

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

between the European Community and Canada pursuant to Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC Schedule CXL annexed to the GATT 1994

A. Letter from the European Community

Sir,

Following negotiations between the European Community (EC) and Canada under Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC Schedule CXL annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994), the EC agrees to the conclusions as outlined below.

1. With regard to the EC notification G/SECRET/15 of 26 July 2002, for durum wheat and rye as well as for high quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125), the concessions contained in the EC Schedule CXL shall continue to apply.
2. (a) For other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125) and meslin under item 1001 90 95 (other spelt, common wheat, and meslin), the EC shall establish a tariff quota of 2 981 600 tonnes.
(b) Within the tariff quota specified in 2(a), 38 000 tonnes shall be allocated to Canada. Subject to prior approval by Canada, in the event Canada is unable to fill its allocation, this allocation may be opened to other countries.
(c) The in-quota tariff rate for the tariff quota specified in 2(a) shall be EUR 12/tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1001 90 95 (other spelt, common wheat, and meslin) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty.
3. Once the EC has established the tariff quota as specified in 2, the EC need not apply the concessions for other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125) and meslin under item 1001 90 95, contained in headnote 6 of EC Schedule CXL.
4. The tariff quota specified in 2 shall open on 1 January of each year.
5. The tariff quota specified in 2 shall be managed on a first-come, first-served basis. Both parties will consult on the other aspects of the management of the quota.
6. The EC recognises that Canada has initial negotiating rights with respect to the concessions specified in 1 and 2.

This Agreement shall be approved by the Parties in accordance with their own procedures.

The provisions of this Agreement shall be applicable from 1 January 2003.

I would be grateful if you could confirm the agreement of your Government to the above.

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

For the European Community



Brussels, 20 December 2002

B. Letter from Canada

Sir,

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

Following negotiations between the European Community (EC) and Canada under Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC Schedule CXL annexed to the General Agreement on Tariffs and Trade 1994 (GATT 1994), the EC agrees to the conclusions as outlined below.

1. With regard to the EC notification G/SECRET/15 of 26 July 2002, for durum wheat and rye as well as for high quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125), the concessions contained in the EC Schedule CXL shall continue to apply.
2. (a) For other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125) and meslin under item 1001 90 95 (other spelt, common wheat, and meslin), the EC shall establish a tariff quota of 2 981 600 tonnes.
(b) Within the tariff quota specified in 2(a), 38 000 tonnes shall be allocated to Canada. Subject to prior approval by Canada, in the event Canada is unable to fill its allocation, this allocation may be opened to other countries.
(c) The in-quota tariff rate for the tariff quota specified in 2(a) shall be EUR 12/tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1001 90 95 (other spelt, common wheat, and meslin) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty.
3. Once the EC has established the tariff quota as specified in 2, the EC need not apply the concessions for other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125) and meslin under item 1001 90 95, contained in headnote 6 of EC Schedule CXL.
4. The tariff quota specified in 2 shall open on 1 January of each year.
5. The tariff quota specified in 2 shall be managed on a first-come, first-served basis. Both parties will consult on the other aspects of the management of the quota.
6. The EC recognises that Canada has initial negotiating rights with respect to the concessions specified in 1 and 2.

This Agreement shall be approved by the Parties in accordance with their own procedures.

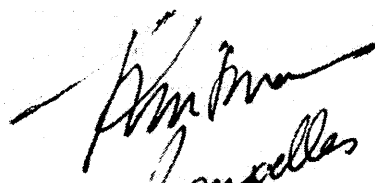
The provisions of this Agreement shall be applicable from 1 January 2003.

I would be grateful if you could confirm the agreement of your Government to the above.'

The Government of Canada has the honour of confirming its agreement with the contents of this letter.

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

On behalf of the Government of Canada



J. Chrétien
12 31 mars 2003

COUNCIL DECISION

of 19 December 2002

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC Schedule CXL to the GATT 1994

(2003/254/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 the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 26 July 2002, the Council authorised the Commission to open negotiations under Article XXVIII of the GATT 1994 with a view to modifying certain concessions for cereals. Accordingly, the European Community notified the WTO on 26 July 2002 of its intention to modify certain concessions in EC Schedule CXL.
- (2) Negotiations have been conducted by the Commission in consultation with the Committee established by Article 133 of the Treaty and within the framework of the negotiating directives issued by the Council.
- (3) The Commission has negotiated, with the United States of America, the WTO Member having a substantial supplying interest, an Agreement in the form of an Exchange of Letters.
- (4) The Agreement in the form of an Exchange of Letters between the European Community and the United States of America should therefore be approved.
- (5) In order to ensure that the Agreement may be fully applied by 1 January 2003 and pending the amendment of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, the Commission should be authorised to adopt temporary derogations from that Regulation.
- (6) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽²⁾,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC Schedule CXL annexed to the GATT 1994 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

To the extent necessary to permit the full application of this Agreement by 1 January 2003, the Commission may derogate from Regulation (EEC) No 1766/92, in accordance with the procedure referred to in Article 3(2) of this Decision, until that Regulation is amended but not later than 30 June 2003.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Regulation (EEC) No 1766/92.

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

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

3. The Committee shall adopt its rules of procedure.

Article 4

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

Done at Brussels, 19 December 2002.

For the Council

The President

M. FISCHER BOEL

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC Schedule CXL to the GATT 1994

A. Letter from the European Community

Sir,

The European Community (EC) and the United States of America, with respect to the concessions on cereals provided for in EC Schedule CXL to the General Agreement on Tariffs and Trade 1994 (GATT 1994), agree to the conclusions as outlined below.

Common wheat

1. For item 1001 90 95 (other spelt, common wheat, and meslin), the concessions contained in EC Schedule CXL shall continue to apply to high quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125).
2. (a) For other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96), and meslin under item 1001 90 95 (other spelt, common wheat, and meslin), the EC shall establish a tariff quota of 2 981 600 metric tonnes.
 - (b) Within the tariff quota specified in 2(a), 572 000 metric tonnes shall be allocated to the United States of America. Subject to prior approval by the United States of America, in the event the United States of America is unable to fill its allocation, this allocation may be opened to other countries.
 - (c) The in-quota tariff rate for the tariff quota specified in 2(a) shall be EUR 12/metric tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1001 90 95 (other spelt, common wheat, and meslin) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty.
3. Once the EC has established the tariff quota as specified in 2, the EC need not apply the concessions for other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125) and meslin under item 1001 90 95, contained in headnote 6 of EC Schedule CXL.

Barley

4. (a) For item 1003 00 50 (barley), the EC shall establish a tariff quota of 50 000 metric tonnes for malting barley (barley intended for the production of malt used for manufacture of beer aged in vats containing beechwood and with quality criteria as specified in Article 2(3) of Commission Regulation (EC) No 1234/2001 (22 June 2001), OJ L 168, p. 12) and a tariff quota for all other barley of 300 000 metric tonnes.
 - (b) The in-quota tariff rate for the malting-barley tariff quota specified in 4(a) shall be EUR 8/metric tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1003 00 50 (barley) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty. The in-quota tariff rate for the all-other-barley tariff quota specified in 4(a) shall be EUR 16/metric tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1003 00 50 (barley) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty.
5. Once the EC has established the tariff quotas as specified in 4, the EC need not apply the concessions for item 1003 00 50 (barley) contained in headnote 6 of EC Schedule CXL.

General

6. The tariff quotas specified in 2 and 4 shall open on 1 January of each year.
7. The tariff quotas specified in 2 and 4 shall be managed on a first-come, first-served basis.

8. Any modification of concessions in EC Schedule CXL pursuant to 3 and/or 5 shall add the concessions specified in 2, 4, and 6 to EC Schedule CXL.
9. The EC recognises that the United States of America has initial negotiating rights with respect to the concessions contained in headnote 6 of EC Schedule CXL and the concessions specified in 2, 4 and 6.
10. With respect to the notification of 26 July 2002 by the EC of its intention to modify certain concessions in EC Schedule CXL (circulated in G/SECRET/15), the EC is not modifying concessions contained in EC Schedule CXL on item 1001 90 95 as specified in 1 and on items 1001 10 50 (durum wheat), 1002 00 00 (rye), ex 1005 (maize, except hybrid seed), and ex 1007 (grain sorghum, except hybrids for sowing) and shall notify the WTO of such.

This Agreement shall be approved by the Parties in accordance with their own procedures.

The provisions of this Agreement shall be applicable from 1 January 2003.

I would be grateful if you could confirm the agreement of your Government to the above.

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

For the European Community



BRUSSELS, 20 DECEMBER 2002

B. Letter from the United States of America

Sir,

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

'The European Community (EC) and the United States of America, with respect to the concessions on cereals provided for in EC Schedule CXL to the General Agreement on Tariffs and Trade 1994 (GATT 1994), agree to the conclusions as outlined below.

Common Wheat

1. For item 1001 90 95 (other spelt, common wheat, and meslin), the concessions contained in EC Schedule CXL shall continue to apply to high quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125).
2. (a) For other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96), and meslin under item 1001 90 95 (other spelt, common wheat, and meslin), the EC shall establish a tariff quota of 2 981 600 metric tonnes.
(b) Within the tariff quota specified in 2(a), 572 000 metric tonnes shall be allocated to the United States of America. Subject to prior approval by the United States of America, in the event the United States of America is unable to fill its allocation, this allocation may be opened to other countries.
(c) The in-quota tariff rate for the tariff quota specified in 2(a) shall be EUR 12/metric tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1001 90 95 (other spelt, common wheat, and meslin) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty.
3. Once the EC has established the tariff quota as specified in 2, the EC need not apply the concessions for other spelt, medium and low quality common wheat (as specified in Annex I to Commission Regulation (EC) No 1249/96 (28 June 1996), OJ L 161, p. 125) and meslin under item 1001 90 95, contained in headnote 6 of EC Schedule CXL.

Barley

4. (a) For item 1003 00 50 (barley), the EC shall establish a tariff quota of 50 000 metric tonnes for malting barley (barley intended for the production of malt used for manufacture of beer aged in vats containing beechwood and with quality criteria as specified in Article 2(3) of Commission Regulation (EC) No 1234/2001 (22 June 2001), OJ L 168, p. 12) and a tariff quota for all other barley of 300 000 metric tonnes.
(b) The in-quota tariff rate for the malting-barley tariff quota specified in 4(a) shall be EUR 8/metric tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1003 00 50 (barley) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty. The in-quota tariff rate for the all-other-barley tariff quota specified in 4(a) shall be EUR 16/metric tonne, and the out-of-quota tariff rate shall be no higher than the lower of the bound rate of duty for item 1003 00 50 (barley) in EC Schedule CXL as of 1 July 2002 or the most-favoured-nation rate of duty.
5. Once the EC has established the tariff quotas as specified in 4, the EC need not apply the concessions for item 1003 00 50 (barley) contained in headnote 6 of EC Schedule CXL.

General

6. The tariff quotas specified in 2 and 4 shall open on 1 January of each year.
7. The tariff quotas specified in 2 and 4 shall be managed on a first-come, first-served basis.

8. Any modification of concessions in EC Schedule CXL pursuant to 3 and/or 5 shall add the concessions specified in 2, 4, and 6 to EC Schedule CXL.
9. The EC recognises that the United States of America has initial negotiating rights with respect to the concessions contained in headnote 6 of EC Schedule CXL and the concessions specified in 2, 4 and 6.
10. With respect to the notification of 26 July 2002 by the EC of its intention to modify certain concessions in EC Schedule CXL (circulated in G/SECRET/15), the EC is not modifying concessions contained in EC Schedule CXL on item 1001 90 95 as specified in 1 and on items 1001 10 50 (durum wheat), 1002 00 00 (rye), ex 1005 (maize, except hybrid seed), and ex 1007 (grain sorghum, except hybrids for sowing) and shall notify the WTO of such.

This Agreement shall be approved by the Parties in accordance with their own procedures.

The provisions of this Agreement shall be applicable from 1 January 2003.

I would be grateful if you could confirm the agreement of your Government to the above.'

The Government of the United States of America has the honour of confirming its agreement with the contents of this letter.

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

On behalf of the Government of the United States of America

Lamont S. Dooly
Geneva, Switzerland
December 27, 2002

Notice

CANADA

Following approval of the Agreement by the parties in accordance with their own procedures, the Agreement in the form of an Exchange of Letters between the European Community and Canada pursuant to Article XXVIII of GATT 1994 for the modification of concessions with respect to cereals provided for in EC Schedule CXL annexed to the GATT 1994 entered into force on 31 March 2003.

Notice

UNITED STATES

Following approval of the Agreement by the parties in accordance with their own procedures, the Agreement concluded in the form of an Exchange of Letters between the European Community and the United States of America relating to the modification of concessions with respect to cereals provided for in EC Schedule CXL to the GATT 1994 entered into force on 27 December 2002.

DECISION No 1/2003 OF THE EU-CHILE ASSOCIATION COUNCIL
of 27 March 2003
concerning the adoption of the rules of procedure of the Association Council, the Association
Committee and the Special Committees

(2003/255/EC)

THE EU-CHILE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (hereinafter referred to as the Agreement), signed in Brussels on 18 November 2002, and in particular Article 4(2), Article 6(3) and Article 7(3) thereof,

Whereas the Association Council shall establish its own rules of procedure, as well as those of the Association Committee and of the Special Committees,

HAS DECIDED AS FOLLOWS:

Article 1

The rules of procedure of the Association Council are established as set out in the Annex. The rules of procedure of the Association Committee and of the Special Committees are established as set out in Appendix I and Appendix II respectively.

Article 2

This Decision shall enter into force on 27 March 2003.

Done at Brussels, 27 March 2003.

For the Association Council

The President

A. GIANNITSIS

ANNEX

RULES OF PROCEDURE OF THE ASSOCIATION COUNCIL

set up by the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part

*Article 1***Chair**

The Association Council shall be chaired alternately for periods of 12 months by a member of the Council of the European Union and by the Minister of Foreign Affairs of Chile. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

*Article 2***Meetings**

1. The Association Council shall meet at ministerial level at regular intervals, not exceeding a period of two years, and extraordinarily whenever circumstances so require, if the Parties so agree.
2. Each session of the Association Council shall be held at a date and place agreed by both Parties.
3. The meetings of the Association Council shall be convened jointly by the Secretaries of the Association Council.

*Article 3***Representation**

1. The members of the Association Council may be represented if unable to attend.
2. A member wishing to be represented shall notify the Chairman of the Association Council of the name of his or her representative before the meeting at which he or she is to be so represented.

The representative of a member of the Association Council shall exercise all the rights of that member.

*Article 4***Delegations**

The members of the Association Council may be accompanied by officials. Before each meeting, the Chairman of the Association Council shall be informed of the intended composition of the delegation of each Party.

*Article 5***Secretariat**

An official of the General Secretariat of the Council of the European Union and an official of the Ministry of Foreign Affairs of Chile shall act jointly as Secretaries of the Association Council.

*Article 6***Documents**

Where the deliberations of the Association Council are based on written supporting documents, such documents shall be numbered and circulated as documents of the Association Council by the two Secretaries.

*Article 7***Correspondence**

1. All correspondence addressed to the Association Council shall be forwarded to its Secretaries.
2. The two Secretaries shall ensure that correspondence is forwarded to the Chairman of the Association Council and, where appropriate, circulated as documents referred to in Article 6 to its other members. Correspondence circulated shall be sent to the Secretariat-General of the Commission, the Permanent Representations of the Member States of the European Union and the diplomatic mission to the European Union of the Republic of Chile in Brussels.

3. Correspondence from the Chairman of the Association Council shall be sent to the recipients by the two Secretaries and, where appropriate, circulated as documents referred to in Article 6 to its other members at the addresses indicated in paragraph 2.

Article 8

Agenda for the meetings

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Association Council on the basis of suggestions made by the Parties. It shall be forwarded by the Secretaries to the addressees referred to in Article 7(2) no later than 15 days before the beginning of the meeting.
2. The provisional agenda shall include the items for which a request for inclusion in the agenda has been received by either of the two Secretaries no later than 21 days before the beginning of the meeting. Such items shall, however, not be included in the provisional agenda unless the supporting documents have been forwarded to the Secretaries no later than the date of dispatch of the provisional agenda.
3. The agenda shall be adopted by the Association Council at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. With the agreement of the Parties, the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

Article 9

Minutes

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries as soon as possible.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) the documents submitted to the Association Council;
 - (b) any statement that a member of the Association Council has asked to be entered;
 - (c) the decisions taken, recommendations made, statements agreed upon and conclusions adopted on specific items.
3. The minutes shall also include a list of the members of the Association Council or their representatives who took part in the meeting and a list of the members of the delegations accompanying them.
4. The minutes shall be approved in writing by the Parties within three months of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the two Secretaries and one original copy shall be filed by each Party. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 7(2).

Article 10

Decisions and recommendations

1. The Association Council shall adopt decisions and recommendations by mutual agreement between the Parties.
2. In the period between meetings, the Association Council may adopt decisions or recommendations by written procedure if the Parties so agree. A written procedure shall consist of an exchange of notes between the two Secretaries, acting in agreement with the Parties.
3. Decisions and recommendations of the Association Council within the meaning of Article 5 of the Agreement shall be entitled 'Decision' and 'Recommendation' respectively, and followed by a serial number, the date of their adoption and a description of their subject. Each decision shall specify the date of its entry into force.
4. Decisions and recommendations of the Association Council shall be authenticated by the two secretaries and two authentic copies signed by the Heads of Delegation of the two Parties.
5. Decisions and recommendations shall be forwarded to each of the addressees referred to in Article 7(2) as documents of the Association Council.

Article 11

Publicity

1. Unless otherwise decided, meetings of the Association Council shall not be public.
2. Each Party may decide on the publication of the decisions and recommendations of the Association Council in its respective official publication.

*Article 12***Languages**

1. The official languages of the Association Council shall be the official languages of the Parties.
2. Unless otherwise decided, the Association Council shall normally base its deliberations on documentation and proposals prepared in the languages referred to in paragraph 1.

*Article 13***Expenses**

1. Each Party shall meet any expenses incurred as a result of its participation in the meetings of the Association Council, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the practical organisation of meetings, interpreting at meetings, translation and reproduction of documents shall be borne by the Party hosting the meeting.

*Article 14***Association Committee**

1. The Association Committee has been established in Article 6 of the Agreement for the purposes of assisting the Association Council in the performance of its duties and of taking on the responsibility for the general implementation of the Agreement.
2. The Committee shall be composed of representatives of the members of the Council of the European Union and representatives of the Commission of the European Communities, on the one hand, and of representatives of the Government of Chile, on the other, normally at senior official level, having regard to Article 6(1), Article 54(1) and Article 193(1) of the Agreement and without prejudice to its Article 89(3).
3. In addition to performing the specific tasks conferred upon it by the Agreement, the Association Committee shall prepare the meetings and deliberations of the Association Council, monitor implementation of the decisions and recommendations of the Association Council where appropriate and, in general, ensure continuity of the Association relationship and the proper functioning of the Agreement. It shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of day-to-day implementation of the Agreement.
4. In cases where the Agreement refers to possible consultation, such consultation may take place within the Association Committee. This consultation may continue in the Association Council if the two Parties so agree, except where otherwise provided in the Agreement.
5. The rules of procedure of the Association Committee are attached to these rules of procedures as Appendix I. These rules are without prejudice to any special provisions of the Agreement.

*Article 15***Special Committees**

1. The Association Council shall be assisted in the performance of its duties by the Special Committees established in the Agreement. The rules of procedure of these Special Committees are without prejudice to any special provisions of the Agreement. The rules of procedure of the Special Committees are attached to these rules of procedures as Appendix II.
 2. Without prejudice to Article 193 of the Agreement, the Association Council may decide to set up other Special Committees in accordance with Article 7(2) of the Agreement. The rules of procedures of these Special Committees shall be adopted by the Association Council.
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*Appendix I***RULES OF PROCEDURE OF THE ASSOCIATION COMMITTEE**

set up by the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part

*Article 1***Chair**

1. The Association Committee shall be chaired alternately for periods of 12 months by an official of the Commission of the European Communities, on behalf of the Community and its Member States, and by an official of the Chilean Government, at senior level.
2. The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year. For that period and thereafter for each 12-month period, the Association Committee shall be chaired by the Party holding the Chair in the Association Council.

*Article 2***Meetings**

1. The Association Committee shall meet once a year or when circumstances so require, with the agreement of both Parties. If both Parties agree, meetings of the Association Committee may be held by video or teleconference.
2. The meetings of the Association Committee shall be convened jointly by both Secretaries at a date and place agreed by both Parties.

*Article 3***Delegations**

Before each meeting, the Chairman of the Association Committee shall be informed of the intended composition and the Head of Delegation of each Party.

*Article 4***Secretariat**

1. An official of the European Commission and an official of the Ministry of Foreign Affairs of Chile, shall act jointly as Secretaries of the Association Committee.
2. All correspondence with the Chairman of the Association Committee provided for in these rules of procedure shall be forwarded to its Secretaries and the Secretaries and the Chairman of the Association Council and, where appropriate, to the members of the Association Committee.

*Article 5***Publicity**

Unless otherwise decided, the meetings of the Association Committee shall not be public.

*Article 6***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Association Committee. It shall be forwarded to the Chairman and Secretaries of the Association Council as well as to the members of the Association Committee no later than 15 days before the beginning of the meeting.
2. The provisional agenda shall include the items in respect of which the Chairman has received a request for inclusion in the agenda no later than 21 days before the beginning of the meeting. Such items shall, however, not be included in the provisional agenda unless the supporting documents have been forwarded to the Secretaries no later than the date of dispatch of the provisional agenda.
3. The agenda shall be adopted by the Association Committee at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Association Committee may ask experts to attend its meetings in order to provide information on particular subjects.
5. The Chairman may, in agreement with the Parties, shorten the periods specified in paragraphs 1 and 2 in order to take account of the requirements of a particular case.

*Article 7***Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries as soon as possible.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) the documents submitted to the Association Committee;
 - (b) any statement that a member of the Association Committee has asked to be entered;
 - (c) the decisions taken, recommendations made, statements agreed upon and conclusions adopted on specific items.
3. The minutes shall also include a list of the members of the Association Committee or their representatives who took part in the meeting.
4. The minutes shall be approved in writing by the Parties within two months of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the two Secretaries and one original copy shall be filed by each Party. A copy of the minutes shall be forwarded to the Chairman and the Secretaries of the Association Council, the members of the Association Committee and the diplomatic mission to the European Union of the Republic of Chile in Brussels.

*Article 8***Decisions and Recommendations**

1. Where the Association Committee is empowered under the Agreement to adopt decisions or recommendations, such acts shall be entitled 'Decision' or 'Recommendation' respectively, and followed by a serial number, the date of their adoption and a description of their subject. Each decision shall specify the date of its entry into force.
2. Where the Association Committee takes a decision, Articles 10, 11 and 12 of the rules of procedures of the Association Council shall apply *mutatis mutandis*.
3. Decisions and recommendations of the Association Committee shall be forwarded to the addressees referred to in Article 4(2).

*Article 9***Expenses**

1. Each Party shall meet any expenses incurred as a result of its participation in the meetings of the Association Committee, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the practical organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.
3. Expenditure in connection with interpreting at meetings and translation of documents into or from Spanish and English shall be borne by the Party hosting the meeting. Interpreting and translation into or from the other official languages of the Parties shall be borne by the Community.

*Article 10***Functions under other Agreements**

1. The Association Committee shall replace the Joint Committee established in Article 35(1) of the Framework Agreement signed on 21 June 1996.
 2. The Steering Committee established in Article 6(b) of the Agreement on scientific and technological cooperation between the European Community and the Republic of Chile signed on 23 September 2002, shall refer to the Association Committee referred to in Article 54 of the Association Agreement.
 3. The Joint Follow-up Group established by Article 9 of the Agreement between the Republic of Chile and the European Community of 24 November 1998 on precursors and chemical substances frequently used for the illicit manufacture of narcotic drugs and psychotropic substances shall report to the Association Committee.
-

*Appendix II***RULES OF PROCEDURE OF THE SPECIAL COMMITTEES**

set up by the Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part

*Article 1***Chair**

Unless otherwise specified in the Agreement, the meetings of the Special Committees shall be chaired alternately by a representative of the European Commission and by an official of the Chilean Government.

*Article 2***Meetings**

Unless otherwise specified in the Agreement, the Special Committees shall meet upon request of either Party at a date and place agreed in advance between the Parties.

*Article 3***Delegations**

Before each meeting, the Chairman of the Special Committee shall be informed of the intended composition and the Head of Delegation of each Party.

*Article 4***Secretariat**

1. An official of the European Commission, on the one hand, and an official of the Government of Chile, on the other, shall act jointly as Secretaries of the Special Committees.
2. All correspondence with the Chairmen of the Special Committees shall be forwarded to the Secretaries of the Special Committees and to the Secretaries and the Chairman of the Association Committee and, where appropriate, to the members of the Association Committee.

*Article 5***Documents**

Where the deliberations of the Special Committees are based on written supporting documents, such documents shall be numbered and circulated as documents of the Special Committees by the two Secretaries.

*Article 6***Publicity**

Unless otherwise decided, the meetings of the Special Committees shall not be public.

*Article 7***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Special Committees no later than 30 days before the meeting, together with the supporting documents. The agenda shall be forwarded to the Chairman, Secretaries and members of the Association Committee no later than 15 days before the beginning of the meeting. The agenda shall be adopted by the Special Committees at the beginning of each meeting. Items not on the provisional agenda may be added with the agreement of both Parties.
2. With the agreement of the Parties the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

*Article 8***Minutes**

1. Draft minutes of each meeting shall be drawn up jointly by the two Secretaries directly after the meeting.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) the documents submitted to the Special Committee;
 - (b) any statements that a member of the Special Committee has asked to be entered;
 - (c) the recommendations made, statements agreed upon and conclusions adopted on specific items.
3. The minutes shall also include a list of members of the Special Committee or their representatives who took part in the meeting.
4. The minutes shall be approved in writing by both Parties within one month of the date of the meeting. Once approved, two authentic copies of the minutes shall be signed by the two Secretaries and one original copy shall be filed by each Party. A copy of the minutes shall be forwarded to the Chairman and the Secretaries of the Association Committee and to the members of the Special Committee.

*Article 9***Recommendations**

1. Where a Special Committee is empowered under the Agreement to adopt recommendations, such acts shall be entitled 'Recommendation', and followed by a serial number, the date of their adoption and a description of their subject.
2. Where a Special Committee adopts a recommendation, the provisions of Articles 10, 11 and 12 of rules of procedures of the Association Council shall apply *mutatis mutandis*.
3. Recommendations of the Special Committees shall be forwarded to the Secretaries of the Association Committee.

*Article 10***Expenses**

1. Each Party shall meet any expenses incurred as a result of its participation in the meetings of the Special Committees, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the practical organisation of meetings and reproduction of documents shall be borne by the Party hosting the meetings.
3. Expenditure in connection with interpreting at meetings and translation of documents into or from Spanish and English shall be borne by the Party hosting the meeting. Interpreting and translation into or from the other official languages of the Parties shall be borne by the Community.

*Article 11***Reporting**

Special Committees shall report to the Association Committee.

COMMISSION

COMMISSION DECISION

of 26 February 2003

on the allocation of import quotas for controlled substances for the period 1 January to 31 December 2003 under Regulation (EC) No 2037/2000 of the European Parliament and of the Council

(notified under document number C(2003) 617)

(Only the Spanish, German, Greek, English, French, Italian, Dutch and Portuguese texts are authentic)

(2003/256/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2037/2000 of the European Parliament and of the Council on substances that deplete the ozone layer ⁽¹⁾, as last amended by Regulation (EC) No 2039/2000 ⁽²⁾, and in particular to Article 7 thereof,

Whereas:

- (1) The quantitative limits for the placing on the market in the Community of controlled substances are set out in Article 4 of Regulation (EC) No 2037/2000 and Annex III thereto.
- (2) Article 4(2)(c) of Regulation (EC) No 2037/2000 sets out the total calculated level of methyl bromide which producers and importers may place on the market or use for their own account in the period 1 January to 31 December 2003, and in each 12-month period thereafter.
- (3) Article 4(3)(d) of Regulation (EC) No 2037/2000 sets out the total calculated level of hydrochlorofluorocarbons which producers and importers may place on the market or use for their own account in the period 1 January to 31 December 2003.
- (4) The Commission has published a notice to importers in the Community of controlled substances that deplete the ozone layer ⁽³⁾ and has thereby received declarations on intended imports in 2003.
- (5) For hydrochlorofluorocarbons the allocation of quotas to producers and importers is in accordance with the provisions of Commission Decision 2002/654/EC of 12 August 2002 determining a mechanism for the allocation of quotas to producers and importers for hydro-

chlorofluorocarbons for the years 2003 to 2009 under Regulation (EC) No 2037/2000 of the European Parliament and of the Council ⁽⁴⁾.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 18(2) of Regulation (EC) No 2037/2000,

HAS ADOPTED THIS DECISION:

Article 1

1. The quantity of controlled substances of group I (chlorofluorocarbons 11, 12, 113, 114 and 115) and group II (other fully halogenated chlorofluorocarbons) subject to Regulation (EC) No 2037/2000 which may be released for free circulation in the Community in 2003 from sources outside the Community shall be 3 570 000,000 ozone depleting potential (ODP) kilograms.
2. The quantity of controlled substances of group III (halons) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2003 from sources outside the Community shall be 37 500 000,000 ODP kilograms.
3. The quantity of controlled substances of group IV (carbon tetrachloride) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2003 from sources outside the Community shall be 3 412 116,400 ODP kilograms.
4. The quantity of controlled substances of group V (1,1,1-trichloroethane) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2003 from sources outside the Community shall be 420 060,000 ODP kilograms.

⁽¹⁾ OJ L 244, 29.9.2000, p. 1.

⁽²⁾ OJ L 244, 29.9.2000, p. 26.

⁽³⁾ OJ C 193, 13.8.2002, p. 11.

⁽⁴⁾ OJ L 220, 15.8.2002, p. 59.

5. The quantity of controlled substances of group VI (methyl bromide) subject to Regulation (EC) No 2037/2000 which may be released for free circulation in the Community in 2003 from sources outside the Community shall be 3 828 198,970 ODP kilograms.

6. The quantity of controlled substances of group VII (hydrobromofluorocarbons) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2003 from sources outside the Community shall be 4 068 500,000 ODP kilograms.

7. The quantity of controlled substances of group VIII (hydrochlorofluorocarbons) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2003 from sources outside the Community shall be 3 354 556,822 ODP kilograms.

8. The quantity of controlled substances of group new substances (bromochloromethane) subject to Regulation (EC) No 2037/2000 that may be released for free circulation in the Community in 2003 from sources outside the Community shall be 47 412,000 ODP kilograms.

Article 2

1. The allocation of import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex I hereto.

2. The allocation of import quotas for halons during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex II hereto.

3. The allocation of import quotas for carbon tetrachloride during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex III hereto.

4. The allocation of import quotas for 1,1,1-trichloroethane during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex IV hereto.

5. The allocation of import quotas for methyl bromide during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex V hereto.

6. The allocation of import quotas for hydrobromofluorocarbons during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex VI hereto.

7. The allocation of import quotas for hydrochlorofluorocarbons during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex VII hereto.

8. The allocation of import quotas for bromochloromethane during the period 1 January to 31 December 2003 shall be for the purposes indicated and to the companies indicated in Annex VIII hereto.

9. The import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, methyl bromide, hydrobromofluorocarbons, hydrochlorofluorocarbons and bromochloromethane during the period 1 January to 31 December 2003 shall be as set out in Annex IX hereto.

Article 3

This Decision is addressed to the following undertakings:

Advanced Chemical SA
Balma, 69 Pral 3°
E-08007 Barcelona

Agroquímicos De Levante SA
Polígono Industrial Castilla
Calle Vial nº 5 S/N
E-46380 Cheste (Valencia)

Albemarle Europe SPRL
Parc Scientifique Einstein
Rue du Bosquet 9
B-1348 Louvain-La-Neuve

Alcobre SA
Luis I, Nave 6-B
Polígono Industrial Vallecás
E-28031 Madrid

Alfa Agricultural Supplies SA
15, Tim. Filimonos str.
GR-11521 Athens

Ausimont SpA
Viale Lombardia 20
I-20021 Bollate (MI)

Betapur
Pau Clarís, 196
E-08037 Barcelona

Cleanaway Ltd
Airborne Close
Leigh-on-Sea
Essex SS9 4EL
United Kingdom

DuPont de Nemours (Nederland) BV
Baanhoekweg 22
3313 LA Dordrecht
Nederland

Fenner-Dunlop
Oliemolenstraat 2
9203 ZN Drachten
Nederland

Arch Chemicals NV
Keetberglaan 1A
Havennummer 1061
B-2070 Zwijndrecht

Galco SA
Avenue Carton de Wiart 79
B-1090 Bruxelles

Great Lakes Chemical (Europe) Ltd
Sycamore House, Lloyd Drive, The Grove
Ellesmere Port
South Wirral L65 9HQ
United Kingdom

GU Thermo Technology Ltd
Greencool Refrigerants
Unit 12
Park Gate Business Centre
Chandlers Way
Park Gate
Southampton SO31 1FQ
United Kingdom

Biochem Ibérica
Químicos Agrícolas e Industriais, Lda
Estrada M. 502 — Apartado 250
Atalaia
P-2870-901 Montijo

HARP International
Gellihirion Industrial Estate
Rhondda Cynon Taff
Pontypridd CF37 5SX
United Kingdom

Polar Cool S.L
Valdemorillo, 8
Polígono Industrial Ventorro del Cano
E-28925 Alcorcón

Honeywell Fluorine Products Europe BV
Kempenweg 90
Postbus 264
6000 AG Weert
Nederland

Phosphoric Fertilizers Industry SA
Thessaloniki Plant
O.O. Box 10183
GR-54110 Thessaloniki

Laboratorios Miret SA (Lamirsa)
Geminis, 4 Pol. Ind. Can Parellada
E-08228 Les Fonts de Terrassa (Barcelona)

Asahi Glass Europe BV
World Trade Center
Strawinskylaan 1525
1077 XX Amsterdam
Nederland

Promosol
Bld Henri Cahn
BP 27
F-94363 Bry-sur-Marne Cedex

Celotex Limited
Warwick House
27/31 St Mary's Road
Ealing
London W5 5PR
United Kingdom

Rhodia Organique Fine Ltd
PO Box 46 - St Andrews Road
Avonmouth
Bristol BS11 9YF
United Kingdom

Caraïbes Froid SARL
BP 6033
Ste Thérèse, Route du Lamentin
F-97219 Fort-de-France, Martinique

Sigma Aldrich Chemie GmbH
Riedstraße 2
D-89555 Steinheim

Atofina SA
Cours Michelet — La Défense 10
F-92091 Paris-La Défense

Sigma Aldrich Company Ltd
The Old Brickyard
New Road
Gillingham SP8 4XT
United Kingdom

Eurobrom BV
Postbus 158
2280 AD Rijswijk
Nederland

Syngenta Crop Protection
Surrey Research Park
Guildford, Surrey
GU2 7YH
United Kingdom

Galex SA
BP 128
F-13321 Marseille Cedex 16

Guido Tazzetti & Co.
Strada Settimo 266
I-10156 Torino

Calorie
503, rue H  ne Boucher
ZI Buc
BP 33
F-78534 Buc Cedex
Mebrom NV
Assenedestraat 4
B-9940 Rieme Ertvelde
Ineos Fluor Ltd
PO Box 13, The Heath
Runcorn, Cheshire WA7 4QF
United Kingdom
Refrigerant Products Ltd
N9 Central Park Estate
Westinghouse Road
Trafford Park
Manchester M17 1PG
United Kingdom
Solvay Fluor und Derivate GmbH
Hans-B  kler-Allee 20
D-30173 Hannover

Sigma Aldrich Chimie SARL
80, rue de Luzais, L'Isle d'Abeau Chesnes
F-38297 Saint-Quentin-Fallavier
SJB Chemical Products BV
Wellerondom 11
3230 AG Brielle
Nederland
Synthesia Espa  la SA
Conde Borrell, 62
E-08015 Barcelona
Universal Chemistry & Technology SpA
Viale A. Filippetti 20
I-20122 Milano

Done at Brussels, 26 February 2003.

For the Commission
Margot WALLSTR  M
Member of the Commission

ANNEX I

GROUPS I AND II

Import quotas for chlorofluorocarbons 11, 12, 113, 114 and 115 and other fully halogenated chlorofluorocarbons allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses and for destruction during the period 1 January to 31 December 2003.

Company

Cleanaway Ltd (UK)
Honeywell Fluorine Products (NL)
Solvay Fluor und Derivate (D)
Syngenta (UK)

ANNEX II

GROUP III

Import quotas for halons allocated to importers in accordance with Regulation (EC) No 2037/2000 for destruction during the period 1 January to 31 December 2003.

Company

Cleanaway Ltd (UK)

ANNEX III

GROUP IV

Import quotas for carbon tetrachloride allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses and for destruction for the period 1 January to 31 December 2003.

Company

Cleanaway Ltd (UK)
Fenner-Dunlop BV (NL)
Honeywell Fluorine Products (NL)
Ineos Fluor Ltd (UK)
Phosphoric Fertilisers Industry (GR)

ANNEX IV

GROUP V

Import quotas for 1,1,1-trichloroethane allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses and for destruction for the period 1 January to 31 December 2003.

Company

Arch Chemicals (B)
Atofina (F)
Cleanaway Ltd (UK)

ANNEX V

GROUP VI

Import quotas for methyl bromide allocated to importers in accordance with Regulation (EC) No 2037/2000 for non quarantine and pre-shipment uses, for quarantine and pre-shipment applications, for feedstock uses and for destruction for the period 1 January to 31 December 2003.

Company

Agroquimicos de Levante (E)	Cleanaway Ltd (UK)
Albemarle Europe (B)	Eurobrom (NL)
Alfa Agricultural Supplies (GR)	Great Lakes Chemicals (UK)
Atofina (F)	Mebrom (B)
Biochem Iberica (P)	Sigma Aldrich Chemie (D)

ANNEX VI

GROUPS VII

Import quotas for hydrobromofluorocarbons allocated to importers in accordance with Regulation (EC) No 2037/2000 for destruction during the period 1 January to 31 December 2003.

Company

Cleanaway Ltd (UK)

ANNEX VII

GROUP VIII

Import quotas for hydrochlorofluorocarbons allocated to producers and importers in accordance with Regulation (EC) No 2037/2000 and in accordance with the provisions of Decision 2002/654/EC for feedstock uses, process agents, for reclamation, for destruction and other applications allowed under Article 5 of Regulation (EC) No 2037/2000 for the period 1 January to 31 December 2003.

Producer

Atofina (F)	Ineos Fluor Ltd (UK)
Ausimont (I)	Rhodia Organique (UK)
DuPont de Nemours (NL)	Solvay Fluor und Derivate (D)
Honeywell Fluorine Products (NL)	

Importer

Advanced Chemicals (E)	Guido Tazzetti (I)
Alcobre (E)	HARP International (UK)
Asahi Glass (NL)	Mebrom (B)
Betapur (E)	Polar Cool (E)
Calorie (F)	Promosol (F)
Caraïbes Froid SARL (F)	Refrigerant Products (UK)
Celotex (UK)	Sigma Aldrich Chimie (F)
Cleanaway (UK)	Sigma Aldrich Company (UK)
Galco (B)	SJB Chemical Products (NL)
Galex (F)	Synthesia (E)
Greencool (UK)	Universal Chemistry & Technology (I)

ANNEX VIII

GROUP 'NEW SUBSTANCES'

Import quotas for bromochloromethane allocated to importers in accordance with Regulation (EC) No 2037/2000 for feedstock uses during the period 1 January to 31 December 2003.

Company

Laboratorios Miret SA (LAMIRSA) (E)
Sigma Aldrich Chemie (D)

ANNEX IX

(This Annex is not published because it contains confidential commercial information.)

COMMISSION DECISION

of 10 April 2003

on the financial assistance to Germany for the collection of epidemiological information on classical swine fever in feral pigs

(notified under document number C(2003) 1189)

(Only the German text is authentic)

(2003/257/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 2001/572/EC ⁽²⁾, and in particular Articles 19 and 20 thereof,

Whereas:

- (1) Classical swine fever is one of the most serious pig diseases, which has caused very serious economic losses in the Community in the last decade. Cases of classical swine fever in feral pigs have been reported in several Member States in the last years. In many circumstances the control of the disease has been difficult and classical swine fever has spread from the feral to the domestic pig population.
- (2) The gathering and exchange of epidemiological information on classical swine fever in the feral pig population in the Member States is of fundamental importance to establish the appropriate measures for controlling the disease in this population and verifying their efficacy.
- (3) Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽³⁾ establishes rules on the collection of information in relation to classical swine fever in feral pigs. Further rules may be established according to Comitology procedures.
- (4) The Bundesforschungsanstalt für Viruskrankheiten der Tiere, Institut für Epidemiologie, Wusterhausen, Germany, is in the process of establishing a digital database for the collection and exchange of epidemiological information via the Internet on classical swine fever in feral pigs. This database will be shared with other Member States in order to verify its validity as a tool to control the disease.
- (5) A financial contribution should be granted for that project, as it may contribute to the development of Community legislation on classical swine fever and to a better control of the disease.

- (6) Under Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽⁴⁾, veterinary and plant health measures undertaken in accordance with Community rules are financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; for financial control purposes, Articles 8 and 9 of Council Regulation (EC) No 1258/1999 apply.
- (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

1. The Community shall grant Germany financial assistance for its project of establishing a digital database for the gathering and exchange of epidemiological information on classical swine fever in feral pigs at the Bundesforschungsanstalt für Viruskrankheiten der Tiere, Institut für Epidemiologie, Wusterhausen, Germany, as presented by Germany.

2. The following conditions must be fulfilled:

- (a) The data base must be established and made available to all Member States at their request on 30 June 2003 at the latest;
- (b) Germany must forward a technical and financial report to the Commission on 30 September 2003 at the latest, the financial report being conform to the model set out in the Annex and accompanied by supporting documents justifying evidence as to the costs incurred and the results attained.

Article 2

1. The Community's financial assistance granted to Germany for the project referred to in Article 1 shall cover the costs incurred for staff and the purchase of hardware and software and shall not exceed EUR 50 000.

2. The Community's financial assistance shall be paid as follows:

- (a) 70 % by way of an advance at the request of Germany;
- (b) the balance following presentation of the reports and supporting documents referred to Article 1(2)(b).

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 316, 1.12.2001, p. 5.

⁽⁴⁾ OJ L 160, 26.6.1999, p. 103.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 10 April 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

CERTIFIED FINANCIAL REPORT

Reference No of Decision:

Name and address of beneficiary:

Maximum financial assistance:

Category of costs	Amount for the period (euro)
1. Staff	
2. Capital equipment	
3. Software	
Subtotal	
5. Overheads 7 %	
Subtotal	

Certificate by the beneficiary

We certify that:

- the above costs were incurred in connection with the tasks defined in the Decision and were essential to the sound performance of those tasks,
- they are genuine costs falling within the reimbursable costs as defined in Decision 2003/257/EC,
- all the documents supporting the costs are available for audit purposes.

Data:

Person financially responsible:

Signature:

BREAKDOWN BY CATEGORY IN EURO

Staff

Category	Monthly salary	Number of hours worked	Amount paid for staff
Total			

Capital equipment

Type	Date of delivery or rental	Cost or value	Date of payment	Depreciation over 36 months	Use in the project	Amount of depreciation
Total						

Software

Description	Date of payment	Amount
Total		

COMMISSION DECISION
of 10 April 2003
concerning protective measures in relation to avian influenza in the Netherlands

(notified under document number C(2003) 1256)

(Only the Dutch text is authentic)

(Text with EEA relevance)

(2003/258/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 2002/33/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽³⁾, and in particular Article 4(1) and (3) thereof,

Whereas:

- (1) Since 28 February 2003 the Netherlands have declared several outbreaks of highly pathogenic avian influenza.
- (2) Avian influenza is a highly contagious poultry disease that can pose a serious threat for the poultry industry.
- (3) The Netherlands took immediate action as provided for by Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ⁽⁴⁾, as amended by the Act of Accession of Austria, Finland and Sweden, before the disease was officially confirmed.
- (4) Directive 92/40/EEC sets out the minimum control measures to be applied in the event of an outbreak of avian influenza. The Member State may take more stringent action in the field covered by this Directive if deemed necessary and proportionate to contain the disease, taking into account the particular epidemiological, animal husbandry, commercial and social conditions prevailing.

- (5) All movements of live poultry and hatching eggs within the Netherlands and their dispatch to other Member States have been prohibited. Furthermore the dispatch to Member States and third countries of fresh, unprocessed manure and litter of poultry should also be prohibited.
- (6) The same prohibitions should apply to exports of poultry and hatching eggs to third countries in order to protect their health status and to prevent the risk of re-entry of such consignments in another Member State.
- (7) For the sake of clarity and transparency the Commission after consultation with the Dutch authorities, thereby reinforcing the measures taken by the Netherlands, has taken Decision 2003/153/EC of 3 March 2003 concerning protection measures in relation to strong suspicion of avian influenza in the Netherlands ⁽⁵⁾.
- (8) Subsequently Commission Decisions 2003/156/EC ⁽⁶⁾, 2003/172/EC ⁽⁷⁾, 2003/186/EC ⁽⁸⁾, 2003/191/EC ⁽⁹⁾ and 2003/214/EC ⁽¹⁰⁾ were adopted after consultation with the Dutch authorities and evaluation of the situation with all Member States.
- (9) The favourable results of the surveillance programme carried out nationwide in the Netherlands suggested that the occurrence of the highly pathogenic avian influenza virus appeared to be restricted to a confined area in the centre of the Netherlands.
- (10) However, despite the measures taken, on 4 April 2003 the disease was confirmed in turkey farms in the southern province of Limburg.
- (11) In view of the occurrence of disease in Limburg, appropriate biosafety, control and surveillance measures are being taken in Belgium and Germany to prevent the introduction of disease into these countries.
- (12) On basis of Decision 2003/214/EC, the Dutch authorities started preventive emptying and culling of poultry in holdings and areas at risk which should be completed swiftly in order to avoid further spreading of the virus.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 315, 19.11.2002, p. 14.

⁽³⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁴⁾ OJ L 167, 22.6.1992, p. 1.

⁽⁵⁾ OJ L 59, 4.3.2003, p. 32.

⁽⁶⁾ OJ L 64, 7.3.2003, p. 36.

⁽⁷⁾ OJ L 69, 13.3.2003, p. 27.

⁽⁸⁾ OJ L 71, 15.3.2003, p. 30.

⁽⁹⁾ OJ L 74, 20.3.2003, p. 30.

⁽¹⁰⁾ OJ L 81, 28.3.2003, p. 48.

- (13) As a further disease control measure, the Dutch authorities have applied the strategy of compartmentalisation by dividing the territory into several compartments by restricting transports and activities linked to the poultry sector between compartments.
- (14) Fresh poultry meat destined for intra-Community trade has to be marked with a health mark in accordance with the health mark foreseen in Chapter XII of Annex I to Council Directive 71/118/EEC ⁽¹⁾, as last amended by Directive 97/79/EC ⁽²⁾. In order to allow the marketing on the Dutch market of fresh poultry meat obtained from poultry originating from the established surveillance zones, special provisions for its health marking shall be laid down.
- (15) The Dutch authorities should reinforce bio-security and hygiene measures including cleaning and disinfection procedures to prevent the further spread of the disease at all levels of poultry and egg production.
- (16) The measures laid down in Decision 2003/214/EC must be adapted in the light of the evolution of the disease.
- (17) The other Member States have already adjusted the measures they apply to trade, and they are sufficiently informed by the Commission, and, in particular in the context of the Standing Committee on the Food Chain and Animal Health, on the appropriate period for their implementation.
- (18) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice to the measures taken by the Netherlands within the framework of Directive 92/40/EEC applied to the surveillance zones, the Dutch veterinary authorities shall ensure that no live poultry, hatching eggs and fresh, unprocessed and unpasteurised poultry manure or litter are dispatched from the Netherlands to other Member States and to third countries.

2. Without prejudice to the measures taken by the Netherlands within the framework of Directive 92/40/EEC within the surveillance zones and buffer zones as described in the Annex, the Dutch veterinary authorities shall ensure that no live poultry and hatching eggs are transported within the Netherlands.

⁽¹⁾ OJ L 55, 8.3.1971, p. 23.

⁽²⁾ OJ L 13, 16.1.1997, p. 18.

3. By way of derogation from paragraph 2, the competent veterinary authority, taking all appropriate bio-security measures in accordance with Articles 4 and 5 to avoid the spread of avian influenza, may authorise the transport from areas situated outside the surveillance zones of:

- (a) poultry for immediate slaughter, including spent laying hens, to a slaughterhouse that has been designated by the competent veterinary authority;
- (b) day-old chicks and ready-to-lay pullets to a holding under official control, where no other poultry is kept;
- (c) hatching eggs to a hatchery under official control.

If live poultry transported in accordance with (a) or (b) originate in another Member State or third country, the transport has to be approved by the Dutch authorities and the competent authority of the Member State or third country of dispatch.

4. By way of derogation from paragraph 2 the competent veterinary authority, taking all appropriate bio-security measures to avoid the spread of avian influenza, may authorise transport of live poultry and hatching eggs not prohibited by Directive 92/40/EEC and in particular in respect to movements of day-old chicks in accordance with the provisions of Article 9(4)(a), (b) and (c), which shall be transported to holdings within the Netherlands under official control.

Article 2

Fresh poultry meat obtained from slaughter poultry transported by taking all appropriate bio-security measures in accordance with Articles 4 and 5 and originating from the established surveillance zones:

- (a) shall be marked with a round format mark in accordance with the further requirements of the competent authorities;
- (b) shall not be dispatched to other Member States or third countries;
- (c) must be obtained, cut, stored and transported separately from other fresh poultry meat destined for intra-Community trade and for exports to third countries and must be used in such a way as to avoid it being introduced into meat products or meat preparations intended for intra-Community trade or for export to third countries, unless it has undergone the treatment specified in table 1(a), (b) or (c) of Annex III to Directive 2002/99/EC.

Article 3

Without prejudice to the measures already taken in the framework of Directive 92/40/EEC, the Netherlands shall ensure that the preventive emptying and culling of poultry in holdings and areas at risk in the restricted zones and the zones described in the Annex is completed as soon as possible.

The precautionary measures referred to in the first subparagraph shall be taken without prejudice to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽³⁾, as last amended by Decision 2001/572/EC ⁽⁴⁾.

⁽³⁾ OJ L 224, 18.8.1990, p. 19.

⁽⁴⁾ OJ L 203, 28.7.2001, p. 16.

Article 4

In order to enhance bio-security in the poultry sector, the competent veterinary authority of the Netherlands shall ensure that:

- (a) table eggs shall only be transported from a holding to a packing station either in disposable packaging or in containers, trays and other non-disposable equipment, which must be cleaned and disinfected before and after each use in accordance with (d). In addition, in case of table eggs originating from another Member State, the competent veterinary authority shall ensure that the packaging, containers, trays and other non-disposable equipment used for their transport are returned;
- (b) slaughter poultry intended for immediate slaughter shall be transported with trucks and in crates or cages which must be cleaned and disinfected before and after each use in accordance with (d). In addition, in case of slaughter poultry originating from another Member State, the competent veterinary authority shall ensure that the crates and cages and containers are returned;
- (c) day-old chicks are transported in disposable packing material to be destroyed after use;
- (d) the disinfectants and the method of cleaning and disinfection must be approved by the competent authority.

Article 5

The competent veterinary authority of the Netherlands shall ensure that stringent bio-security measures are taken on all levels of poultry and egg production in order to avoid risky contacts that may cause the spread of avian influenza between

farms. These measures aim in particular to avoid risky contacts of poultry, transport means, equipment and people entering or leaving poultry farms, egg packing stations, hatcheries, slaughterhouses, feedmills, litter processing and rendering plants. For this purpose, all poultry farmers shall keep a register for all professional visits to their farms as well as their professional visits to other poultry holdings.

Article 6

This Decision shall apply from 0.00 on 11 April 2003 until 24.00 on 25 April 2003.

Article 7

The Netherlands shall amend the measures which they apply to trade so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 8

This Decision is addressed to the Netherlands.

Done at Brussels, 10 April 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Area A: Buffergebied Wageningen (24.3.2003)

1. Vanaf de kruising Werftweg/Veensteeg (De Kraats) de Veensteeg volgend in zuidoostelijke richting tot aan de Heuvelweg.
2. De Heuvelweg volgend in noordoostelijke richting tot aan de Slagsteeg.
3. De Slagsteeg volgend in zuidelijke richting tot aan de Weerdjesweg.
4. De Weerdjesweg volgend in oostelijke richting tot aan de Harsloweg.
5. De Harsloweg volgend in zuidelijk richting tot aan de Lange Rijnsteeg.
6. De Lange Rijnsteeg volgend in oostelijke richting, overgaand in de Dijkgraaf, overgaand in de Lange Steeg tot aan de Doctor Willem Dreeslaan (N781).
7. De Doctor Willem Dreeslaan (N781) volgend in zuidoostelijke richting, overgaand in de Mansholtlaan, overgaand in de Diedenweg, overgaand in de Westerbergweg, overgaand in de Onderlangs, overgaand in de Veerdam tot aan de rivier de Rijn.
8. De rivier de Rijn stroomafwaarts volgend tot aan de Rijnbrug N233 (Rhenen).
9. De Rijnbrug (N233) volgend in noordelijke richting, overgaand in de Lijnweg (N233), overgaand in de Cuneraweg (N233) tot aan de Zuidelijke Meentsteeg.
10. De Zuidelijke Meentsteeg volgend in noordoostelijke richting, overgaand in de Werftweg.
11. De Werftweg volgend in oostelijke richting tot aan de kruising Werftweg/Veensteeg (De Kraats).

Area B: Buffergebied Putten (24.3.2003)

1. Vanaf de Strand Horst de Palmbosweg volgend in zuidelijke richting tot aan de Buitenbrinkweg.
2. De Buitenbrinkweg volgend in zuidoostelijke richting tot aan de Schaapsdijk.
3. De Schaapsdijk volgend in zuidoostelijke richting tot aan de Zeeweg.
4. De Zeeweg volgend in oostelijke richting tot aan de Telgterweg.
5. De Telgterweg volgend in zuidelijke richting, overgaand in de Telgterengweg tot aan de Bulderweg.
6. De Bulderweg volgend in oostelijke richting tot aan de Volenbeekweg.
7. De Volenbeekweg volgend in zuidelijke richting tot aan de Oude Telgterweg.
8. De Oude Telgterweg volgend in westelijke richting tot aan de Watervalweg.
9. De Watervalweg volgend in zuidelijke richting tot aan de kruising Watervalweg/Telgterweg (Ermelo).
10. Vanaf de kruising Watervalweg/Telgterweg (Ermelo) de Telgterweg volgend in zuidelijke richting tot aan de Oude Rijksweg N798 (Putten).
11. De Oude Rijksweg N798 (Putten) volgend in zuidwestelijke richting tot aan de Stationsstraat.
12. De Stationsstraat volgend in westelijke richting, overgaand in de Zuiderzeestraatweg tot aan de Waterweg.
13. De Waterweg volgend in zuidwestelijke richting tot aan de Hoornsdam.
14. De Hoornsdam volgend in westelijke richting tot aan het Nulderneauw.
15. Het Nulderneauw volgend in noordoostelijke richting tot aan de Strand Horst.

Area C: Buffergebied Opheusden (25.3.2003)

1. Vanaf de kruising Nederrijn/Veerweg, de Veerweg volgend in zuidelijk richting, overgaand in de Randwijkse Rijndijk, overgaand in de Knoppersweg (N836), volgend in zuidoostelijke richting overgaand in de Wageningsestraat (N836) tot aan de snelweg A15 (E31).
2. De snelweg A15 volgend in oostelijke richting tot aan het knooppunt Valburg/snelweg (A50).
3. De snelweg (A50) volgend in zuidwestelijke richting tot aan de rivier de Waal.
4. De rivier de Waal volgend in westelijke richting tot aan de Cuneraweg.
5. De Cuneraweg volgend in noordelijke richting, overgaand in N233, overgaand in de Rijnburg tot aan de rivier de Nederrijn.
6. De rivier de Nederrijn volgend in oostelijke richting tot aan de Veerweg.

Area D: Buffergebied Beneden-Leeuwen (25.3.2003)

1. De rivier de Waal ter hoogte van het Kanaal van Sint Andries in noordoostelijke richting volgend tot het verlengde van Noord-Zuidweg (Boven-Leeuwen).
2. Het verlengde van de Noord-Zuidweg (Boven-Leeuwen) volgend in zuidelijke richting, overgaand in de Noord-Zuidweg, overgaand in Noord-Zuid (N322), overgaand in Noord-Zuid (N329) tot aan de rivier de Maas.
3. De rivier de Maas volgend in westelijke richting tot aan het kanaal van Sint Andries.
4. Het kanaal van Sint Andries volgend in noordwestelijke richting tot aan de rivier de Waal.

Area E: Buffergebied Druten (27.3.2003)

1. Vanaf de kruising van de verlengde weg van de Noord-Zuidweg (Beneden-Leeuwen) en de rivier de Waal, de rivier de Waal volgend in oostelijke richting tot aan de A50.
2. De A50 volgend in zuidelijke richting tot aan de rivier de Maas.
3. De rivier de Maas volgend in westelijke richting tot aan Noord-Zuid (N329).
4. Noord-Zuid (N329) volgend in noordoostelijke richting, overgaand in de Noord-Zuidweg tot aan de rivier de Waal.

Area F: Buffergebied Nijkerk (27.3.2003)

1. Vanaf de Hoornsdam volgend in westelijke richting tot aan oprit 10 van de A28 (Strand Nulde).
2. De A28 volgend in zuidelijke richting tot aan het verkeersknooppunt Hoevelaken.
3. Vanaf het verkeersknooppunt Hoevelaken de A1 volgend in noordwestelijke richting tot aan de kruising A1/Oude Zevenhuizerstraat (Amersfoort).
4. De Oude Zevenhuizerstraat volgend in noordelijke richting, overgaand in de Groenweg tot het Nijkerkernauw.
5. Het Nijkerkernauw volgend in oostelijke richting tot de Hoornsdam.

Area G: Buffergebied Lienden (27.3.2003)

1. Vanaf Wijk bij Duurstede de rivier de Neder-Rijn volgend in oostelijke richting tot aan de Rijnbrug N233 (Rhenen).
2. De Rijnbrug N233 (Rhenen) volgend in zuidelijke richting, overgaand in de provinciale weg N233, overgaand in de Cuneraweg tot aan de rivier de Waal.
3. De rivier de Waal volgend in westelijke richting tot aan het Amsterdam-Rijnkanaal
4. Het Amsterdam-Rijnkanaal volgend in noordwestelijke richting tot aan de rivier de Neder-Rijn (Wijk bij Duurstede).

Area H: Buffergebied Oss (3.4.2003)

1. Vanaf de kruising van de rivier de Maas met de A50 ter hoogte van afslag 17 (Ravensteijn) de A50 volgend in zuidwestelijke richting tot aan afslag 15 (Oss).
 2. Afslag 15 volgend tot de Cereslaan.
 3. De Cereslaan volgend in noordwestelijke richting tot aan de Ruwaardsingel (Oss).
 4. De Ruwaardsingel (Oss) volgend in noordoostelijke richting tot aan de Doctor Saal van Zwanenbergsingel.
 5. De Doctor Saal van Zwanenbergsingel volgend in noordwestelijke richting, overgaand in de Hertogin Johannasingel, overgaand in de John F. Kennedylaan tot aan de Gewandeweg.
 6. De Gewandeweg volgend in westelijke richting, overgaand in de Burgemeester Smitsweg, overgaand in de Wildseweg tot aan de Nieuwe Provincialeweg (N625).
 7. De Nieuwe Provincialeweg (N625) volgend in noordelijke richting, overgaand in de Wildsedijk (N625) tot aan de Veerweg.
 8. De Veerweg volgend in westelijke richting tot aan de rivier de Maas.
 9. De rivier de Maas volgend in noordoostelijke richting tot aan de kruising met de A50.
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