishment of a financial regulation governing the budgetary aspects of the management by the Deputy Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the communication infrastructure for the Schengen environment, 'Sisnet'

(2003/171/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the first sentence of the second subparagraph of Article 2(1) of the Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community, integrating the Schengen *acquis* into the framework of the European Union (hereinafter referred to as 'the Schengen Protocol'),

Whereas:

- (1) Decision 1999/870/EC ⁽¹⁾ authorised the Deputy Secretary-General of the Council to act, in the context of the integration of the Schengen *acquis* within the European Union, as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the communication infrastructure for the Schengen environment, 'Sisnet', and to manage such contracts.
- (2) The financial obligations arising under those contracts are not borne by the general budget of the European Communities. Therefore, the provisions of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽²⁾ do not apply.
- (3) Accordingly, a financial regulation was adopted by Decision 2000/265/EC ⁽³⁾ setting out specific rules to define the detailed procedures for establishing and implementing the budget required to meet any expenses

incurred in the course of concluding the contracts, the obligations arising under those contracts once concluded, for recovering the contributions to be paid by the States concerned and for the presentation and auditing of the accounts.

- (4) Pursuant to the provisions of Regulation (EC, Euratom) No 1605/2002 — the new Financial Regulation of the European Communities — certain amendments have been made to the internal financial control procedures of the Community institutions, which necessitate a technical adjustment to the financial regulation contained in Decision 2000/265/EC.
- (5) The present Decision is a development of the Schengen *acquis* within the meaning of the Schengen Protocol,

HAS DECIDED AS FOLLOWS:

Article 1

Article 14 of Decision 2000/265/EC shall be replaced by the following:

'Article 14

The task of financial controller shall be carried out by an official or servant of the General Secretariat of the Council appointed to that end by decision of the Deputy Secretary-General, who shall define the terms of this control.'

⁽¹⁾ OJ L 337, 30.12.1999, p. 41.

⁽²⁾ As recast by Regulation (EC, Euratom) No 1605/2002 (OJ L 248, 16.9.2002, p. 1).

⁽³⁾ OJ L 85, 6.4.2000, p. 12. Decision as amended by Decision 2000/664/EC (OJ L 278, 31.10.2000, p. 24).

Article 2

1. This Decision shall apply from 1 January 2003.
2. This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 February 2003.

For the Council
The President
M. CHRISOCHOÏDIS

COMMISSION

COMMISSION DECISION

of 12 March 2003

concerning protective measures in relation to avian influenza in the Netherlands

(notified under document number C(2003) 820)

(Text with EEA relevance)

(2003/172/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 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 2002/33/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 10 thereof,

Whereas:

(1) Since 28 February 2003 the Netherlands have declared outbreaks of highly pathogenic avian influenza, which were officially confirmed on 4 March 2003.

(2) The infections with avian influenza subtype H7N7 have affected several poultry flocks in the province of Gelderland.

(3) Avian influenza is a highly contagious poultry disease that can pose a serious threat for the poultry industry.

(4) In view of the high mortality and the rapid spread of the infection the Netherlands took immediate action as provided for by Council Directive 92/40/EEC ⁽³⁾ introducing Community measures for the control of avian influenza, as amended by the Act of Accession of Austria, Finland and Sweden, before the disease was officially confirmed. Furthermore, all movements of live poultry and hatching eggs within the Netherlands and their dispatch to other Member States was prohibited.

(5) The same prohibitions should apply to exports to third countries in order to protect their health status and to prevent the risk of re-entry of these consignments in another Member State.

(6) For the sake of clarity and transparency the Commission has taken Decision 2003/153/EC ⁽⁴⁾ in cooperation with the Dutch authorities, reinforcing the measures taken by the Netherlands and granting some specific derogations for movements of slaughter poultry and day-old chicks within the Netherlands.

(7) Decision 2003/157/EC prolonged those protective measures which are applicable until 13 March 2003.

(8) A further prolongation should be provided in the light of the disease evolution.

(9) 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

1. Without prejudice to the measures taken by the Netherlands within the framework of Council Directive 92/40/EEC ⁽⁵⁾ within the surveillance zones, the Dutch veterinary authorities shall ensure that:

(a) no live poultry and hatching eggs are dispatched from the Netherlands to other Member States and to third countries;

(b) no live poultry and hatching eggs are transported within the Netherlands.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 315, 19.11.2002, p. 14.

⁽³⁾ OJ L 167, 22.6.1992, p. 1.

⁽⁴⁾ OJ L 59, 4.3.2003, p. 32.

⁽⁵⁾ OJ L 167, 22.6.1992, p. 1.

2. By way of derogation from paragraph 1(b) the competent veterinary authority, taking all appropriate bio-security measures to avoid the spread of the disease, may authorise the transport of:

- (a) poultry for immediate slaughter to a slaughterhouse, that has been designated by the competent authority;
- (b) day-old chicks to a holding under official control.

Article 2

This Decision shall apply until 14 March 2003 at 24.00 (midnight).

Article 3

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision

and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 12 March 2003.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 12 March 2003
concerning protective measures in relation to a strong suspicion of avian influenza in Belgium

(notified under document number C(2003) 828)

(Text with EEA relevance)

(2003/173/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 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 Council Directive 2002/33/EC ⁽²⁾, and, in particular, Article 10 thereof,

Whereas:

- (1) Late on 11 March 2003 the veterinary authorities of Belgium have informed the Commission about a strong suspicion of avian influenza in a poultry flock in the province of Antwerp.
- (2) Avian influenza is a highly contagious poultry disease that can pose a serious threat for the poultry industry.
- (3) The Belgium authorities have immediately, before the official confirmation of the disease, implemented the measures foreseen in Council Directive 92/40/EEC ⁽³⁾ introducing Community measures for the control of avian influenza while further confirmatory diagnostic procedures are carried out.
- (4) In addition, Belgium in cooperation with the Commission, has put in place a nation-wide standstill for transport of live poultry and hatching eggs, which includes a prohibition of dispatch of live poultry and hatching eggs to Member States. However, in view of the specificity of poultry production, movements of day-old chicks and poultry for immediate slaughter may be authorised within Belgium.
- (5) The same prohibitions should apply to exports to third countries in order to protect their health status and to prevent the risk of re-entry of these consignments in another Member State.

(6) These measures should be adopted at Community level for the sake of clarity and transparency.

(7) The situation shall be reviewed at the meeting of the Standing Committee on the Food Chain and Animal Health scheduled for 13 March 2003,

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice to the measures taken by Belgium within the framework of Council Directive 92/40/EEC ⁽⁴⁾ within the surveillance zones, the Belgian veterinary authorities shall ensure that:

- (a) no live poultry and hatching eggs are dispatched from Belgium to other Member States and third countries;
- (b) no live poultry and hatching eggs are transported within Belgium.

2. By derogation from paragraph 1(b) the competent veterinary authority, taking all appropriate bio-security measures to avoid the spread of the disease, may authorise as from 13 March 2003 at 24.00 (midnight) the transport of:

- (a) poultry for immediate slaughter to a slaughterhouse, that has been designated by the competent authority;
- (b) day-old chicks to a holding under official control.

Article 2

This Decision is applicable until 20 March 2003 at 24.00 (midnight) unless the suspicion has been officially ruled out by laboratory testing.

Article 3

Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 315, 19.11.2002, p. 14.

⁽³⁾ OJ L 167, 22.6.1992, p. 1.

⁽⁴⁾ OJ L 167, 22.6.1992, p. 1.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 12 March 2003.

For the Commission

David BYRNE

Member of the Commission

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

No 86/02/COL

of 24 May 2002

updating the adaptation text to point 39 in Part 1.2 of Chapter I of Annex I to the EEA Agreement listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries and repealing EFTA Surveillance Authority Decision 325/99/COL of 16 December 1999

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the EEA Agreement, in particular Article 109 and Protocol 1 thereof,

Having regard to the Surveillance and Court Agreement, in particular Article 5(2)(d) and Protocol 1 thereof,

Having regard to points 4(B)(1) and (3) and point (5)(b) of the Introductory Part of Chapter I of Annex I to the EEA Agreement,

Having regard to the Act referred to in point 1.1.4 of Chapter I of Annex I to the EEA Agreement laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries (Council Directive 97/78/EC), as adapted by way of Protocol 1 to the EEA Agreement and by sectoral adaptations to Annex I to the same Agreement, in particular Article 6(2) of the Act,

Having regard to the Act referred to in point 1.1.5 of Chapter I of Annex I to the EEA Agreement laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC (Council Directive 91/496/EEC), as adapted by way of Protocol 1 to the EEA Agreement and by sectoral adaptations to Annex I to the same Agreement, in particular Article 6(4) of the Act,

Whereas the EFTA Surveillance Authority by Decision No 325/99/COL of 16 December 1999 drew up a list of border inspection posts in Iceland and Norway approved for veterinary checks on products and animals from third countries,

Whereas the EFTA Surveillance Authority, in close cooperation with the European Commission (hereinafter referred to as the Commission) and the competent authorities of Iceland and Norway, have inspected all the border inspection posts listed in Decision No 325/99/COL,

Whereas by EEA Joint Committee Decision No 101/2001 of 28 September 2001, the Contracting Parties to the EEA Agreement, have at Annex I (Veterinary Issues) paragraph 4B(3) agreed that the EC Commission and the EFTA Surveillance Authority shall arrange joint inspection visits to establish a common recommendation for the purposes of the decisions to which reference is made in Annex I paragraph 5(b) second indent of the Agreement,

Whereas, by EEA Joint Committee Decision No 101/2001 of 28 September 2001, the Contracting Parties to the EEA Agreement, taking the recommendations following the joint inspection visits by the EFTA Surveillance Authority and the Commission into consideration, have replaced the adaptation text of Point 39 (Commission Decision 97/778/EC) in Part 1.2 of Chapter I of Annex I to the EEA Agreement,

Whereas for that reason the EFTA Surveillance Authority Decision No 325/99/COL of 16 December 1999 drawing up a list of border inspection posts in Iceland and Norway approved for veterinary checks on products and animals from third countries should be repealed,

Whereas the Government of Iceland has requested the EFTA Surveillance Authority to add the border inspection posts in the port of Húsavík, the port of Njarðvík, the port of Siglufjörður and the port of Þorlákshöfn, to the list of border inspection posts in Iceland and Norway approved for veterinary checks on products and animals from third countries,

Whereas the Government of Norway has requested the EFTA Surveillance Authority to add the border inspection post in the port of Måløy to the list of border inspection posts in Iceland and Norway approved for veterinary checks on products and animals from third countries,

Whereas the addition of the border inspection posts in the port of Húsavík, the port of Njarðvík, the port of Siglufjörður and the port of Þorlákshöfn, Iceland and the border inspection post in the port of Måløy, Norway to the list of border inspection posts laid down in the Annex to this Decision is based on a common recommendation (Document No 02-02893-A and 02-02898-A) following a joint inspection visit by inspectors from the EFTA Surveillance Authority and from the Commission, as referred to in paragraph 4(B)3 of the Introductory part of Annex I to the EEA Agreement,

Whereas, based on an initiative from the Commission and on a common recommendation by the inspectors from the EFTA Surveillance Authority and from the Commission (Document No 02-03928-A and Document No 02-3929-A), the inspection centre in Kirkenes Port has been upgraded to a border inspection post,

Whereas at the request of the Government of Iceland and the Government of Norway various amendments have been made to the details of the listing for the border inspection posts in the adaptation text of point 39 (Commission Decision 97/778/EC) in Part 1.2 of Chapter I of Annex I to the EEA Agreement,

Whereas the inspection centres have been listed in the same way as the Commission has listed the inspection centres in the European Union in Commission Decision 2001/881/EC of 7 December 2001 drawing up a list of border inspection posts agreed for veterinary checks on animals and animal products from third countries and updating the detailed rules concerning the checks to be carried out by the experts of the Commission,

Whereas the EFTA Surveillance Authority by its Decisions 60/02/COL and 85/02/COL referred the matter to the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. Veterinary checks on live animals and animal products brought into Iceland and Norway from third countries shall be carried out by the competent national authorities at the agreed border inspection posts listed in the Annex to this Decision.
2. The EFTA Surveillance Authority Decision No 325/99/COL of 16 December 1999 drawing up a list of border inspection posts in Iceland and Norway approved for veterinary checks on products and animals from third countries is hereby repealed.
3. This Decision shall enter into force on 27 May 2002.
4. This Decision is addressed to Iceland and Norway.
5. This Decision shall be authentic in the English language.

Done at Brussels, 24 May 2002.

For the EFTA Surveillance Authority
The President
Einar M. BULL

ANNEX

List of agreed border inspection posts

- 1 = Name
- 2 = Animo code
- 3 = Type
- A = Airport
- F = Rail
- P = Port
- R = Road
- 4 = Inspection centre
- 5 = Products
- HC = All products for human consumption
- NHC = Other products
- NT = No temperature requirements
- T = Frozen/chilled products
- T(FR) = Frozen products
- T(CH) = Chilled products
- 6 = Live animals
- U = Ungulates: cattle, pigs, sheep, goats, wild and domestic solipeds
- E = Registered equidae as defined in Council Directive 90/426/EEC
- O = Other animals
- 5 and 6 = Special remarks
- (1) = Checking in line with the requirements of Commission Decision 93/352/EEC taken in execution of Article 19(3) of Council Directive 97/78/EC
- (2) = Packed products only
- (3) = Fishery products only
- (4) = Animal proteins only
- (5) = Wool hides and skins only
- (6) = Straw and hay only
- (8) = Semen and embryos only
- (9) = Wool only
- (10) = Icelandic ponies (from April to October only)
- (11) = Pigs from Cyprus only
- (12) = From Malta only
- (13) = Equidae only
- (14) = Tropical fish only
- (15) = Only cats, dogs, rodents, lagomorphs, live fish, reptiles and other birds than ratites
- (16) = Zoological animals only
- (17) = Only feedstuffs in bulk
- (18) = From Hungary only
- (19) = Aquaculture animals only
- (20) = Fish meal (including fish feed) only

Country: **Iceland**

1	2	3	4	5	6
Akureyri	1700499	P		HC-T(FR)(1)(2)(3), NHC(20)	
Eskifjörður	1700599	P		HC-T(FR)(1)(2)(3)	
Hafnarfjörður	1700299	P		HC-T(FR)(1)(2)(3), NHC(20)	
Húsavík	1701399	P		HC-T(FR)(1)(2)(3)	
Ísafjörður	1700399	P		HC-T(FR)(1)(2)(3)	
Keflavík Airport	1700799	A		HC(1)(2)(3)	O(19)

1	2	3	4	5	6
Njarðvík	1701999	P		HC-T(FR)(1)(2)(3), NHC-NT(20)	
Reykjavík	1700199	P		HC-T(FR)(1)(2)(3), NHC(20)	
Sigluðfjörður	1702199	P		HC-T(FR)(1)(2)(3)	
Þorlákshöfn	1701899	P		HC-T(FR)(1)(2)(3)	

Country: **Norway**

1	2	3	4	5	6
Borg	1501499	P		HC, NHC	E(10)
Båtsfjord	1501199	P		HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)	
Hammerfest	1501099	P	Alta	HC-T(FR)(1)(2)(3)	
			Leirvika	HC-T(1)(2)(3)	
			Rypefjord	HC-T(FR)(1)(2)(3), HC-NT(1)(2)(3)	
Honningsvåg	1501799	P	Honningsvåg	HC-T(1)(2)(3)	
			Gjesvær	HC-T(1)(2)(3)	
Kirkenes	1502199	P		HC-T(FR)(1)(2)(3)	
Kristiansund	1500299	P	Bud	HC-T(FR)(1)(2)(3)	
			Harøysund	HC-T(FR)(1)(2)(3)	
			Kristiansund	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
Måløy	1500599	P	Grotteberg	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
			Moldøen	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
			Trollebø	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
Oslo	1500199	P		HC, NHC	
Oslo	1501399	A		HC, NHC	U,E,O
Skjervøy	1502099	P		HC-T(FR)(1)(2)(3)	
Sortland	1501699	P	Andenes	HC-T(FR)(1)(2)(3)	
			Melbu	HC-T(FR)(1)(2)(3)	
			Sortland	HC-T(FR)(1)(2)(3)	

1	2	3	4	5	6
Stavanger	1500399	P	Tananger	NHC (20)	
Storskog	1501299	R		HC, NHC	U,E,O
Tromsø	1500999	P	Bukta	HC-T(FR)(1)(2)(3)	
			Dåfjord	HC-T(1)(2)(3)	
			Kaldfjord	HC-T(FR)(1)(2)(3)	
			Lenangen	HC-T(FR)(1)(2)(3)	
			Solstrand	HC-T(FR)(1)(2)(3)	
			Senjahopen	HC-T(FR)(1)(2)(3)	
			Vannøy	HC-T(FR)(1)(2)(3)	
Trondheim	1500799	P		HC-T(1)(2)(3)	
Vadsø	1501599	P	Svartnes	HC-T(FR)(1)(2)(3)	
			Vadsø	HC-T(FR)(1)(2)(3)	
Ålesund	1500699	P	Breivika	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
			Ellingsøy	HC-T(FR)(1)(2)(3)	
			Gangstøvika	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	
			Skutvik	HC-T(FR)(1)(2)(3), NHC-T(FR)(2)(3)	