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## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1500/2003****of 18 February 2003****on administering the double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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

Having regard to the proposal from the Commission,

Whereas:

*Article 1*

- (1) The Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part <sup>(1)</sup>, entered into force on 1 December 1997.
- (2) The European Community and the Russian Federation agreed to establish a double-checking system in respect of certain steel products for the period ranging from 13 October 1997 to 31 December 1999. This Agreement in the form of an Exchange of Letters was approved on behalf of the European Community by means of Decision 97/741/EC <sup>(2)</sup>. The system was extended for the period from 1 January 2000 to 31 December 2001 by means of Decision 2000/294/EC <sup>(3)</sup>. Regulation (EC) No 2135/97 <sup>(4)</sup>, extended by Regulation (EC) No 793/2000 <sup>(5)</sup>, established the corresponding implementing legislation for the Community.
- (3) The situation relating to imports of certain steel products from the Russian Federation to the Community has been the subject of thorough examination and, on the basis of relevant information supplied to them, the Parties have concluded an Agreement in the form of an Exchange of Letters <sup>(6)</sup> which establishes a double-checking system without quantitative limits for the period between the date of entry into force of this Regulation and 31 December 2004, unless both Parties agree to terminate the system earlier.
- (4) 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 <sup>(7)</sup>,

1. For the period running from the date on which this Regulation enters into force to 31 December 2004, in accordance with the provisions of the abovementioned Agreement in the form of an Exchange of Letters, imports into the Community of certain steel products originating in the Russian Federation, as listed in Appendix I, shall be subject to the presentation of a surveillance document conforming to the model shown in Appendix II issued by the authorities in the Community.

2. For the period running from the date on which this Regulation enters into force to 31 December 2004, imports into the Community of the steel products originating in the Russian Federation and listed in Appendix I shall, in addition, be subject to the issue of an export document issued by the competent Russian authorities. The export document shall conform to the model shown in Appendix III. It shall be valid for exports throughout the customs territory of the Community. The importer must present the original of the export document not later than 31 March of the year following that in which the goods covered by the document were shipped.

3. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.

4. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

5. The competent authorities of the Community undertake to inform the Russian Federation of any changes in the CN in respect of products covered by this Regulation before their date of entry into force in the Community.

<sup>(1)</sup> OJ L 327, 28.11.1997, p. 3.

<sup>(2)</sup> OJ L 300, 4.11.1997, p. 36.

<sup>(3)</sup> OJ L 96, 18.4.2000, p. 44.

<sup>(4)</sup> OJ L 300, 4.11.1997, p. 1.

<sup>(5)</sup> OJ L 96, 18.4.2000, p. 1.

<sup>(6)</sup> See page 26 of this Official Journal.

<sup>(7)</sup> OJ L 184, 17.7.1999, p. 23.

6. Goods shipped before the entry into force of this Regulation shall be excluded from the scope of this Regulation.

#### Article 2

1. The surveillance document referred to in Article 1 shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

2. A surveillance document issued by one of the competent national authorities listed in Appendix IV shall be valid throughout the Community.

3. The importer's application for a surveillance document shall include the following elements:

- (a) the name and full address of the applicant (including telephone and telefax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;
- (b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and fax numbers);
- (c) the full name and address of the exporter;
- (d) the exact description of the goods, including:
  - their trade name,
  - the CN code(s),
  - the country of origin,
  - the country of consignment;
- (e) the net weight, expressed in kg and also quantity in the unit prescribed where other than net weight, by combined nomenclature heading;
- (f) the cif value of the goods in euro at the Community frontier by combined nomenclature heading;
- (g) whether the products concerned are seconds or of substandard quality <sup>(1)</sup>;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;
- (j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:
 

‘I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.’

The importer shall also submit a copy of the contract of sale or purchase, the pro forma invoice and/or, in cases where the goods are not directly purchased in the country of production, a certificate of production issued by the producing steel mill.

4. Surveillance documents may be used only for such time as arrangements for the liberalisation of imports remain in force in respect of the transactions concerned. Without preju-

dice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

- the period of validity of the surveillance document is hereby fixed at four months,
- unused or partly used surveillance documents may be renewed for an equal period.

5. The importer shall return surveillance documents to the issuing authority at the end of their period of validity.

#### Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the import document by less than 5 % or that the total value or quantity of the products presented for import exceeds the value or quantity given in the import document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for import documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

#### Article 4

1. Within the first 10 days of each month, the Member States shall communicate to the Commission:

- (a) details of the quantities and values (calculated in euro) for which import documents were issued during the preceding month;
- (b) details of imports during the month preceding the month referred to in (a).

The information provided by Member States shall be broken down by product, CN code and by country.

2. The Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant an import document.

#### Article 5

Any notices to be given hereunder shall be given to the Commission and shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

#### Article 6

##### Committee procedure

1. The Commission shall be assisted by a committee composed of representatives of the Member States and chaired by a representative of the Commission.

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

<sup>(1)</sup> Under the criteria given in the Commission communication concerning identification criteria of non-prime steel products from third countries applied by customs services of Member States (OJ C 180, 11.7.1991, p. 4).

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

3. The Committee shall adopt its rules of procedure.

*Article 7*

Amendments to the appendices which may be necessary to take into account modifications to the Annex or appendices attached to the Agreement in the Form of an Exchange of

Letters between the European Community and the Russian Federation, or amendments made to Community rules on statistics, customs arrangements, common rules for imports or import surveillance, shall be adopted in accordance with the procedure laid down in Article 6(2).

This Regulation shall enter into force on the 15th 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, 18 February 2003.

*For the Council*

*The President*

N. CHRISTODOULAKIS

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## ANNEX

*Appendix I***List of products subject to double-checking without quantitative limits**

## RUSSIAN FEDERATION

*Cold-rolled narrow strip of a width not exceeding 500 mm*

7211 23 99

7211 29 50

7211 29 90

7211 90 90

*Grain non-oriented electrical sheet*

7211 23 91

7225 19 10

7225 19 90

7226 19 10

7226 19 30

7226 19 90

*Grain-oriented electrical sheet*

7226 11 90

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**EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT**

1	1. <b>Consignee</b> (name, full address, country, VAT number)	2. <b>Issue number</b>
		3. <b>Proposed place and date of import</b>
		4. <b>Authority responsible for issue</b> (name, address and telephone No)
	5. <b>Declarant/representative as applicable</b> (name and full address)	6. <b>Country of origin</b> (and geonomenclature code)
		7. <b>Country of consignment</b> (and geonomenclature code)
		8. <b>Last day of validity</b>
1	9. <b>Description of goods</b>	10. <b>CN code and category</b>
		11. <b>Quantity in kilograms (net mass) or in additional units</b>
		12. <b>Value in euro, cif at Community frontier</b>
13. <b>Additional remarks</b>		
14. <b>Competent authority's endorsement</b>  Date: .....  Signature: ..... Stamp: .....		

**15. ATTRIBUTIONS**

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. <b>Net quantity</b> (net mass or other unit of measure stating the unit)		19. <b>Customs document</b> (form and number) <b>or</b> <b>extract No and date</b> <b>of attribution</b>	20. <b>Name, Member State, stamp and</b> <b>signature of the attributing authority</b>
17. <b>In figures</b>	18. <b>In words for the quantity attributed</b>		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.



# EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

2	1. <b>Consignee</b> (name, full address, country, VAT number)	2. <b>Issue number</b>	
		3. <b>Proposed place and date of import</b>	
		4. <b>Authority responsible for issue</b> (name, address and telephone No)	
	5. <b>Declarant/representative as applicable</b> (name and full address)	6. <b>Country of origin</b> (and geonomenclature code)	
		7. <b>Country of consignment</b> (and geonomenclature code)	
		8. <b>Last day of validity</b>	
2	9. <b>Description of goods</b>		10. <b>CN code and category</b>
			11. <b>Quantity in kilograms (net mass) or in additional units</b>
			12. <b>Value in euro, cif at Community frontier</b>
13. <b>Additional remarks</b>			
14. <b>Competent authority's endorsement</b>			
Date: .....  Signature: ..... Stamp: .....			

**15. ATTRIBUTIONS**

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. <b>Net quantity</b> (net mass or other unit of measure stating the unit)		19. <b>Customs document</b> (form and number) <b>or</b> <b>extract No and date</b> <b>of attribution</b>	20. <b>Name, Member State, stamp and</b> <b>signature of the attributing authority</b>
17. <b>In figures</b>	18. <b>In words for the quantity attributed</b>		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.





1. <b>Exporter</b> (name, full address, country)	ORIGINAL		2. <b>No</b>		
	3. <b>Year</b>		4. <b>Product group</b>		
	<div>EXPORT DOCUMENT</div> <div>(Steel products)</div>				
5. <b>Consignee</b> (name, full address, country)					6. <b>Country of origin</b>
8. <b>Place and date of shipment — means of transport</b>		9. <b>Supplementary details</b>			
10. <b>Description of goods — manufacturer</b>		11. <b>CN code</b>	12. <b>Quantity</b> <sup>(1)</sup>	13. <b>FOB value</b> <sup>(2)</sup>	
14. <b>CERTIFICATION BY THE COMPETENT AUTHORITY</b>					
15. <b>Competent authority</b> (name, full address, country)		At ..... on .....			
		(Signature)		(Stamp)	

<sup>(1)</sup> Show net weight (kg) and also quantity in the unit prescribed where other than net weight.  
<sup>(2)</sup> In the currency of the sale contract.



(<sup>1</sup>) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.  
(<sup>2</sup>) In the currency of the sale contract.

1. <b>Exporter</b> (name, full address, country)	<b>COPY</b>		2. <b>No</b>	
	3. <b>Year</b>		4. <b>Product group</b>	
	<b>EXPORT DOCUMENT</b>  (Steel products)			
6. <b>Country of origin</b>				
5. <b>Consignee</b> (name, full address, country)	9. <b>Supplementary details</b>			
8. <b>Place and date of shipment — means of transport</b>				
10. <b>Description of goods — manufacturer</b>	11. <b>CN code</b>	12. <b>Quantity</b> ( <sup>1</sup> )	13. <b>FOB value</b> ( <sup>2</sup> )	
14. <b>CERTIFICATION BY THE COMPETENT AUTHORITY</b>				
15. <b>Competent authority</b> (name, full address, country)	At ..... on .....  (Signature) (Stamp)			





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**LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES**  
**LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER**  
**LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN**  
**ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ**  
**LIST OF THE COMPETENT NATIONAL AUTHORITIES**  
**LISTE DES AUTORITÉS NATIONALES COMPÉTENTES**  
**ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI**  
**LIJST VAN BEVOEGDE NATIONALE INSTANTIES**  
**LISTA DAS AUTORIDADES NACIONAIS COMPETENTES**  
**LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA**  
**FÖRTECKNING ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER**

**BELGIQUE/BELGIË**

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Vejlsøvej 29  
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Import/Export Licensing, Block C  
Earlsfort Centre  
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**ITALIA**

Ministero delle Attività produttive  
Direzione generale per la Politica commerciale e per la gestione del  
regime degli scambi  
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Fax (39) 06 59 93 22 35/59 93 26 36

**LUXEMBOURG**

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**NEDERLAND**

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Direcção-Geral das Alfândegas e dos Impostos Especiais  
sobre o Consumo  
Rua Terreiro do Trigo  
Edifício da Alfândega da Lisboa  
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## SUOMI/FINLAND

Tullihallitus/Tullstyrelsen  
PL/PB 512  
FIN-00101 Helsinki/Helsingfors  
Faksi/Fax (358-9) 614 28 52

## SVERIGE

Kommerskollegium  
Box 6803  
S-113 86 Stockholm  
Fax (46-8) 30 67 59

## UNITED KINGDOM

Department of Trade and Industry  
Import Licensing Branch  
Queensway House - West Precinct  
Billingham, Cleveland  
TS23 2NF  
United Kingdom  
Fax: (44-1642) 53 35 57

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**COMMISSION REGULATION (EC) No 1501/2003**  
**of 27 August 2003**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 28 August 2003.

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

Done at Brussels, 27 August 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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

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

## ANNEX

**to the Commission Regulation of 27 August 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	48,9
	060	48,8
	068	45,3
	096	39,3
	999	45,6
0707 00 05	052	124,8
	096	82,2
	999	103,5
0709 90 70	052	74,2
	999	74,2
0805 50 10	382	45,4
	388	57,6
	524	46,6
	528	56,4
	999	51,5
0806 10 10	052	91,0
	064	125,6
	999	108,3
0808 10 20, 0808 10 50, 0808 10 90	388	73,1
	400	80,3
	508	82,8
	512	86,6
	720	56,6
	800	129,4
	804	94,0
	999	86,1
0808 20 50	052	119,6
	388	95,8
	999	107,7
0809 30 10, 0809 30 90	052	122,9
	999	122,9
0809 40 05	060	63,5
	064	49,5
	066	56,6
	068	50,0
	093	74,5
	094	58,0
	624	125,5
	999	68,2

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

**COMMISSION REGULATION (EC) No 1502/2003**  
**of 26 August 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1335/2003 <sup>(4)</sup>, 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 29 August 2003.

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

Done at Brussels, 26 August 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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<sup>(1)</sup> OJ L 302, 19.10.1992, p. 1.

<sup>(2)</sup> OJ L 311, 12.12.2000, p. 17.

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1.

<sup>(4)</sup> OJ L 187, 26.7.2003, p. 16.

## 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	—	—	—	—
1.30	Onions (other than seed) 0703 10 19	21,68	161,13	199,64	15,00
1.40	Garlic 0703 20 00	108,79	808,61	1 001,86	75,27
1.50	Leeks ex 0703 90 00	40,98	304,59	377,38	28,35
1.80	White cabbages and red cabbages 0704 90 10	52,34	389,02	481,99	36,21
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	456,58	565,70	42,50
1.100	Chinese cabbage ex 0704 90 90	54,27	403,37	499,77	37,55
1.130	Carrots ex 0706 10 00	18,15	134,90	167,14	12,56
1.140	Radishes ex 0706 90 90	92,37	686,55	850,63	63,91
1.160	Peas ( <i>Pisum sativum</i> ) 0708 10 00	321,44	2 389,16	2 960,14	222,41
1.170	Beans:				
1.170.1	— Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	95,21	707,66	876,78	65,88
1.170.2	— Beans ( <i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	93,80	697,18	863,79	64,90
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	251,54	1 869,63	2 316,45	174,04
1.200.2	— other 0709 20 00	218,23	1 622,02	2 009,66	150,99
1.210	Aubergines (eggplants) 0709 30 00	79,48	590,74	731,92	54,99
1.220	Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	79,14	588,22	728,79	54,76
1.230	Chantarelles 0709 59 10	727,60	5 407,98	6 700,42	503,43
1.240	Sweet peppers 0709 60 10	105,58	784,71	972,25	73,05
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	95,41	709,11	878,58	66,01
2.30	Pineapples, fresh ex 0804 30 00	100,60	747,69	926,38	69,60

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.40	Avocados, fresh ex 0804 40 00	168,72	1 254,05	1 553,76	116,74
2.50	Guavas and mangoes, fresh ex 0804 50 00	149,40	1 110,40	1 375,78	103,37
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	43,20	321,09	397,82	29,89
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	46,72	347,25	430,23	32,33
2.60.3	— Others 0805 10 50	43,27	321,61	398,47	29,94
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	82,46	612,86	759,33	57,05
2.70.2	— Monreales and satsumas ex 0805 20 30	66,49	494,19	612,30	46,00
2.70.3	— Mandarines and wilkings ex 0805 20 50	75,75	563,00	697,55	52,41
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	67,99	505,37	626,15	47,05
2.85	Limes ( <i>Citrus aurantifolia</i> , <i>Citrus latifolia</i> ), fresh 0805 50 90	71,39	530,64	657,46	49,40
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	51,29	381,25	472,37	35,49
2.90.2	— pink ex 0805 40 00	89,61	666,02	825,20	62,00
2.100	Table grapes 0806 10 10	—	—	—	—
2.110	Water melons 0807 11 00	23,87	177,39	219,79	16,51
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	123,08	914,80	1 133,43	85,16
2.120.2	— Other ex 0807 19 00	155,21	1 153,60	1 429,30	107,39
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	212,30	1 577,94	1 955,04	146,89
2.160	Cherries 0809 20 95 0809 20 05	476,96	3 545,07	4 392,30	330,01

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.200	Strawberries 0810 10 00	393,34	2 923,52	3 622,20	272,15
2.205	Raspberries 0810 20 10	304,95	2 266,57	2 808,25	210,99
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	413,01	3 069,74	3 803,37	285,76
2.220	Kiwi fruit ( <i>Actinidia chinensis</i> Planch.) 0810 50 00	173,64	1 290,57	1 599,00	120,14
2.230	Pomegranates ex 0810 90 95	312,38	2 321,80	2 876,68	216,14
2.240	Khakis (including sharon fruit) ex 0810 90 95	341,19	2 535,91	3 141,96	236,07
2.250	Lychees ex 0810 90 30	186,39	1 385,35	1 716,43	128,96



**COMMISSION REGULATION (EC) No 1503/2003****of 27 August 2003****derogating from Regulation (EC) No 2342/1999 and from Council Regulation (EC) No 2529/2001 as regards advance payments in the beef and veal sector and payments in the sheepmeat and goatmeat sector**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 806/2003 <sup>(2)</sup>, and in particular Articles 4(8) and 6(7) thereof,

Having regard to Council Regulation (EC) No 2529/2001 of 19 December 2001 on the common organisation of the market in sheepmeat and goatmeat <sup>(3)</sup>, and in particular Article 26 thereof,

Whereas:

- (1) Article 41 of Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes <sup>(4)</sup>, as last amended by Regulation (EC) No 173/2003 <sup>(5)</sup>, lays down certain rules relating to the payment of advances.
- (2) Article 6(1) of Regulation (EC) No 2529/2001 lays down certain rules relating to the payments of the ewe and goat premiums.
- (3) Due to exceptionally unfavourable weather conditions characterised by an intense and prolonged drought and aggravated in some cases by disastrous forest fires, producers in some Member States do not have enough fodder to feed the livestock on their farms. In order to allow these producers to meet the additional financial burdens resulting in particular from the need to buy additional fodder, the Member States concerned should be authorised to make advance payments for the beef special premium and the suckler cow premium as well as payments for the ewe and goat premiums before 16 October 2003.
- (4) These payments should be made to producers whose holding is recognised by the Member States concerned as being abnormally affected by the drought.

(5) Under these circumstances it is necessary to derogate from Regulation (EC) No 2342/1999 and Regulation (EC) No 2529/2001.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the applications concerning the calendar year 2003, the Member States referred to in the Annex shall from 1 September 2003 until 15 October 2003 at the latest:

- (a) by way of derogation from the fourth subparagraph of Article 41(1) of Regulation (EC) No 2342/1999, grant advance payments for the beef special premium and/or the suckler cow premium; and/or
- (b) by way of derogation from the second subparagraph of Article 6(1) of Regulation (EC) No 2529/2001, grant payments for the total or partial amount of the annual ewe and goat premiums.

2. The payments referred to in paragraph 1 shall be made within the financial limits set out in the Annex.

3. The Member States concerned shall determine on the basis of objective criteria:

- the producers that they consider to be abnormally affected by the drought and/or the forest fires, and
- the allocation of the amounts of the payments to these producers.

4. The Member States concerned shall communicate to the Commission, by 31 October 2003 at the latest, the objective criteria referred to in paragraph 3 as well as the number of animals eligible for the payments.

*Article 2*

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

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

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

<sup>(3)</sup> OJ L 341, 22.12.2001, p. 3.

<sup>(4)</sup> OJ L 281, 4.11.1999, p. 30.

<sup>(5)</sup> OJ L 211, 21.8.2003, p. 12.

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

Done at Brussels, 27 August 2003.

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

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ANNEX

	EUR million
Germany	87
France	225
Italy	63
Luxembourg	1,4
Portugal	25

**COMMISSION REGULATION (EC) No 1504/2003****of 27 August 2003****fixing the production refund for olive oil used in the manufacture of certain preserved foods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No 1513/2001 <sup>(2)</sup>, and in particular Article 20a thereof,

Whereas:

- (1) Article 20a of Regulation No 136/66/EEC provides for the granting of a production refund for olive oil used in the preserving industry. Under paragraph 6 of that Article, and without prejudice to paragraph 3 thereof, the Commission shall fix this refund every two months.
- (2) By virtue of Article 20a(2) of the abovementioned Regulation, the production refund must be fixed on the basis of the gap between prices on the world market and on the Community market, taking account of the import charge applicable to olive oil falling within CN

subheading 1509 90 00 and the factors used for fixing the export refunds for those olive oils during the reference period. It is appropriate to take as a reference period the two-month period preceding the beginning of the term of validity of the production refund.

- (3) The application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the months of September and October 2003, the amount of the production refund referred to in Article 20a(2) of Regulation No 136/66/EEC shall be EUR 44,00/100 kg.

*Article 2*

This Regulation shall enter into force on 1 September 2003.

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

Done at Brussels, 27 August 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

<sup>(1)</sup> OJ L 72, 30.9.1966, p. 3025/66.

<sup>(2)</sup> OJ L 201, 26.7.2001, p. 4.

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 18 February 2003

**on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation establishing a double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community**

(2003/618/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part <sup>(1)</sup>, entered into force on 1 December 1997.
- (2) The European Community and the Russian Federation agreed to establish a double-checking system in respect of certain steel products for the period ranging from 13 October 1997 to 31 December 1999. This Agreement in the form of an Exchange of Letters was approved on behalf of the European Community by means of Decision 97/741/EC <sup>(2)</sup>. The system was extended for the period from 1 January 2000 to 31 December 2001 by means of Decision 2000/294/EC <sup>(3)</sup>. Regulation (EC) No 2135/97 <sup>(4)</sup>, extended by Regulation (EC) No 793/2000 <sup>(5)</sup>, established the corresponding implementing legislation for the Community.
- (3) The Commission has finalised negotiations for an Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation establishing a double-checking system without quantitative

limits in respect of the export of certain steel products from the Russian Federation to the European Community,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. The Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation establishing a double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community is hereby approved on behalf of the European Community.
2. The text of the Agreement is annexed to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters referred to in Article 1 in order to bind the Community.

Done at Brussels, 18 February 2003.

*For the Council*

*The President*

N. CHRISTODOULAKIS

<sup>(1)</sup> OJ L 327, 28.11.1997, p. 3.

<sup>(2)</sup> OJ L 300, 4.11.1997, p. 36.

<sup>(3)</sup> OJ L 96, 18.4.2000, p. 44.

<sup>(4)</sup> OJ L 300, 4.11.1997, p. 1.

<sup>(5)</sup> OJ L 96, 18.4.2000, p. 1.

**AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS**

**between the European Community and the Russian Federation establishing a double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community**

*A. Letter from the European Community*

Moscow, 30 July 2003

Sir,

1. I have the honour to refer to the Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation of 13 October 1997, establishing a double-checking system, without quantitative limits, in respect of the export of certain steel products covered by the EC and ECSC Treaties from the Russian Federation to the European Community. The system entered into force on 5 November 1997 for the period between that date and 31 December 1999, and was renewed between that date and 31 December 2001.
2. During the negotiations between the European Coal and Steel Community and the Russian Federation concerning a new steel agreement, the Parties agreed to extend the double-checking system, without quantitative limits, in respect of certain steel products for the period 1 January 2002 to 31 December 2004 in order to improve transparency and to avoid possible diversions of trade. The details of the double-checking system are annexed to this letter.
3. This Exchange of Letters is without prejudice to the application of the relevant provisions of the bilateral agreements on trade and trade-related matters, in particular those relating to anti-dumping and safeguard measures.
4. Either Party may at any time propose amendments to the Annex or the appendices thereto, which shall require the mutual consent of the Parties and shall take effect as agreed by them. Should anti-dumping or safeguard investigations be initiated or measures introduced in the European Community concerning a product under the double-checking system, the Russian Federation will decide whether to exclude the product in question from the double-checking system. Such a decision shall not affect the entry into free circulation of the product in question into the Community.
5. In conclusion, I have the honour to propose that if this letter, the Annex and the appendices thereto are acceptable to your Government, this letter and your confirmation shall together constitute an agreement between the European Community and the Russian Federation, which shall enter into force on the date of your reply.

Please accept, sir, the assurance of my highest consideration,

*For the European Community*



*B. Letter from the Government of the Russian Federation*

Moscow, 30 July 2003

Sir,

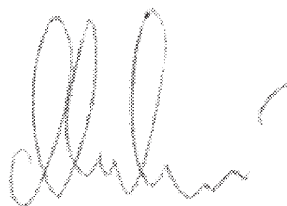
I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

1. I have the honour to refer to the Agreement in the form of an Exchange of Letters between the European Community and the Russian Federation of 13 October 1997, establishing a double-checking system, without quantitative limits, in respect of the export of certain steel products covered by the EC and ECSC Treaties from the Russian Federation to the European Community. The system entered into force on 5 November 1997 for the period between that date and 31 December 1999, and was renewed between that date and 31 December 2001.
2. During the negotiations between the European Coal and Steel Community and the Russian Federation concerning a new steel agreement, the Parties agreed to extend the double-checking system, without quantitative limits, in respect of certain steel products for the period 1 January 2002 to 31 December 2004 in order to improve transparency and to avoid possible diversions of trade. The details of the double-checking system are annexed to this letter.
3. This Exchange of Letters is without prejudice to the application of the relevant provisions of the bilateral agreements on trade and trade-related matters, in particular those relating to anti-dumping and safeguard measures.
4. Either Party may at any time propose amendments to the Annex or the Appendices thereto, which shall require the mutual consent of the Parties and shall take effect as agreed by them. Should anti-dumping or safeguard investigations be initiated or measures introduced in the European Community concerning a product under the double-checking system, the Russian Federation will decide whether to exclude the product in question from the double-checking system. Such a decision shall not affect the entry into free circulation of the product in question into the Community.
5. In conclusion, I have the honour to propose that if this letter, the Annex and the appendices thereto are acceptable to your Government, this letter and your confirmation shall together constitute an agreement between the European Community and the Russian Federation, which shall enter into force on the date of your reply.'

I have the honour to confirm that the above is acceptable to my Government and that your letter, this reply and the attached Annex and appendices together constitute an agreement, in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of the Russian Federation*



## ANNEX

- 1.1. For the period running from 1 January 2002 to 31 December 2004, unless both Parties agree to terminate the system earlier, imports into the Community of the products listed in Appendix I originating in the Russian Federation shall be subject to the presentation of a surveillance document conforming to the model shown in Appendix II issued by the authorities in the Community.
  - 1.2. For the period running from 1 January 2002 to 31 December 2004, unless both Parties agree to terminate the system earlier, imports into the Community of the products listed in Appendix I and which originate in the Russian Federation shall, in addition, be subject to the issue of an export document by the competent Russian authorities. The importer must present the original of the export document not later than 31 March of the year following that in which the goods covered by the document were shipped.
  - 1.3. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.
  - 1.4. The export document shall conform to the model shown in Appendix III. It shall be valid for exports throughout the customs territory of the Community.
  - 1.5. The Russian Federation shall notify the Commission of the European Communities of the names and addresses of the appropriate Russian governmental authorities which are authorised to issue and verify export documents together with specimens of the stamps and signatures they use. The Russian Federation shall also notify the Commission of any change in these particulars.
  - 1.6. The classification of the products covered by this Agreement is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'CN'). The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.
  - 1.7. The competent authorities of the Community undertake to inform the Russian Federation of any changes in the CN in respect of products covered by this Agreement before their date of entry into force in the Community.
  - 1.8. Certain technical provisions on the implementation of the double-checking system are set out in Appendix IV.
  - 2.1. The Russian Federation undertakes to supply the Community with precise statistical information on the export documents issued by the Russian authorities pursuant to 1.2. Such information shall be transmitted to the Community by the end of the month following the month to which the statistics relate.
  - 2.2. The Community undertakes to supply the Russian authorities with precise statistical information on surveillance documents issued by Member States in respect of the export documents issued by the Russian authorities pursuant to 1.1. Such information shall be transmitted to the Russian authorities by the end of the month following the month to which the statistics relate.
  3. If necessary, at the request of either of the Parties, consultations shall be held on any problems arising from the operation of this Agreement. Such consultations shall be held promptly. Any consultations held under this Article shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.
  4. Any notices to be given hereunder shall be given:
    - in respect of the Community, to the Commission of the European Communities;
    - in respect of the Russian Federation, to the Ministry of Economic Development and Trade, Department of Non-Tariff Regulation.
-

*Appendix I***List of products subject to double-checking without quantitative limits**

## RUSSIAN FEDERATION

*Cold-rolled narrow strip of a width not exceeding 500 mm*

7211 23 99

7211 29 50

7211 29 90

7211 90 90

*Grain non-oriented electrical sheet*

7211 23 91

7225 19 10

7225 19 90

7226 19 10

7226 19 30

7226 19 90

*Grain-oriented electrical sheet*

7226 11 90

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EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

1	1. <b>Consignee</b> (name, full address, country, VAT number)	2. <b>Issue number</b>	
		3. <b>Proposed place and date of import</b>	
		4. <b>Authority responsible for issue</b> (name, address and telephone No)	
	5. <b>Declarant/representative as applicable</b> (name and full address)	6. <b>Country of origin</b> (and geonomenclature code)	
		7. <b>Country of consignment</b> (and geonomenclature code)	
8. <b>Last day of validity</b>			
1	9. <b>Description of goods</b>		10. <b>CN code and category</b>
			11. <b>Quantity in kilograms (net mass) or in additional units</b>
			12. <b>Value in euro, cif at Community frontier</b>
13. <b>Additional remarks</b>			
14. <b>Competent authority's endorsement</b>  Date: .....  Signature: ..... Stamp: .....			

**15. ATTRIBUTIONS**

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. <b>Net quantity</b> (net mass or other unit of measure stating the unit)		19. <b>Customs document</b> (form and number) <b>or</b> <b>extract No and date</b> <b>of attribution</b>	20. <b>Name, Member State, stamp and</b> <b>signature of the attributing authority</b>
17. <b>In figures</b>	18. <b>In words for the quantity attributed</b>		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.

# EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

2	1. <b>Consignee</b> (name, full address, country, VAT number)	2. <b>Issue number</b>	
		3. <b>Proposed place and date of import</b>	
		4. <b>Authority responsible for issue</b> (name, address and telephone No)	
	5. <b>Declarant/representative as applicable</b> (name and full address)	6. <b>Country of origin</b> (and geonomenclature code)	
		7. <b>Country of consignment</b> (and geonomenclature code)	
		8. <b>Last day of validity</b>	
2	9. <b>Description of goods</b>		10. <b>CN code and category</b>
			11. <b>Quantity in kilograms (net mass) or in additional units</b>
			12. <b>Value in euro, cif at Community frontier</b>
13. <b>Additional remarks</b>			
14. <b>Competent authority's endorsement</b>			
Date: .....  Signature: ..... Stamp: .....			

**15. ATTRIBUTIONS**

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. <b>Net quantity</b> (net mass or other unit of measure stating the unit)		19. <b>Customs document</b> (form and number) <b>or</b> <b>extract No and date</b> <b>of attribution</b>	20. <b>Name, Member State, stamp and</b> <b>signature of the attributing authority</b>
17. <b>In figures</b>	18. <b>In words for the quantity attributed</b>		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.





1. <b>Exporter</b> (name, full address, country)	ORIGINAL		2. <b>No</b>		
	3. <b>Year</b>		4. <b>Product group</b>		
	<div>EXPORT DOCUMENT</div> <div>(Steel products)</div>				
5. <b>Consignee</b> (name, full address, country)					6. <b>Country of origin</b>
8. <b>Place and date of shipment — means of transport</b>		9. <b>Supplementary details</b>			
10. <b>Description of goods — manufacturer</b>		11. <b>CN code</b>	12. <b>Quantity</b> <sup>(1)</sup>	13. <b>FOB value</b> <sup>(2)</sup>	
14. CERTIFICATION BY THE COMPETENT AUTHORITY					
15. <b>Competent authority</b> (name, full address, country)		At ..... on .....			
		(Signature)		(Stamp)	

<sup>(1)</sup> Show net weight (kg) and also quantity in the unit prescribed where other than net weight.  
<sup>(2)</sup> In the currency of the sale contract.





(<sup>1</sup>) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.  
(<sup>2</sup>) In the currency of the sale contract.

1. <b>Exporter</b> (name, full address, country)	<b>COPY</b>		2. <b>No</b>	
	3. <b>Year</b>		4. <b>Product group</b>	
	<b>EXPORT DOCUMENT</b>  (Steel products)			
6. <b>Country of origin</b>				
5. <b>Consignee</b> (name, full address, country)	9. <b>Supplementary details</b>			
8. <b>Place and date of shipment — means of transport</b>				
10. <b>Description of goods — manufacturer</b>	11. <b>CN code</b>	12. <b>Quantity</b> ( <sup>1</sup> )	13. <b>FOB value</b> ( <sup>2</sup> )	
14. <b>CERTIFICATION BY THE COMPETENT AUTHORITY</b>				
15. <b>Competent authority</b> (name, full address, country)	At ..... on .....  (Signature) (Stamp)			



## Appendix IV

## RUSSIAN FEDERATION

**Technical annex on the double-checking system**

1. The export documents shall measure 210 × 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 25 g/m<sup>2</sup>. They shall be made out in English. If they are completed by hand, entries must be in ink and in printed script. These documents may comprise additional copies duly indicated as such. If the documents have several copies only the top copy is the original. This copy shall be clearly marked as 'original' and other copies as 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the control of export to the Community in accordance with the provisions of the double-checking system.
  2. Each document shall bear a standardised serial number, whether or not printed, by which it can be identified. This number shall be composed of the following elements:
    - two letters identifying the exporting country as follows: RU = Russian Federation,
    - two letters identifying the intended Member State of customs clearance as follows:
      - BE = Belgium
      - DK = Denmark
      - DE = Germany
      - EL = Greece
      - ES = Spain
      - FR = France
      - IE = Ireland
      - IT = Italy
      - LU = Luxembourg
      - NL = Netherlands
      - AT = Austria
      - PT = Portugal
      - FI = Finland
      - SE = Sweden
      - GB = United Kingdom,
    - a one-digit number identifying the year, corresponding to the last figure in the respective year, e.g. '2' for 2002,
    - a two-digit number from 01 to 99, identifying the particular issuing office concerned in the exporting country,
    - a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.
  3. The export documents shall be valid for the calendar year during which they are issued, as shown in Box No 3 of the export document.
  4. Since the importer needs to present the original export document when requesting an import document, export documents should, as far as possible, be issued in respect of individual commercial transactions, not global contracts.
  5. The Russian Federation need not show price information on the export document but that information is available to the competent Commission authorities on request.
  6. Export documents may be issued after the shipment of the products to which they relate. In such cases they must bear the endorsement 'issued retrospectively'.
  7. In the event of a theft, loss or destruction of an export document, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such document so issued shall bear the endorsement 'duplicate'. The duplicate shall bear the date of the original export document.
  8. The competent authorities of the Community shall be informed immediately of the withdrawal or modification of any export documents already issued and, where relevant, of the basis for such action.
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# COMMISSION

## COMMISSION DECISION

of 19 August 2003

**concerning a financial contribution by the Community towards the precautionary measures against foot-and-mouth disease taken by Belgium in 2001**

*(notified under document number C(2003) 2978)*

**(Only the Dutch and French texts are authentic)**

(2003/619/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/145/EC <sup>(3)</sup>, as last amended by Decision 2001/318/EC <sup>(4)</sup>, was adopted in order to avoid the spread of foot-and-mouth disease to other Member States and was subsequently repealed and replaced by Commission Decision 2001/356/EC <sup>(5)</sup>, as last amended by Decision 2001/708/EC <sup>(6)</sup>.

(2) Belgium took the necessary precautionary measures in order to avoid the spread of that disease as provided for in Article 11 of Decision 2001/172/EC and Article 12 of Decision 2001/356/EC.

(3) Decision 90/424/EEC provides that a financial contribution may be made by the Community towards the measures deemed particularly necessary for the success of the action undertaken. It is necessary to set out the level of the financial contribution by the Community and the eligible costs.

(4) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(7)</sup>, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. Articles 8 and 9 of that Regulation are to apply for financial control purposes.

(5) On 26 April 2002, Belgium submitted an official application for reimbursement of all expenditure incurred within that Member State in relation to foot-and-mouth disease in 2001.

(6) The official application by Belgium is sufficiently detailed to allow the verification of the eligibility of the costs incurred. Therefore, it is not necessary to request that Belgium submits a further claim according to a certain format.

(7) The financial contribution from the Community should be granted subject to the measures planned having been efficiently carried out and that the competent authorities supplying all the necessary information within the time limits laid down in this Decision.

(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,

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

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

<sup>(3)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(4)</sup> OJ L 109, 19.4.2001, p. 75.

<sup>(5)</sup> OJ L 125, 5.5.2001, p. 46.

<sup>(6)</sup> OJ L 261, 29.9.2001, p. 67.

<sup>(7)</sup> OJ L 160, 26.6.1999, p. 103.

HAS DECIDED AS FOLLOWS:

#### Article 1

### Payment of a financial contribution by the Community to Belgium

Belgium may obtain a financial contribution from the Community for the swift and adequate compensation of owners for the compulsory slaughter of their animals and the other costs incurred in 2001 while implementing the precautionary measures taken in accordance with Article 12 of Decision 2001/356/EC and Article 6 of Decision 90/424/EEC.

The financial contribution from the Community shall be 60 % of the eligible expenditure for the swift and adequate compensation and the other costs.

#### Article 2

### Definitions

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

- (a) 'swift and adequate compensation': means payment, without prejudice to Article 4(2) of Commission Regulation (EC) No 296/96 <sup>(1)</sup>, within 90 days of the slaughtering of the animals, of compensation corresponding to the market value of the animals immediately before they became infected or were slaughtered;
- (b) 'reasonable payments': means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;
- (c) 'justified payments': means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals and the other eligible measures as referred to in article 11 of Decision 90/424/EEC implemented in the holdings during the eradication campaign is demonstrated.

#### Article 3

### The eligible costs covered by the financial contribution from the Community

1. The financial contribution from the Community as provided for in Article 1 shall only be made in respect of:
  - (a) the swift and adequate compensation for the slaughtering of the animals and
  - (b) justified and reasonable payments for the eligible costs, as set out in the Annex.

2. The financial contribution from the Community as provided for in Article 1 shall exclude:

- (a) value added tax;
- (b) salaries of civil servants;
- (c) use of public material other than consumables.

#### Article 4

### Conditions for payment

The financial contribution by the Community provided for in Article 1 shall be paid on the basis of:

- (a) the forwarded documents relating to the measures taken in the period referred to in Article 1;
- (b) detailed documents confirming the amounts set out in the claim referred to in point (a);
- (c) the results of the on-the-spot-checks by the Commission provided for in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

#### Article 5

### On-the-spot checks by the Commission

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth disease eradication measures referred to in Article 1 and the related costs incurred.

#### Article 6

### Information concerning on-the-spot checks by the Commission

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

#### Article 7

### Addressee

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 19 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

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

## ANNEX

**Eligible costs as referred to in Article 3(1)(b)**

1. Costs for the slaughter of the animals:
    - (a) salaries and fees of the slaughtermen;
    - (b) consumables and specific equipment used for the slaughter;
    - (c) materials used for the transport of the animals to the slaughterplace.
  2. Costs for the destruction of animals:
    - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
    - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
    - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
  3. Cost for the destruction of milk:
    - (a) compensation at market price of the milk;
    - (b) destruction of the milk.
  4. Costs for the cleaning, disinfection and disinsectisation of holdings:
    - (a) products used for cleaning, disinfection and disinsectisation;
    - (b) salaries and fees for the staff specifically employed.
  5. Costs for the destruction of contaminated feedingstuffs:
    - (a) compensation at purchase price of the feedingstuffs;
    - (b) destruction of the feedingstuffs.
  6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are not eligible.
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## COMMISSION DECISION

of 19 August 2003

**concerning a financial contribution by the Community towards the precautionary measures against foot-and-mouth disease taken by Germany in 2001***(notified under document number C(2003) 2979)***(Only the German text is authentic)**

(2003/620/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/145/EC <sup>(3)</sup>, as last amended by Decision 2001/318/EC <sup>(4)</sup>, was adopted in order to avoid the spread of foot-and-mouth disease to other Member States and was subsequently repealed and replaced by Commission Decision 2001/356/EC <sup>(5)</sup>, as last amended by Decision 2001/708/EC <sup>(6)</sup>.

(2) Germany took the necessary precautionary measures in order to avoid the spread of that disease as provided for in Article 11 of Decision 2001/172/EC and Article 12 of Decision 2001/356/EC.

(3) Decision 90/424/EEC provides that a financial contribution may be made by the Community towards the measures deemed particularly necessary for the success of the action undertaken. It is necessary to set out the level of the financial contribution by the Community and the eligible costs.

(4) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(7)</sup>, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. Articles 8 and 9 of that Regulation are to apply for financial control purposes.

(5) On 3 April 2002, Germany submitted an official application for reimbursement of all expenditure incurred within that Member State in relation to foot-and-mouth disease in 2001.

(6) The official application by Germany is sufficiently detailed to allow the verification of the eligibility of the costs incurred. Therefore, it is not necessary to request that Germany submits a further claim according to a certain format.

(7) The financial contribution from the Community should be granted subject to the measures planned having been efficiently carried out and the competent authorities supplying all the necessary information within the time limits laid down in this Decision.

(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

**Payment of a financial contribution by the Community to Germany**

Germany may obtain a financial contribution from the Community for the swift and adequate compensation of owners for the compulsory slaughter of their animals and the other costs incurred in 2001 while implementing the precautionary measures taken in accordance with Article 12 of Decision 2001/356/EC and Article 6 of Decision 90/424/EEC.

The financial contribution from the Community shall be 60 % of the eligible expenditure for the swift and adequate compensation and the other costs.

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

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

<sup>(3)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(4)</sup> OJ L 109, 19.4.2001, p. 75.

<sup>(5)</sup> OJ L 125, 5.5.2001, p. 46.

<sup>(6)</sup> OJ L 261, 29.9.2001, p. 67.

<sup>(7)</sup> OJ L 160, 22.6.1999, p. 103.

*Article 2***Definitions**

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

- (a) 'swift and adequate compensation': means payment, without prejudice to Article 4(2) of Commission Regulation (EC) No 296/96 <sup>(1)</sup>, within 90 days of the slaughtering of the animals, of compensation corresponding to the market value of the animals immediately before they became infected or were slaughtered;
- (b) 'reasonable payments': means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;
- (c) 'justified payments': means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals and the other eligible measures as referred to in Article 11 of Decision 90/424/EEC implemented in the holdings during the eradication campaign is demonstrated.

*Article 3***The eligible operational costs covered by the financial contribution from the Community**

1. The financial contribution from the Community as provided for in Article 1 shall only be made in respect of:
  - (a) the swift and adequate compensation for the slaughtering of the animals and
  - (b) justified and reasonable payments for the eligible costs as set out in Annex.
2. The financial contribution from the Community as provided for in Article 1 shall exclude:
  - (a) value added tax;
  - (b) salaries of civil servants;
  - (c) use of public material other than consumables.

*Article 4***Conditions for payment**

The financial contribution by the Community provided for in Article 1 shall be paid on the basis of:

- (a) the forwarded documents relating to the measures taken in the period referred to in Article 1;
- (b) detailed documents confirming the amounts set out in the claims referred to in point (a);
- (c) the results of the on-the-spot checks by the Commission as provided for in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

*Article 5***On-the-spot checks by the Commission**

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth disease eradication measures referred to in Article 1 and the related costs incurred.

*Article 6***Information concerning on-the-spot checks by the Commission**

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

*Article 7***Addressee**

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 19 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

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



## ANNEX

**Eligible costs as referred to in Article 3(1)(b)**

1. Costs for the slaughter of the animals:
    - (a) salaries and fees of the slaughtermen;
    - (b) consumables and specific equipment used for the slaughter;
    - (c) materials used for the transport of the animals to the slaughterplace.
  2. Costs for the destruction of animals:
    - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
    - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
    - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
  3. Cost for the destruction of milk:
    - (a) compensation at market price of the milk;
    - (b) destruction of the milk.
  4. Costs for the cleaning, disinfection and disinsectisation of holdings:
    - (a) products used for cleaning, disinfection and disinsectisation;
    - (b) salaries and fees for the staff specifically employed.
  5. Costs for the destruction of contaminated feedingstuffs:
    - (a) compensation at purchase price of the feedingstuffs;
    - (b) destruction of the feedingstuffs.
  6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are not eligible.
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**COMMISSION DECISION**  
**of 19 August 2003**  
**concerning a financial contribution by the Community towards the precautionary measures against**  
**foot-and-mouth disease taken by Spain in 2001**

*(notified under document number C(2003) 2980)*

**(Only the Spanish text is authentic)**

(2003/621/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of the European Agricultural Guidance and Guarantee Fund. Articles 8 and 9 of that Regulation are to apply for financial control purposes.

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/145/EC <sup>(3)</sup>, as last amended by Decision 2001/318/EC <sup>(4)</sup>, was adopted in order to avoid the spread of foot-and-mouth disease to other Member States, and was subsequently repealed and replaced by Commission Decision 2001/356/EC <sup>(5)</sup>, as last amended by Decision 2001/708/EC <sup>(6)</sup>.

(2) Spain took the necessary precautionary measures in order to avoid the spread of that disease as provided for in Article 11 of Decision 2001/172/EC and Article 12 of Decision 2001/356/EC.

(3) Decision 90/424/EEC provides that a financial contribution may be made by the Community towards the measures deemed particularly necessary for the success of the action undertaken. It is necessary to set out the level of the financial contribution by the Community and the eligible costs.

(4) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(7)</sup>, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section

(5) On 30 April 2001, Spain submitted an official application for reimbursement of all expenditure incurred within that Member State in relation to foot-and-mouth disease in 2001.

(6) The financial contribution from the Community should be granted subject to the measures planned having been efficiently carried out and the competent authorities supplying all the necessary information within the time limits laid down in this Decision.

(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 DECIDED AS FOLLOWS:

*Article 1*

**Payment of a financial contribution by the Community to Spain**

Spain may obtain a financial contribution from the Community for the swift and adequate compensation of owners for the compulsory slaughter of their animals and the other costs incurred in 2001 while implementing the precautionary measures taken in accordance with Article 12 of Decision 2001/356/EC and Article 6(2) of Decision 90/424/EEC.

The financial contribution from the Community shall be 60 % of the eligible expenditure for the swift and adequate compensation and the other costs.

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

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

<sup>(3)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(4)</sup> OJ L 109, 19.4.2001, p. 75.

<sup>(5)</sup> OJ L 125, 5.5.2001, p. 46.

<sup>(6)</sup> OJ L 261, 29.9.2001, p. 67.

<sup>(7)</sup> OJ L 160, 26.6.1999, p. 103.

*Article 2***Definitions**

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

- (a) 'swift and adequate compensation': means payment, without prejudice to Article 4(2) of Commission Regulation (EC) No 296/96 <sup>(1)</sup>, within 90 days of the slaughtering of the animals, of compensation corresponding to the market value of the animals immediately before they became infected or were slaughtered;
- (b) 'reasonable payments': means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;
- (c) 'justified payments': means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals and the eligible measures as referred to in Article 11 of Decision 90/424/EEC implemented in the holdings during the eradication campaign is demonstrated.

*Article 3***The eligible costs covered by the financial contribution from the Community**

1. The financial contribution from the Community for the operational costs as provided for in Article 1 shall only be made in respect of:

- (a) the swift and adequate compensation for the slaughtering of the animals and
- (b) justified and reasonable payments for the eligible costs as set out in Annex I.

2. The financial contribution from the Community as provided for in Article 1 shall exclude:

- (a) value added tax;
- (b) salaries of civil servants;
- (c) use of public material other than consumables.

*Article 4***Conditions for payment and supporting documentation**

1. The financial contribution by the Community as provided for in Article 1 shall be paid on the basis of:

- (a) claims submitted in accordance with Annexes II and III and within the time limit as provided for in paragraph 2 of this Article;

- (b) detailed documents confirming the amounts set out in the claims referred to in point (a);
- (c) the results of the on-the-spot checks by the Commission as provided for in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

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

*Article 5***On-the-spot checks by the Commission**

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth disease eradication measures referred to in Article 1 and the related costs incurred.

*Article 6***Information concerning on-the-spot checks by the Commission**

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

*Article 7***Addressee**

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 19 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

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

## ANNEX I

**Eligible costs as referred to in Article 3(1)(b)**

1. Costs for the slaughter of the animals:
    - (a) salaries and fees of the slaughtermen;
    - (b) consumables and specific equipment used for the slaughter;
    - (c) materials used for the transport of the animals to the slaughterplace.
  2. Costs for the destruction of animals:
    - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
    - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
    - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
  3. Cost for the destruction of milk:
    - (a) compensation at market price of the milk;
    - (b) destruction of the milk.
  4. Costs for the cleaning, disinfection and disinsectisation of holdings:
    - (a) products used for cleaning, disinfection and disinsectisation;
    - (b) salaries and fees for the staff specifically employed.
  5. Costs for the destruction of contaminated feedingstuffs:
    - (a) compensation at purchase price of the feedingstuffs;
    - (b) destruction of the feedingstuffs.
  6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are not eligible.
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## ANNEX III

**Claim for costs as referred to in Article 4**

'Other costs' incurred for holding No ... (excluding compensation for the value of animals)	
Item	Amount without VAT
Slaughtering	
Destruction (transport and treatment)	
Milk (compensation and destruction)	
Cleaning and disinfection (salary and products)	
Feedingstuffs (compensation and destruction)	
Equipment (compensation and destruction)	
Total	

**COMMISSION DECISION**  
**of 19 August 2003**  
**concerning a financial contribution by the Community towards the precautionary measures against**  
**foot-and-mouth disease taken by Portugal in 2001**

(notified under document number C(2003) 2981)

(Only the Portuguese text is authentic)

(2003/622/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Decision 2001/172/EC of 1 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom and repealing Decision 2001/145/EC <sup>(3)</sup>, as last amended by Decision 2001/318/EC <sup>(4)</sup>, was adopted in order to avoid the spread of foot-and-mouth disease to other Member States, and was subsequently repealed and replaced by Commission Decision 2001/356/EC <sup>(5)</sup>, as last amended by Decision 2001/708/EC <sup>(6)</sup>.
- (2) Portugal took the necessary precautionary measures in order to avoid the spread of that disease as provided for in Article 11 of Decision 2001/172/EC and Article 12 of Decision 2001/356/EC.
- (3) Decision 90/424/EEC provides that a financial contribution may be made by the Community towards the measures deemed particularly necessary for the success of the action undertaken. It is necessary to set out the level of the financial contribution by the Community and the eligible costs.
- (4) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy <sup>(7)</sup>, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. Articles 8 and 9 of that Regulation are to apply for financial control purposes.
- (5) On 30 April 2001, Portugal submitted an official application for reimbursement of all expenditure incurred within that Member State in relation to foot-and-mouth disease in 2001.

- (6) The financial contribution from the Community should be granted subject to the measures planned having been efficiently carried out and the competent authorities supplying all the necessary information within the time limits laid down in this Decision.
- (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 DECIDED AS FOLLOWS:

*Article 1*

**Payment of a financial contribution by the Community to Portugal**

Portugal may obtain a financial contribution from the Community for the swift and adequate compensation of owners for the compulsory slaughter of their animals and the other costs incurred in 2001 while implementing the precautionary measures taken in accordance with Article 12 of Decision 2001/356/EC and Article 6(2) of Decision 90/424/EEC.

The financial contribution from the Community shall be 60 % of the eligible expenditure for the swift and adequate compensation and the other costs.

*Article 2*

**Definitions**

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

- (a) 'swift and adequate compensation': means payment, without prejudice to Article 4(2) of Commission Regulation (EC) No 296/96 <sup>(8)</sup>, within 90 days of the slaughtering of the animals, of compensation corresponding to the market value of the animals immediately before they became infected or were slaughtered;

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

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

<sup>(3)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(4)</sup> OJ L 109, 19.4.2001, p. 75.

<sup>(5)</sup> OJ L 125, 5.5.2001, p. 46.

<sup>(6)</sup> OJ L 261, 29.9.2001, p. 67.

<sup>(7)</sup> OJ L 160, 26.6.1999, p. 103.

<sup>(8)</sup> OJ L 39, 17.2.1996, p. 5.

- (b) 'reasonable payments': means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;
- (c) 'justified payments': means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals and the eligible measures as referred to in Article 11 of Decision 90/424/EEC implemented in the holdings during the eradication campaign is demonstrated.

#### Article 3

#### **The eligible costs covered by the financial contribution from the Community**

1. The financial contribution from the Community for the operational costs as provided for in Article 1 shall only be made in respect of:
  - (a) the swift and adequate compensation for the slaughtering of the animals and
  - (b) justified and reasonable payments for the eligible costs as set out in Annex I.
2. The financial contribution from the Community as provided for in Article 1 shall exclude:
  - (a) value added tax;
  - (b) salaries of civil servants;
  - (c) use of public material other than consumables.

#### Article 4

#### **Conditions for payment and supporting documentation**

1. The financial contribution by the Community as provided for in Article 1 shall be paid on the basis of:
  - (a) claims submitted in accordance with Annexes II and III and within the time limit as provided for in paragraph 2 of this Article;
  - (b) detailed documents confirming the amounts set out in the claims referred to in point (a);

- (c) the results of the on-the-spot checks by the Commission as provided for in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

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

#### Article 5

#### **On-the-spot checks by the Commission**

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth disease eradication measures referred to in Article 1 and the related costs incurred.

#### Article 6

#### **Information concerning on-the-spot checks by the Commission**

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

#### Article 7

#### **Addressee**

This Decision is addressed to the Republic of Portugal.

Done at Brussels, 19 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*



## ANNEX I

**Eligible costs as referred to in Article 3(1)(b)**

1. Costs for the slaughter of the animals:
    - (a) salaries and fees of the slaughtermen;
    - (b) consumables and specific equipment used for the slaughter;
    - (c) materials used for the transport of the animals to the slaughterplace.
  2. Costs for the destruction of animals:
    - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
    - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
    - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
  3. Cost for the destruction of milk:
    - (a) compensation at market price of the milk;
    - (b) destruction of the milk.
  4. Costs for the cleaning, disinfection and disinsectisation of holdings:
    - (a) products used for cleaning, disinfection and disinsectisation;
    - (b) salaries and fees for the staff specifically employed.
  5. Costs for the destruction of contaminated feedingstuffs:
    - (a) compensation at purchase price of the feedingstuffs;
    - (b) destruction of the feedingstuffs.
  6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are not eligible.
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## ANNEX III

**Claim for costs as referred to in Article 4**

'Other costs' incurred for holding No ... (excluding compensation for the value of animals)	
Item	Amount without VAT
Slaughtering	
Destruction (transport and treatment)	
Milk (compensation and destruction)	
Cleaning and disinfection (salary and products)	
Feedingstuffs (compensation and destruction)	
Equipment (compensation and destruction)	
Total	

**COMMISSION DECISION**  
**of 19 August 2003**  
**concerning the development of an integrated computerised veterinary system known as Traces**  
*(notified under document number C(2003) 2983)*

(2003/623/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 <sup>(1)</sup>, as last amended by Directive 2002/33/EC of the European Parliament and of the Council <sup>(2)</sup> 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, 91/496/EEC, 91/628/EEC and Decision 90/424/EEC, and repealing Decision 88/192/EEC <sup>(3)</sup>, as last amended by Regulation (EC) No 806/2003 <sup>(4)</sup>, and in particular Article 12 thereof,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field <sup>(5)</sup>, as last amended by Regulation (EC) No 806/2003, and in particular Articles 37(2) and 37a(2) thereof,

Whereas:

- (1) Commission Decision 91/398/EEC of 19 July 1991 on a computerised network linking veterinary authorities (Animo) <sup>(6)</sup>, defines the principles governing the communications network linking veterinary units.
- (2) Commission Decision 92/563/EEC of 19 November 1992 on the database covering the Community's import requirements, envisaged by the Shift project <sup>(7)</sup>, lays down that the Commission must develop the relevant databases.
- (3) Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures <sup>(8)</sup> 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.

- (4) Point 123 of European Parliament report A5-0405/2002 on measures to control foot-and-mouth disease in the European Union in 2001 and future measures to prevent and control animal diseases in the European Union stipulates that the Commission should, without delay, take measures to improve the existing system for monitoring the movement of live animals within the EU (Animo system).
- (5) Commission Decision 2003/24/EC of 30 December 2002 concerning the development of an integrated computerised veterinary system <sup>(9)</sup> lays down that in a second phase, the Commission is to develop the new Animo system.
- (6) In order to optimise the 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*

In connection with the establishment provided for in Decision 2003/24/EC, of the single architecture known as Traces, combining the functions of the Animo and Shift systems, the Commission shall develop the new Animo system and make it available to the Member States.

*Article 2*

For the development of the new Animo system referred to in Article 1 the Commission shall have a budget of EUR 300 000.

*Article 3*

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

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(2)</sup> OJ L 315, 19.11.2002, p. 14.

<sup>(3)</sup> OJ L 243, 25.8.1992, p. 27.

<sup>(4)</sup> OJ L 122, 16.5.2003, p. 1.

<sup>(5)</sup> OJ L 224, 18.8.1990, p. 19.

<sup>(6)</sup> OJ L 221, 9.8.1991, p. 30.

<sup>(7)</sup> OJ L 361, 10.12.1992, p. 45.

<sup>(8)</sup> OJ L 13, 19.1.2000, p. 12.

<sup>(9)</sup> OJ L 8, 14.1.2003, p. 44.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 19 August 2003.

*For the Commission*

David BYRNE

*Member of the Commission*

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

**COUNCIL DECISION 2003/624/CFSP  
of 15 July 2003**

**concerning the conclusion of the Agreement between the European Union and the Republic of Estonia on the participation of the Republic of Estonia in the European Union-led Forces (EUF) in the Former Yugoslav Republic of Macedonia**

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

- (1) On 27 January 2003, the Council adopted Joint Action 2003/92/CFSP on the European Union Military Operation in the Former Yugoslav Republic of Macedonia (FYROM) <sup>(1)</sup>.
- (2) Article 8 of that Joint Action provides that the detailed arrangements regarding the participation of third States shall be the subject of an agreement in conformity with Article 24 of the Treaty.
- (3) Following the Council Decision of 18 March 2003 authorising the Secretary-General/High Representative to open negotiations, the Secretary-General/High Representative negotiated an agreement with the Republic of Estonia on the participation of the Republic of Estonia in the European Union-led Forces (EUF) in the Former Yugoslav Republic of Macedonia.
- (4) The Agreement should be approved,

*Article 1*

The Agreement between the European Union and the Republic of Estonia on the participation of the Republic of Estonia in the European Union-led Forces (EUF) in the Former Yugoslav Republic of Macedonia is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the European Union.

*Article 3*

This Decision shall take effect on the day of its adoption.

*Article 4*

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

Done at Brussels, 15 July 2003.

*For the Council*  
*The President*  
G. TREMONTI

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<sup>(1)</sup> OJ L 34, 11.2.2003, p. 26.

**AGREEMENT****between the European Union and the Republic of Estonia on the participation of the Republic of Estonia in the European Union-led forces (EUF) in the Former Yugoslav Republic of Macedonia**

THE EUROPEAN UNION,

on the one hand, and

THE REPUBLIC OF ESTONIA,

on the other hand,

hereinafter referred to as the 'Parties',

TAKING INTO ACCOUNT:

- the adoption by the Council of the European Union of Joint Action 2003/92/CFSP of 27 January 2003 on the European Union Military Operation in the Former Yugoslav Republic of Macedonia,
- the invitation to the Republic of Estonia to participate in the European Union-led operation,
- the successful completion of the Force Generation process and the recommendation by the EU Operation Commander and the EU Military Committee to agree on the participation of the Republic of Estonia forces in the European Union-led operation,
- the decision by the Political and Security Committee of 11 March 2003 to accept the contribution of the Republic of Estonia to the European Union-led operation,
- the Exchange of Letters between the Government of the Former Yugoslav Republic of Macedonia and the Secretary-General/High Representative on the conduct of the Operation,
- the Agreement concluded on 21 March 2003 between the European Union and the Government of the Former Yugoslav Republic of Macedonia on the status of the European Union-led Forces and its personnel,

HAVE AGREED AS FOLLOWS:

*Article 1*

**Framework and definitions**

1. The Republic of Estonia shall associate itself with the provisions of the Joint Action 2003/92/CFSP on the European Union-led Forces in the Former Yugoslav Republic of Macedonia, adopted by the Council of the European Union on 27 January 2003, in accordance with the provisions stipulated in the following Articles.

2. For the purpose of this Agreement, the following definitions shall have the meanings hereunder assigned to them:

- (a) 'Operation Concordia' means the European Union Military Operation in the Former Yugoslav Republic of Macedonia established by Joint Action 2003/92/CFSP;
- (b) 'European Union-led Forces' (EUF) means EU military headquarters, constituent national units/elements contributing to Operation Concordia, their assets and their means of transport;
- (c) 'EUF personnel' means the civilian and military personnel assigned to EUF;
- (d) 'Mechanism' means the Operational Financing Mechanism established by the Council Decision dated 27 January 2003 to provide for the financing of the common costs of the European Union Military Operation in the Former Yugoslav Republic of Macedonia;

(e) 'Participating States' means Member States applying the Joint Action referred to in paragraph 1 and third States participating in Operation Concordia by providing forces, personnel or assets;

(f) 'Joint Claims Commission' means the Joint Claims Commission set up pursuant to Article 13 of the Agreement between the European Union and the Former Yugoslav Republic of Macedonia on the status of the European Union-led forces in the Former Yugoslav Republic of Macedonia.

*Article 2*

**Participation in the Operation**

1. The Republic of Estonia shall participate in Operation Concordia with a contingent as determined at the Force Generation Conference. If necessary, rotation of seconded personnel shall be ensured.

2. The Republic of Estonia shall ensure that its forces and personnel undertake their mission in conformity with the provisions of Joint Action 2003/92/CFSP, the Operation Plan and implementing measures.

3. The Republic of Estonia shall inform the EU Operation Commander, the EU Force Commander and the EU Military Staff of any change to its participation in Operation Concordia.

*Article 3***Status**

1. The forces and personnel participating in Operation Concordia shall be governed by the Agreement between the European Union and the Former Yugoslav Republic of Macedonia on the status of the European Union-led forces in the Former Yugoslav Republic of Macedonia and its implementing arrangements.

2. The status of personnel contributed to headquarters or command elements located outside the Former Yugoslav Republic of Macedonia shall be governed by arrangements between the headquarters and command elements concerned and the Republic of Estonia.

*Article 4***Chain of command**

1. The participation of the Republic of Estonia in Operation Concordia is without prejudice to the decision-making autonomy of the European Union.

2. All forces and personnel shall remain under the full command of their national authorities.

3. National authorities shall transfer operational control (OPCON) to the EU Operation Commander. The EU Operation Commander is entitled to delegate his authority.

4. The Republic of Estonia shall have the same rights and obligations in terms of day-to-day management of Operation Concordia as participating Member States in accordance with Article 8(4) of Joint Action 2003/92/CFSP and the Political and Security Committee Decision FYROM/01/03 on the establishment of the Committee of Contributors.

5. The Republic of Estonia shall exercise jurisdiction over its personnel. The EU Operation Commander and the EU Force Commander may at any time request the withdrawal of the Republic of Estonia personnel.

6. A Senior Military Representative (SMR) shall be appointed by the Republic of Estonia to represent its national contingent in EUF. The SMR shall consult the EU Force Commander on all matters affecting the Operation Concordia and shall be responsible for day-to-day contingent discipline.

*Article 5***Classified information**

The Republic of Estonia shall take appropriate measures to ensure that, when EU classified information is handled by its personnel, this personnel respects the European Union Council's security regulations, which are contained in Council Decision 2001/264/EC of 19 March 2001<sup>(1)</sup>, and further guidance that may be issued by the EU Operation Commander.

<sup>(1)</sup> OJ L 101, 11.4.2001, p. 1.

*Article 6***Financial aspects**

1. Without prejudice to Article 7, the Republic of Estonia shall assume all the costs associated with its participation in Operation Concordia unless the costs are subject to common funding as set out in the operational budget of the operation.

2. In case the Joint Claims Commission decides to grant damages to natural or legal persons from the Former Yugoslav Republic of Macedonia, the Republic of Estonia shall pay for these damages if death, injury, damage or loss are caused by its personnel or its assets, unless the Mechanism, in accordance with Article 9(3) of the Council Decision of 27 January 2003 establishing the Mechanism, decides to pay for those damages.

*Article 7***Contributions to the common costs**

1. The Republic of Estonia shall contribute to the common costs of Operation Concordia an amount of EUR 19 220 per six months.

2. An arrangement shall be concluded between the Administrator of the Mechanism, established by the Council Decision of 27 January 2003, to provide for the financing of the common costs of Operation Concordia, and competent administrative authorities of the Republic of Estonia. This arrangement shall include provisions on:

- (a) the arrangements for payment and management of the financial contribution,
- (b) the verification arrangements covering control and audit of the financial contribution, where appropriate.

3. The contributions of the Republic of Estonia to the common costs of Operation Concordia shall be deposited by the Republic of Estonia in the bank account which shall be indicated to that State by the Administrator of the Mechanism.

*Article 8***Non-compliance**

Should one of the Participating Parties fail to comply with its obligations laid down in the previous Articles, the other Party shall have the right to terminate this Agreement by serving a one-month notice.



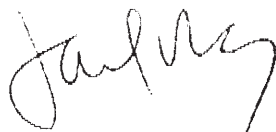
*Article 9***Entry into force**

This Agreement shall enter into force upon signature.

It shall remain in force for the duration of the contribution of the Republic of Estonia to Operation Concordia.

Done at Brussels, on **28 -07- 2003** in the English language in four copies.

*For the European Union*



*For the Republic of Estonia*



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