

English edition

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

**COUNCIL DECISION**  
**of 28 November 2002**  
**establishing a mechanism for evaluating the legal systems and their implementation at national level in the fight against terrorism**

(2002/996/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union, and in particular Articles 29 and 34(1) thereof,

*Article 1*

Having regard to the initiative of the Kingdom of Spain <sup>(1)</sup>,

**Establishment of the evaluation mechanism**

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

1. A mechanism for peer evaluation of the national arrangements in the fight against terrorism within the framework of international cooperation between Member States shall be established in accordance with the detailed rules set out below.

Whereas:

(1) The Justice and Home Affairs Council meeting on 20 September 2001 decided, as recorded in point 15 of its Conclusions, to instruct the Article 36 Committee to work out an easier and swifter form of the evaluation mechanism defined in Joint Action 97/827/JHA of 5 December 1997 establishing a mechanism for evaluating the application and implementation at national level of international undertakings in the fight against organised crime <sup>(3)</sup>, in order to define a procedure for the peer assessment of national anti-terrorist arrangements.

2. Each Member State shall undertake to ensure that its national authorities cooperate closely with the evaluation teams set up under this Decision with a view to its implementation, with due regard for the rules of law and ethics applicable at national level.

*Article 2*

**Evaluation subjects**

(2) It is necessary to improve the national legal systems in the fight against terrorism and their implementation.

1. For each evaluation exercise, the specific subject of the evaluation as well as the order in which Member States are to be evaluated shall be defined by the Article 36 Committee, on a proposal from the Presidency.

(3) The primary responsibility for designing each legal system and implementing it at national level rests with each Member State, although, in the context of the European Union, Member States inform each other of the content in order to achieve greater efficiency in the fight against terrorism.

Depending on the specific subject chosen for the evaluation, the Article 36 Committee shall also decide whether to designate a Council Working Party subordinate to it to carry out the evaluation or to carry it out itself.

(4) It is also desirable, in accordance with the content of the abovementioned Council mandate of 20 September 2001, to establish a mechanism which, in the context of the cooperation provided for in the Treaty, enables Member States to evaluate the national legal systems in the fight against terrorism and their implementation on a basis of equality and mutual confidence,

In addition, the Article 36 Committee shall decide the frequency of each evaluation exercise.

2. The Presidency of the Council shall prepare the evaluation assisted by the General Secretariat of the Council which shall use in particular the national experts seconded to it for that purpose. The Commission shall be fully involved in the preparatory work.

<sup>(1)</sup> OJ C 151, 25.6.2002, p. 14.

<sup>(2)</sup> Opinion delivered on 24 September 2002 (not yet published in the Official Journal).

<sup>(3)</sup> OJ L 344, 15.12.1997, p. 7.

3. The first evaluation exercise shall finish no later than mid-2003.

*Article 3***Designation of experts**

1. Each Member State shall send the General Secretariat of the Council, at the Presidency's initiative, and no later than four weeks after the date on which the Article 36 Committee decides to start an evaluation on a specific subject, the names of one to three experts having substantial experience of the subject to which the evaluation relates in the field of combating terrorism and who are prepared to participate in at least one evaluation exercise.

2. The Presidency shall draw up a list of the experts designated by the Member States and shall forward it to the Article 36 Committee or to the Working Party designated for the purpose.

*Article 4***Evaluation team**

On the basis of the list referred to in Article 3(2), the Presidency shall choose a team of two experts for the evaluation of each Member State, ensuring that they are not nationals of the Member State in question.

The names of the experts chosen to make up each evaluation team shall be notified to the Article 36 Committee or to the Working Party designated for the purpose.

The evaluation team shall be assisted in all its tasks by the General Secretariat of the Council and by the Commission.

*Article 5***Preparation of the questionnaire**

The Presidency shall, with the assistance of the General Secretariat of the Council and the Commission, draw up a questionnaire for the purposes of evaluating all Member States in the framework of the specific subject defined in Article 2(1) and shall submit it for approval to the Article 36 Committee or to the Working Party designated for the purpose. In this context, where appropriate, the opinion of any Council Working Party with competence in the subject matter covered by the evaluation shall be requested. The questionnaire shall be designed to establish all information useful for the conduct of the evaluation. The Member State being evaluated shall ensure that it replies to the questionnaire within one month and as fully as possible and attaches where necessary all legal provisions and technical and practical data required.

*Article 6***Evaluation visit**

No later than six weeks after receiving the reply to the questionnaire, where it is considered appropriate, the evaluation team shall travel to that Member State, with a view to clarifying the replies to the questionnaire, with a programme of visits arranged by the Member State visited on the basis of the

evaluation team's proposal, for interviews with the political, administrative, police, customs and judicial authorities and any other relevant body.

*Article 7***Preparation of the draft report**

No later than 15 days after receiving the replies to the questionnaire or after the visit referred to in Article 6 if such a visit has taken place, the evaluation team shall draw up a concise draft report and submit it to the Member State evaluated, which shall give its opinion within six weeks. If the evaluation team deems it appropriate, it shall amend its report in the light of the comments made by the Member State evaluated.

*Article 8***Discussion and adoption of the report**

1. The Presidency shall forward the draft report, which shall be confidential, to the members of the Article 36 Committee or to the Working Party designated for the purpose, together with any of the comments by the Member State evaluated which were not accepted by the evaluation team.

2. The meeting of the Article 36 Committee or the Working Party designated for the purpose shall begin with a presentation of the draft report by the members of the evaluation team. The representative of the Member State evaluated shall then provide any comment, information or explanation he deems necessary. The Article 36 Committee or the Working Party designated for the purpose shall then discuss the draft report and adopt its conclusions by consensus.

3. The Presidency shall, at the end of a complete evaluation exercise, inform the Council by the appropriate means of the results of the evaluation exercises. The Council may, where it sees fit, address any recommendations to the Member State concerned and may invite it to report back to the Council on the progress it has made by a deadline to be set by the Council.

4. In accordance with Article 9(2), the Presidency shall inform the European Parliament at the end of a complete evaluation exercise of the implementation of the evaluation mechanism.

*Article 9***Confidentiality**

1. The experts on the evaluation teams shall be required to respect the confidentiality of any information they receive in connection with their task. Member States shall therefore ensure that the experts they appoint under Article 3 have an appropriate security level.

2. The report drawn up within the framework of this Decision shall be at least a restricted document. However, the Member State evaluated may publish the report on its own responsibility. It shall obtain the Council's consent if it wishes to publish only parts of it.

*Article 10***Review of the mechanism**

No later than at the end of the first evaluation of all the Member States, the Council shall examine the detailed rules and scope of the mechanism and shall, if appropriate, make adjustments to this Decision.

*Article 11***Date of effect**

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

*Article 12***Publication**

This Decision shall be published in the Official Journal.

Done at Brussels, 28 November 2002.

*For the Council*  
*The President*  
B. HAARDER

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 2323/2002  
of 16 December 2002**

**on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 37, in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

*Article 1*

The Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006 is hereby approved on behalf of the Community.

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

The text of the Protocol is attached to this Regulation (\*).

Whereas:

*Article 2*

The fishing opportunities set out in the Protocol shall be allocated among the Member States as follows:

(1) In accordance with the Agreement between the European Economic Community and the Republic of Senegal on fishing off the coast of Senegal <sup>(2)</sup>, the two Parties have held negotiations with a view to determining the amendments or additions to be made to the Agreement at the end of the period of application of the Protocol.

Category 1	233 gross registered tonnes (GRT) per quarter	Greece
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	704 GRT per quarter	Spain
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	563 GRT per quarter	Italy
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(2) As a result of these negotiations, a new Protocol setting out the fishing opportunities and the financial contribution provided for in the abovementioned Agreement for the period from 1 July 2002 to 30 June 2006 was initiated on 25 June 2002.

Category 2	3 000 GRT per month, averaged over the year	Spain
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Category 3	3 186 GRT per month, averaged over the year	Spain
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	314 GRT per month, averaged over the year	Portugal
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(3) It is in the Community's interest to approve the Protocol.

Category 4	10 vessels	Spain
------------	------------	-------

	6 vessels	France
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(4) The allocation of the fishing opportunities among the Member States, their obligation to report catches and the obligation for Community shipowners to land tuna catches in Senegal at their own expense in accordance with point C of the Annex to the Protocol should be laid down,

Category 5	21 vessels	Spain
------------	------------	-------

	18 vessels	France
--	------------	--------

Category 6	20 vessels	Spain
------------	------------	-------

	3 vessels	Portugal
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<sup>(1)</sup> Opinion of 5.12.2002 (not yet published in the Official Journal)

<sup>(2)</sup> OJ L 226, 29.8.1980, p. 17.

(\*) See page 46 of this Official Journal.

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may take into consideration licence applications from any other Member State.

*Article 3*

The obligation of direct landing by freezer tuna seiners set out in point C (c) of the Annex to the Protocol shall be met by Community shipowners on the basis of the following breakdown:

- Vessels flying the French flag: 44 %
- Vessels flying the Spanish flag: 56 %.

*Article 4*

The Member States whose vessels fish under this Regulation shall be required to notify the Commission of the quantities of each stock caught in the Senegalese fishing zone in accordance with Commission Regulation (EC) No 500/2001 <sup>(1)</sup>.

*Article 5*

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

*Article 6*

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

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

Done at Brussels, 16 December 2002.

*For the Council*  
*The President*  
M. FISCHER BOEL

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<sup>(1)</sup> OJ L 73, 15.3.2001, p. 8.



**COMMISSION REGULATION (EC) No 2324/2002**  
**of 23 December 2002**  
**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 24 December 2002.

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

Done at Brussels, 23 December 2002.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

<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 23 December 2002 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	68,1
	204	58,2
	999	63,1
0707 00 05	052	109,2
	628	151,4
	999	130,3
0709 10 00	220	159,6
	999	159,6
0709 90 70	052	112,8
	204	84,1
	999	98,4
0805 10 10, 0805 10 30, 0805 10 50	052	45,0
	204	52,7
	220	46,6
	999	48,1
0805 20 10	052	95,1
	204	67,4
	999	81,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	69,0
	999	69,0
0805 50 10	052	64,5
	600	86,9
	999	75,7
0808 10 20, 0808 10 50, 0808 10 90	060	29,5
	400	111,4
	404	101,7
	720	129,3
	999	93,0
0808 20 50	400	88,7
	720	47,6
	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 2325/2002**  
**of 23 December 2002**  
**fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(4)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.
- (2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.
- (3) Article 4 of Commission Regulation (EC) No 1518/95 <sup>(5)</sup>, as amended by Regulation (EC) No 2993/95 <sup>(6)</sup>, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.
- (4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of

the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

- (5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) The refund must be fixed once a month. It may be altered in the intervening period.
- (8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 January 2003.

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 147, 30.6.1995, p. 55.

<sup>(6)</sup> OJ L 312, 23.12.1995, p. 25.

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

Done at Brussels, 23 December 2002.

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

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## ANNEX

## to the Commission Regulation of 23 December 2002 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 <sup>(1)</sup>	C11	EUR/t	27,23	1104 23 10 9100	C14	EUR/t	29,18
1102 20 10 9400 <sup>(1)</sup>	C11	EUR/t	23,34	1104 23 10 9300	C14	EUR/t	22,37
1102 20 90 9200 <sup>(1)</sup>	C11	EUR/t	23,34	1104 29 11 9000	C13	EUR/t	0,00
1102 90 10 9100	C17	EUR/t	0,00	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9900	C17	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 30 9100	C18	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1103 19 40 9100	C16	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	4,86
1103 13 10 9100 <sup>(1)</sup>	C19	EUR/t	35,01	1107 10 11 9000	C21	EUR/t	0,00
1103 13 10 9300 <sup>(1)</sup>	C19	EUR/t	27,23	1107 10 91 9000	C21	EUR/t	0,00
1103 13 10 9500 <sup>(1)</sup>	C19	EUR/t	23,34	1108 11 00 9200	C10	EUR/t	0,00
1103 13 90 9100 <sup>(1)</sup>	C14	EUR/t	23,34	1108 11 00 9300	C10	EUR/t	0,00
1103 19 10 9000	C16	EUR/t	21,45	1108 12 00 9200	C10	EUR/t	31,12
1103 19 30 9100	C14	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	31,12
1103 20 60 9000	C20	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	31,12
1103 20 20 9000	C17	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	31,12
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	51,68
1104 12 90 9100	C13	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	51,68
1104 12 90 9300	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 19 10 9000	C13	EUR/t	0,00	1702 30 51 9000 <sup>(2)</sup>	C10	EUR/t	30,49
1104 19 50 9110	C14	EUR/t	31,12	1702 30 59 9000 <sup>(2)</sup>	C10	EUR/t	23,34
1104 19 50 9130	C14	EUR/t	25,29	1702 30 91 9000	C10	EUR/t	30,49
1104 29 01 9100	C14	EUR/t	0,00	1702 30 99 9000	C10	EUR/t	23,34
1104 29 03 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	23,34
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	30,49
1104 29 05 9300	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	23,34
1104 22 20 9100	C13	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	31,95
1104 22 30 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	22,17
				2106 90 55 9000	C10	EUR/t	23,34

<sup>(1)</sup> No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

<sup>(2)</sup> Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are as follows:

C10: All destinations except for Estonia,

C11: All destinations except for Estonia, Hungary, Poland and Slovenia,

C12: All destinations except for Estonia, Hungary, Latvia and Poland,

C13: All destinations except for Estonia, Hungary and Lithuania,

C14: All destinations except for Estonia and Hungary,

C15: All destinations except for Estonia, Hungary, Latvia, Lithuania and Poland,

C16: All destinations except for Estonia, Hungary, Latvia and Lithuania,

C17: All destinations except for Bulgaria, Estonia, Hungary, Poland and Slovenia.

C18: All destinations except for Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland and Slovenia.

C19: All destinations except for Estonia, Hungary and Slovenia.

C20: All destinations except for Estonia, Hungary, Latvia, Lithuania and Romania.

C21: All destinations except for Bulgaria, Estonia, Hungary, Lithuania, Romania and Slovenia.

**COMMISSION REGULATION (EC) No 2326/2002**  
**of 23 December 2002**  
**on the issue of system B export licences in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1176/2002 <sup>(2)</sup>, and in particular Article 6(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1886/2002 <sup>(3)</sup> fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for oranges will shortly be exceeded. This overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for oranges after 23 December 2002 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for system B export licences for oranges submitted pursuant to Article 1 of Regulation (EC) No 1886/2002, export declarations for which are accepted after 23 December 2002 and before 15 January 2003, are hereby rejected.

*Article 2*

This Regulation shall enter into force on 24 December 2002.

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

Done at Brussels, 23 December 2002.

*For the Commission*  
J. M. SILVA RODRÍGUEZ  
*Agriculture Director-General*

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<sup>(1)</sup> OJ L 268, 9.10.2001, p. 8.

<sup>(2)</sup> OJ L 170, 29.6.2002, p. 69.

<sup>(3)</sup> OJ L 286, 24.10.2002, p. 3.

**COMMISSION REGULATION (EC) No 2327/2002**  
**of 23 December 2002**  
**prohibiting fishing for saithe by vessels flying the flag of Denmark**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy <sup>(1)</sup>, as last amended by Regulation (EC) No 2846/98 <sup>(2)</sup>, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required <sup>(3)</sup>, as last amended by Regulation (EC) No 2256/2002 <sup>(4)</sup>, lays down quotas for saithe for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of saithe in the waters of ICES divisions II a (EC waters), the Skagerrak and Kattegat, ICES divisions III b, c and d (EC waters), and the North Sea, by vessels

flying the flag of Denmark or registered in Denmark have exhausted the quota allocated for 2002. Denmark has prohibited fishing for this stock from 10 December 2002. This date should be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of saithe in the waters ICES divisions II a (EC waters), the Skagerrak and Kattegat, ICES divisions III b, c and d (EC waters), and the North Sea, by vessels flying the flag of Denmark or registered in Denmark are hereby deemed to have exhausted the quota allocated to Denmark for 2002.

Fishing for saithe in the waters of ICES divisions II a (EC waters), the Skagerrak and Kattegat, ICES divisions III b, c and d (EC waters), and the North Sea, by vessels flying the flag of Denmark or registered in Denmark is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

*Article 2*

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

It shall apply from 10 December 2002.

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

Done at Brussels, 23 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 261, 20.10.1993, p. 1.

<sup>(2)</sup> OJ L 358, 31.12.1998, p. 5.

<sup>(3)</sup> OJ L 347, 31.12.2001, p. 1.

<sup>(4)</sup> OJ L 343, 18.12.2002, p. 19.

## COMMISSION REGULATION (EC) No 2328/2002

of 23 December 2002

## opening public sales of wine alcohol for use as bioethanol in the European Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 2585/2001 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms <sup>(3)</sup>, as last amended by Regulation (EC) No 1795/2002 <sup>(4)</sup>, and in particular Article 92 thereof,

Whereas:

- (1) Regulation (EC) No 1623/2000 lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol obtained from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 and held by the intervention agencies.
- (2) Public sales of wine alcohol for use in the fuel sector in the Community should be organised with a view to reducing Community stocks of wine alcohol and to some extent ensuring supplies to firms approved under Article 92 of Regulation (EC) No 1623/2000. Community stocks of wine alcohol held by the Member States come from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine <sup>(5)</sup>, as last amended by Regulation (EC) No 1677/1999 <sup>(6)</sup>, and under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999.
- (3) Given the large quantities put up for sale, the deadline for removing the alcohol should be amended.
- (4) In accordance with Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro <sup>(7)</sup>, the selling price and securities must be expressed, and payments made, in euro.

(5) Given that there are risks of fraud by substitution of alcohol, it would appear necessary to reinforce checks on the final destination of the alcohol, allowing the intervention agencies to call on the help of international control agencies and to check the alcohol sold by means of nuclear magnetic resonance analyses.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Three lots of alcohol (references 15/2002 EC, 16/2002 EC and 17/2002 EC) comprising 250 000 hectolitres, 50 011,98 hectolitres and 30 000 hectolitres respectively at 100 % vol. are hereby put up for public sale for use in the fuel sector within the Community. The alcohol has been obtained from distillation as provided for in Article 35 of Regulation (EEC) No 822/87 and Articles 27 and 30 of Regulation (EC) No 1493/1999 and is held by the Spanish and Italian intervention agencies.

*Article 2*

The location and references of the vats making up the lots, the quantity of alcohol in each vat, the alcoholic strength and the characteristics of the alcohol are as set out in the Annex hereto. The lots shall be awarded to the three firms approved under Article 92 of Regulation (EC) No 1623/2000.

*Article 3*

All communications concerning this public sale shall be sent to the following Commission department:

Commission of the European Communities  
 Directorate-General for Agriculture, Unit D-4  
 Rue de la Loi 200  
 B-1049 Brussels  
 Fax: (32-2) 295 92 52  
 E-mail address: agri-d4@cec.eu.int

*Article 4*

The public sales shall take place in accordance with Articles 92, 93, 94, 95, 96, 98, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

<sup>(1)</sup> OJ L 179, 14.7.1999, p. 1.

<sup>(2)</sup> OJ L 345, 29.12.2001, p. 10.

<sup>(3)</sup> OJ L 194, 31.7.2000, p. 45.

<sup>(4)</sup> OJ L 272, 10.10.2002, p. 15.

<sup>(5)</sup> OJ L 84, 27.3.1987, p. 1.

<sup>(6)</sup> OJ L 199, 30.7.1999, p. 8.

<sup>(7)</sup> OJ L 349, 24.12.1998, p. 1.



*Article 5*

The price of the alcohol for public sale shall be EUR 19 per hectolitre of alcohol at 100 % vol.

*Article 6*

The performance security shall be EUR 30 per hectolitre of alcohol at 100 % vol. Unless a standing guarantee is provided, before removing any alcohol and by the day of issue of the removal order at the latest, the firms awarded the lots shall lodge a performance security with the intervention agency concerned to ensure that the alcohol in question is used as bioethanol in the fuel sector.

*Article 7*

Notwithstanding Article 93(6) of Regulation (EC) No 1623/2000, all the alcohol must be removed no more than eight months after the date of notification of the Commission's decision to award the sale.

*Article 8*

Against payment of EUR 10 per litre and within 30 days of the publication of the notice of public sale, the firms approved under Article 92 of Regulation (EC) No 1623/2000 may obtain

samples of the alcohol put up for sale from the intervention agency concerned. After that date, samples may be obtained in accordance with Article 98(2) and (3) of Regulation (EC) No 1623/2000. Samples issued to the approved firms shall amount to not more than five litres per vat.

*Article 9*

The intervention agencies in the Member States in which the alcohol put up for sale is stored shall carry out appropriate checks to verify the nature of the alcohol at the time of end-use. To that end, they may:

- apply, *mutatis mutandis*, the provisions of Article 102 of Regulation (EC) No 1623/2000,
- carry out checks on samples using nuclear magnetic resonance to verify the nature of the alcohol at the time of end-use.

The costs shall be borne by the companies to which the alcohol is sold.

*Article 10*

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

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

Done at Brussels, 23 December 2002.

For the Commission  
Franz FISCHLER  
Member of the Commission

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## ANNEX

## PUBLIC SALES OF WINE ALCOHOL FOR USE AS BIOETHANOL IN THE EUROPEAN COMMUNITY

Nos 15/2002 EC, 16/2002 EC and 17/2002 EC

## I. Place of storage, quantity and characteristics of the alcohol put up for sale

Member State and lot number	Location	Vat numbers	Quantity (hectolitres of alcohol at 100 % vol)	Reference Regulations (EEC) No 822/87 and (EC) No 1493/1999 Articles	Type of alcohol	Firms approved under Article 92 of Regulation (EC) No 1623/2000]
SPAIN Lot No 15/2002 EC	Tarancon	A-6	24 026	35	raw	Ecocarburantes españoles SA
	Tarancon	A-7	5 074	35	raw	
	Tarancon	A-8	16 563	35	raw	
	Tarancon	B-8	16 281	35	raw	
	Tarancon	A-1	14 170	27	raw	
	Tarancon	A-7	19 168	27	raw	
	Tarancon	A-8	7 910	27	raw	
	Tarancon	B-7	24 444	27	raw	
	Tarancon	A-9	24 395	27	raw	
	Tarancon	B-4	24 756	30	raw	
	Tarancon	B-6	24 022	30	raw	
	Tarancon	A-10	24 687	30	raw	
	Tarancon	B-10	24 504	30	raw	
		Total		250 000		
ITALY Lot No 16/2002 EC	Dist. Bonollo — Paduni-Anagni (FR)		11 500,00	35	raw	Sekab (Svensk Etanol kemi AB)
	Mazzari — S. Agata sul Santerno (RA)		11 900,00	35	raw	
	Di Lorenzo — Pontenuovo di Torgiano (PG)		9 600,00	27 + 35	raw	
	Dist. Bertolino — Partinico (PA)		9 200,00	27	raw	
	Caviro — Faenza (RA)		5 100,00	27	raw	
	Dist. Bonollo Umberto — Conselve (PD)		1 600,00	27 + 35	raw	
	Dist. Fusco — Castel San Giorgio (SA)		997,20	35	potable alcohol	
	Ro.Di.Dist. S. Severo — Castel San Giorgio (SA)		114,78	36	test code	
		Total		50 011,98		

Member State and lot number	Location	Vat numbers	Quantity (hectolitres of alcohol at 100 % vol)	Reference Regulations (EEC) No 822/87 and (EC) No 1493/1999 Articles	Type of alcohol	Firms approved under Article 92 of Regulation (EC) No 1623/2000]
ITALY Lot No 17/2002 EC	Dist. Bonollo — Paduni-Anagni (FR)		10 000,00	35	raw	Primalco Oy (Altia Corporation)
	Dist. Bertolino — Partinico (PA)		10 000,00	27	raw	
	Caviro — Faenza (RA)		10 000,00	27	raw	
	Total		30 000,00			

II. The address of the Spanish intervention agency is:

FEGA, Beneficencia 8, E-28004 Madrid (Tel. (34) 91 347 65 00; Telex: 23427 FEGA; Fax: (34) 91 521 98 32).

III. The address of the Italian intervention agency is:

AGEA, via Palestro 81, I-00185 Roma (Tel. (39-06) 49 49 991; Telex: 62 00 64/62 06 17/62 03 31; Fax: (39-06) 445 39 40/445 46 93).

**COMMISSION REGULATION (EC) No 2329/2002**  
**of 23 December 2002**  
**amending Regulation (EC) No 1582/2002 on a special intervention measure for cereals in Finland and Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 6 thereof,

Whereas:

- (1) Negotiations with a view to adopting trade agreements between the Community and Bulgaria, the Czech Republic, Slovakia and Slovenia establishing certain concessions in the form of Community tariff quotas for certain agricultural products and the total liberalisation of trade in other agricultural products have recently been concluded. The abolition of refunds in the cereals sector is one of the concessions provided for. The abolition relates in particular to oats.
- (2) With a view to adopting these agreements and in order to clarify the export terms at the start of 2003 for all operators in the cereals sector, especially given the period of validity of the export licences, the refunds for oats should be abolished from 1 January 2003.
- (3) The destinations laid down in Commission Regulation (EC) No 1582/2002 <sup>(3)</sup> should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1582/2002 is hereby amended as follows:

1. The first subparagraph of Article 1(1) is replaced by the following:  
'1. A special intervention measure in the form of an export refund shall be implemented in respect of 400 000 tonnes of oats produced in Finland and Sweden and intended for export from Finland and Sweden to all third countries, except Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia.'
2. Article 2(2) is replaced by the following:  
'2. The invitation to tender shall relate to the quantity of oats referred to in Article 1(1) for export to all third countries, except Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia.'
3. The title of Annex I is amended as follows:  
'Tender for the refund for the export of oats from Finland and Sweden to all third countries, except Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia.'

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 23 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 239, 6.9.2002, p. 3.

**COMMISSION REGULATION (EC) No 2330/2002  
of 23 December 2002**

**amending Commission Regulation (EC) No 900/2002 opening an invitation to tender for the  
refund for the export of rye to all third countries except Hungary, Estonia, Lithuania and Latvia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 1163/2002 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) Negotiations for the adoption of trade agreements between the Community and Bulgaria, the Czech Republic, Slovakia and Slovenia establishing certain concessions in the form of Community tariff quotas for a number of agricultural products and the total liberalisation of trade in other agricultural products have been concluded. One of the concessions is the abolition of refunds in the cereals sector. This relates in particular to rye.
- (2) In order that these agreements may be adopted and in the interests of clarifying the export conditions for all operators in the cereals sector at the start of 2003, in particular given the duration of export licences, the refunds for rye should be abolished from 1 January 2003.
- (3) The destinations provided for in Regulation (EC) No 900/2002 <sup>(5)</sup>, as amended by Regulation (EC) No 1632/2002 <sup>(6)</sup>, should therefore be amended.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 900/2002 is hereby amended as follows:

1. The title is replaced by the following:  
'Commission Regulation (EC) No 900/2002 of 30 May 2002 opening an invitation to tender for the refund for the export of rye to all third countries except Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia.'
2. Article 1(2) is replaced by the following:  
'2. The tendering procedure shall concern rye for export to all third countries except Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia.'
3. The title of Annex I is replaced by the following:  
'Weekly tender for the refund for the export of rye to all third countries except Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia.'

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 23 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 142, 31.5.2002, p. 14.

<sup>(6)</sup> OJ L 247, 14.9.2002, p. 3.

**COMMISSION REGULATION (EC) No 2331/2002  
of 23 December 2002**

**amending Regulation (EC) No 899/2002 opening an invitation to tender for the refund for the export of common wheat to all third countries except Hungary, Poland, Estonia, Lithuania and Latvia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(3)</sup>, as last amended by Regulation (EC) No 1163/2002<sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) Negotiations with a view to adopting trade agreements between the Community and Bulgaria, the Czech Republic, Romania, Slovakia and Slovenia establishing certain concessions in the form of Community tariff quotas for certain agricultural products and the total liberalisation of trade in other agricultural products have recently been concluded. In the cereals sector, one of the concessions provided for is the abolition of export refunds, in particular with respect to common wheat.
- (2) With a view to adopting these agreements, and in order to clarify the export terms at the beginning of 2003 for all exporters in the cereals sector, in particular in view of the period of validity of export licences, export refunds for common wheat should be abolished from 1 January 2003.
- (3) The destinations laid down in Commission Regulation (EC) No 899/2002<sup>(5)</sup>, as amended by Regulation (EC) No 1520/2002<sup>(6)</sup>, should therefore be amended.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 899/2002 is hereby amended as follows:

1. The title is replaced by the following:  
'Commission Regulation (EC) No 899/2002 of 30 May 2002 opening an invitation to tender for the refund for the export of common wheat to all third countries except Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovakia and Slovenia.'
2. Article 1(2) is replaced by the following:  
'2. The invitation to tender shall cover common wheat for export to all third countries except Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovakia and Slovenia.'
3. The title of Annex I is replaced by the following:  
'Weekly tender for the refund for the export of common wheat to all third countries except Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovakia and Slovenia.'

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 23 December 2002.

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

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 142, 31.5.2002, p. 11.

<sup>(6)</sup> OJ L 228, 24.8.2002, p. 18.

**COMMISSION REGULATION (EC) No 2332/2002  
of 23 December 2002**

**correcting Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, and in particular Articles 26(3) and 29(1) thereof,

Whereas:

- (1) The description of the products under certain quotas in Annex I.B to Commission Regulation (EC) No 2535/2001 <sup>(3)</sup>, as last amended by Regulation (EC) No 1667/2002 <sup>(4)</sup>, may lead to confusion. To avoid this and to guarantee uniform application of all quotas that Annex should be corrected.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I, Part B, to Regulation (EC) No 2535/2001 is hereby corrected in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 23 December 2002.

For the Commission  
Franz FISCHLER  
Member of the Commission

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<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 341, 22.12.2001, p. 29.

<sup>(4)</sup> OJ L 252, 20.9.2002, p. 8.

## ANNEX

Annex I, Part B, to Regulation (EC) No 2535/2001 is corrected as follows:

1. In point 4 (products originating in Hungary) the information on quota No 09.4776 is replaced by the following:

Quota No	CN code	Description ( <sup>1</sup> ) ( <sup>2</sup> )	Applicable duty (% of MFN)	Annual quantities (tonnes) From 1.7.2002 to 30.6.2003	Quantities opened on 1.7.2002 ( <sup>3</sup> )	Quantities opened on 1.10.2002	Quantities 1.1.2003 to 30.6.2003	Annual increase From 1.7.2003
'09.4776	0403 10 11 0403 10 13 0403 10 19 0403 10 31 0403 10 33 0403 10 39  0403 90 11 0403 90 13 0403 90 19 0403 90 31 0403 90 33 0403 90 39 0403 90 51 0403 90 53 0403 90 59 0403 90 61 0403 90 63 0403 90 69		Exemption	50	—	25	25	10'

2. In point 7 (products originating in Estonia) the information on quota No 09.4579 is replaced by the following:

Quota No	CN code	Description ( <sup>1</sup> ) ( <sup>2</sup> )	Applicable duty (% of MFN)	Annual quantities (tonnes) From 1.7.2002 to 30.6.2003	Quantities opened on 1.7.2002 ( <sup>3</sup> )	Quantities opened on 1.10.2002	Quantities 1.1.2003 to 30.6.2003	Annual increase From 1.7.2003
'09.4579	0403 10 11 0403 10 13 0403 10 19 0403 10 31 0403 10 33 0403 10 39		Exemption	800	240	160	400	240'



3. In point 8 (products originating in Latvia) the information on quota No 09.4874 is replaced by the following:

Quota No	CN code	Description ( <sup>1</sup> ) ( <sup>2</sup> )	Applicable duty (% of MFN)	Annual quantities (tonnes) From 1.7.2002 to 30.6.2003	Quantities opened on 1.7.2002 ( <sup>3</sup> )	Quantities opened on 1.10.2002	Quantities 1.1.2003 to 30.6.2003	Annual increase From 1.7.2003
'09.4874	0403 10 11 0403 10 13 0403 10 19 0403 10 31 0403 10 33 0403 10 39 0403 90 11 0403 90 13 0403 90 19 0403 90 31 0403 90 33 0403 90 39 0403 90 51 0403 90 53 0403 90 59 0403 90 61 0403 90 63 0403 90 69		Exemption	100		50	50	10'

4. In point 9 (products originating in Lithuania) the information on quota No 09.4864 is replaced by the following:

Quota No	CN code	Description ( <sup>1</sup> ) ( <sup>2</sup> )	Applicable duty (% of MFN)	Annual quantities (tonnes) From 1.7.2002 to 30.6.2003	Quantities opened on 1.7.2002 ( <sup>3</sup> )	Quantities opened on 1.10.2002	Quantities 1.1.2003 to 30.6.2003	Annual increase From 1.7.2003
'09.4864	0403 10 11 0403 10 13 0403 10 19 0403 10 31 0403 10 33 0403 10 39 0403 90 11 0403 90 13 0403 90 19 0403 90 31 0403 90 33		Exemption	300		150	150	30'

Quota No	CN code	Description ( <sup>1</sup> ) ( <sup>2</sup> )	Applicable duty (% of MFN)	Annual quantities (tonnes) From 1.7.2002 to 30.6.2003	Quantities opened on 1.7.2002 ( <sup>3</sup> )	Quantities opened on 1.10.2002	Quantities 1.1.2003 to 30.6.2003	Annual increase From 1.7.2003
	0403 90 39 0403 90 51 0403 90 53 0403 90 59 0403 90 61 0403 90 63 0403 90 69							

**COMMISSION REGULATION (EC) No 2333/2002**  
**of 23 December 2002**  
**correcting the Dutch version of Regulation (EC) No 1162/95 laying down special detailed rules for**  
**the application of the system of import and export licences for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 9(2), Article 12(4) and Article 13(11) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(4)</sup>, and in particular Article 11(4) and Article 13(15) thereof,

Whereas:

- (1) The Dutch version of Annex II(B) to Commission Regulation (EC) No 1162/95 <sup>(5)</sup>, as last amended by Regulation (EC) No 1322/2002 <sup>(6)</sup>, differs from the texts in the other official Community languages. The necessary corrections should therefore be made to that text.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex II(B) to Regulation (EC) No 1162/95 is corrected.

The correction concerns only the Dutch text of the Regulation.

*Article 2*

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

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

Done at Brussels, 23 December 2002.

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

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<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 117, 24.5.1995, p. 2.

<sup>(6)</sup> OJ L 194, 23.7.2002, p. 22.

**COMMISSION REGULATION (EC) No 2334/2002**  
**of 23 December 2002**  
**amending Regulation (EC) No 2540/2001 derogating from Regulation (EC) No 1148/2001 as regards**  
**conformity checks at the stage of import applicable to fresh fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1881/2002 <sup>(2)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2540/2001 <sup>(3)</sup>, as amended by Regulation (EC) No 1225/2002 <sup>(4)</sup>, temporarily extends the scope of Article 6(4) of Commission Regulation (EC) No 1148/2001 of 12 June 2001 on checks on conformity to the marketing standards applicable to fresh fruit and vegetables <sup>(5)</sup>, as last amended by Regulation (EC) No 2590/2001 <sup>(6)</sup>, to cover all lots, irrespective of weight, with a low risk of non-conformity.
- (2) At the time Regulation (EC) No 2540/2001 was adopted, the Commission had approved checking operations at the point of export in accordance with Article 7 of Regulation (EC) No 1148/2001 in only one third country. Since that date, the Commission has approved checking operations in five new third countries.

However, a number of other requests from third countries are still being examined. Moreover, new provisions are currently being drafted to allow the Member States to concentrate conformity checks at the stage of import on goods with the highest risk of non-conformity, but these will not enter into force before the first quarter of 2003. Under these circumstances, application of Regulation (EC) No 2540/2001 should be extended for a period of three months.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EC) No 2540/2001, the date '31 December 2002' is replaced by '31 March 2003'.

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 23 December 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 1.

<sup>(2)</sup> OJ L 285, 23.10.2002, p. 13.

<sup>(3)</sup> OJ L 341, 22.12.2001, p. 79.

<sup>(4)</sup> OJ L 179, 9.7.2002, p. 12.

<sup>(5)</sup> OJ L 156, 13.6.2001, p. 9.

<sup>(6)</sup> OJ L 345, 29.12.2001, p. 20.

**COMMISSION REGULATION (EC) No 2335/2002  
of 23 December 2002**

**supplementing Council Regulation (EC) No 747/2001 as regards Community tariff quotas for tomatoes originating in Morocco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95<sup>(1)</sup>, as amended by Commission Regulation (EC) No 786/2002<sup>(2)</sup>, and in particular Article 5(1)(b) thereof,

Whereas:

- (1) Regulation (EC) No 747/2001 opened the tariff quotas for imports into the Community of fresh tomatoes originating in Morocco, provided for in the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, and laid down detailed rules for managing them.
- (2) By Decision 2002/958/EC of 28 November 2002<sup>(3)</sup> the Council approved an Agreement in the form of an Exchange of Letters derogating temporarily, as regards the importation into the Community of tomatoes originating in Morocco, from agricultural Protocol No 1 to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, hereinafter referred to as 'the agreement'. The agreement provides for the period from 1 November 2002 to 31 May 2003 and for imports into the Community of tomatoes originating in Morocco, for an increase in the volume of a tariff quota already existing under Regulation (EC) No 747/2001 and for the opening of a new tariff quota.
- (3) It is necessary to supplement Regulation (EC) No 747/2001 for the implementation, from 1 November 2002, of the arrangements provided for in the agreement.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the period from 1 November 2002 to 31 March 2003, the Community tariff quota with the order No 09.1190, applicable to imports into the Community of fresh or chilled tomatoes of CN code 0702 00 00 originating in Morocco, and opened under Annex II to Regulation (EC) No 747/2001, is hereby increased by 6 000 tonnes.

*Article 2*

1. Provided total imports into the Community of tomatoes originating in Morocco do not exceed 156 676 tonnes during the period from 1 October 2002 to 31 March 2003, the following tariff quota shall be opened by the Commission:

<sup>(1)</sup> OJ L 109, 19.4.2001, p. 2.

<sup>(2)</sup> OJ L 127, 14.5.2002, p. 3.

<sup>(3)</sup> OJ L 333, 10.12.2002, p. 21.

Order No	CN code	Description	Quota period	Quota volume (tonnes)	Tariff quota duty
09.1191	0702 00 00	Tomatoes, fresh or chilled	1.4.2003 to 31.5.2003	12 081	( <sup>1</sup> ) ( <sup>2</sup> )

(<sup>1</sup>) Under this tariff quota, the specific duty provided for in the list of Community concessions to the World Trade Organisation (WTO) shall be reduced to zero if the entry price is EUR 461 or more per tonne, this being the entry price agreed between the European Community and Morocco. If the entry price of a particular consignment is 2 %, 4 %, 6 % or 8 % below the agreed entry price, the specific customs duty under the quota shall be 2 %, 4 %, 6 % or 8 % of the agreed entry price, as appropriate. If the entry price of a particular consignment is below 92 % of the agreed entry price, the specific customs duty bound in the WTO shall apply.

(<sup>2</sup>) Also exemption from the *ad valorem* duty, in the framework of the tariff quota under order No 09.1116 set out in Annex II to Regulation (EC) No 747/2001.

2. The tariff quota referred to in paragraph 1 shall be managed by the Commission in accordance with Article 4 of Regulation (EC) No 747/2001.

### Article 3

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

It shall apply from 1 November 2002.

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

Done at Brussels, 23 December 2002.

For the Commission  
 Frederik BOLKESTEIN  
 Member of the Commission

**COMMISSION REGULATION (EC) No 2336/2002**  
**of 23 December 2002**  
**amending Regulation (EC) No 1367/2002 introducing preventive distillation as provided for in**  
**Article 30 of Council Regulation (EC) No 1493/1999 in Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine <sup>(1)</sup>, as last amended by Regulation (EC) No 2585/2001 <sup>(2)</sup>, and in particular Article 33 thereof,

Whereas:

- (1) Under the preventive distillation introduced in Portugal, producers are required to deliver their wine for distillation and distillers are required to deliver the alcohol obtained to the intervention agency before a specified date.
- (2) However, the public storage facilities in Portugal are full and the public authorities have been unable to accept deliveries of alcohol from the distillers, with the result that the storage facilities of certain distillers are now also full. This prevents them from accepting delivery of new wine for distillation before the date laid down in the Regulation.
- (3) To rectify this situation, the date by which wine must be delivered for distillation and the date by which alcohol must be delivered to public storage should be postponed for one month.

(4) Since the deadline for delivery for distillation fell on 30 November 2002, this Regulation should apply from 1 December 2002.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 4(3) of Regulation (EC) No 1367/2002, is hereby replaced by the following:

'3. The wine must be delivered to the distilleries by 31 December 2002 at the latest. The alcohol obtained must be delivered to the intervention agency by 28 February 2003 at the latest.'

*Article 2*

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

It shall apply from 1 December 2002.

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

Done at Brussels, 23 December 2002.

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

<sup>(1)</sup> OJ L 179, 14.7.1999, p. 1.

<sup>(2)</sup> OJ L 345, 29.12.2001, p. 10.

**COMMISSION REGULATION (EC) No 2337/2002**  
**of 23 December 2002**  
**amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1881/2002 <sup>(2)</sup>, and in particular Article 33(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 1555/96 <sup>(3)</sup>, as last amended by Regulation (EC) No 1949/2002 <sup>(4)</sup>, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules on the surveillance of preferential imports laid down in Article 308d of Commission Regulation (EEC) No 2454/93 <sup>(5)</sup>, as last amended by Regulation (EC) No 444/2002 <sup>(6)</sup>.

(2) For the purposes of Article 5(4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations and in the light of the latest data available for 1999, 2000 and 2001, the trigger levels for additional duties on courgettes, lemons, apples and pears should be amended.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EC) No 1555/96 is replaced by the Annex hereto.

*Article 2*

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

It shall apply from 1 January 2003.

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

Done at Brussels, 23 December 2002.

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

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 1.

<sup>(2)</sup> OJ L 285, 23.10.2002, p. 13.

<sup>(3)</sup> OJ L 193, 3.8.1996, p. 1.

<sup>(4)</sup> OJ L 299, 11.11.2002, p. 19.

<sup>(5)</sup> OJ L 253, 11.10.1993, p. 1.

<sup>(6)</sup> OJ L 68, 12.3.2002, p. 11.



## ANNEX

## 'ANNEX

Without prejudice to the rules for the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where "ex" appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Period of application	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	190 805
78.0020			— 1 April to 30 September	17 669
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	7 037
78.0075			— 1 November to 30 April	4 555
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	1 109
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	50 201
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	331 166
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	81 509
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	85 422
78.0155	ex 0805 50 10	Lemons	— 1 June to 31 December	249 206
78.0160			— 1 January to 31 May	14 827
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	62 101
78.0175	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August	654 806
78.0180			— 1 September to 31 December	39 852
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	239 999
78.0235			— 1 July to 31 December	25 357
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	4 156
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	86 224
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	3 378
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	81 605'

**COMMISSION REGULATION (EC) No 2338/2002  
of 23 December 2002**

**fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip <sup>(3)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(4)</sup>, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 24 December 2002.

It shall apply from 25 December 2002 to 7 January 2003.

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

Done at Brussels, 23 December 2002.

*For the Commission*

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

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.  
<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 72, 18.3.1988, p. 16.  
<sup>(4)</sup> OJ L 289, 22.10.1997, p. 1.

## ANNEX

**to the Commission Regulation of 23 December 2002 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

(EUR/100 pieces)

Period: from 25 December 2002 to 7 January 2003

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	15,56	11,65	59,85	25,42
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	12,53	3,00	19,34	15,99
Morocco	16,69	15,55	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	7,29	11,54	—	—

**COMMISSION REGULATION (EC) No 2339/2002**  
**of 23 December 2002**  
**determining the world market price for unginned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 <sup>(1)</sup>,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton <sup>(2)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 <sup>(3)</sup>, as amended by Regulation (EC) No 1486/2002 <sup>(4)</sup>. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable

offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

*Article 1*

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 27,838/100 kg.

*Article 2*

This Regulation shall enter into force on 24 December 2002.

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

Done at Brussels, 23 December 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 148, 1.6.2001, p. 1.

<sup>(2)</sup> OJ L 148, 1.6.2001, p. 3.

<sup>(3)</sup> OJ L 210, 3.8.2001, p. 10.

<sup>(4)</sup> OJ L 223, 20.8.2002, p. 3.

## II

(Acts whose publication is not obligatory)

## CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

### DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

of 20 December 2002

**amending the Decision of the Representatives of the Governments of the Member States, meeting within the Council, of 21 February 2002 setting up a Fund for the financing of the Convention on the future of the European Union and laying down the financial rules for its management**

(2002/997/EU)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES, MEETING WITHIN THE COUNCIL,

HAVE DECIDED AS FOLLOWS:

Whereas:

#### Article 1

- (1) On 12 December 2002 the European Parliament, the Council and the Commission signed an Interinstitutional Agreement extending the Interinstitutional Agreement on the financing of the Convention on the future of the European Union, which was signed on 28 February 2002.

The Decision of the Representatives of the Governments of the Member States, meeting within the Council, of 21 February 2002 setting up a Fund for the financing of the Convention on the future of the European Union and laying down the financial rules for its management is hereby extended from 1 January 2003 until the end of the Convention's proceedings, or until 31 December 2003 at the latest.

- (2) The Decision of the Representatives of the Governments of the Member States, meeting within the Council, of 21 February 2002 setting up a Fund for the financing of the Convention on the future of the European Union and laying down the financial rules for its management <sup>(1)</sup> should also be extended from 1 January 2003 until the end of the Convention's proceedings, or until 31 December 2003 at the latest, in accordance with Article 24(2) thereof.

#### Article 2

Article 14 of the Decision referred to in Article 1 shall be replaced by the following:

#### 'Article 14

Internal financial control of the Fund shall be carried out by an official or servant of the General Secretariat of the Council appointed to that end by decision of the Appointing Authority, which shall define the detailed arrangements of such control.'

- (3) A technical adjustment should furthermore be made to the said Decision of the Representatives of the Governments of the Member States, in order to take into account Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities <sup>(2)</sup>, which applies as from 1 January 2003,

#### Article 3

<sup>(1)</sup> OJ L 60, 1.3.2002, p. 56.

<sup>(2)</sup> OJ L 248, 19.6.2002, p. 1.

This Decision shall enter into force on 1 January 2003.

*Article 4*

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

Done at Brussels, 20 December 2002.

*The President*

P. S. MØLLER

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**ADOPTION**  
**of the budget of the Fund for the financing of the Convention on the future of the European Union for the financial year 2003**

(2002/998/EU)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to Decision 2002/176/EU of the Representatives of the Governments of the Member States, meeting within the Council, of 21 February 2002 setting up a Fund for the financing of the Convention on the future of the European Union and laying down the financial rules for its management <sup>(1)</sup>, as amended by Decision 2002/997/EU <sup>(2)</sup>,

Having regard to the proposal for the budget estimates of the Fund for the financing of the Convention on the future of the European Union (hereinafter referred to as the 'Fund') for the financial year 2003, submitted by the Secretary-General of the Convention on the future of the European Union,

Having regard to the European Parliament's agreement of 5 December 2002 to the budget estimates of the Fund for the financial year 2003,

Having regard to the Council's agreement of 21 November 2002 to the budget estimates of the Fund for the financial year 2003,

Having regard to the Commission's agreement of 8 November 2002 to the budget estimates of the Fund for the financial year 2003,

Whereas the procedure laid down in Article 3 of Decision 2002/176/EU of the Representatives of the Governments of the Member States, meeting within the Council, of 21 February 2002, as amended by Decision 2002/997/EU, has thus been followed,

HAVE DECIDED AS FOLLOWS:

*Sole Article*

The budget of the Fund for the financing of the Convention on the future of the European Union for the financial year 2003 as set out in the Annex is hereby finally adopted.

Done at Brussels, 20 December 2002.

*For the Conference of the Representatives of the Governments of the Member States*

*The President*

P. S. MØLLER

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<sup>(1)</sup> OJ L 60, 1.3.2002, p. 56.

<sup>(2)</sup> See page 34 of this Official Journal.

ANNEX

**FUND**  
**for the financing of**  
**THE EUROPEAN CONVENTION**

**Budget for the financial year 2003**



## REVENUE

Title Chapter	Heading	Appropriations 2003
<b>9</b>	<b>REVENUE</b>	
90	CONTRIBUTIONS FROM THE INSTITUTIONS	950 000
99	MISCELLANEOUS REVENUE	p.m.
	<b>Title 9 — Total</b>	<b>950 000</b>
	<b>GRAND TOTAL</b>	<b>950 000</b>

**TITLE 9****REVENUE****CHAPTER 90 — CONTRIBUTIONS FROM THE INSTITUTIONS**

Appropriations 2003
950 000

Contributions from the European Union institutions to the financing of the European Convention:

European Parliament	p.m.
Council of the European Union	200 000
European Commission	750 000

**CHAPTER 99 — MISCELLANEOUS REVENUE**

Appropriations 2003
p.m.

**EXPENDITURE**  
**General summary of appropriations**

Title Chapter	Heading	Appropriations 2003
<b>1</b>	<b>EXPENDITURE RELATING TO THE MEMBERS AND STAFF OF THE CONVENTION</b>	
11	DUTY TRAVEL OF THE CHAIRMAN AND VICE-CHAIRMEN	15 000
12	ACCOMMODATION AND SUBSISTENCE ALLOWANCES	130 000
13	REMUNERATION AND OTHER ALLOWANCES	185 000
14	MISSION EXPENSES	60 000
15	REPRESENTATION EXPENSES	60 000
	<b>Title 1 — Total</b>	<b>450 000</b>
<b>2</b>	<b>MISCELLANEOUS OPERATING EXPENDITURE</b>	
21	TRANSLATIONS	p.m.
22	BROCHURES AND PUBLICATIONS	400 000
23	STUDIES, HEARINGS AND FORUM	p.m.
24	INFRASTRUCTURE AND MISCELLANEOUS	100 000
	<b>Title 2 — Total</b>	<b>500 000</b>
<b>10</b>	<b>OTHER EXPENDITURE</b>	
100	CONTINGENCY RESERVE	p.m.
	<b>Title 10 — Total</b>	<b>p.m.</b>
	<b>GRAND TOTAL</b>	<b>950 000</b>

## TITLE 1

## EXPENDITURE RELATING TO MEMBERS AND STAFF OF THE CONVENTION

## CHAPTER 11 — DUTY TRAVEL OF THE CHAIRMAN AND DEPUTY CHAIRMEN

Appropriations 2003
15 000

*Remarks*

This appropriation is intended to cover the expenses incurred by the Chairman and Deputy Chairmen when travelling to their place of work in the institutions for Praesidium and Convention meetings.

## CHAPTER 12 — ACCOMMODATION AND SUBSISTENCE ALLOWANCES

Appropriations 2003
130 000

*Remarks*

This appropriation is intended to cover the expenditure incurred by the Chairman and Deputy Chairmen during Praesidium and Convention meetings.

## CHAPTER 13 — REMUNERATIONS AND OTHER ALLOWANCES

Appropriations 2003
185 000

*Remarks*

This appropriation is intended to defray the costs incurred by the Secretary-General and the remuneration of Secretariat members not belonging to an institution of the European Union.

## CHAPTER 14 — MISSION EXPENSES

Appropriations 2003
60 000

*Remarks*

This appropriation is intended to cover the travel and subsistence expenses of the Chairman and the Deputy Chairmen and of Secretariat members not belonging to an institution of the European Union.

## CHAPTER 15 — REPRESENTATION EXPENSES

Appropriations 2003
60 000

*Remarks*

This appropriation is intended to cover representation expenses incurred in particular by Praesidium members in the performance of their duties.

## TITLE 2

## MISCELLANEOUS OPERATING EXPENDITURE

## CHAPTER 21 — TRANSLATIONS

Appropriations 2003
p.m.

*Remarks*

This appropriation is intended to cover the translation of documents addressed to or issued by Convention members, which it would not be possible to translate in-house.

## CHAPTER 22 — BROCHURES AND PUBLICATIONS

Appropriations 2003
400 000

*Remarks*

This appropriation is intended to cover the production of publications for large-scale distribution, which it would not be possible to produce in-house.

## CHAPTER 23 — STUDIES, HEARINGS AND FORUM

Appropriations 2003
p.m.

*Remarks*

This appropriation is intended to cover the cost of expert studies commissioned by the Convention and to defray the expenses of prominent figures consulted by the Convention.

## CHAPTER 24 — INFRASTRUCTURE AND MISCELLANEOUS

Appropriations 2003
100 000

*Remarks*

This appropriation is intended to cover all expenditure other than the above which is not chargeable to an institution, in particular expenditure incurred away from the institutions (e.g. hire of cars, rooms, equipment).

## TITLE 10

## OTHER EXPENDITURE

## CHAPTER 100 — CONTINGENCY RESERVE

Appropriations 2003
p.m.

# COUNCIL

## COUNCIL DECISION of 11 December 2002

**on the conclusion of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006**

(2002/999/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 in conjunction with Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In accordance with the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal <sup>(1)</sup>, the two parties held negotiations with a view to determining the amendments or additions to be made to the Agreement at the end of the period of application of the Protocol.
- (2) As a result of these negotiations, a new Protocol was initialled on 25 June 2002.
- (3) The Protocol provides Community fishermen with fishing opportunities in waters under the sovereignty or jurisdiction of Senegal for the period from 1 July 2002 to 30 June 2006.
- (4) The new Protocol must come into force as soon as possible to enable Community vessels to resume fishing. Both parties therefore initialled an Agreement in the form of an Exchange of Letters, temporarily applying the

Protocol from 1 July 2002. The Agreement in the form of an Exchange of Letters should therefore be concluded, subject to a final decision pursuant to Article 37 of the Treaty.

- (5) The allocation of the fishing opportunities among the Member States, their obligation to report catches and the obligation for Community shipowners to land tuna catches in Senegal at their own expense in accordance with point C of the Annex to the Protocol should be laid down,

HAS DECIDED AS FOLLOWS:

### *Article 1*

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006 is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an Exchange of Letters and of the Protocol are attached to this Decision.

<sup>(1)</sup> OJ L 226, 29.8.1980, p. 17.

*Article 2*

The fishing opportunities set out in the Protocol shall be allocated among the Member States as follows:

Category 1	233 gross registered tonnes (GRT) per quarter	Greece
	704 GRT per quarter	Spain
	563 GRT	Italy
Category 2	3 000 GRT per month averaged over the year	Spain
Category 3	3 186 GRT per month averaged over the year	Spain
	314 GRT per month averaged over the year	Portugal
Category 4	10 vessels	Spain
	6 vessels	France
Category 5	21 vessels	Spain
	18 vessels	France
Category 6	20 vessels	Spain
	3 vessels	Portugal

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may take into consideration licence applications from any other Member State.

*Article 3*

The obligation of direct landing by freezer tuna seiners set out in point C (c) of the Annex to the Protocol shall be met by Community shipowners on the basis of the following breakdown:

- vessels flying the French flag: 44 %
- vessels flying the Spanish flag: 56 %.

*Article 4*

The Member States whose vessels fish under this Decision shall be required to notify the Commission of the quantities of each stock caught in the Senegalese fishing zone in accordance with Commission Regulation (EC) No 500/2001 <sup>(1)</sup>.

*Article 5*

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 in order to bind the Community.

Done at Brussels, 11 December 2002.

*For the Council*  
*The President*  
 T. PEDERSEN

<sup>(1)</sup> OJ L 73, 15.3.2001, p. 8.

**AGREEMENT**

**in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, for the period from 1 July 2002 to 30 June 2006**

*A. Letter from the Government of the Republic of Senegal*

Sir,

With reference to the Protocol initialled in Dakar on 25 June 2002 setting out the fishing opportunities and the financial contribution for the period from 1 July 2002 to 30 June 2006, I have the honour to inform you that the Government of Senegal is prepared to apply the Protocol on a provisional basis with effect from 1 July 2002, pending its entry into force in accordance with Article 7 thereof, provided that the European Community is disposed to do the same.

This is on the understanding that the first instalment of the financial compensation specified in Article 2 of the Protocol is paid by 31 December 2002.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

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

*For the Government of the Republic of Senegal*

*B. Letter from the European Community*

Sir,

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

'With reference to the Protocol initialled in Dakar on 25 June 2002 setting out the fishing opportunities and the financial contribution for the period from 1 July 2002 to 30 June 2006, I have the honour to inform you that the Government of Senegal is prepared to apply the Protocol on a provisional basis with effect from 1 July 2002, pending its entry into force in accordance with Article 7 thereof, provided that the European Community is disposed to do the same.

This is on the understanding that the first instalment of the financial compensation specified in Article 2 of the Protocol is paid by 31 December 2002.

I should be obliged if you would confirm the European Community's agreement to such provisional application.'

I have the honour to confirm the European Community's agreement to such provisional application.

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

*On behalf of the Council of the European Union*

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## PROTOCOL

### setting out the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 July 2002 to 30 June 2006

#### Article 1

From 1 July 2002, for a period of four years, the annual limits referred to in Article 4(2) of the Agreement shall be as follows:

1. trawlers (inshore demersal fishing for fish and cephalopods) landing and selling part of their catch in Senegal: 1 500 GRT per quarter;
2. ocean-going fish trawlers (deep-water demersal species) and bottom longliners not landing their catch in Senegal: 3 000 GRT per month averaged over the year;
3. ocean-going freezer trawlers (deep-water demersal fishing for crustaceans, except lobster) not landing their catch in Senegal: 3 500 GRT per month averaged over the year;
4. pole-and-line tuna vessels: 16 vessels;
5. freezer tuna seiners: 39 vessels;
6. surface longliners: 23 vessels.

#### Article 2

1. The financial contribution for the fishing opportunities provided for in Article 1 is hereby fixed at EUR 16 000 000 a year (of which EUR 13 000 000 as financial compensation and EUR 3 000 000 for the measures referred to in Article 4).

2. The first instalment of the financial compensation shall be payable not later than 31 December 2002 and the other three instalments on the anniversary of the Protocol.

3. The use of the financial compensation shall be the responsibility of Senegal. It shall be paid to the Public Treasury.

#### Article 3

Throughout the period of validity of this Protocol the European Community (hereinafter referred to as the Community) and the Senegalese authorities shall make every effort to monitor the state of resources in the Senegalese fishing zone; to that end a joint annual scientific meeting is hereby established.

Based on the conclusions of the annual scientific meeting and in the light of the best available scientific advice, the two Parties shall consult each other within the Joint Committee provided for in Article 11 of the Agreement and, where necessary and by common agreement, take measures deemed appropriate for the sustainable management of resources.

Should the measures referred to in the second paragraph involve a reduction in the fishing opportunities granted under this Protocol, the financial compensation shall be adjusted.

#### Article 4

Anxious to ensure the development of sustainable and responsible fishing in their mutual interest, the two parties shall establish a partnership to support the evaluation of the state of stocks, fisheries inspection and monitoring, improving the safety of small-scale fishing vessels, the establishment of responsible fishing and training. Out of the financial contribution provided for in Article 2(1) the Community shall contribute EUR 3 000 000 per year to the measures listed below, broken down as follows:

- Resource monitoring/evaluation of stocks (research, participation in exchange and regional coordination networks, etc.): EUR 500 000;
- Fisheries inspection and monitoring (including VMS, etc.): EUR 700 000;
- Improving the safety of small-scale fishing: EUR 500 000;
- Institutional support for establishing sustainable fishing: EUR 500 000;
- Improving skills: EUR 700 000;
- Evaluation and audit of partnership schemes: EUR 100 000.

Measures under the partnership and the annual amounts allocated to them shall be decided by the Senegalese Minister with responsibility for sea fishing not later than 31 December 2002 on the basis of an action programme and the Commission of the European Communities duly notified.

The annual amounts shall be made available to the competent Senegalese authorities not later than 31 December 2002 for the first instalment, and not later than the anniversary date of the Protocol for the other three instalments and paid, on the basis of the programme for their use, into the bank accounts of the competent Senegalese authorities notified by the Ministry responsible for fisheries.

The Ministry responsible for fisheries shall transmit a detailed report on the implementation of these measures and the results achieved to the Delegation of the European Commission, not later than four months after the anniversary date of the Protocol. The said report shall be considered by the Joint Committee referred to in Article 11 of the Agreement. The Commission of the European Communities may request any additional information on these results from the Ministry responsible for fisheries and may review the following payments concerned in the light of the actual implementation of the various measures, after consulting the Senegalese authorities in the Joint Committee provided for in Article 11 of the Agreement.

*Article 5*

Failure by the Community to make the payments provided for in Article 2 of this Protocol may result in the suspension of the Fisheries Agreement.

*Article 6*

Annex I to the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal is hereby repealed and replaced by the Annex to this Protocol.

*Article 7*

This Protocol shall enter into force on the date of its signing.

It shall apply from 1 July 2002.

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## ANNEX

**CONDITIONS GOVERNING FISHING IN THE SENEGALESE FISHING ZONE BY VESSELS FLYING THE FLAGS OF EUROPEAN COMMUNITY MEMBER STATES**

All the general provisions of the Law laying down the Fishing Code and of the Decree implementing the Code, in force in Senegal, shall also apply to European Community vessels.

**A. Licence application and issuing formalities**

- 1.1. The relevant Community authorities shall present to the Senegalese Ministry responsible for sea fisheries an application in respect of each vessel wishing to fish under the Agreement.

The application shall be made on the form provided for that purpose by the Government of Senegal, a specimen of which is at Appendix 1. It shall be accompanied by a tonnage certificate and proof of payment of the fee. The application shall be lodged with the appropriate departments of the Senegalese Ministry responsible for sea fisheries at least 20 days before the starting date requested.

Any Community vessel applying for a fishing licence must be represented by an agent resident in Senegal. The name and address of that agent must be mentioned in the licence application.

- 1.2. Fees shall include all national and local charges with the exception of port charges and the costs of services.

After payment of the fee, the licence shall be signed and forwarded to the Delegation of the Commission of the European Communities in Dakar.

- 1.3. Duration of licences:

— for inshore demersal fishing trawlers, ocean-going trawlers fishing for deep-water demersal fish species and for ocean-going freezer trawlers engaged in deep-water demersal fishing for crustaceans, except lobster, licences shall be issued for three, six or twelve months.

Quarterly licences shall begin on 1 July, 1 October, 1 January and 1 April of each year.

Half-year licences shall begin on 1 July and 1 January of each year.

Annual licences shall begin on 1 July of each year.

The averaging of monthly figures over a year shall mean that the average use per month at the end of a year of the Protocol corresponds to the figure for the category concerned, with the possibility of carrying over unused quantities to the following period.

For tuna fishing and fishing with surface longliners, licences shall be annual and shall begin on 1 July of each year.

- 1.4. The fees and advances shall be set in accordance with the following rates.

*(a) Fees for trawlers*

1. Trawlers (inshore demersal fishing for fish and cephalopods): in EUR per GRT per year.

1st year	2nd year	3rd year	4th year
246	258	271	285

2. Ocean-going fish trawlers (deep-water demersal species) and bottom longliners not landing their catches in Senegal: in EUR per GRT per year.

1st year	2nd year	3rd year	4th year
157	161	165	169

3. Ocean-going freezer trawlers fishing for crustaceans except lobster, not landing their catches in Senegal: in EUR per GRT per year.

1st year	2nd year	3rd year	4th year
210	215	220	226

Fees for half-year licences shall be 3 % higher and fees for quarterly licences 5 % higher.

(b) *Fees for tuna vessels and surface longliners*

1. Pole-and-line tuna vessels: EUR 15 per tonne of fish caught in the Senegalese fishing zone.
2. Freezer tuna seiners: EUR 25 per tonne of fish caught in the Senegalese fishing zone.
3. Surface longliners: EUR 48 per tonne of fish caught in the Senegalese fishing zone.

The licences referred to in points 2 and 3 shall be issued following payment to the Receveur des domaines of a flat rate of EUR 3 000 for each tuna seiner and EUR 2 000 for each surface longliner, equivalent to the fees for 120 and 42 tonnes respectively of fish per vessel per year.

Upon receipt of the notification of payment of the Commission of the European Communities advance to the Senegalese authorities, the latter shall enter the vessel in question on the list of vessels authorised to fish which shall be sent to the Senegalese control authorities. A copy of the original of the licence may also be kept on board provisionally.

The final statement of the fees due for the fishing year shall be drawn up at the end of each calendar year by the Commission of the European Communities on the basis of catch statements made by the shipowners for each vessel and confirmed by the Centre de Recherches Océanographiques de Dakar-Thiaroye (CRODT). The statement shall be forwarded simultaneously to the Senegalese authorities and the shipowners. Shipowners must make any additional payment due to the Receveur des domaines within 30 days of notification of the final statement.

However, where the sum due as set out in the final statement is less than the advance, the shipowner shall not be reimbursed the difference.

The Senegalese authorities shall supply details of the bank account to be used for payment or transfer of the fees before the Agreement enters into force. Payments may also be made directly to the 'Receveur des domaines' in Dakar.

**B. Catch statements**

All vessels authorised to fish in Senegalese waters under the Agreement shall be required to forward to the Direction de l'Océanographie et des Pêches Maritimes, with a copy to the Delegation of the Commission of the European Communities in Dakar, a statement of their catch made out in line with Appendices 2, 3, 4 and 5. These statements must be presented no later than the end of the month following the end of a voyage, and a copy must be kept on board.

Should these provisions not be adhered to, the Government of Senegal reserves the right to suspend the licence of the offending vessel until formalities have been completed and to apply the penalty laid down in current Senegalese legislation. The Delegation of the Commission of the European Communities in Dakar shall be informed.

**C. Landing of catches**

- (a) Freezer trawlers (inshore demersal fishing) in category 1 shall land (at local market prices) 250 kilograms of fish and shrimp per GRT per half-year.

Wet trawlers (inshore demersal fishing) in category 1 shall land (at local market prices) 150 kilograms of fish and shrimp per GRT per half-year.

These landings may be made individually or collectively.

Any failure to comply with the requirements to land catches may incur the following sanctions from the Senegalese authorities:

- a fine of EUR 900 per tonne not landed;
- withdrawal without renewal of the licence of the vessel concerned or of another vessel belonging to the same shipowner.

In order to ensure payment of the fine, the issuing of a licence shall be subject to the lodging in Senegal of a banker's guarantee of EUR 200 per GRT per half-year.

The Senegalese authorities shall release this security as soon as a vessel has met its landing requirements in full.

- (b) In the case of pole-and-line tuna vessels, the target set shall be to land at least 5 000 tonnes of tuna a year in Senegalese ports at the prevailing international price.

If, during the fishing year, total landings by the fleet concerned fall short of this minimum quantity as a result of an unforeseeable change in the state of fish stocks or the structure of the fleet, the two Parties shall enter into consultations without delay in order to find and put forward appropriate solutions to cover the shortfall.

- (c) Freezer tuna seiners shall land 12 500 tonnes of tuna a year at the prevailing international price and in accordance with a programme to be established by agreement between Community shipowners and Senegalese canners. In the event of disagreement on the timetable for landings, the Joint Committee referred to in Article 11 of the Agreement shall hold a special meeting at the request of either of the Parties.

#### D. Signing-on of seamen

1. Trawlers, bottom longliners and surface longliners authorised to fish in Senegalese waters under the Agreement shall be required to take on enough Senegalese seamen to make up 50 % of their non-officer crew. This percentage shall include the observer referred to in point J.

The taking-on of Senegalese seamen must be confirmed by a certificate of compliance issued by the merchant navy. All individual contracts for the recruitment of Senegalese seamen must comply with current Senegalese rules and regulations.

Seamen's wages shall be determined by mutual agreement between the shipowners or their representatives and the ministry responsible for the merchant navy in accordance with current Senegalese regulations. Wages shall be paid by the shipowners and shall include the social security applicable to the seamen, including life insurance, accident and sickness cover and IPRES (Institut de prévoyance retraite du Sénégal) and Caisse de sécurité sociale contributions.

If the vessel holds a valid fishing licence issued by another country in the subregion (Mauritania, Gambia, Guinea-Bissau or Guinea), it shall be required to take on board a number of Senegalese seamen equivalent to 50 % of the non-officer crew assigned to sail the vessel.

2. In the case of freezer tuna seiners and pole-and-line tuna vessels, the number of seamen to be taken on board shall be established globally on the basis of the scale of activity in Senegal's fishing zone and the employment of crew from other countries whose fisheries are frequented by that fleet.

#### E. Special equipment and use of supplies and services

Wherever possible, Community vessels shall procure the supplies and services they require, including dry dock facilities and regular maintenance, in Senegal.

#### F. Technical inspections

1. Once a year, and whenever there is an alteration in tonnage or a change in fishing category involving the use of different fishing gear, Community trawlers must undergo the inspections provided for in current regulations at the port of Dakar. Such inspections must be completed within 48 hours of the vessel's arrival in the port, provided the competent authorities have been notified in advance.
2. Once the inspection has been completed, a certificate shall be issued to the master of the vessel. The certificate must be kept on board at all times.
3. The purpose of the technical inspection is to check that the vessel's technical characteristics and fishing gear are in order and that the conditions governing the recruitment of Senegalese crew are complied with. Safety matters remain the exclusive responsibility of the authority of the flag state.
4. Charges for technical inspections are payable by the shipowner, and shall be determined by the scale set by Senegal's regulations. They must be no higher than those usually paid by other vessels for the same services.
5. Failure to comply with the provisions of points 1 and 2 shall result in the automatic suspension of the fishing licence until the shipowner complies with his obligations.

#### G. Fishing zones

1. The fishing zones shall be measured from a reference line joining the points below:
1. from point P1 (16° 04' 00" N-16° 31' 30" W) to point P2 (15° 45' 00" N-16° 33' 00" W);
  2. from point P3 (15° 00' 00" N-17° 04' 06" W) to point P4 (14° 52' 48" N-17° 11' 12" W);
  3. (a) from point P5 (14° 46' 30" N-17° 25' 30" W) to the northern tip of the island of Yoff (14° 46' 18" N-17° 28' 42" W);  
(b) from the northern tip of the island of Yoff (14° 46' 18" N-17° 28' 42" W) to the tip of the island of Ngor (14° 45' 30" N-17° 30' 56" W);  
(c) from the northern tip of the island of Ngor (14° 45' 30" N-17° 30' 56" W) to the Almadies light (14° 44' 36" N-17° 32' 30" W);

- (d) from the Almadies light (14° 44' 36" N-17° 32' 30" W) to Cap Manuel (14° 39' 00" N-17° 26' 00" W);
  - (e) from Cap Manuel (14° 39' 00" N-17° 26' 00" W) to Pointe Rouge (14° 38' 12" N-17° 10' 30" W);
  - (f) from Pointe Rouge (14° 38' 12" N-17° 10' 30" W) to Pointe Gombaru (14° 29' 50" N-17° 05' 30" W);
  - (g) from Pointe Gombaru (14° 29' 50" N-17° 05' 30" W) to Pointe Sarène (14° 17' 05" N-16° 55' 50" W);
  - (h) de la Pointe Sarène (14° 17' 05" N-16° 55' 50" W) à la Pointe Gaskel (14° 11' 10" N-16° 52' 00" W);
  - (i) from Pointe Gaskel (14° 11' 10" N-16° 52' 00" W) to Pointe de Sangomar (13° 47' 54" N-16° 45' 40" W);
  - (j) from Pointe de Sangomar (13° 47' 54" N-16° 45' 40" W) to point P6 (13° 35' 28" N-16° 40' 30" W).
4. (a) From the Senegal-Gambia border ( 13° 03' 27" N-16° 45' 05" W) to point P7 (12° 45' 10" N-16° 47' 30" W);
- (b) from point P7 (12° 45' 10" N-16° 47' 30" W) to point P8 (12° 36' 12" N-16° 48' 00" W);
- (c) from point P8 (12° 36' 12" N-16° 48' 00" W) to Pointe Djimbéring (12° 29' 00" N-16° 47' 30" W);
5. From Cap-Skirring (12° 24' 30" N-16° 46' 30" W) to the border with Guinea-Bissau (12° 20' 30" N-16° 43' 10" W).

For the stretches of Senegalese coast situated outside the limits defined by the reference points specified above, the fishing zones shall be measured from the low-water mark, which shall form an integral part of the reference line.

The distances measured from the reference line or low-water mark shall be expressed in relation to the nearest point on the line in whichever zone the vessel is located.

2. Inshore trawlers (demersal fishing for fish and cephalopods), of up to 250 GRT, shall be authorised to fish:
- (a) from six nautical miles from the reference line, from the Senegal-Mauritania border to the latitude of Cap Manuel (14° 39' 00" N);
  - (b) from seven nautical miles from the reference line, from the latitude of Cap Manuel to the Senegal-Gambia border;
  - (c) from six nautical miles from the reference line from the south Senegal-Gambia border to the Senegal-Guinea-Bissau border.
3. Inshore trawlers (demersal fishing for fish and cephalopods), between 250 GRT and 300 GRT, shall be authorised to fish from twelve nautical miles from the reference line of waters under Senegalese jurisdiction.
4. Inshore trawlers (demersal fishing for fish and cephalopods), between 300 and 500 GRT, shall be authorised to fish from 15 nautical miles from the reference line of waters under Senegalese jurisdiction.
5. Inshore trawlers (demersal fishing for fish and cephalopods), over 500 GRT, shall be authorised to fish:
- (a) from 15 nautical miles from the reference line, from the Senegal-Mauritania border to latitude 14° 25' 00" N;
  - (b) west of longitude 17° 22' 00" W, in the zone between latitude 14° 25' 00" N and the north Senegal-Gambia border;
  - (c) west of longitude 17° 22' 00" W, in the zone between the south Senegal-Gambia border and the Senegal-Guinea-Bissau border.
6. Ocean-going trawlers (demersal fishing for deep-water shrimp or hakes) shall be entitled to fish:
- (a) west of longitude 016° 53' 42" W between the Senegal-Mauritania border and latitude 15° 40' 00" N;
  - (b) from 15 nautical miles from the reference line between latitude 15° 40' 00" N and latitude 15° 15' 00" N;
  - (c) from 12 nautical miles from the reference line from latitude 15° 15' 00" N to latitude 15° 00' 00" N;

- (d) from 8 nautical miles off the baselines from latitude 15° 00' 00" N to latitude 14° 32' 30" N;
  - (e) west of longitude 17° 30' 00" W, in the zone between latitude 14° 32' 00" N and latitude 14° 04' 00" N;
  - (f) west of longitude 17° 22' 00" W, in the zone between latitude 14° 04' 00" N and the north Senegal-Gambia border;
  - (g) west of longitude 17° 35' 00" W, in the zone between the south Senegal-Gambia border and latitude 12° 33' 00" N;
  - (h) south of the azimuth 137° traced from point P9 (12° 33' 00" N; 017° 35' 00" W).
7. Pole-and-line tuna vessels, wet tuna seiners and freezer tuna seiners shall be authorised to fish for tuna anywhere in the waters under Senegal's jurisdiction.

Fishing for live bait shall be authorised in all waters under Senegal's jurisdiction.

8. For safety reasons fishing activities and anchoring and casting shall be prohibited in the zone defined by the following coordinates:

A	L 14° 40' 00" N -G	17° 45'00" W
B	L 14° 40' 00" N -G	17° 30'30" W
C	L 14° 40' 36" N - G	17° 28'12" W
D	L 14° 39' 00" N -G	17° 25'54" W
E	L 14° 39' 54" N - G	17° 23'54" W
F	L 14° 30' 06" N - G	17° 23'54" W
G	L 14° 30' 00" N -G	17° 44'54" W

#### H. Biological rest-period

Where required by the need to manage resources in a sustainable manner, every year the Senegalese authorities may institute a ban on fishing applicable to all demersal trawlers of the same category, without discrimination.

The annual closure period shall be as follows:

- trawlers (inshore demersal fishing for fish and cephalopods): 1 October to 30 November;
- ocean-going fish trawlers (deep-water demersal species) and bottom longliners: 1 March to 30 June;
- ocean-going freezer trawlers (deep-water demersal fishing for crustaceans, except lobster): 1 September to 31 October.

When the Senegalese authorities adopt emergency measures, to regulate fishing for a given species, applicable to all, and in particular Senegalese, vessels, a meeting of the Joint Committee shall be convened to evaluate the impact of such measures on European Community vessels and, where appropriate, adjust the level of the financial contribution.

#### I. Radio communications

The master of the vessel must notify the Direction de la Protection et Surveillance des Pêches (Directorate for Fisheries Protection and Monitoring) in Senegal by radio (frequency 5283 VHF and/or 7349.5 HF), telephone (+221-864 05 89 or +221-864 05 88), fax (+221 -860 31 19) or email (psps@sentoo.sn) when the vessel enters or leaves waters under Senegalese jurisdiction, specifying the following: position, course, speed, and tonnage of catches on board.

The master shall authorise the observer to contact the Direction de la Protection et Surveillance des Pêches by radio whenever necessary.

#### J. Observers

1. (a) Community trawlers and bottom longliners of 150 GRT or more in the case of wet fishing and 100 GRT or more in the case of other vessels fishing in Senegalese waters shall take on board an observer designated by Senegal. The master shall facilitate the work of the observer, who shall enjoy all the respect owed to the officers of the vessel concerned.
- (b) In the case of surface longliners, at the request of the competent Senegalese authorities, an observer shall be taken on board for the duration of the voyage where the vessel is fishing in Senegalese waters.



- (c) The Senegalese authorities shall communicate the names of the designated observers to the Commission of the European Communities.
- (d) Observers shall be provided with board and accommodation at the shipowner's expense. Their meals shall be served in the officers' messroom and they shall be accommodated in the areas provided for the officers or, if this is impossible, in a living area distinct from that provided for the crew if possible.
- (e) In the case of freezer tuna seiners and tuna pole-and-line vessels fishing for bait, one of the Senegalese seamen on board shall be designated seaman/observer.

The master shall facilitate the work of the seaman/observer that is additional to actual fishing operations so that he can compile his report. Seamen/observers shall receive the normal seaman's rate of pay from the shipowner. Seamen/observers shall be required to submit a report to the Direction de la Protection et Surveillance des Pêches at the end of each voyage.

2. In principle the observer shall be taken on board for a maximum period of 60 days. This period may be extended where the duration of a voyage by the vessel on which the observer is taken on board exceeds that period.

In such cases, the observer shall leave the vessel on its return. A deposit equivalent to 60 days' activity at sea shall be lodged before the observer boards. Settlement shall be made after each voyage.

3. The taking on board and disembarkation of observers shall not interrupt or hinder fishing operations. Observers may therefore be taken on board and/or leave the vessel in a port elsewhere than in Senegal provided that their travel and subsistence expenses are reimbursed by the shipowner.
4. The deposit equivalent to 60 days' activity at sea shall be considered an advance on the payment of the observer's allowance. The allowance shall be paid after the observer has left the vessel. A final statement of advances made shall be drawn up when the licence expires. However, where the sum due as set out in the final statement is less than the advance, the shipowner shall not be reimbursed the difference.

#### K. **By-catches**

1. Trawlers (inshore demersal fishing for fish and cephalopods):
  - crustaceans: 7,5%
2. Ocean-going fish trawlers (deep-water demersal species):
  - crustaceans: 7%
  - cephalopods: 7%
3. Ocean-going freezer trawlers (deep-water demersal fishing for crustaceans, except lobster):
  - fish: 10%
  - cephalopods: 10%
  - lobster: 2%
4. The percentages of by-catches fixed above shall be calculated at the end of each voyage by reference to the total catch weight, in accordance with Senegalese law.

Should these percentages exceed the authorised by-catches, penalties shall be imposed in accordance with Senegalese law and may result in the permanent banning of the offending masters and vessels from all fishing activities in Senegal.

In accordance with the relevant ICCAT and FAO recommendations, fishing for basking shark (*Cetorhinus maximus*), white shark (*Carcharodon carcharias*), sand tiger shark (*Carcharias taurus*) and tope shark (*Galeorhinus galeus*) shall be prohibited.

#### L. **Minimum authorised mesh**

The minimum mesh sizes for authorised industrial fishing gear shall be as follows (mesh opening):

- purse seines with live bait: 16 mm;
- standard otter trawls (inshore demersal fishing for fish or cephalopods): 70 mm;
- standard otter trawls (deep-sea demersal species): 70 mm;
- deep-sea demersal trawls for crustaceans, except lobster: 40 mm.



In the case of all fishing gear, no methods or devices may be used to seek to obstruct the mesh of the nets or reduce their selective effect. However, in the interests of reducing wear or damage, protective aprons of netting or other material may be attached, but only to the underside of the codend of a bottom trawl. Such aprons must be attached only to the forward and lateral edges of the codend of the trawl. Protective devices may be used for the top of the trawl, but these must consist of a single section of net of the same material as the codend, with the mesh measuring at least 300 millimetres when stretched out.

Doubling of the codend's netting yarn, whether single or multiple, shall be prohibited.

In the case of tuna, the international standards recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) shall apply.

#### M. **Transshipment**

Any Community vessel wishing to tranship catches in Senegalese waters shall be subject to the procedure laid down below.

The catches of Community vessels shall be transhipped within Senegalese ports.

Owners of the vessels concerned must report the following information to the Direction de la Protection et Surveillance des Pêches at least 24 hours in advance:

- the names of the transshipping fishing vessels,
- the names of the cargo vessels,
- the tonnage by species to be transhipped,
- the day of transshipment.

Transshipment shall be considered as an exit from the Senegalese fishing zone. Vessels must therefore provide the Directorate for the Protection and Monitoring of Fisheries with the catch statements and state whether they intend to continue fishing or leave Senegal's fishing zone.

Any transshipment of catches not covered above shall be prohibited in Senegal's fishing zone. Any person infringing this provision shall be liable to the penalties provided for by Senegalese law.

#### N. **Boarding and application of penalties**

1. The Delegation of the Commission of the European Communities in Senegal shall be informed as far as possible within 48 hours of any boarding of a fishing vessel flying the flag of a Community Member State fishing under the Fisheries Agreement between the European Economic Community and Senegal. Such information shall include:

- the vessel's name and flag;
- the date of boarding;
- the position of boarding;
- the reasons for boarding;
- the penalties incurred;
- the security for provisional release of the vessel.

Such security must be at least equal to the maximum fine and the value of the catches to be confiscated.

The vessel may resume its activities if the owner lodges the security defined above. Otherwise the vessel shall be detained at the quayside until the administrative procedure has been completed.

A statement shall be drawn up concerning fishing infringements, containing all relevant information and evidence. The statement shall be signed by the officials compiling it, any witnesses and the offender, who shall have the opportunity to make comments.

On receipt of the statement of boarding, the case shall be dealt with by the Direction de la Protection et de la Surveillance des Pêches. The national boarding committee shall be convened to consider the case and make proposals to the Minister for Fisheries and Shipping.

This second phase of processing the boarding case may not exceed 20 days from the date of notification of the boarding to the European Union representation in Dakar.

The owner shall be notified of the amount of the fine imposed under the administrative procedure by letter from the Direction de la Protection et de Surveillance des Pêches. If the owner pays the fine, the security shall be released immediately.

If the owner does not agree with the conclusions of the administrative procedure, he shall be free to refer the case to the competent court provided that the abovementioned security has been lodged with the Senegalese authorities.

If the judicial decision finds against the vessel, the security shall be used to pay the fine.

If the vessel is acquitted, the bank guarantee shall be returned to the owner.

2. The Delegation of the Commission of the European Communities in Dakar shall be informed of any penalties imposed on a vessel flying the flag of a Community Member State fishing under the Fisheries Agreement between the European Economic Community and Senegal and shall receive a brief report of the circumstances and reasons leading to the penalty.
-

## Appendix 1

**Republic of Senegal****Ministry for Sea Fisheries****Directorate of Oceanography and Sea Fisheries****FISHING LICENCE  
APPLICATION FORM**

For official use only	Remarks
Nationality: .....	.....
Licence No: .....	.....
Date of signature: .....	.....
Date of issue: .....	.....

**I. APPLICANT**

Company name: .....

Number and date of authorisation of the company: .....

Trade register No (\*): .....

First name and surname of applicant: .....

Date and place of birth: .....

Occupation: .....

Account No (\*): .....

Address: .....

.....

Number of employees (\*): ..... Permanent staff (\*): ..... Temporary staff (\*): .....

Name and address of agent: .....

.....

Annual turnover (\*): .....

**VESSEL:**

Type of vessel: ..... Registration No: .....

New name: ..... Former name: .....

Date and place of construction: .....

Original nationality: .....

Date of taking the Senegalese flag: .....

Provisionally: ..... Period granted: ..... Permanently: .....

Length: ..... Width: ..... Depth: .....

Gross tonnage (GRT): ..... Net tonnage: .....

Type of building material: ..... Draught: .....

Make of main engine: ..... Type: ..... HP: .....

Propeller: Fixed  Variable  Ducted 

Transit speed: .....

Call sign: ..... Call frequency: .....

List of navigation, sounding and transmission instruments:

- |                      |                          |              |                          |               |                          |
|----------------------|--------------------------|--------------|--------------------------|---------------|--------------------------|
| Radar                | <input type="checkbox"/> | Sonar        | <input type="checkbox"/> | VHF radio:    | <input type="checkbox"/> |
| Satellite navigation | <input type="checkbox"/> | Net sounder: | <input type="checkbox"/> | HF, BLU radio | <input type="checkbox"/> |
| Automatic pilot      | <input type="checkbox"/> | Scanmar:     | <input type="checkbox"/> | Telex         | <input type="checkbox"/> |
| Route plotter        | <input type="checkbox"/> |              |                          |               |                          |

Other: .....  
.....

**CONSERVATION**

- |                    |                          |                            |                          |
|--------------------|--------------------------|----------------------------|--------------------------|
| Ice                | <input type="checkbox"/> | Ice and refrigeration      | <input type="checkbox"/> |
| Freezing in brine: | <input type="checkbox"/> | Dry:                       | <input type="checkbox"/> |
|                    |                          | In refrigerated sea water: | <input type="checkbox"/> |

Total refrigerating power (fg): .....

Freezing capacity in tonnes/24 hours: .....

Hold capacity: .....

**TYPE OF FISHING:**

A. Inshore demersal:

- |                               |                          |                           |                          |
|-------------------------------|--------------------------|---------------------------|--------------------------|
| Shrimp:                       | <input type="checkbox"/> | Fish:                     | <input type="checkbox"/> |
| Type of gear: Shrimp trawl    | <input type="checkbox"/> | Fish trawl                | <input type="checkbox"/> |
|                               |                          | Bottom longline           | <input type="checkbox"/> |
| 1. trawl length: .....        |                          | length of headline: ..... |                          |
| mesh opening in codend: ..... |                          | in the wings: .....       |                          |
| 2. length of line: .....      |                          | number of hooks: .....    |                          |
| number of lines: .....        |                          | size of hooks: .....      |                          |

B. Deep-sea demersal:

- |                               |                          |                           |                          |
|-------------------------------|--------------------------|---------------------------|--------------------------|
| Shrimp:                       | <input type="checkbox"/> | Fish and cephalopods:     | <input type="checkbox"/> |
| Type of gear: Fish trawl      | <input type="checkbox"/> | Shrimp trawl              | <input type="checkbox"/> |
|                               |                          | Bottom longline           | <input type="checkbox"/> |
| 1. trawl length: .....        |                          | length of headline: ..... |                          |
| mesh opening in codend: ..... |                          | in the wings: .....       |                          |
| 2. length of line: .....      |                          | number of hooks: .....    |                          |
| number of lines: .....        |                          | size of hooks: .....      |                          |

C. Inshore pelagic:

Mid-water trawl:

Seine:

1. trawl length: ..... length of headline: .....

mesh opening in codend: .....

2. length of seine: ..... depth of seine: .....

size of mesh (stretched out): .....

D. Deep-sea pelagic (tuna):

Type of gear:

Seine:

Pole and line:

Longline:

1. length of seine: ..... depth of seine: .....

size of mesh (stretched out): .....

2. number of poles and lines: .....

3. longline:

length of line: ..... number of hooks: .....

number of lines: ..... size of hooks: .....

number of tanks: ..... capacity in tonnes: .....

E. Longlines and pots:

number of pots: ..... material: .....

length (diameter of base): ..... width (diameter of top): .....

diameter of openings: ..... cover system: .....

mesh (cover): .....

**SHORE INSTALLATIONS (\*)**

Address and permit No: .....

Compagny name: .....

Activities: .....

Domestic wholesale fish trade:

Export:

Type and No of wholesale trader's card: .....

Description of processing and conservation plant: .....

.....

.....

.....

.....

.....

Number of employees:            Senegalese: .....            Foreigners: .....

   Permanent staff: .....            Temporary staff: .....

—

---

(\*) Optional for foreign vessels





## Appendix 3

**Statement of catch by bottom trawlers**

Voyage from: ..... to: .....

Vessel name: .....

Type: wet or freezer: .....

Nationality: .....

Species	Dates						
Fishing zone (¹)							
Sounder							
Time of fishing							
Total weight of catch							
Total weight of discards							

(¹) Dakar North, Petite-Côte or Casamance.

## Appendix 4

**Statement of catch by tuna vessels**

Voyage from: ..... to: .....

Vessel name: .....

Type: pole and line or seine: .....

Nationality: .....

*Catches from Senegal's economic zone*

Species	Tonnage landed	Tonnage not landed	Discards	Total
Yellowfin				
Skipjack				
Bigeye				
Thunnidae + Bonito				
Other species				
Total				





**COUNCIL DECISION  
of 16 December 2002**

**on the signing, on behalf of the Community, and the provisional application of the Agreement between the European Community and the Kingdom of Cambodia, on trade in textile products, initialled in Phnom Penh on 18 October 2002**

(2002/1000/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

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) The Commission has negotiated on behalf of the European Community an Agreement on trade in textile products with the Kingdom of Cambodia.
- (2) The Agreement was initialled on 18 October 2002.
- (3) It is appropriate to apply the Agreement on a provisional basis as from 1 January 2003 pending the completion of the relevant procedures for its formal conclusion, subject to reciprocity.
- (4) Subject to its possible conclusion at a later date, the Agreement should be signed on behalf of the Community,

*Article 1*

The signing of the Agreement between the European Community and the Kingdom of Cambodia on trade in textile products is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement on behalf of the Community subject to its conclusion.

*Article 3*

Subject to reciprocity, the Agreement shall be applied on a provisional basis as from 1 January 2003 pending the completion of the procedures for its conclusion.

Done at Brussels, 16 December 2002.

*For the Council*  
*The President*  
M. FISCHER BOEL

**AGREEMENT****between the European Community and the Kingdom of Cambodia on trade in textile products**

THE EUROPEAN COMMUNITY,

of the one part, and

THE KINGDOM OF CAMBODIA,

of the other part,

DESIRING to promote, with a view to permanent cooperation and in conditions providing every security for trade, the orderly and equitable development of trade in textile products between the European Community (hereinafter referred to as 'the Community') and the Kingdom of Cambodia (hereinafter referred to as 'Cambodia'),

HAVE AGREED AS FOLLOWS:

*Article 1*

1. This Agreement shall apply to trade in textile products listed in Annex I and originating in Cambodia.

2. Exports from Cambodia to the Community of products listed in Annex I and originating in Cambodia shall, at the time of entry into force of this Agreement, be free from quantitative limits. However, quantitative limits may subsequently be introduced under the conditions specified in Article 4.

3. Should quantitative limits be introduced, exports of the textile products made subject to quantitative limits shall be subject to a double-checking system as specified in Protocol A.

4. At the time of entry into force of this Agreement, exports of products listed in Annex II not subject to quantitative limits shall be subject to the double-checking system referred to in paragraph 3.

5. Following consultations in accordance with the procedures set out in Article 11, exports of products listed in Annex I not subject to quantitative limits other than those listed in Annex II may be subject, subsequently to the entry into force of this Agreement, to the double-checking system referred to in paragraph 2 or to a prior surveillance system introduced by the Community.

6. At the latest six weeks before the end of every Agreement year the Commission and Cambodia will hold consultations on the necessity to maintain the categories listed in Annex II under double-checking, with a view of possible suspension of categories from double-checking.

*Article 2*

1. Imports into the Community of textile products covered by this Agreement shall not be subject to the quantitative limits established under this Agreement, provided that they are declared to be for re-export outside the Community in the same state or after processing, within the framework of the administrative system of control which exists within the Community.

However, the release for home use of products imported into the Community under the conditions referred to above shall be subject to the production of an export licence issued by the authorities of Cambodia, and to proof of origin in accordance with the provisions of Protocol A.

2. Where the Community authorities ascertain that imports of textile products have been set off against a quantitative limit established under this Agreement, but that the products have subsequently been re-exported outside the Community, the authorities shall inform the Cambodian authorities within four weeks of the quantities involved and authorise imports of identical quantities of the same products, which shall not be set off against the quantitative limit established under this Agreement for the current or the following year, as appropriate.

*Article 3*

Should quantitative limits be introduced under Article 4, the following provisions shall apply:

1. In any Agreement year, advance use of a portion of the quantitative limit established for the following Agreement year is authorised for each category of products up to 5 % of the quantitative limit for the current Agreement year.

Amounts delivered in advance shall be deducted from the corresponding quantitative limits established for the following Agreement year.

2. Carryover to the corresponding quantitative limit for the following Agreement year of the amounts not used during any Agreement year is authorised for each category of products up to 10 % of the quantitative limit for the current Agreement year.

3. Transfers in respect of categories in group I shall not be made from any category except as follows:

— transfers between categories 2 and 3 and from category 1 to categories 2 and 3 may be made up to 12 % of the quantitative limits for the category to which the transfer is made,

— transfers between categories 4, 5, 6, 7 and 8 may be made up to 12 % of the quantitative limit for the category to which the transfer is made.

Transfers into any category in groups II, III, IV and V may be made from any category or categories in groups I, II, III, IV and V up to 12 % of the quantitative limit for the category to which the transfer is made.

4. The table of equivalence applicable to the transfers referred to above is given in Annex I.
5. The increase in any category of products resulting from the cumulative application of the provisions in paragraphs 1, 2 and 3 during an Agreement year shall not exceed the following limits:
  - 17 % for categories of products in groups I, II, III, IV and V.
6. Prior notification shall be given by the Cambodian authorities in the event of recourse to the provisions of paragraphs 1, 2 and 3, at least 15 days in advance.

#### Article 4

1. Exports of textile products listed in Annex I may be made subject to quantitative limits on the conditions laid down in the following paragraphs.

2. Where the Community finds, under the system of administrative control set up, that the level of imports of products in a given category listed in Annex I originating in Cambodia exceeds, in relation to the preceding year's total imports into the Community from all sources of products in that category, the following rates:

- 2 % for categories of products in group I,
- 8 % for categories of products in group II,
- 15 % for categories of products in groups III, IV and V,

it may request the opening of consultations in accordance with the procedure described in Article 11, with a view to reaching agreement on an appropriate restraint level for the products in such category.

3. Pending a mutually satisfactory solution, Cambodia undertakes, from the date of notification of the request for consultations, to suspend or limit at the level indicated by the Community exports of the category of products in question to the Community or to the region or regions of the Community market specified by the Community.

The Community shall authorise the import of products of the said category shipped from Cambodia before the date on which the request for consultations was submitted.

4. Should the Parties be unable in the course of consultations to reach a satisfactory solution within the period specified in Article 11, the Community shall have the right to introduce a definitive quantitative limit at an annual level not lower than the level resulting from the application of the formula set out in paragraph 2, or 106 % of the level of imports reached during the calendar year preceding that in which imports exceeded the level resulting from the application of the formula set out in paragraph 2 and gave rise to the request for consultations, whichever is the higher.

The annual level so fixed shall be revised upwards after consultations in accordance with the procedure referred to in Article 11, with a view to fulfilling the conditions set out in paragraph 2, should the trend of total imports into the Community of the product in question make this necessary.

5. The annual growth rate for the quantitative limits introduced under this article shall be determined in accordance with the provisions of Protocol B.

6. This Article shall not apply where the rates specified in paragraph 2 have been reached as a result of a fall in total imports into the Community, and not as a result of an increase in exports of products originating in Cambodia.

7. In the event of paragraphs 2, 3 or 4 being applied, Cambodia undertakes to issue export licences for products covered by contracts concluded before the introduction of the quantitative limit, up to the volume of the quantitative limit fixed.

8. Up to the date of communication of the statistics referred to in Article 9(6), paragraph 2 of this Article shall apply on the basis of the annual statistics previously communicated by the Community.

#### Article 5

1. With a view to ensuring the effective functioning of this Agreement, the Community and Cambodia agree to cooperate fully in order to prevent, to investigate and to take any necessary legal and/or administrative action against circumvention by transshipment, re-routing, false declaration concerning the country or place of origin, falsification of documents, false declaration concerning fibre content, quantities description or classification of merchandise and by whatever other means. Accordingly, Cambodia and the Community agree to establish the necessary legal provisions and administrative procedures permitting effective action to be taken against such circumvention, which shall include the adoption of legally binding corrective measures against exporters and/or importers involved.

2. Should the Community believe, on the basis of information available, that this Agreement is being circumvented, the Community will consult with Cambodia with a view to reaching a mutually satisfactory solution. These consultations will be held as early as possible and at the latest within 30 days from the date of request.

3. Pending the results of the consultations referred to in paragraph 2, Cambodia shall, as a precautionary measure, if so requested by the Community, take all necessary measures to ensure that, where sufficient evidence of circumvention is provided, adjustments of quantitative limits established under Article 4, liable to be agreed following the consultations referred to in paragraph 2, may be carried out for the quota year in which the request to open consultations in accordance with paragraph 2 was made, or for the following year if the quota for the current year is exhausted.

4. Should the Parties be unable, in the course of the consultation referred to in paragraph 2 to reach a mutually satisfactory solution, the Community shall have the right:

- (a) where there is sufficient evidence that products originating in Cambodia have been imported in circumvention of this Agreement, to set off the relevant quantities against the quantitative limits established under Article 4;
- (b) where sufficient evidence shows that false declaration concerning fibre content, quantities, description or classification of products originating in Cambodia has occurred, to refuse to import the products in question;
- (c) should it appear that the territory of Cambodia is involved in transshipment or re-routing of products not originating in Cambodia, to introduce quantitative limits against the same products originating in Cambodia if they are not already subject to quantitative limits, or to take any other appropriate measures.

5. The Parties agree to establish a system of administrative cooperation to prevent and to address effectively all problems arising from circumvention in accordance with the provisions of Protocol A.

#### Article 6

1. Cambodia shall monitor its exports of products under restraint or surveillance into the Community. Should a sudden and prejudicial change in traditional trade flows arise, the Community will be entitled to request consultations in order to find a satisfactory solution to those problems. Such consultations must be held within fifteen working days of their being requested by the Community.

2. Cambodia shall endeavour to ensure that exports of textile products subject to quantitative limits into the Community are spaced out as evenly as possible over the year due account being taken in particular of seasonal factors.

#### Article 7

In the event of denunciation of this Agreement as provided for in Article 14(3), the quantitative limits established pursuant to this Agreement shall be reduced on a pro rata temporis basis unless the Parties decide otherwise by common agreement.

#### Article 8

1. The classification of the products covered by this Agreement is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'combined nomenclature', or 'CN').

Where any decision on classification results in a change of classification practice or a change of category of any product subject to this Agreement, the affected products shall follow the trade regime applicable to the practice or category they fall into after such changes.

Any amendment to the combined nomenclature made in accordance with the procedures in force in the Community concerning categories of products covered by this Agreement, or any decision relating to the classification of goods, shall not have the effect of reducing quantitative limits introduced pursuant to this Agreement.

2. The origin of products covered by this Agreement shall be determined in accordance with the rules of origin in force in the Community.

Any amendment to these rules shall be communicated to Cambodia and shall not have the effect of reducing any quantitative limit established pursuant to this Agreement.

The procedures for control of the origin of the products referred to above are laid down in Protocol A.

#### Article 9

1. Cambodia shall supply the Commission with precise statistical information on all export licences issued for categories of textile products subject to the quantitative limits established under this Agreement, or to a double checking system expressed in quantities and in terms of value and broken down by Community Member State.

2. The Community shall likewise transmit to Cambodian authorities precise statistical information on import authorisations issued by the Community authorities and import statistics for products covered by the system referred to in Article 4(2).

3. The information referred to above shall, for all categories of products, be forwarded before the end of the month following the month to which the statistics relate.

4. Upon request by the Community, Cambodia shall supply import statistics for all products covered by Annex I.

5. Should it be found, on analysis of the information exchanged, that there are significant discrepancies between the returns for exports and those for imports, consultations may be initiated in accordance with the procedure specified in Article 11.

6. For the purpose of applying the provisions of Article 4, the Community undertakes to provide Cambodian authorities before 30 April of each year with the preceding year's statistics on imports of all textile products covered by this Agreement, broken down by supplying country and Community Member State.

#### Article 10

The Parties agree to examine the trend of trade in textile products and garments each year, in the framework of the consultations provided for in Article 11 and on the basis of the statistics referred to in Article 9.



*Article 11*

1. Save where it is otherwise provided for in this Agreement, the consultation procedures referred to in this Agreement shall be governed by the following provisions:

- as far as possible consultations shall be held periodically. Specific additional consultations may also be held,
- any request for consultations shall be notified in writing to the other Party,
- where appropriate, the request for consultations shall be followed within a reasonable period, and in any case not later than 15 days following the notification, by a report setting out the circumstances which, in the opinion of the requesting Party, justify the submission of such a request,
- the Parties shall enter into consultations within one month of notification of the request at the latest, with a view to reaching agreement or a mutually acceptable conclusion within one further month at the latest,
- the period of one month referred to above for the purpose of reaching agreement or a mutually acceptable conclusion may be extended by common accord.

2. The Community may request consultations in accordance with paragraph 1 when it ascertains that during a particular year of application of the Agreement difficulties arise in the Community or one of its regions due to a sharp and substantial increase, by comparison to the preceding year, in imports of a given category of Group I subject to the quantitative limits established pursuant to this Agreement.

3. At the request of either of the Parties, consultations shall be held on any problems arising from the application of this Agreement. Any consultations held under this article shall take place in a spirit of cooperation and with a desire to reconcile the differences between the Parties.

*Article 12*

In case problems arise in relation to the protection of trademarks, industrial designs or other intellectual property rights, consultations shall be held at the request of either Party in accordance with the procedure laid down in Article 11 with a view to finding a satisfactory solution.

*Article 13*

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Cambodia.

*Article 14*

1. This Agreement shall enter into force on the first day of the month following the date on which the Parties notify each other of the completion of the procedures necessary for that purpose. In the meantime, it shall be applicable on a provisional basis, subject to reciprocity.

2. This Agreement shall apply until 31 December 2004.

The operation of this Agreement shall be reviewed prior to the accession of Cambodia to the WTO, in order to take account of the consequences thereof.

3. Either Party may at any time propose modifications to this Agreement or denounce it, provided that at least six months' notice is given. In that event, this Agreement shall come to an end on the expiry of the period of notice.

4. The Parties agree to enter into consultations not later than six months before the expiration of this Agreement with a view to possibly concluding a new Agreement.

5. The Annexes, Protocols, Agreed Minutes and letters exchanged or attached to this Agreement, shall form an integral part thereof.

*Article 15*

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

*For the European Community*      *For the Kingdom of Cambodia*

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ANNEX I

TEXTILE PRODUCTS REFERRED TO IN ARTICLE 1

1. Without prejudice to the rules for the interpretation of the combined nomenclature, the wording of the description of goods is considered to be of indicative value only, since the products covered by each category are determined, within this Annex, by CN codes. Where there is an 'ex' symbol in front of a CN code, the products covered in each category are determined by the scope of the CN code and by that of the corresponding description.
2. When the constitutive material of the products of categories 1 to 114 is not specifically mentioned, these products are to be taken to be made exclusively of wool or of fine animal hair, of cotton or of man-made fibres.
3. Garments which are not recognisable as being garments for men or boys or as being garments for women or girls are classified with the latter.
4. Where the expression 'babies' garments' is used, this is meant to cover garments up to and including commercial size 86.

Category	Description CN-code 2002	Table of equivalence	
		pieces/kg	g/piece
(1)	(2)	(3)	(4)

GROUP I A

1	Cotton yarn, not put up for retail sale 5204 11 00, 5204 19 00, 5205 11 00, 5205 12 00, 5205 13 00, 5205 14 00, 5205 15 10, 5205 15 90, 5205 21 00, 5205 22 00, 5205 23 00, 5205 24 00, 5205 26 00, 5205 27 00, 5205 28 00, 5205 31 00, 5205 32 00, 5205 33 00, 5205 34 00, 5205 35 00, 5205 41 00, 5205 42 00, 5205 43 00, 5205 44 00, 5205 46 00, 5205 47 00, 5205 48 00, 5206 11 00, 5206 12 00, 5206 13 00, 5206 14 00, 5206 15 10, 5206 15 90, 5206 21 00, 5206 22 00, 5206 23 00, 5206 24 00, 5206 25 10, 5206 25 90, 5206 31 00, 5206 32 00, 5206 33 00, 5206 34 00, 5206 35 00, 5206 41 00, 5206 42 00, 5206 43 00, 5206 44 00, 5206 45 00, ex 5604 90 00		
2	Woven fabrics of cotton, other than gauze, terry fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics 5208 11 10, 5208 11 90, 5208 12 16, 5208 12 19, 5208 12 96, 5208 12 99, 5208 13 00, 5208 19 00, 5208 21 10, 5208 21 90, 5208 22 16, 5208 22 19, 5208 22 96, 5208 22 99, 5208 23 00, 5208 29 00, 5208 31 00, 5208 32 16, 5208 32 19, 5208 32 96, 5208 32 99, 5208 33 00, 5208 39 00, 5208 41 00, 5208 42 00, 5208 43 00, 5208 49 00, 5208 51 00, 5208 52 10, 5208 52 90, 5208 53 00, 5208 59 00, 5209 11 00, 5209 12 00, 5209 19 00, 5209 21 00, 5209 22 00, 5209 29 00, 5209 31 00, 5209 32 00, 5209 39 00, 5209 41 00, 5209 42 00, 5209 43 00, 5209 49 10, 5209 49 90, 5209 51 00, 5209 52 00, 5209 59 00, 5210 11 10, 5210 11 90, 5210 12 00, 5210 19 00, 5210 21 10, 5210 21 90, 5210 22 00, 5210 29 00, 5210 31 10, 5210 31 90, 5210 32 00, 5210 39 00, 5210 41 00, 5210 42 00, 5210 49 00, 5210 51 00, 5210 52 00, 5210 59 00, 5211 11 00, 5211 12 00, 5211 19 00, 5211 21 00, 5211 22 00, 5211 29 00, 5211 31 00, 5211 32 00, 5211 39 00, 5211 41 00, 5211 42 00, 5211 43 00, 5211 49 10, 5211 49 90, 5211 51 00, 5211 52 00, 5211 59 00, 5212 11 10, 5212 11 90, 5212 12 10, 5212 12 90, 5212 13 10, 5212 13 90, 5212 14 10, 5212 14 90, 5212 15 10, 5212 15 90, 5212 21 10, 5212 21 90, 5212 22 10, 5212 22 90, 5212 23 10, 5212 23 90, 5212 24 10, 5212 24 90, 5212 25 10, 5212 25 90, ex 5811 00 00, ex 6308 00 00		

(1)	(2)	(3)	(4)
2 a)	Of which: Other than unbleached or bleached 5208 31 00, 5208 32 16, 5208 32 19, 5208 32 96, 5208 32 99, 5208 33 00, 5208 39 00, 5208 41 00, 5208 42 00, 5208 43 00, 5208 49 00, 5208 51 00, 5208 52 10, 5208 52 90, 5208 53 00, 5208 59 00, 5209 31 00, 5209 32 00, 5209 39 00, 5209 41 00, 5209 42 00, 5209 43 00, 5209 49 10, 5209 49 90, 5209 51 00, 5209 52 00, 5209 59 00, 5210 31 10, 5210 31 90, 5210 32 00, 5210 39 00, 5210 41 00, 5210 42 00, 5210 49 00, 5210 51 00, 5210 52 00, 5210 59 00, 5211 31 00, 5211 32 00, 5211 39 00, 5211 41 00, 5211 42 00, 5211 43 00, 5211 49 10, 5211 49 90, 5211 51 00, 5211 52 00, 5211 59 00, 5212 13 10, 5212 13 90, 5212 14 10, 5212 14 90, 5212 15 10, 5212 15 90, 5212 23 10, 5212 23 90, 5212 24 10, 5212 24 90, 5212 25 10, 5212 25 90, ex 5811 00 00, ex 6308 00 00		
3	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics ( incl. terry fabrics) and chenille fabrics 5512 11 00, 5512 19 10, 5512 19 90, 5512 21 00, 5512 29 10, 5512 29 90, 5512 91 00, 5512 99 10, 5512 99 90, 5513 11 20, 5513 11 90, 5513 12 00, 5513 13 00, 5513 19 00, 5513 21 10, 5513 21 30, 5513 21 90, 5513 22 00, 5513 23 00, 5513 29 00, 5513 31 00, 5513 32 00, 5513 33 00, 5513 39 00, 5513 41 00, 5513 42 00, 5513 43 00, 5513 49 00, 5514 11 00, 5514 12 00, 5514 13 00, 5514 19 00, 5514 21 00, 5514 22 00, 5514 23 00, 5514 29 00, 5514 31 00, 5514 32 00, 5514 33 00, 5514 39 00, 5514 41 00, 5514 42 00, 5514 43 00, 5514 49 00, 5515 11 10, 5515 11 30, 5515 11 90, 5515 12 10, 5515 12 30, 5515 12 90, 5515 13 11, 5515 13 19, 5515 13 91, 5515 13 99, 5515 19 10, 5515 19 30, 5515 19 90, 5515 21 10, 5515 21 30, 5515 21 90, 5515 22 11, 5515 22 19, 5515 22 91, 5515 22 99, 5515 29 10, 5515 29 30, 5515 29 90, 5515 91 10, 5515 91 30, 5515 91 90, 5515 92 11, 5515 92 19, 5515 92 91, 5515 92 99, 5515 99 10, 5515 99 30, 5515 99 90, 5803 90 30, ex 5905 00 70, ex 6308 00 00		
3 a)	Of which: Other than unbleached or bleached 5512 19 10, 5512 19 90, 5512 29 10, 5512 29 90, 5512 99 10, 5512 99 90, 5513 21 10, 5513 21 30, 5513 21 90, 5513 22 00, 5513 23 00, 5513 29 00, 5513 31 00, 5513 32 00, 5513 33 00, 5513 39 00, 5513 41 00, 5513 42 00, 5513 43 00, 5513 49 00, 5514 21 00, 5514 22 00, 5514 23 00, 5514 29 00, 5514 31 00, 5514 32 00, 5514 33 00, 5514 39 00, 5514 41 00, 5514 42 00, 5514 43 00, 5514 49 00, 5515 11 30, 5515 11 90, 5515 12 30, 5515 12 90, 5515 13 19, 5515 13 99, 5515 19 30, 5515 19 90, 5515 21 30, 5515 21 90, 5515 22 19, 5515 22 99, 5515 29 30, 5515 29 90, 5515 91 30, 5515 91 90, 5515 92 19, 5515 92 99, 5515 99 30, 5515 99 90, ex 5803 90 30, ex 5905 00 70, ex 6308 00 00		
GROUP I B			
4	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted 6105 10 00, 6105 20 10, 6105 20 90, 6105 90 10, 6109 10 00, 6109 90 10, 6109 90 30, 6110 20 10, 6110 30 10	6,48	154
5	Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (others than jackets and blazers), anoraks, wind-cheaters, waister jackets and the like, knitted or crocheted 6101 10 90, 6101 20 90, 6101 30 90, 6102 10 90, 6102 20 90, 6102 30 90, 6110 11 10, 6110 11 30, 6110 11 90, 6110 12 10, 6110 12 90, 6110 19 10, 6110 19 90, 6110 20 91, 6110 20 99, 6110 30 91, 6110 30 99	4,53	221

(1)	(2)	(3)	(4)
6	Men's or boys' woven breeches, shorts other than swimwear and trousers (incl. slacks); women's or girls' woven trousers and slacks, of wool, of cotton or of man made fibres; lower parts of track suits with lining, others than category 16 or 29, of cotton or of man-made fibres 6203 41 10, 6203 41 90, 6203 42 31, 6203 42 33, 6203 42 35, 6203 42 90, 6203 43 19, 6203 43 90, 6203 49 19, 6203 49 50, 6204 61 10, 6204 62 31, 6204 62 33, 6204 62 39, 6204 63 18, 6204 69 18, 6211 32 42, 6211 33 42, 6211 42 42, 6211 43 42	1,76	568
7	Women's or girls' blouses, shirts and shirt-blouses, whether or not knitted or crocheted, of wool, of cotton or man-made fibres 6106 10 00, 6106 20 00, 6106 90 10, 6206 20 00, 6206 30 00, 6206 40 00	5,55	180
8	Men's or boys' shirts, other than knitted or crocheted, of wool, cotton or man-made fibres 6205 10 00, 6205 20 00, 6205 30 00	4,60	217
GROUP II A			
9	Terry towelling and similar woven terry fabrics of cotton; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton 5802 11 00, 5802 19 00, ex 6302 60 00		
20	Bed linen, other than knitted or crocheted 6302 21 00, 6302 22 90, 6302 29 90, 6302 31 10, 6302 31 90, 6302 32 90, 6302 39 90		
22	Yarn of staple or waste synthetic fibres, not put up for retail sale 5508 10 11, 5508 10 19, 5509 11 00, 5509 12 00, 5509 21 10, 5509 21 90, 5509 22 10, 5509 22 90, 5509 31 10, 5509 31 90, 5509 32 10, 5509 32 90, 5509 41 10, 5509 41 90, 5509 42 10, 5509 42 90, 5509 51 00, 5509 52 10, 5509 52 90, 5509 53 00, 5509 59 00, 5509 61 10, 5509 61 90, 5509 62 00, 5509 69 00, 5509 91 10, 5509 91 90, 5509 92 00, 5509 99 00		
22 a)	Of which acrylic ex 5508 10 19, 5509 31 10, 5509 31 90, 5509 32 10, 5509 32 90, 5509 61 10, 5509 61 90, 5509 62 00, 5509 69 00		
23	Yarn of staple or waste artificial fibres, not put up for retail sale 5508 20 10, 5510 11 00, 5510 12 00, 5510 20 00, 5510 30 00, 5510 90 00		
32	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres 5801 10 00, 5801 21 00, 5801 22 00, 5801 23 00, 5801 24 00, 5801 25 00, 5801 26 00, 5801 31 00, 5801 32 00, 5801 33 00, 5801 34 00, 5801 35 00, 5801 36 00, 5802 20 00, 5802 30 00		
32 a)	Of which: Cotton corduroy 5801 22 00		

(1)	(2)	(3)	(4)
39	Table linen, toilet linen and kitchen linen, other than knitted or crocheted, other than of terry towelling or a similar terry fabrics of cotton 6302 51 10, 6302 51 90, 6302 53 90, ex 6302 59 00, 6302 91 10, 6302 91 90, 6302 93 90, ex 6302 99 00		
GROUP II B			
12	Panty-hose and tights, stockings, understockings, socks, ankle-socks, sock-ettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70 6115 12 00, 6115 19 00, 6115 20 11, 6115 20 90, 6115 91 00, 6115 92 00, 6115 93 10, 6115 93 30, 6115 93 99, 6115 99 00	24,3 pairs	41
13	Men's or boys' underpants and briefs, women's or girls' knickers and briefs, knitted or crocheted, of wool, of cotton or of man-made fibres 6107 11 00, 6107 12 00, 6107 19 00, 6108 21 00, 6108 22 00, 6108 29 00, ex 6212 10 10	17	59
14	Men's or boys' woven overcoats, raincoats and other coats, cloaks and capes, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6201 11 00, ex 6201 12 10, ex 6201 12 90, ex 6201 13 10, ex 6201 13 90, 6210 20 00	0,72	1 389
15	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21) 6202 11 00, ex 6202 12 10, ex 6202 12 90, ex 6202 13 10, ex 6202 13 90, 6204 31 00, 6204 32 90, 6204 33 90, 6204 39 19, 6210 30 00	0,84	1 190
16	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; men's or boys' track suits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres 6203 11 00, 6203 12 00, 6203 19 10, 6203 19 30, 6203 21 00, 6203 22 80, 6203 23 80, 6203 29 18, 6211 32 31, 6211 33 31	0,80	1 250
17	Men's or boys' jackets or blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6203 31 00, 6203 32 90, 6203 33 90, 6203 39 19	1,43	700
18	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6207 11 00, 6207 19 00, 6207 21 00, 6207 22 00, 6207 29 00, 6207 91 10, 6207 91 90, 6207 92 00, 6207 99 00, Women's or girls' singlets and other vests, slips, petticoats, briefs, panties, night-dresses, pyjamas, négligees, bathrobes, dressing gowns and similar articles, other than knitted or crocheted 6208 11 00, 6208 19 10, 6208 19 90, 6208 21 00, 6208 22 00, 6208 29 00, 6208 91 11, 6208 91 19, 6208 91 90, 6208 92 00, 6208 99 00, ex 6212 10 10		
19	Handkerchiefs, other than knitted or crocheted 6213 20 00, 6213 90 00	59	17

(1)	(2)	(3)	(4)
21	Parkas; anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres; upper parts of tracksuits with lining, other than category 16 or 29, of cotton or of man-made fibres ex 6201 12 10, ex 6201 12 90, ex 6201 13 10, ex 6201 13 90, 6201 91 00, 6201 92 00, 6201 93 00, ex 6202 12 10, ex 6202 12 90, ex 6202 13 10, ex 6202 13 90, 6202 91 00, 6202 92 00, ex 6202 93 00, 6211 32 41, 6211 33 41, 6211 42 41, 6211 43 41	2,3	435
24	Men's or boys' nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted 6107 21 00, 6107 22 00, 6107 29 00, 6107 91 10, 6107 91 90, 6107 92 00, ex 6107 99 00 Women's or girls' night-dresses, pyjamas, negligees, bathrobes, dressing gowns and similar articles, knitted or crocheted 6108 31 10, 6108 31 90, 6108 32 11, 6108 32 19, 6108 32 90, 6108 39 00, 6108 91 10, 6108 91 90, 6108 92 00, 6108 99 10	3,9	257
26	Women's or girls' dresses, of wool, of cotton or of man-made fibres 6104 41 00, 6104 42 00, 6104 43 00, 6104 44 00, 6204 41 00, 6204 42 00, 6204 43 00, 6204 44 00	3,1	323
27	Women's or girls' skirts, including divided skirts 6104 51 00, 6104 52 00, 6104 53 00, 6104 59 00, 6204 51 00, 6204 52 00, 6204 53 00, 6204 59 10	2,6	385
28	Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of wool, of cotton or of man-made fibres 6103 41 10, 6103 41 90, 6103 42 10, 6103 42 90, 6103 43 10, 6103 43 90, 6103 49 10, 6103 49 91, 6104 61 10, 6104 61 90, 6104 62 10, 6104 62 90, 6104 63 10, 6104 63 90, 6104 69 10, 6104 69 91	1,61	620
29	Women's or girls' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits; women's or girls' track suits with lining, with an outer shell of an identical fabric, of cotton or of man-made fibres 6204 11 00, 6204 12 00, 6204 13 00, 6204 19 10, 6204 21 00, 6204 22 80, 6204 23 80, 6204 29 18, 6211 42 31, 6211 43 31	1,37	730
31	Brassières, woven, knitted or crocheted ex 6212 10 10, 6212 10 90	18,2	55
68	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sockettes, other than knitted or crocheted, of category 88 6111 10 90, 6111 20 90, 6111 30 90, ex 6111 90 00, ex 6209 10 00, ex 6209 20 00, ex 6209 30 00, ex 6209 90 00		
73	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres 6112 11 00, 6112 12 00, 6212 19 00		

(1)	(2)	(3)	(4)
76	Men's or boys' industrial or occupational clothing, other than knitted or crocheted 6203 22 10, 6203 23 10, 6203 29 11, 6203 32 10, 6203 33 10, 6203 39 11, 6203 42 11, 6203 42 51, 6203 43 11, 6203 43 31, 6203 49 11, 6203 49 31, 6211 32 10, 6211 33 10 Women's or girls' aprons, smock overalls and other industrial or occupational clothing, other than knitted or crocheted 6204 22 10, 6204 23 10, 6204 29 11, 6204 32 10, 6204 33 10, 6204 39 11, 6204 62 11, 6204 62 51, 6204 63 11, 6204 63 31, 6204 69 11, 6204 69 31, 6211 42 10, 6211 43 10		
77	Ski suits, other than knitted or crocheted ex 6211 20 00		
78	Garments, other than knitted or crocheted, excluding garments of categories 6, 7, 8, 14, 15, 16, 17, 18, 21, 26, 27, 29, 68, 72, 76 and 77 6203 41 30, 6203 42 59, 6203 43 39, 6203 49 39, 6204 61 80, 6204 61 90, 6204 62 59, 6204 62 90, 6204 63 39, 6204 63 90, 6204 69 39, 6204 69 50, 6210 40 00, 6210 50 00, 6211 31 00, 6211 32 90, 6211 33 90, 6211 41 00, 6211 42 90, 6211 43 90		
83	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74, 75 6101 10 10, 6101 20 10, 6101 30 10, 6102 10 10, 6102 20 10, 6102 30 10, 6103 31 00, 6103 32 00, 6103 33 00, ex 6103 39 00, 6104 31 00, 6104 32 00, 6104 33 00, ex 6104 39 00, 6112 20 00, 6113 00 90, 6114 10 00, 6114 20 00, 6114 30 00		

## GROUP III A

33	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide 5407 20 11 Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like 6305 32 81, 6305 32 89, 6305 33 91, 6305 33 99		
34	Woven fabrics of synthetic filament yarn obtained from strip or the like of polyethylene or polypropylene, 3 m or more wide 5407 20 19		
35	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114 5407 10 00, 5407 20 90, 5407 30 00, 5407 41 00, 5407 42 00, 5407 43 00, 5407 44 00, 5407 51 00, 5407 52 00, 5407 53 00, 5407 54 00, 5407 61 10, 5407 61 30, 5407 61 50, 5407 61 90, 5407 69 10, 5407 69 90, 5407 71 00, 5407 72 00, 5407 73 00, 5407 74 00, 5407 81 00, 5407 82 00, 5407 83 00, 5407 84 00, 5407 91 00, 5407 92 00, 5407 93 00, 5407 94 00, ex 5811 00 00, ex 5905 00 70		

(1)	(2)	(3)	(4)
35 a)	Of which: Other than unbleached or bleached ex 5407 10 00, ex 5407 20 90, 5407 30 00, 5407 41 00, 5407 42 00, 5407 43 00, 5407 44 00, 5407 52 00, 5407 53 00, 5407 54 00, 5407 61 30, 5407 61 50, 5407 61 90, 5407 69 90, 5407 72 00, 5407 73 00, 5407 74 00, 5407 82 00, 5407 83 00, 5407 84 00, 5407 92 00, 5407 93 00, 5407 94 00, ex 5811 00 00, ex 5905 00 70		
36	Woven fabrics of continuous artificial fibres, other than those for tyres of category 114 5408 10 00, 5408 21 00, 5408 22 10, 5408 22 90, 5408 23 10, 5408 23 90, 5408 24 00, 5408 31 00, 5408 32 00, 5408 33 00, 5408 34 00, ex 5811 00 00, ex 5905 00 70		
36 a)	Of which: Other than unbleached or bleached ex 5408 10 00, 5408 22 10, 5408 22 90, 5408 23 10, 5408 23 90, 5408 24 00, 5408 32 00, 5408 33 00, 5408 34 00, ex 5811 00 00, ex 5905 00 70		
37	Woven fabrics of artificial staple fibres 5516 11 00, 5516 12 00, 5516 13 00, 5516 14 00, 5516 21 00, 5516 22 00, 5516 23 10, 5516 23 90, 5516 24 00, 5516 31 00, 5516 32 00, 5516 33 00, 5516 34 00, 5516 41 00, 5516 42 00, 5516 43 00, 5516 44 00, 5516 91 00, 5516 92 00, 5516 93 00, 5516 94 00, 5803 90 50, ex 5905 00 70		
37 a)	Of which: Other than unbleached or bleached 5516 12 00, 5516 13 00, 5516 14 00, 5516 22 00, 5516 23 10, 5516 23 90, 5516 24 00, 5516 32 00, 5516 33 00, 5516 34 00, 5516 42 00, 5516 43 00, 5516 44 00, 5516 92 00, 5516 93 00, 5516 94 00, ex 5803 90 50, ex 5905 00 70		
38 A	Knitted or crocheted synthetic curtain fabric including net curtain fabric 6005 31 10, 6005 32 10, 6005 33 10, 6005 34 10, 6006 31 10, 6006 32 10, 6006 33 10, 6006 34 10		
38 B	Net curtains, other than knitted or crocheted ex 6303 91 00, ex 6303 92 90, ex 6303 99 90		
40	Woven curtains (including drapes, interior blinds, curtain and bed valances and other furnishing articles), other than knitted or crocheted, of wool, of cotton or of man-made fibres ex 6303 91 00, ex 6303 92 90, ex 6303 99 90, 6304 19 10, ex 6304 19 90, 6304 92 00, ex 6304 93 00, ex 6304 99 00		
41	Yarn of synthetic filament (continuous), not put up for retail sale, other than non textured single yarn untwisted or with a twist of not more than 50 turns/m 5401 10 11, 5401 10 19, 5402 10 10, 5402 10 90, 5402 20 00, 5402 31 00, 5402 32 00, 5402 33 00, 5402 39 10, 5402 39 90, 5402 49 10, 5402 49 91, 5402 49 99, 5402 51 00, 5402 52 00, 5402 59 10, 5402 59 90, 5402 61 00, 5402 62 00, 5402 69 10, 5402 69 90, ex 5604 20 00, ex 5604 90 00		



(1)	(2)	(3)	(4)
42	Yarn of continuous man-made fibres, not put up for retail sale 5401 20 10 Yarn of artificial fibres; yarn of artificial filaments, not put up for retail sale, other than single yarn of viscose rayon untwisted or with a twist of not more than 250 turns/m and single non textured yarn of cellulose acetate 5403 10 00, 5403 20 10, 5403 20 90, ex 5403 32 00, 5403 33 90, 5403 39 00, 5403 41 00, 5403 42 00, 5403 49 00, ex 5604 20 00		
43	Yarn of man-made filament, yarn of artificial staple fibres, cotton yarn, put up for retail sale 5204 20 00, 5207 10 00, 5207 90 00, 5401 10 90, 5401 20 90, 5406 10 00, 5406 20 00, 5508 20 90, 5511 30 00		
46	Carded or combed sheep's or lambs' wool or other fine animal hair 5105 10 00, 5105 21 00, 5105 29 00, 5105 31 00, 5105 39 10, 5105 39 90		
47	Yarn of carded sheep's or lambs' wool (woollen yarn) or of carded fine animal hair, not put up for retail sale 5106 10 10, 5106 10 90, 5106 20 10, 5106 20 91, 5106 20 99, 5108 10 10, 5108 10 90		
48	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale 5107 10 10, 5107 10 90, 5107 20 10, 5107 20 30, 5107 20 51, 5107 20 59, 5107 20 91, 5107 20 99, 5108 20 10, 5108 20 90		
49	Yarn of sheep's or lambs' wool or of combed fine animal hair, put up for retail sale 5109 10 10, 5109 10 90, 5109 90 10, 5109 90 90		
50	Woven fabrics of sheep's or lambs' wool or of fine animal hair 5111 11 11, 5111 11 19, 5111 11 91, 5111 11 99, 5111 19 11, 5111 19 19, 5111 19 31, 5111 19 39, 5111 19 91, 5111 19 99, 5111 20 00, 5111 30 10, 5111 30 30, 5111 30 90, 5111 90 10, 5111 90 91, 5111 90 93, 5111 90 99, 5112 11 10, 5112 11 90, 5112 19 11, 5112 19 19, 5112 19 91, 5112 19 99, 5112 20 00, 5112 30 10, 5112 30 30, 5112 30 90, 5112 90 10, 5112 90 91, 5112 90 93, 5112 90 99		
51	Cotton, carded or combed 5203 00 00		
53	Cotton gauze 5803 10 00		
54	Artificial staple fibres, including waste, carded, combed or otherwise processed for spinning 5507 00 00		
55	Synthetic staple fibres, including waste, carded, combed or otherwise processed for spinning 5506 10 00, 5506 20 00, 5506 30 00, 5506 90 10, 5506 90 90		

(1)	(2)	(3)	(4)
56	Yarn of synthetic staple fibres (including waste), put up for retail sale 5508 10 90, 5511 10 00, 5511 20 00		
58	Carpets, carpentines and rugs, knotted (made up or not) 5701 10 10, 5701 10 91, 5701 10 93, 5701 10 99, 5701 90 10, 5701 90 90		
59	Carpets and other textile floor coverings, other than the carpets of category 58 5702 10 00, 5702 31 00, 5702 32 00, 5702 39 10, 5702 41 00, 5702 42 00, 5702 49 10, 5702 51 00, 5702 52 00, ex 5702 59 00, 5702 91 00, 5702 92 00, ex 5702 99 00, 5703 10 00, 5703 20 11, 5703 20 19, 5703 20 91, 5703 20 99, 5703 30 11, 5703 30 19, 5703 30 51, 5703 30 59, 5703 30 91, 5703 30 99, 5703 90 00, 5704 10 00, 5704 90 00, 5705 00 10, 5705 00 30, ex 5705 00 90		
60	Tapestries, hand-made, of the type Gobelins, Flanders, Aubusson, Beauvais and the like, and needlework tapestries (e.g. petit point and cross stitch) made in panels and the like by hand 5805 00 00		
61	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft, assembled by means of an adhesive, other than labels and similar articles of category 62 Elastic fabrics and trimmings (not knitted or crocheted), made from textile materials assembled from rubber thread ex 5806 10 00, 5806 20 00, 5806 31 00, 5806 32 10, 5806 32 90, 5806 39 00, 5806 40 00		
62	Chenille yarn (incl. flock chenille yarn), gimped yarn (other than metallised yarn and gimped horsehair yarn) 5606 00 91, 5606 00 99 Tulle and other net fabrics but not including woven, knitted or crocheted fabrics, hand or mechanically-made lace, in the piece, in strips or in motifs 5804 10 11, 5804 10 19, 5804 10 90, 5804 21 10, 5804 21 90, 5804 29 10, 5804 29 90, 5804 30 00 Labels, badges and the like of textile materials, not embroidered, in the piece, in strips or cut to shape or size, woven 5807 10 10, 5807 10 90 Braids and ornamental trimmings in the piece; tassels, pompons and the like 5808 10 00, 5808 90 00 Embroidery, in the piece, in strips or in motifs 5810 10 10, 5810 10 90, 5810 91 10, 5810 91 90, 5810 92 10, 5810 92 90, 5810 99 10, 5810 99 90		
63	Knitted or crocheted fabric of synthetic fibres containing by weight 5 % or more elastomeric yarn and knitted or crocheted fabrics containing by weight 5 % or more of rubber thread 5906 91 00, ex 6002 40 00, 6002 90 00, ex 6004 10 00, 6004 90 00 Raschel lace and long-pile fabric of synthetic fibres ex 6001 10 00, 6003 30 10, 6005 31 50, 6005 32 50, 6005 33 50, 6005 34 50		

(1)	(2)	(3)	(4)
65	Knitted or crocheted fabric, other than those of categories 38 A and 63, of wool, of cotton or of man-made fibres 5606 00 10, ex 6001 10 00, 6001 21 00, 6001 22 00, 6001 29 10, 6001 91 10, 6001 91 30, 6001 91 50, 6001 91 90, 6001 92 10, 6001 92 30, 6001 92 50, 6001 92 90, 6001 99 10, ex 6002 40 00, 6003 10 00, 6003 20 00, 6003 30 90, 6003 40 00, ex 6004 10 00, 6005 10 00, 6005 21 00, 6005 22 00, 6005 23 00, 6005 24 00, 6005 31 90, 6005 32 90, 6005 33 90, 6005 34 90, 6005 41 00, 6005 42 00, 6005 43 00, 6005 44 00, 6006 10 00, 6006 21 00, 6006 22 00, 6006 23 00, 6006 24 00, 6006 31 90, 6006 32 90, 6006 33 90, 6006 34 90, 6006 41 00, 6006 42 00, 6006 43 00, 6006 44 00		
66	Travelling rugs and blankets, other than knitted or crocheted, of wool, of cotton or of man-made fibres 6301 10 00, 6301 20 91, 6301 20 99, 6301 30 90, ex 6301 40 90, ex 6301 90 90		

## GROUP III B

10	Gloves, mittens and mitts, knitted or crocheted 6111 10 10, 6111 20 10, 6111 30 10, ex 6111 90 00, 6116 10 20, 6116 10 80, 6116 91 00, 6116 92 00, 6116 93 00, 6116 99 00	17 pairs	59
67	Knitted or crocheted clothing accessories other than for babies; household linen of all kinds, knitted or crocheted; curtains (incl. drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted; knitted or crocheted blankets and travelling rugs, other knitted or crocheted articles including parts of garments or of clothing accessories 5807 90 90, 6113 00 10, 6117 10 00, 6117 20 00, 6117 80 10, 6117 80 90, 6117 90 00, 6301 20 10, 6301 30 10, 6301 40 10, 6301 90 10, 6302 10 10, 6302 10 90, 6302 40 00, ex 6302 60 00, 6303 11 00, 6303 12 00, 6303 19 00, 6304 11 00, 6304 91 00, ex 6305 20 00, 6305 32 11, ex 6305 32 90, 6305 33 10, ex 6305 39 00, ex 6305 90 00, 6307 10 10, 6307 90 10		
67 a)	Of which: Sacks and bags of a kind used for the packing of goods, made from polyethylene or polypropylene strip 6305 32 11, 6305 33 10		
69	Women's and girls' slips and petticoats, knitted or crocheted 6108 11 00, 6108 19 00	7,8	128
70	Panty-hose and tights of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex) 6115 11 00, 6115 20 19 Women's full length hosiery of synthetic fibres 6115 93 91	30,4 pairs	33
72	Swimwear, of wool, of cotton or of man-made fibres 6112 31 10, 6112 31 90, 6112 39 10, 6112 39 90, 6112 41 10, 6112 41 90, 6112 49 10, 6112 49 90, 6211 11 00, 6211 12 00	9,7	103

(1)	(2)	(3)	(4)
74	Women's or girls' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits 6104 11 00, 6104 12 00, 6104 13 00, ex 6104 19 00, 6104 21 00, 6104 22 00, 6104 23 00, ex 6104 29 00	1,54	650
75	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suit 6103 11 00, 6103 12 00, 6103 19 00, 6103 21 00, 6103 22 00, 6103 23 00, 6103 29 00	0,80	1 250
84	Shawls, scarves, mufflers, mantillas, veils and the like other than knitted or crocheted, of wool, of cotton or of man-made fibres 6214 20 00, 6214 30 00, 6214 40 00, 6214 90 10		
85	Ties, bow ties and cravats other than knitted or crocheted, of wool, of cotton or of man-made fibres 6215 20 00, 6215 90 00	17,9	56
86	Corsets, corset-belts, suspender belts, braces, suspenders, garters and the like, and parts thereof, whether or not knitted or crocheted 6212 20 00, 6212 30 00, 6212 90 00	8,8	114
87	Gloves, mittens and mitts, not knitted or crocheted ex 6209 10 00, ex 6209 20 00, ex 6209 30 00, ex 6209 90 00, 6216 00 00		
88	Stockings, socks and sockettes, not knitted or crocheted; other clothing accessories, parts of garments or of clothing accessories other than for babies, other than knitted or crocheted ex 6209 10 00, ex 6209 20 00, ex 6209 30 00, ex 6209 90 00, 6217 10 00, 6217 90 00		
90	Twine, cordage, ropes and cables of synthetic fibres, plaited or not 5607 41 00, 5607 49 11, 5607 49 19, 5607 49 90, 5607 50 11, 5607 50 19, 5607 50 30, 5607 50 90		
91	Tents 6306 21 00, 6306 22 00, 6306 29 00		
93	Sacks and bags, of a kind used for the packing of goods of woven fabrics, other than made from polyethylene or polypropylene strip ex 6305 20 00, ex 6305 32 90, ex 6305 39 00		
94	Wadding of textile materials and articles thereof; textile fibres, not exceeding 5 mm in length (flock), textile dust and mill neps 5601 10 10, 5601 10 90, 5601 21 10, 5601 21 90, 5601 22 10, 5601 22 91, 5601 22 99, 5601 29 00, 5601 30 00		
95	Felt and articles thereof, whether or not impregnated or coated, other than floor coverings 5602 10 19, 5602 10 31, 5602 10 39, 5602 10 90, 5602 21 00, 5602 29 90, 5602 90 00, ex 5807 90 10, ex 5905 00 70, 6210 10 10, 6307 90 91		

(1)	(2)	(3)	(4)
96	<p>Non-woven fabrics and articles of such fabrics, whether or not impregnated, coated, covered or laminated</p> <p>5603 11 10, 5603 11 90, 5603 12 10, 5603 12 90, 5603 13 10, 5603 13 90, 5603 14 10, 5603 14 90, 5603 91 10, 5603 91 90, 5603 92 10, 5603 92 90, 5603 93 10, 5603 93 90, 5603 94 10, 5603 94 90, ex 5807 90 10, ex 5905 00 70, 6210 10 91, 6210 10 99, ex 6301 40 90, ex 6301 90 90, 6302 22 10, 6302 32 10, 6302 53 10, 6302 93 10, 6303 92 10, 6303 99 10, ex 6304 19 90, ex 6304 93 00, ex 6304 99 00, ex 6305 32 90, ex 6305 39 00, 6307 10 30, ex 6307 90 99</p>		
97	<p>Nets and netting made of twine, cordage or rope and made up fishing nets of yarn, twine, cordage or rope</p> <p>5608 11 11, 5608 11 19, 5608 11 91, 5608 11 99, 5608 19 11, 5608 19 19, 5608 19 30, 5608 19 90, 5608 90 00</p>		
98	<p>Other articles made from yarn, twine, cordage, cables or rope, other than textile fabrics, articles made from such fabrics and articles of category 97</p> <p>5609 00 00, 5905 00 10</p>		
99	<p>Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations</p> <p>5901 10 00, 5901 90 00</p> <p>Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape</p> <p>5904 10 00, 5904 90 00</p> <p>Rubberised textile fabric, not knitted or crocheted, excluding those for tyres</p> <p>5906 10 00, 5906 99 10, 5906 99 80</p> <p>Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths, other than of category 100</p> <p>5907 00 10, 5907 00 90</p>		
100	<p>Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials</p> <p>5903 10 10, 5903 10 90, 5903 20 10, 5903 20 90, 5903 90 10, 5903 90 91, 5903 90 99</p>		
101	<p>Twine, cordage, ropes and cables, plaited or not, other than of synthetic fibres</p> <p>ex 5607 90 90</p>		
109	<p>Tarpaulins, sails, awnings and sunblinds</p> <p>6306 11 00, 6306 12 00, 6306 19 00, 6306 31 00, 6306 39 00</p>		
110	<p>Woven pneumatic mattresses</p> <p>6306 41 00, 6306 49 00</p>		
111	<p>Camping goods, woven, other than pneumatic mattresses and tents</p> <p>6306 91 00, 6306 99 00</p>		

(1)	(2)	(3)	(4)
112	Other made up textile articles, woven, excluding those of categories 113 and 114 6307 20 00, 6307 90 99		
113	Floor cloth, dish cloth and dusters, other than knitted or crocheted 6307 10 90		
114	Woven fabrics and articles for technical uses 5902 10 10, 5902 10 90, 5902 20 10, 5902 20 90, 5902 90 10, 5902 90 90, 5908 00 00, 5909 00 10, 5909 00 90, 5910 00 00, 5911 10 00, ex 5911 20 00, 5911 31 11, 5911 31 19, 5911 31 90, 5911 32 10, 5911 32 90, 5911 40 00, 5911 90 10, 5911 90 90		
GROUP IV			
115	Flax or ramie yarn 5306 10 10, 5306 10 30, 5306 10 50, 5306 10 90, 5306 20 10, 5306 20 90, 5308 90 12, 5308 90 19		
117	Woven fabrics of flax or of ramie 5309 11 10, 5309 11 90, 5309 19 00, 5309 21 10, 5309 21 90, 5309 29 00, 5311 00 10, 5803 90 90, 5905 00 30		
118	Table linen, toilet linen and kitchen linen of flax or ramie, other knitted or crocheted 6302 29 10, 6302 39 10, 6302 39 30, 6302 52 00, ex 6302 59 00, 6302 92 00, ex 6302 99 00		
120	Curtains (incl. drapes), interior blinds, curtain and bed valances and other furnishing articles, not knitted or crocheted, of flax or ramie ex 6303 99 90, 6304 19 30, ex 6304 99 00		
121	Twine, cordage, ropes and cables, plaited or not, of flax or ramie ex 5607 90 90		
122	Sacks and bags, of a kind used for the packing of goods, used, of flax, other than knitted or crocheted ex 6305 90 00		
123	Woven pile fabrics and chenille fabrics of flax or ramie, other than narrow woven fabrics 5801 90 10, ex 5801 90 90 Shawls, scarves, mufflers, mantillas, veils and the like, of flax or ramie, other than knitted or crocheted 6214 90 90		
GROUP V			
124	Synthetic staple fibres 5501 10 00, 5501 20 00, 5501 30 00, 5501 90 10, 5501 90 90, 5503 10 11, 5503 10 19, 5503 10 90, 5503 20 00, 5503 30 00, 5503 40 00, 5503 90 10, 5503 90 90, 5505 10 10, 5505 10 30, 5505 10 50, 5505 10 70, 5505 10 90		
125 A	Synthetic filament yarn (continuous) not put up for retail sale, other than yarn of category 41 5402 41 00, 5402 42 00, 5402 43 00		

(1)	(2)	(3)	(4)
125 B	Monofilament, strip (artificial straw and the like) and imitation catgut of synthetic materials 5404 10 10, 5404 10 90, 5404 90 11, 5404 90 19, 5404 90 90, ex 5604 20 00, ex 5604 90 00		
126	Artificial staple fibres 5502 00 10, 5502 00 40, 5502 00 80, 5504 10 00, 5504 90 00, 5505 20 00		
127 A	Yarn of artificial filaments (continuous) not put up for retail sale, other than yarn of category 42 5403 31 00, ex 5403 32 00, 5403 33 10		
127 B	Monofilament, strip (artificial straw and the like) and imitation catgut of artificial textile materials 5405 00 00, ex 5604 90 00		
128	Coarse animal hair, carded or combed 5105 40 00		
129	Yarn of coarse animal hair or of horsehair 5110 00 00		
130 A	Silk yarn other than yarn spun from silk waste 5004 00 10, 5004 00 90, 5006 00 10		
130 B	Silk yarn other than of category 130 A; silk-worm gut 5005 00 10, 5005 00 90, 5006 00 90, ex 5604 90 00		
131	Yarn of other vegetable textile fibres 5308 90 90		
132	Paper yarn 5308 90 50		
133	Yarn of true hemp 5308 20 10, 5308 20 90		
134	Metallised yarn 5605 00 00		
135	Woven fabrics of coarse animal hair or of horse hair 5113 00 00		
136	Woven fabrics of silk or of silk waste 5007 10 00, 5007 20 11, 5007 20 19, 5007 20 21, 5007 20 31, 5007 20 39, 5007 20 41, 5007 20 51, 5007 20 59, 5007 20 61, 5007 20 69, 5007 20 71, 5007 90 10, 5007 90 30, 5007 90 50, 5007 90 90, 5803 90 10, ex 5905 00 90, ex 5911 20 00		
137	Woven pile fabric and chenille fabrics and narrow woven fabrics of silk, or of silk waste ex 5801 90 90, ex 5806 10 00		
138	Woven fabrics of paper yarn and other textile fibres other than of ramie 5311 00 90, ex 5905 00 90		

(1)	(2)	(3)	(4)
139	Woven fabrics of metal threads or of metallised yarn 5809 00 00		
140	Knitted or crocheted fabric of textile material other than wool or fine animal hair, cotton or man made fibres ex 6001 10 00, 6001 29 90, 6001 99 90, 6003 90 00, 6005 90 00, 6006 90 00		
141	Travelling rugs and blankets of textile material other than wool or fine animal hair, cotton or man made fibres ex 6301 90 90		
142	Carpets and other textile floor coverings of sisal, of other fibres of the agave family or the Manila hemp ex 5702 39 90, ex 5702 49 90, ex 5702 59 00, ex 5702 99 00, ex 5705 00 90		
144	Felt of coarse animal hair 5602 10 35, 5602 29 10		
145	Twine, cordage, ropes and cables plaited or not abaca (Manila hemp) or of true hemp 5607 90 10, ex 5607 90 90		
146 A	Binder or baler twine for agricultural machines, of sisal or other fibres of the agave family ex 5607 21 00		
146 B	Twine, cordage, ropes and cables of sisal or other fibres of the agave family, other than the products of category 146A ex 5607 21 00, 5607 29 10, 5607 29 90		
146 C	Twine, cordage, ropes and cables, whether or not plaited or braided, of jute or of other textile bast fibres of heading No 5303 5607 10 00		
147	Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, other than not carded or combed 5003 90 00		
148 A	Yarn of jute or of other textile bast fibres of heading No 5303 5307 10 10, 5307 10 90, 5307 20 00		
148 B	Coir yarn 5308 10 00		
149	Woven fabrics of jute or of other textile bast fibres of a width of more than 150 cm 5310 10 90, ex 5310 90 00		
150	Woven fabrics of jute or of other textile bast fibres of a width of not more than 150 cm; sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres, other than used 5310 10 10, ex 5310 90 00, 5905 00 50, 6305 10 90		
151 A	Floor coverings of coconut fibres (coir) 5702 20 00		



(1)	(2)	(3)	(4)
151 B	Carpets and other textile floor coverings, of jute or of other textile bast fibres, other than tufted or flopped ex 5702 39 90, ex 5702 49 90, ex 5702 59 00, ex 5702 99 00		
152	Needle loom felt of jute or of other textile bast fibres not impregnated or coated, other than floor coverings 5602 10 11		
153	Used sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading No 5303 6305 10 10		
154	Silkworm cocoons suitable for reeling 5001 00 00 Raw silk (not thrown) 5002 00 00 Silk waste (incl. cocoons unsuitable for reeling), yarn waste and garnetted stock, not carded or combed 5003 10 00 Wool not carded or combed 5101 11 00, 5101 19 00, 5101 21 00, 5101 29 00, 5101 30 00 Fine or coarse animal hair, not carded or combed 5102 11 00, 5102 19 10, 5102 19 30, 5102 19 40, 5102 19 90, 5102 20 00 Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock 5103 10 10, 5103 10 90, 5103 20 10, 5103 20 91, 5103 20 99, 5103 30 00 Garnetted stock of wool or of fine or coarse animal hair 5104 00 00 Flax, raw or processed but not spun: flax tow and waste (including yarn waste and garnetted stock) 5301 10 00, 5301 21 00, 5301 29 00, 5301 30 10, 5301 30 90 Ramie and other vegetable textile fibres, raw or processed but not spun: tow, noils and waste, other than coir and abaca of heading No 5304 5305 90 00 Cotton, not carded nor combed 5201 00 10, 5201 00 90 Cotton waste (incl. yarn waste and garnetted stock) 5202 10 00, 5202 91 00, 5202 99 00 True hemp ( <i>cannabis sativa</i> L.), raw or processed but not spun: tow and waste of true hemp (including yarn waste and garnetted stock) 5302 10 00, 5302 90 00 Abaca (Manila hemp or <i>Musa Textilis</i> Nee), raw or processed but not spun: tow and waste of abaca (including yarn waste and garnetted stock) 5305 21 00, 5305 29 00 Jute or other textile bast fibres (excl. flax, true hemp and ramie), raw or processed but not spun: tow and waste of jute or other textile bast fibres (including yarn waste and garnetted stock) 5303 10 00, 5303 90 00 Other vegetable textile fibres, raw or processed but not spun: tow and waste of such fibres (including yarn waste and garnetted stock) 5304 10 00, 5304 90 00, 5305 11 00, 5305 19 00, 5305 90 00		

(1)	(2)	(3)	(4)
156	Blouses and pullovers knitted or crocheted of silk or silk waste for women and girls 6106 90 30, ex 6110 90 90		
157	Garments, knitted or crocheted, other than those of categories 1 to 123 and 156 6101 90 10, 6101 90 90, 6102 90 10, 6102 90 90, ex 6103 39 00, 6103 49 99, ex 6104 19 00, ex 6104 29 00, ex 6104 39 00, 6104 49 00, 6104 69 99, 6105 90 90, 6106 90 50, 6106 90 90, ex 6107 99 00, 6108 99 90, 6109 90 90, 6110 90 10, ex 6110 90 90, ex 6111 90 00, 6114 90 00		
159	Dresses, blouses and shirt-blouses, not knitted or crocheted, of silk or silk waste 6204 49 10, 6206 10 00 Shawls, scarves, mufflers, mantillas, veils and the like, not knitted or crocheted, of silk or silk waste 6214 10 00 Ties, bow ties and cravats of silk or silk waste 6215 10 00		
160	Handkerchiefs of silk or silk waste 6213 10 00		
161	Garments, not knitted or crocheted, other than those of categories 1 to 123 and category 159 6201 19 00, 6201 99 00, 6202 19 00, 6202 99 00, 6203 19 90, 6203 29 90, 6203 39 90, 6203 49 90, 6204 19 90, 6204 29 90, 6204 39 90, 6204 49 90, 6204 59 90, 6204 69 90, 6205 90 10, 6205 90 90, 6206 90 10, 6206 90 90, ex 6211 20 00, 6211 39 00, 6211 49 00		

## ANNEX II

**Products without quantitative limits subject to the double-checking system referred to in Article 1(4) of this Agreement**

(The full product descriptions of the categories listed in this Annex are to be found in Annex I to this Agreement)

*Categories:*

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6  
7  
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15  
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**PROTOCOL A**

## TITLE I

**CLASSIFICATION***Article 1*

1. The competent authorities of the Community undertake to inform Cambodia of any changes in the combined nomenclature (CN) before the date of their entry into force in the Community.

2. The competent authorities of the Community undertake to inform the competent authorities of Cambodia of any decisions relating to the classification of products subject to this Agreement, within one month of their adoption at the latest. Such communication shall include:

- (a) a description of the products concerned;
- (b) the relevant category and the related CN codes;
- (c) the reasons which have led to the decision.

3. Where a decision on classification results in a change of classification practice or a change of category of any product subject to this Agreement, the competent authorities of the Community shall provide 30 days' notice, from the date of the Community's communication, before the decision is put into effect. Products shipped before the date of entry into effect of the decision shall remain subject to the earlier classification practice, provided that the goods in question are presented for importation into the Community within 60 days of that date.

4. Where a Community decision on classification resulting in a change of classification practice or a change of categorisation of any product subject to this Agreement affects a category subject to quantitative limits, the Parties agree to enter into consultation in accordance with the procedures described in Article 11 of this Agreement with a view to honouring the obligation under the second subparagraph of Article 8(1) of this Agreement.

5. In case of divergent opinions between Cambodia and the competent Community authorities at the point of entry into the Community on the classification of products covered by this Agreement, classification shall provisionally be based on indications provided by the Community, pending consultations in accordance with Article 11 of this Agreement with a view to reaching agreement on definitive classification of the product concerned.

## TITLE II

**ORIGIN***Article 2*

1. Products originating in Cambodia for export to the Community in accordance with the arrangements established by this Agreement shall be accompanied by a certificate of Cambodian origin conforming to the model annexed to this Protocol.

2. The certificate of origin shall be certified by Cambodian competent governmental authorities if the products in question can be considered products originating in that country within the meaning of the relevant rules in force in the Community.

3. However, the products in Groups III, IV and V may be imported into the Community in accordance with the arrangements established by this Agreement on production of a declaration by the exporter on the invoice or other commercial document stating that the products in question originate in Cambodia within the meaning of the relevant rules in force in the Community.

4. The certificate of origin referred to in paragraph 1 shall not be required for import of goods covered by a certificate of origin Form A completed in accordance with the relevant rules in force in the Community in order to qualify for generalised tariff preferences.

*Article 3*

The certificate of origin shall be issued only on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative. The competent Cambodian authorities shall ensure that the certificate of origin is properly completed and for this purpose they shall call for any necessary documentary evidence or carry out any check which they consider appropriate.

*Article 4*

Where different criteria for determining origin are laid down for products falling within the same category, the certificates or declarations of origin must contain a sufficiently detailed description of the goods, on the basis of which the certificate was issued or the declaration drawn up.

*Article 5*

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto cast doubt upon the statements in the certificate.

## TITLE III

**DOUBLE-CHECKING SYSTEM**

## SECTION I

**EXPORTATION***Article 6*

The competent authorities of Cambodia shall issue an export licence in respect of all consignments from Cambodia of textile products subject to any definitive or provisional quantitative limits established under Article 4 of this Agreement, up to the relevant quantitative limits as may be modified by Articles 3, 5 and 7 of this Agreement, as well as of all consignments of

textile products subject to a double-checking system without quantitative limits as provided for in Article 1(4) and (5) of this Agreement.

#### Article 7

1. For products subject to quantitative limits under this Agreement the export licence shall conform to the model 1 annexed to this Protocol and it shall be valid for exports throughout the customs territory to which the Treaty establishing the European Community applies.

2. Where quantitative limits have been introduced pursuant to this Agreement, each export licence must certify *inter alia* that the quantity of the product in question has been set off against the quantitative limit established for the category of the products concerned and shall only cover one of the categories of products subject to quantitative limits. It may be used for one or more consignments of the products in question.

3. For products subject to a double-checking system without quantitative limits the export licence shall conform to the model 2 annexed to this Protocol. It shall only cover one category of products and may be used for one or more consignments of the products in question. It shall be valid for exports throughout the customs territory to which the Treaty establishing the European Community applies.

#### Article 8

The competent authorities of the Community must be informed immediately of the withdrawal or modification of any export licence already issued.

#### Article 9

1. Exports of textile products subject to quantitative limits pursuant to this Agreement shall be set off against the quantitative limits established for the year in which the shipment of the goods has been effected even if the export licence is issued after such shipment.

2. For the purpose of applying paragraph 1, shipment of the goods is considered to have taken place on the date of their loading onto the exporting aircraft, vehicle or vessel.

#### Article 10

The presentation of an export licence, in application of Article 12 hereafter, shall be effected not later than 31 March of the year following that in which the goods covered by the licence have been shipped.

### SECTION II

### IMPORTATION

#### Article 11

Importation into the Community of textile products subject to quantitative limits or to a double-checking system pursuant to this Agreement shall be subject to the presentation of an import authorisation.

#### Article 12

1. The competent authorities of the Community shall issue the import authorisation referred to in Article 11, within five working days of the presentation by the importer of the original of the corresponding export licence.

2. The import authorisations concerning products subject to quantitative limits under this Agreement shall be valid for six months from the date of their issue for imports throughout the customs territory to which the Treaty establishing the European Community applies.

3. The import authorisations for products subject to a double-checking system without quantitative limits shall be valid for six months from the date of their issue for imports throughout the customs territory to which the Treaty establishing the European Community applies.

4. The competent authorities of the Community shall cancel the import authorisation already issued whenever the corresponding export licence has been withdrawn.

However, if the competent authorities of the Community are notified of the withdrawal or the cancellation of the export licence only after the importation of the products into the Community, the relevant quantities shall be set off against the quantitative limits established for the category and the quota year concerned.

#### Article 13

1. If the competent authorities of the Community find that the total quantities covered by export licences issued by the competent authorities of Cambodia for a particular category in any year exceed the quantitative limit established in accordance with Article 4 of this Agreement for that category, as may be modified by Articles 3, 5 or 7 of this Agreement, the said authorities may suspend the further issue of import authorisations. In this event, the competent authorities of the Community shall immediately inform the authorities of Cambodia and the special consultation procedure set out in Article 11 of this Agreement shall be initiated forthwith.

2. Exports of products of Cambodian origin subject to quantitative limits or double checking system and not covered by Cambodian export licences issued in accordance with the provisions of this Protocol may be refused an import authorisation by the competent Community authorities.

However, without prejudice to Article 5 of this Agreement if the import of such products is allowed into the Community by the competent authorities of the Community, the quantities involved shall not be set off against the appropriate quantitative limits established pursuant to this Agreement, without the express agreement of the competent authorities of Cambodia.

## TITLE IV

**FORM AND PRODUCTION OF EXPORT LICENCES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS CONCERNING EXPORTS TO THE COMMUNITY***Article 14*

1. The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English or French. If they are completed by hand, entries must be in ink and in printed script.

These 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>. If the documents have several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked as 'original' and the other copies as 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the purpose of export to the Community in accordance with the provisions of this Agreement.

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: KH
- two letters identifying the intended Member State of customs clearance as follows:

AT = Austria

BL = Benelux

DE = Federal Republic of Germany

DK = Denmark

EL = Greece

ES = Spain

FI = Finland

FR = France

GB = United Kingdom

IE = Ireland

IT = Italy

PT = Portugal

SE = Sweden

- a one-digit number identifying quota year, as follows: 3 for 2003, 4 for 2004;
- a two-digit number from 01 to 99, identifying the particular issuing office concerned in Cambodia;
- a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.

*Article 15*

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they must bear the endorsement 'délivré a posteriori' or the endorsement 'issued retrospectively'.

*Article 16*

1. In the event of a theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent Cambodian authorities 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 certificate or licence so issued shall bear the endorsement 'duplicata' or 'duplicate'.

2. The duplicate shall bear the date of the original export licence or certificate of origin.

## TITLE V

**ADMINISTRATIVE COOPERATION***Article 17*

The Community and Cambodia shall cooperate closely in the implementation of the provisions of this Protocol. To this end, contacts and exchanges of views, including on technical matters, shall be facilitated by both Parties.

*Article 18*

In order to ensure the correct application of this Protocol, the Community and Cambodia offer mutual assistance for the verification of the authenticity and the accuracy of export licences and certificates of origin issued or of any declarations made within the terms of this Protocol.

*Article 19*

Cambodia shall transmit to the Commission of the European Communities the names and addresses of the authorities competent to issue and verify the export licences and the certificates of origin, together with specimens of the stamps used by these authorities and specimen signatures of officials responsible for signing the export licences and the certificates of origin. Cambodia shall also notify the Community of any change in this information.

*Article 20*

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent authorities of the Community have reasonable doubt as to the authenticity of the certificate or licence or as to the accuracy of the information regarding the true origin of the products in question.

2. In such cases, the competent authorities of the Community shall return the certificate of origin or the export licence or a copy thereof to the competent Cambodian authorities, giving, where appropriate, the reasons of form or substance which justify an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate or to the licence or their copies. The competent authorities of the Community shall also forward any information that has been obtained suggesting that the particulars given on the said certificate or licence are inaccurate.

3. Paragraph 1 shall also apply to subsequent verifications of the declarations of origin provided for in Article 2 of this Protocol.

4. The results of the subsequent verifications referred to in paragraphs 1 and 2 shall be communicated to the competent authorities of the Community within three months at the latest. The information communicated shall indicate whether the disputed certificate, licence or declaration, applies to the goods actually exported and whether these goods are eligible for export under the arrangements established by this Agreement. The information shall also include, at the request of the Community, copies of all the documentation necessary to fully determine the facts, and in particular the true origin of the goods.

Should such verifications reveal systematic irregularities in the use of declarations of origin, the Community may subject imports of the products in question to the provisions of Article 2(1) of this Protocol.

5. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept for at least three years by the competent Cambodian authorities.

6. Recourse to the random verification procedure specified in this Article must not constitute an obstacle to the release for home use of the products in question.

#### *Article 21*

1. Where the verification procedure referred to in Article 20 or where information available to the competent authorities of the Community or of Cambodia indicates or appears to indicate that the provisions of this Agreement are being circumvented or infringed, the two Parties shall cooperate closely and with the appropriate urgency in order to prevent or remedy any such circumvention or infringement.

2. To this end, the competent Cambodian authorities shall, on their own initiative or at the request of the Community, carry out appropriate inquiries, or arrange for such inquiries to be carried out, concerning operations which are, or appear to the Community to be, in circumvention or infringement of this Protocol. Cambodia shall communicate the results of these inquiries to the Community, including any other pertinent information enabling the cause of the circumvention or infringement, including the true origin of the goods to be determined.

3. By agreement between the Community and Cambodia, officials designated by the Community may be present at the inquiries referred to in paragraph 2.

4. In pursuance of the cooperation referred to in paragraph 1, the competent authorities of the Community and Cambodia shall exchange any information considered by either Party to be of use in preventing or remedying circumvention or infringement of the provisions of this Agreement. These exchanges may include information on the production of textile products in Cambodia and on the trade in the type of products covered by the Agreement between Cambodia and third countries, particularly where the Community has reasonable grounds to consider that the products in question may be in transit across the territory of Cambodia prior to their importation into the Community. This information may include at the request of the Community copies of all available relevant documentation.

5. Where sufficient evidence shows that the provisions of this Protocol have been circumvented or infringed, the competent authorities of Cambodia and the Community may agree to take the measures set out in Article 5(4) of this Agreement, and any other measures as are necessary to prevent a recurrence of such circumvention or infringement.

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>	2 <b>No</b>	
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>CERTIFICATE OF ORIGIN (Textile products)</b>		
	<b>CERTIFICAT D'ORIGINE (Produits textiles)</b>		
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
	9 Supplementary details Données supplémentaires		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity (¹) Quantité (¹)	12 FOB value (²) Valeur fob (²)
13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community. Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans la Communauté européenne.			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At — À ..... , on — le .....	
		(Signature)	(Stamp — Cachet)

(¹) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
(²) In the currency of the sale contract — Dans la monnaie du contrat de vente.





1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>	2 <b>No</b>	
	3 Quota year Année contingentaire	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE (Textile products)</b>		
	<b>LICENCE D'EXPORTATION (Produits textiles)</b>		
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
	9 Supplementary details Données supplémentaires		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity (¹) Quantité (¹)	12 FOB value (²) Valeur fob (²)
<p>13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE</p> <p>I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Community.</p> <p>Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case 3 pour la catégorie désignée dans la case 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté européenne.</p>			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At — À ..... , on — le .....  (Signature) (Stamp — Cachet)	

(¹) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
(²) In the currency of the sale contract — Dans la monnaie du contrat de vente.



Annex to Protocol A, Article 7(3) Model 2

1 Exporter (name, full address, country) Exportateur (nom, adresse complète, pays)	<b>ORIGINAL</b>		2 No
	3 Export year Année d'exportation	4 Category number Numéro de catégorie	
5 Consignee (name, full address, country) Destinataire (nom, adresse complète, pays)	<b>EXPORT LICENCE (Textile products)</b>		
	<b>LICENCE D'EXPORTATION (Produits textiles)</b>		
8 Place and date of shipment — Means of transport Lieu et date d'embarquement — Moyen de transport	6 Country of origin Pays d'origine	7 Country of destination Pays de destination	
	9 Supplementary details Données supplémentaires  NON-RESTRAINED TEXTILE CATEGORY CATÉGORIE TEXTILE NON LIMITÉE		
10 Marks and numbers — Number and kind of packages — DESCRIPTION OF GOODS Marques et numéros — Nombre et nature des colis — DÉSIGNATION DES MARCHANDISES		11 Quantity (¹) Quantité (¹)	12 FOB value (²) Valeur fob (²)
13 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE  I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the Agreement on trade in textile products between the European Community and the Kingdom of Cambodia.  Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case 6, conformément aux dispositions en vigueur dans l'accord sur le commerce des produits textiles entre la Communauté européenne et le Royaume du Cambodge.			
14 Competent authority (name, full address, country) Autorité compétente (nom, adresse complète, pays)		At — À ....., on — le .....	
		(Signature)	(Stamp — Cachet)

(¹) Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight — Indiquer le poids net en kilogrammes ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.  
(²) In the currency of the sale contract — Dans la monnaie du contrat de vente.



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**PROTOCOL B**

The annual growth rate for quantitative limits which could be introduced under Article 4 of this Agreement shall be fixed by agreement between the Parties in accordance with the consultation procedure established in Article 11 of this Agreement. Such growth rate may in no case be higher than the highest rate applicable to corresponding products under bilateral agreements on trade in textiles concluded between the Community and other third countries having a level of trade equal to or comparable with that of Cambodia.

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**AGREED MINUTE****Market access**

In the context of negotiations for an Agreement on trade in textile products between the European Community and the Kingdom of Cambodia, the Parties recorded their mutual understanding on the following matters:

1. Customs duties currently in force in the Kingdom of Cambodia on imported textile and clothing products originating in the European Community shall not be increased during the period of validity of this Agreement.
  2. The Parties agree not to introduce any non-tariff barriers on textile and clothing products during the period of validity of this Agreement.
  3. Cambodia confirms that the benefit of any concessions made or advantages extended by Cambodia to third states in respect of trade in textile and clothing products will be immediately and unconditionally extended also to the European Community on a most-favoured nation (MFN) basis save those arising from the Asean Free Trade Area (AFTA).
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**COUNCIL DECISION**  
**of 19 December 2002**  
**on trade in certain steel products between the European Community and Ukraine**

(2002/1001/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The Partnership and Cooperation Agreement between the European Communities and their Member States, on the one part, and Ukraine, of the other part <sup>(1)</sup>, provides in its Article 22(1), that trade in some steel products shall be the subject of a specific agreement.
- (2) The previous bilateral agreement between the ECSC and the Government of Ukraine on trade for certain steel products expired on 31 December 2001.
- (3) The Parties agreed to conclude a new agreement and the negotiations of this new agreement have not yet been completed.
- (4) The European Community (EC) has taken over the international obligations of the ECSC since the expiry of the ECSC Treaty, and measures relating to trade in steel products with third countries now fall under the competence of the EC in the field of trade policy.
- (5) Quantitative limits for the year 2002 have been fixed by Decision 2001/933/ECSC of the representatives of the Government of the Member States meeting within the Council of 19 December 2001 <sup>(2)</sup>.
- (6) Pending the signature and the entry into force of the new agreement, quantitative limits for the year 2003 must be established.
- (7) The Ukrainian Parliament passed a law imposing a tax of EUR 30/tonne on exports of ferrous scrap, to be applied as of 1 January 2003; this proposed tax will constitute an obstacle to the free trade of ferrous scrap and would seriously limit, if not block, exports of ferrous scrap, thereby penalising the Community steel industry and affecting adversely the Community ferrous scrap market. As a consequence, it is appropriate to reduce the quantitative limits for 2003 by 30 % compared to the quantitative limits set for 2002, pending a satisfactory solution to this issue and the conclusion of the negotiations of the new Agreement,

HAS DECIDED AS FOLLOWS:

*Article 1*

During the period mentioned in Annex I, imports into the European Community of steel products referred to in Annex II originating in Ukraine shall be subject to licensing. Licenses shall be issued only within the limits defined in Article 2.

*Article 2*

Imports shall be authorised, for each product group and for the whole of the Community, up to the quantitative limits indicated in Annex I.

The period of validity of the import licence is hereby fixed at four months. Unused or partially used import licences may be renewed for two months.

*Article 3*

Member States shall issue licences according to rules agreed within the Steel Liaison Committee and inform the Commission thereof immediately. The Commission shall keep the Member States regularly informed of the extent to which the quantities have been used up.

The Member States and the Commission shall confer in order to ensure that these quantities are not exceeded.

*Article 4*

The provisions of the agreement on trade in certain steel products together with any measures to give effect to it, shall as from the date of entry into force of the agreement replace the provisions of this Decision.

*Article 5*

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

Done at Brussels, 19 December 2002.

*For the Council*

*The President*

L. ESPERSEN

<sup>(1)</sup> OJ L 49, 19.2.1998, p. 3.

<sup>(2)</sup> OJ L 345, 29.12.2001, p. 75. Decision amended by Decision 2002/476/ECSC (OJ L 164, 22.6.2002, p. 37).

## ANNEX I

**QUANTITATIVE LIMITS FIXED FOR THE PERIOD 1.1.2002-31.12.2003**

	<i>Products</i>	<i>Tonnes</i>
SA. Flat products		
SA1. Coils		46 604
SA2. Heavy plate		178 364
SA3. Other flat products		14 391
SB. Long products		
SB1. Beams		6 273
SB2. Wire rod		89 624
SB3. Other long products		112 926

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## ANNEX II

<b>SA Flat-rolled products</b>	7209 17 90	7219 33 90	7214 99 10
	7209 18 10	7219 34 10	7214 99 31
<i>SA1. Coils</i>	7209 18 91	7219 34 90	7214 99 39
7208 10 00	7209 18 99	7219 35 10	7214 99 50
7208 25 00	7209 25 00	7219 35 90	7214 99 61
7208 26 00	7209 26 10	7225 40 80	7214 99 69
7208 27 00	7209 26 90		
	7209 27 10	<b>SB Longs</b>	7214 99 80
7208 36 00			7214 99 90
7208 37 10	7209 27 90	<i>SB1. Beams</i>	
7208 37 90	7209 28 10	7207 19 31	7215 90 10
7208 38 10	7209 28 90	7207 20 71	7216 10 00
7208 38 90	7209 90 10		7216 21 00
7208 39 10		7216 31 11	7216 22 00
7208 39 90	7210 11 10	7216 31 19	7216 40 10
	7210 12 11	7216 31 91	7216 40 90
7211 14 10	7210 12 19	7216 31 99	7216 50 10
7211 19 20	7210 20 10	7216 32 11	7216 50 91
	7210 30 10	7216 32 19	7216 50 99
7219 11 00	7210 41 10	7216 32 91	7216 99 10
7219 12 10	7210 49 10	7216 32 99	
7219 12 90	7210 50 10	7216 33 10	7218 99 20
7219 13 10	7210 61 10	7216 33 90	
7219 13 90	7210 69 10		7222 11 11
7219 14 10	7210 70 31	<i>SB2. Wire rod</i>	7222 11 19
7219 14 90	7210 70 39		7222 11 21
	7210 90 31	7213 10 00	7222 11 29
7225 20 20	7210 90 33	7213 20 00	7222 11 91
7225 30 00	7210 90 38	7213 91 10	7222 11 99
		7213 91 20	7222 19 10
<i>SA2. Heavy Plate</i>	7211 14 90	7213 91 41	7222 19 90
7208 40 10	7211 19 90	7213 91 49	7222 30 10
7208 51 10	7211 23 10	7213 91 70	7222 40 10
7208 51 30	7211 23 51	7213 91 90	7222 40 30
7208 51 50	7211 29 20	7213 99 10	
7208 51 91	7211 90 11	7213 99 90	7224 90 31
7208 51 99			7224 90 39
7208 52 10	7212 10 10	7221 00 10	
7208 52 91	7212 10 91	7221 00 90	7228 10 10
7208 52 99	7212 20 11		7228 10 30
7208 53 10	7212 30 11	7227 10 00	7228 20 11
	7212 40 10	7227 20 00	7228 20 19
7211 13 00	7212 40 91	7227 90 10	7228 20 30
7225 40 20	7212 50 31	7227 90 50	7228 30 20
7225 40 50	7212 50 51		
7225 99 10	7212 60 11	7227 90 95	7228 30 41
	7212 60 91		7228 30 49
<i>SA3. Other flat rolled products</i>		<i>SB3 Other longs</i>	7228 30 61
7208 40 90	7219 21 10	7207 19 11	7228 30 69
7208 53 90	7219 21 90	7207 19 14	7228 30 70
7208 54 10	7219 22 10	7207 19 16	7228 30 89
7208 54 90	7219 22 90	7207 20 51	7228 60 10
7208 90 10	7219 23 00	7207 20 55	7228 70 10
	7219 24 00	7207 20 57	7228 70 31
7209 15 00	7219 31 00		7228 80 10
7209 16 10	7219 32 10	7214 20 00	7228 80 90
7209 16 90	7219 32 90	7214 30 00	
7209 17 10	7219 33 10	7214 91 10	
		7214 91 90	7301 10 00

# COMMISSION

## COMMISSION DECISION

of 17 December 2002

**on the publication of the reference of standard EN 848-3 'Safety of woodworking machines — One-side moulding machines with rotating tool — Part 3: Numerical control boring machines and routing machines' in the *Official Journal of the European Communities* in the framework of the implementation of Directive 98/37/EC of the European Parliament and of the Council**

(notified under document number C(2002) 5065)

(Text with EEA relevance)

(2002/1002/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 98/37/EC of the European Parliament and of the Council of 22 June 1998 on the approximation of the laws of the Member States relating to machinery <sup>(1)</sup>, as amended by Directive 98/79/EC <sup>(2)</sup>, and in particular Article 6 thereof,

Having regard to the opinion of the Standing Committee set up pursuant to Directive 98/34/EC of the European Parliament and of the Council <sup>(3)</sup>, as amended by Directive 98/48/EC <sup>(4)</sup>, which provides for an information procedure in the area of technical standards and regulations,

Whereas:

- (1) Article 2 of Directive 98/37/EC provides that machinery may be placed on the market and put into service only if it does not endanger the safety of persons, domestic animals or goods, when properly installed and maintained and used for its intended purpose.
- (2) Where a national standard transposing a harmonised standard, the reference of which has been published in the *Official Journal of the European Communities*, covers one or more essential safety requirements, the machine built in accordance with this standard is presumed to meet the essential requirements concerned.
- (3) The Member States must publish the references of national standards transposing harmonised standards.

(4) Pursuant to Article 6(1) of Directive 98/37/EC, Sweden notified a safeguard clause against standard EN 848-3 on the grounds that the safety level on that kind of machinery is not sufficient.

(5) Having examined standard EN 848-3, the Commission has not been able to establish that it fails to meet the essential requirements of Directive 98/37/EC. This has been confirmed by an additional examination made by CEN experts. The Machinery Working Group consulted on this matter during its meeting of 4 December 2000 confirmed that the solutions as provided for in EN 848-3 reflect the current state of the art. This examination has also concluded that further research on the means of protection needs to be carried out and therefore, the arguments presented by Sweden relating to clause 5.2.7.1.2 of EN 848-3 must be taken into consideration for the revision of this standard,

HAS ADOPTED THIS DECISION:

### Article 1

The references of standard EN 848-3 'Safety of woodworking machines — One-side moulding machines with rotating tool — Part 3: Numerical control boring machines and routing machines', adopted by the European Committee for Standardisation (CEN) in July 1999, shall not be withdrawn from the list of standards published in the *Official Journal of the European Communities*. The standard will therefore continue to confer a presumption of conformity to the provisions of Directive 98/37/EC.

<sup>(1)</sup> OJ L 207, 23.7.1998, p. 1.

<sup>(2)</sup> OJ L 331, 7.12.1998, p. 1.

<sup>(3)</sup> OJ L 204, 21.7.1998, p. 37.

<sup>(4)</sup> OJ L 217, 5.8.1998, p. 18.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 17 December 2002.

*For the Commission*  
Erkki LIIKANEN  
*Member of the Commission*

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**COMMISSION DECISION****of 18 December 2002****laying down minimum requirements for a survey of prion protein genotypes of sheep breeds***(notified under document number C(2002) 5102)***(Text with EEA relevance)**

(2002/1003/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1494/2002 <sup>(2)</sup>, and in particular Article 23 thereof,

Whereas:

- (1) Scrapie poses a considerable animal health problem within the Community's ovine and caprine population.
- (2) There is no validated routine diagnostic method to distinguish between Bovine spongiform encephalopathy (BSE) and scrapie infection in ovine and caprine animals. BSE infection has not been proven to exist in ovine and caprine animals under natural conditions. However, there is some uncertainty as to whether BSE may have infected the ovine and caprine population and may still be present in that population. Accordingly transmissible spongiform encephalopathy (TSE) infections in ovine and caprine animals also pose a potential risk to public health.
- (3) Research has shown that certain prion protein genotypes in sheep confer resistance to scrapie. Evidence to date indicates that a similar genetically determined resistance to BSE exists in sheep when challenged orally with BSE infection under experimental conditions.
- (4) The opinion of the Scientific Steering Committee (SSC) of 4 and 5 April 2002 on safe sourcing of small ruminant materials laid down guidelines for the main points in a breeding programme for TSE resistance in sheep. One requirement is an approximation of the frequency of ARR/ARR sheep for each important breed. It is appropriate to conduct a survey of sheep breeds in the Member States to obtain this information.

(5) The Commission will propose to the Council and Parliament an amendment to Regulation (EC) 999/2001 to provide a legal basis in that Regulation for the measures contained in this Decision. In the meantime, it is appropriate to adopt this Decision as a transitional measure.

(6) 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***Definitions**

For the purposes of this Decision the definitions set out in Annex I shall apply.

*Article 2***Survey of prion protein genotypes of sheep breeds**

By 1 July 2003, each Member State shall complete a survey of the prion protein genotype of each of its sheep breeds which are native, or form a significant population in its territory.

The survey shall be carried out using the parameters set out in Annex II.

*Article 3***Reports to be provided to the Commission by the Member States**

Member States shall provide the Commission with a report on the survey as provided for in Article 2 by 1 October 2003.

*Article 4***Summary of reports by the Commission to the Member States**

The Commission shall present to the Member States a summary of the reports it receives under Article 3, within three months of the deadline for the receipt of the reports.

<sup>(1)</sup> OJ L 147, 31.5.2001, p. 1.

<sup>(2)</sup> OJ L 225, 22.8.2002, p. 3.

*Article 5*

**Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 18 December 2002.

*For the Commission*  
David BYRNE  
*Member of the Commission*

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## ANNEX I

**Definitions**

1. The allele shall be defined by reference to the amino acids encoded by codons 136, 154 and 171 of the prion protein gene.

Each allele shall be denoted by a three-letter code as outlined in the following table:

Allele	Amino acid encoded at position 136	Amino acid encoded at position 154	Amino acid encoded at position 171
ARR	Alanine	Arginine	Arginine
AHQ	Alanine	Histidine	Glutamine
ARH	Alanine	Arginine	Histidine
ARQ	Alanine	Arginine	Glutamine
VRQ	Valine	Arginine	Glutamine

2. The genotype shall be defined by the combination of two alleles. Where it is not possible to distinguish between the ARQ and ARH alleles, a collective term may be used to describe these two alleles.
3. A flock of high genetic merit shall be defined as:
- a flock of pure-bred breeding sheep as defined in Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats, or
  - any other flock of sheep which is recognised by the competent authority of the Member State to be of high importance in the marketing or production of breeding sheep and which the competent authority of the Member State wishes to include in the survey,

of the same breed, kept on a single holding and/or under the responsibility of a single keeper. The definition shall include rams used for artificial insemination, but shall not include rams which are kept solely for the purpose of breeding with commercial ewes.

## ANNEX II

**Parameters for a survey of prion protein genotypes of sheep from flocks of high genetic merit**

- Sampling shall be carried out on sheep from flocks of high genetic merit, as defined in Annex I.
- At least 50 samples shall be collected from each breed.
- Samples shall be chosen so as to be representative of the entire breed in the Member State.
- Where the sampling regime described in points 2 and 3 reveals no animals within a breed carrying the ARR allele, the breed shall be subjected to intensified sampling.

**COMMISSION DECISION  
of 23 December 2002**

**amending for the 10th time Decision 2001/327/EC concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease**

(notified under document number C(2002) 5271)

(Text with EEA relevance)

(2002/1004/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 <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 10 thereof,

Whereas:

- (1) All Member States have implemented the restrictions to the movement of animals of susceptible species laid down in Commission Decision 2001/327/EC <sup>(3)</sup>, as last amended by Decision 2002/242/EC <sup>(4)</sup>.
- (2) It appears appropriate to prolong the measures.
- (3) 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 Article 4 of Decision 2001/327/EC the date '31 December 2002' is replaced by the date '30 June 2003'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

<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 115, 25.5.2001, p. 12.

<sup>(4)</sup> OJ L 82, 26.3.2002, p. 18.

## COMMISSION DECISION

of 23 December 2002

**amending for the second time Decision 2002/308/EC establishing the lists of approved zones and approved farms with regard to one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN)***(notified under document number C(2002) 5204)***(Text with EEA relevance)**

(2002/1005/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products <sup>(1)</sup>, as last amended by Directive 98/45/EC <sup>(2)</sup>, and in particular Articles 5 and 6 thereof,

Whereas:

- (1) In order to obtain, for one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), the status of approved zone and of approved fish farm situated in a non-approved zone, Member States shall submit the appropriate justifications and the national rules ensuring compliance with the conditions laid down in Directive 91/67/EEC.
- (2) Commission Decision 2002/308/EC <sup>(3)</sup>, as amended by Decision 2002/536/EC <sup>(4)</sup>, establishes the lists of approved zones and approved farms with regard to one or more of the fish diseases VHS and IHN.
- (3) Several Member States have submitted justifications for the status of approved zones, and approved farms in non-approved zones, all of which have been scrutinised by the Commission with the assistance of experts in the Member States.
- (4) France has submitted the justifications for obtaining the status of two approved zones in the Région Aquitaine with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status.
- (5) Italy has submitted the justifications for obtaining the status of one approved zone in the Autonomous province of Veneto with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status. A programme applied in this province was approved by Commission Decision 2002/304/EC <sup>(5)</sup>.

- (6) Austria has submitted the justifications for obtaining the status of approved farm in non-approved zone for one farm in Lower Austria with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status.
- (7) Germany has submitted the justifications for obtaining the status of approved farm in non-approved zone for farms in Bavaria and Baden-Württemberg with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status.
- (8) France has submitted the justifications for obtaining the status of approved farm in non-approved zone for farms in Aquitaine, and Artois-Picardie with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status.
- (9) Italy has submitted the justifications for obtaining the status of approved farm in non-approved zone for farms in the Autonomous provinces of Veneto, Trento, Valle D'Aosta and Friuli-Venezia Giulia with regard to VHS and IHN, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status.
- (10) The documentation provided by France and Italy for the zones concerned, shows that those zones meet the requirements of Article 5 of Directive 91/67/EEC. They therefore qualify for the status of approved zone and should be added to the list of approved zones. Annex I of Decision 2002/308/EC should therefore be amended accordingly.
- (11) The documentation provided by Austria, Germany, France and Italy for the farms concerned, shows that those farms meet the requirements of Article 6 of Directive 91/67/EEC. They therefore qualify for the status of approved farm in a non-approved zone and should be added to the list of approved farms. Annex II of Decision 2002/308/EC should therefore be amended accordingly.

<sup>(1)</sup> OJ L 46, 19.2.1991, p. 1.<sup>(2)</sup> OJ L 189, 3.7.1998, p. 12.<sup>(3)</sup> OJ L 106, 23.4.2002, p. 28.<sup>(4)</sup> OJ L 173, 3.7.2002, p. 17.<sup>(5)</sup> OJ L 203, 28.7.2001, p. 23.



- (12) Denmark and Germany have informed the Commission about the need for a corrigendum in Annex I and Annex II to Decision 2002/308/EC, due to typing errors in the name of the approved zone, and the postal code of the approved farm respectively.
- (13) 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. Annex I to Decision 2002/308/EC is hereby replaced by the Annex I hereto.

2. Annex II to Decision 2002/308/EC is hereby replaced by the Annex II hereto.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

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## ANNEX I

**ZONES APPROVED WITH REGARD TO ONE OR MORE OF THE FISH DISEASES VHS AND IHN****1.A. ZONES <sup>(1)</sup> IN DENMARK APPROVED WITH REGARD TO VHS**

- |                       |                     |
|-----------------------|---------------------|
| — Hansted Å           | — Slette Å          |
| — Hovmølle Å          | — Bredkær Bæk       |
| — Grenå               | — Vandløb til Kilen |
| — Treå                | — Resenkær Å        |
| — Alling Å            | — Klostermølle Å    |
| — Kastbjerg           | — Hvidbjerg Å       |
| — Villestrup Å        | — Knidals Å         |
| — Korup Å             | — Spang Å           |
| — Sæby Å              | — Simested Å        |
| — Elling Å            | — Skals Å           |
| — Uggerby Å           | — Jordbro Å         |
| — Lindenberg Å        | — Fåremølle Å       |
| — Øster Å             | — Flynder Å         |
| — Hasseris Å          | — Damhus Å          |
| — Binderup Å          | — Karup Å           |
| — Vidkær Å            | — Gudenåen          |
| — Dybvad Å            | — Halkær Å          |
| — Bjørnsholm Å        | — Storåen           |
| — Trend Å             | — Århus Å           |
| — Lerkenfeld Å        | — Bygholm Å         |
| — Vester Å            | — Grejs Å           |
| — Lønnerup med tilløb | — Ørum Å            |

**1.B. ZONES IN DENMARK APPROVED WITH REGARD TO IHN**

- Denmark <sup>(2)</sup>

**2. ZONES IN GERMANY APPROVED WITH REGARD TO VHS AND IHN****2.1. BADEN WÜRTTEMBERG <sup>(3)</sup>**

- Isenburger Tal from the source to the water outlet of the farm Falkenstein,
- Eyach and its tributaries from the sources to the first weir downstream situated near the town Haigerloch.

**3. ZONES IN SPAIN APPROVED WITH REGARD TO VHS AND IHN****3.1. REGION: AUTONOMOUS COMMUNITY OF ASTURIAS****Continental zones**

- All water catchment areas of Asturias

**Coastal zones**

- The entire coast of Asturias

**3.2. REGION: AUTONOMOUS COMMUNITY OF GALICIA****Continental zones**

- The water catchment areas of Galicia:
  - including the water catchment areas of the river Eo, the river Sil from its source in the province of León, the river Miño from its source to the barrier of Friera, and the river Limia from its source to the barrier Das Conchas,
  - excluding the water catchment area of the river Tamega.

<sup>(1)</sup> The water catchment areas and the coastal areas belonging thereto.

<sup>(2)</sup> Including all continental and coastal areas within its territory.

<sup>(3)</sup> Parts of water catchment areas.

**Coastal zones**

- The coastal area in Galicia from the mouth of the river Eo (Isla Pancha) to the Cabo Silliero of the Ría de Vigo,
- The coastal area from Cabo Silliero to the Punta Picos (mouth of the river Miño) is considered as a buffer zone.

## 3.3. REGION: AUTONOMOUS COMMUNITY OF ARAGON

**Continental zones**

- River Aragón from its source to the barrier of Caparroso in the province of Navarra,
- River Gállego from its source to the barrier of Ardisa,
- River Sotón from its source to the barrier of Sotonera,
- River Isuela from its source to the barrier of Arguis,
- River Flúmen from its source to the barrier of Santa María de Belsue,
- River Guatzalema from its source to the barrier of Vadiello,
- River Cinca from its source to barrier of Grado,
- River Esera from its source to the barrier of Barasona,
- River Noguera-Ribagorzana from its source to the barrier of Santa Ana,
- River Huecha from its source to the dam of Alcalá de Moncayo,
- River Jalón from its source to the dam of Alagón,
- River Huerva from its source to barrier of Mezalocha,
- River Aguasvivas from its source to the barrier of Moneva,
- River Martín from its source to the barrier of Cueva Foradada,
- River Escuriza from its source to the barrier of Escuriza,
- River Guadalupe from its source to the barrier of Caspe,
- River Matarraña from its source to the barrier of Aguas de Pena,
- River Pena from its source to the barrier of Pena,
- River Guadalaviar-Turia from its source to the barrier of the Generalísimo in the province of Valencia,
- River Mijares from its source to the barrier of Arenós in the province of Castellón.

The other watercourses of the Community of Aragón and the river Ebro along its course in the said Community are considered as a buffer zone.

## 3.4. REGION: AUTONOMOUS COMMUNITY OF NAVARRA

**Continental Zones**

- River Bidasoa from its source to its mouth,
- River Leizarán from its source to the barrier of Leizarán (Muga),
- River Arakil-Arga from its source to the barrier of Falces,
- River Ega from its source to the barrier of Allo,
- River Aragón from its source in the province of Huesca (Aragón) to the barrier of Caparroso (Navarra).

The other watercourses of the Community of Navarra and the river Ebro along its course through the said Community are considered as a buffer zone.

## 3.5. REGION: AUTONOMOUS COMMUNITY OF CASTILLA AND LEÓN

**Continental zones**

- river Duero from its source to the barrier of Aldeávila,
- river Ebro from its source in the Autonomous Community of Cantabria to the barrier of Sobrón,
- river Queiles from its source to the barrier of Los Fayos,
- river Tiétar from its source to the barrier of Rosarito,
- river Alberche from its source to the barrier of Burguillos.

The other watercourses of the Autonomous Community of Castilla and León are considered as a buffer zone.

## 3.6. REGION: AUTONOMOUS COMMUNITY OF CANTABRIA

**Continental zones**

The water catchment areas of the following rivers from their source to the sea:

- River Deva,
- River Nansa,
- River Saja-Besaya,
- River Pas-Pisueña,
- River Asón,
- River Agüera.

The water catchment areas of the rivers Gandarillas, Escudo, Miera y Campiazo are considered as a buffer zone.

**Coastal zones**

- The entire coast of Cantabria from the mouth of the river Deva until the creek of Ontón.

## 4.A. ZONES IN FRANCE APPROVED WITH REGARD TO VHS AND IHN

## 4.A.1. ADOUR-GARONNE

**Catchment areas**

- The Charente basin,
- The Seudre basin,
- The basins of the coastal rivers in the Gironde estuary in the department of Charente-Maritime,
- The catchment areas of the Nive and the Nivelles (Pyrenées Atlantiques),
- The Forges basin (Landes),
- The catchment area of the Dronne (Dordogne), from the source to the Eglisottes dam at Monfourat,
- The catchment area of the Beauronne (Dordogne), from the source to the Faye dam,
- The catchment area of the Valouse (Dordogne), from the source to the Etang des Roches Noires dam,
- The catchment area of the Paillasse (Gironde), from the source to the Grand Forge dam,
- The catchment area of the Ciron (Lot-et-Garonne, Gironde), from the source to the Moulin de Castaing dam,
- The catchment area of the Petite Leyre (Landes), from the source to the Pont-de- l'Espine dam at Argelouse,
- The catchment area of the Pave (Landes), from the source to the Pave dam,
- The catchment area of the Escource (Landes), from the source to the Moulin-de-Barbe dam,
- The catchment area of the Geloux (Landes), from the source to the D38 dam at Saint-Martin-d'Oney,
- The catchment area of the Estrigon (Landes), from the source to the Campet-et-Lamolère dam,
- The catchment area of the Estampon (Landes), from the source to the Ancienne Minoterie dam at Roquefort,
- The catchment area of the Gélise (Landes, Lot-et-Garonne), from the source to the dam downstream of the confluence of the Gélise and the Osse,
- The catchment area of the Magescq (Landes), from the source to the mouth,
- The catchment area of the Luys (Pyrénées-Atlantiques), from the source to the Moulin- d'Oro dam,
- The catchment area of the Neez (Pyrénées-Atlantiques), from the source to the Jurançon dam,
- The catchment area of the Beez (Pyrénées-Atlantiques), from the source to the Nay dam,
- The catchment area of the Gave-de-Cauterets (Hautes-Pyrénées), from the source to the Calypso dam of the Soulom power station.

**Coastal areas**

- The whole of the Atlantic coast between the northern boundary of the department of Vendée and the southern boundary of the department of Charente-Maritime.

## 4.A.2. LOIRE-BRETAGNE

**Continental zones**

- All catchment areas in the region of Brittany with the exception of the following catchment areas:
  - Vilaine,
  - Aven,
  - Ster-Goz,
  - the downstream part of the catchment area of the Elorn,
- The Sèvre Niortaise basin,
- The Lay basin,
- The following catchment areas of the Vienne basin:
  - The catchment area of the river La Vienne, from the sources to the dam of Châtelleraut in the department of La Vienne,
  - The catchment area of the river La Gartempe, from the sources to the dam (with a grid) of Saint-Pierre de Maillé in the department of La Vienne,
  - The catchment area of the river La Creuse, from the sources to the dam of Bénavent in the department of l'Indre,
  - The catchment area of the river Le Suin, from the sources to the dam of Douadic in the department of l'Indre,
  - The catchment area of the river La Claise, from the sources to the dam of Bossay-sur-Claise in the department of l'Indre and Loire,
  - The catchment area of the brooks of Velleches and of des trois Moulins, from the sources to the dams of des trois Moulins in the department of La Vienne,
  - The basins of the Atlantic coastal rivers in the department of Vendée.

**Coastal areas**

- The entire coast of Brittany with the exception of the following parts:
  - Rade de Brest,
  - Anse de Camaret,
  - The coastal zone between the 'pointe de Trévignon' and the mouth of the river Laïta,
  - The coastal zone between the mouth of the river Tohon up to the border of the department.

## 4.A.3. SEINE-NORMANDIE

**Continental zones**

- The Sélune basin.

## 4.A.4. 4.A.4 Region Aquitaine

**Catchment areas**

- The catchment area of river Vignac from the source to the barrier 'la Forge',
- The catchment area of river Gouaneyre from the source to the barrier 'Maillières dam'.

## 4.B. ZONES IN FRANCE APPROVED WITH REGARD TO VHS

## 4.B.1. LOIRE-BRETAGNE

**Continental zones**

- The part of the Loire basin comprising the upstream part of the Huisne catchment area from the source of the water courses to the Ferté-Bernard dams.

**4.C. ZONES IN FRANCE APPROVED WITH REGARD TO IHN****4.C.1. LOIRE-BRETAGNE****Continental zones**

- The following catchment area of the Vienne basin:
  - The catchment area of the l'Anglin, from the sources to the dams of:
    - EDF de Châtellerault on the river La Vienne, in the department of la Vienne,
    - Saint-Pierre de Maillé on the river La Gartempe, in the department of la Vienne,
    - Bénavent on the river La Creuse, in the department of l'Indre,
    - Douadic on the river Le Suin, in the department of l'Indre,
    - Bossay-sur-Claise on the river La Claise, in the department of l'Indre and Loire.

**5.A. ZONES IN IRELAND APPROVED WITH REGARD TO VHS**

- Ireland <sup>(1)</sup>, excluding Cape Clear Island.

**5.B. ZONES IN IRELAND APPROVED WITH REGARD TO IHN**

- Ireland.

**6.A. ZONES IN ITALY APPROVED WITH REGARD TO VHS AND IHN****6.A.1. REGION OF TRENTINO ALTO ADIGE, AUTONOMOUS PROVINCE OF TRENTO****Continental zones**

- Zona Val di Fiemme e Fassa: Water catchment area of the river Avisio, from the source to the artificial barrier of Stramentizzo,
- Zona Val delle Sorne: Water catchment area of the river Sorna from the source to the artificial barrier constituted by the hydro-electric power station located in the Chizzola (Ala) locality, before reaching the Adige river,
- Zona Torrente Adanà: Water catchment area of the river Adanà from the source to the artificial series of barriers situated downstream of the farm Armani Cornelio-Lardaro,
- Zona Rio Manes: Zone which collects the Rio Manes water down to a waterfall located 200 metres downstream of the farm 'Troticoltura Giovanelli' located in the 'La Zinquantina' locality.

**6.A.2. REGION OF LOMBARDIA, PROVINCE OF BRESCIA****Continental zones**

- Zona Ogliolo: The water catchment area from the source of Ogliolo stream to the waterfall, situated downstream of the Adamello fish farm, where Ogliolo stream joins the Oglio river.

**6.A.3. REGION OF UMBRIA, PROVINCE OF PERUGIA****Continental zones**

- Zona Lago Trasimeno: The lake Trasimeno.

**6.A.4. REGION OF VENETO****Continental zones**

- Zona Belluno: The water catchment area in the province of Belluno from the source of the stream Ardo to the downstream barrier (situated before the stream Ardo flows into the river Piave) of the farm Centro Sperimentale di Acquacoltura, Valli di Bolzano Bellunese, Belluno.

(<sup>1</sup>) Including all continental and coastal areas within its territory.

**6.B. ZONES IN ITALY APPROVED WITH REGARD TO VHS****6.B.1. REGION OF TRENTINO ALTO ADIGE, AUTONOMOUS PROVINCE OF TRENTO****Continental zones**

- Zona Valle dei Laghi: Water catchment area of the lakes of San Massenza, Toblino and Cavedine to the downstream barrier in the south part of the lake of Cavedine leading to the hydro-electric power station located in the Torbole municipality.

**7.A. ZONES IN SWEDEN APPROVED WITH REGARD TO VHS**

- Sweden <sup>(1)</sup>:
  - excluding the area of the West Coast within a semicircle of 20 kilometres radius around the fish farm situated on the Island of Björkö, as well as the estuaries and the water catchment areas of the rivers Göta and Sävne up to each of their first migration barrier (situated at Trollhättan and the inlet to the lake Aspen respectively).

**7.B. ZONES IN SWEDEN APPROVED WITH REGARD TO IHN**

- Sweden <sup>(1)</sup>

**8. ZONES IN THE UNITED KINGDOM, THE CHANNEL ISLANDS AND THE ISLE OF MAN APPROVED WITH REGARD TO VHS AND IHN**

- Great Britain <sup>(1)</sup>,
- Northern Ireland <sup>(1)</sup>,
- Guernsey <sup>(1)</sup>,
- The Isle of Man <sup>(1)</sup>.

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<sup>(1)</sup> Including all continental and coastal areas within its territory.

## ANNEX II

## FISH FARMS APPROVED WITH REGARD TO ONE OR MORE OF THE FISH DISEASES VHS AND IHN

## 1. FISH FARMS IN BELGIUM APPROVED WITH REGARD TO VHS AND IHN

1.	La Fontaine aux truites	B-6769 Gérouville
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## 2. FISH FARMS IN DENMARK APPROVED WITH REGARD TO VHS AND IHN

1.	Vork Dambrug	DK-6040 Egtved
2.	Egebæk Dambrug	DK-6880 Tarm
3.	Bækkelund Dambrug	DK-6950 Ringkøbing
4.	Borups Geddeopdræt	DK-6950 Ringkøbing
5.	Bornholms Lakseklækkeri	DK-3730 Nexø
6.	Langes Dambrug	DK-6940 Lem St.
7.	Brænderigårdens Dambrug	DK-6971 Spjald
8.	Siglund Fiskeopdræt	DK-4780 Stege

## 3. FISH FARMS IN GERMANY APPROVED WITH REGARD TO VHS AND IHN

## 3.1. LOWER SAXONY

1.	Jochen Moeller	Fischzucht Harkenbleck D-30966 Hemmingen-Harkenbleck
2.	Versuchsgut Reliehausen der Universität Göttingen	(hatchery only) D-37586 Dassel
3.	Dr. R. Rosengarten	Forellenzucht Sieben Quellen D-49124 Georgsmarienhütte
4.	Klaus Kröger	Fischzucht Klaus Kröger D-21256 Handeloh Wörme
5.	Ingeborg Riggert-Schlumbohm	Forellenzucht W. Riggert D-29465 Schnega
6.	Volker Buchtman	Fischzucht Nordbach D-21441 Garstedt
7.	Sven Kramer	Forellenzucht Kaierde D-31073 Delligsen
8.	Hans-Peter Klusak	Fischzucht Grönegau D-49328 Melle
9.	F. Feuerhake	Forellenzucht Rheden D-31039 Rheden
10.	Horst Pöpke	Fischzucht Pöpke Hauptstraße 14 D-21745 Hemmoor



## 3.2. THURINGIA

1.	Firma Tautenhahn	D-98646 Troststadt
2.	Thüringer Forstamt Leinefelde	Fischzucht Worbis D-37327 Leinefelde
3.	Fischzucht Salza GmbH	D-99734 Nordhausen-Salza
4.	Fischzucht Kindelbrück GmbH	D-99638 Kindelbrück
5.	Reinhardt Strecker	Forellenzucht Orgelmühle D-37351 Dingelstadt

## 3.3. BADEN-WÜRTTEMBERG

1.	Heiner Feldmann	Riedlingen/Neufra D-88630 Pfullendorf
2.	Walter Dietmayer	Forellenzucht Walter Dietmayer, Hettingen D-72501 Gammertingen
3.	Heiner Feldmann	Bad Waldsee D-88630 Pfullendorf
4.	Heiner Feldmann	Bergatreute D-88630 Pfullendorf
5.	Oliver Fricke	Anlage Wuchzenhofen, Boschenmühle D-87764 Mariasteinbach-Legau 13 ½
6.	Peter Schmaus	Fischzucht Schmaus, Steinental D-88410 Steinental/Hauerz
7.	Josef Schnetz	Fenkenmühle D-88263 Horgenzell
8.	Erwin Steinhart	Quellwasseranlage Steinhart, Hettingen D-72513 Hettingen
9.	Hugo Strobel	Quellwasseranlage Otterswang, Sägmühle D-72505 Hausen am Andelsbach
10.	Reinhard Lenz	Forsthaus, Gaimühle D-64759 Sensbachtal
11.	Peter Hofer	Sulzbach D-78727 Aistaig/Oberndorf
12.	Stephan Hofer	Oberer Lautenbach D-78727 Aistaig/Oberndorf
13.	Stephan Hofer	Unterer Lautenbach D-78727 Aistaig/Oberndorf
14.	Stephan Hofer	Schelklingen D-78727 Aistaig/Oberndorf
15.	Hubert Schuppert	Brutanlage: Obere Fischzucht Mastanlage: Untere Fischzucht D-88454 Unteressendorf
16.	Johannes Dreier	Brunnentobel D-88299 Leutkirch/Hebrachhofen
17.	Peter Störk	Wagenhausen D-88348 Saulgau
18.	Erwin Steinhart	Geislingen/St. D-73312 Geislingen/St.

19.	Joachim Schindler	Forellenzucht Lohmühle D-72275 Alpirsbach
20.	Heribert Wolf	Forellenzucht Sohnius D-72160 Horb-Diessen
21.	Claus Lehr	Forellenzucht Reinerzau D-72275 Alpirsbach-Reinerzau
22.	Hugo Hager	Bruthausanlage D-88639 Walbertsweiler
23.	Hugo Hager	Waldanlage D-88639 Walbertsweiler
24.	Gumpper und Stöll GmbH	Forellenhof Rössle, Honau D-72805 Liechtenstein
25.	Ulrich Ibele	Pfrungen D-88271 Pfrungen
26.	Hans Schmutz	Brutanlage 1, Brutanlage 2, Brut- und Setzlings- anlage 3 (Hausanlage) D-89155 Erbach
27.	Wilhelm Drafehn	Obersimonswald D-77960 Seelbach
28.	Wilhelm Drafehn	Brutanlage Seelbach D-77960 Seelbach
29.	Franz Schwarz	Oberharmersbach D-77784 Oberharmersbach
30.	Meinrad Nuber	Langenenslingen D-88515 Langenenslingen
31.	Anton Spieß	Höhmühle D-88353 Kifleg
32.	Karl Servay	Osterhofen D-88339 Bad Waldsee
33.	Kreissportfischereiverein Biberach	Warthausen D-88400 Biberach
34.	Hans Schmutz	Gossenzugen D-89155 Erbach
35.	Reinhard Rösch	Haigerach D-77723 Gengenbach
36.	Harald Tress	Unterlauchringen D-79787 Unterlauchringen
37.	Alfred Tröndle	Tiefenstein D-79774 Albbruck
38.	Alfred Tröndle	Unteralpfen D-79774 Unteralpfen
39.	Peter Hofer	Schenkenbach D-78727 Aistaig/Oberndorf
40.	Heiner Feldmann	Bainders D-88630 Pfullendorf
41.	Andreas Zordel	Fischzucht Im Gänsebrunnen D-75305 Neuenbürg

42.	Hans Fischböck	Forellenzucht am Kocherursprung D-73447 Oberkochen
43.	Hans Fischböck	Fischzucht D-73447 Oberkochen
44.	Josef Dürr	Forellenzucht Igersheim D-97980 Bad Mergentheim
45.	Kurt Englerth und Sohn GBR	Anlage Berneck D-72297 Seewald
46.	Fischzucht Anton Jung	Anlage Rohrsee D-88353 Kisslegg
47.	Staatliches Forstamt Wangen	Anlage Karsee D-88239 Wangen i.A.
48.	Simon Phillipson	Anlage Weissenbronnen D-88364 Wolfegg
49.	Hans Kläiber	Anlage Bad Wildbad D-75337 Enzklösterle
50.	Josef Hönig	Forellenzucht Hönig D-76646 Bruchsal-Heidelsheim
51.	Werner Baur	Blitzenreute D-88273 Fronreute-Blitzenreute
52.	Gerhard Weihmann	Mägerkingen D-72574 Bad Urach-Seeburg
53.	Hans und Hubert Belser GBR	Dettingen D-72401 Haigerloch-Gruol
54.	Staatliche Forstämter Ravensburg und Wangen	Altdorfer Wald D-88214 Ravensburg
55.	Anton Jung	Bunkhoferweiher, Schanzwiesweiher und Häcklerweiher D-88353 Kisslegg
56.	Hildegart Litke	Holzweiher D-88480 Achstetten
57.	Werner Wägele	Ellerazhofer Weiher D-88319 Aitrach
58.	Ernst Graf	Hatzenweiler Osterbergstraße 8 D-88239 Wangen-Hatzenweiler
59.	Fischbrutanstalt des Landes Baden-Württemberg	Obereisenbach Argenweg 50 D-88085 Langenargen
60.	Johann-Georg Huchler	Gutenzell Ochsenhauserstraße 17 D-88484 Gutenzell
61.	Meinrad Nuber	Ochsenhausen Obere Wiesen 1 D-88416 Ochsenhausen
62.	Bezirksfischereiverein Nagoldtal e.V.	Kentheim Lange Steige 34 D-75365 Calw
63.	Berd und Volker Fähnrich	Neumühle D-88260 Ratzenried-Argenbühl

64.	Klaiber 'An der Tierwiese'	Hans Klaiber Rathausweg 7 D-75377 Enzklösterle
65.	Parey, Bittigkoffer — Unterreichenbach	Klaus Parey Mörikeweg 17 D-75331 Engelsbrand 2

## 3.4. NORTH RHINE-WESTPHALIA

1.	Wolfgang Lindhorst-Emme	Hirschquelle D-33758 Schloß Holte-Stukenbrock
2.	Wolfgang Lindhorst-Emme	Am Oelbach D-33758 Schloß Holte-Stukenbrock
3.	Hugo Rameil und Söhne	Sauerländer Forellenzucht D-57368 Lennestadt-Gleierbrück
4.	Peter Horres	Ovenhausen, Jätzer Mühle D-37671 Höxter
5.	Wolfgang Middendorf	Fischzuchtbetrieb Middendorf D-46348 Raesfeld

## 3.5. BAVARIA

1.	Gerstner Peter	(Forellenzuchtbetrieb Juraquell) Wellheim D-97332 Volkach
2.	Werner Ruf	Fischzucht Wildbad D-86925 Fuchstal-Leeder
3.	Rogg	Fisch Rogg D-87751 Heimertingen
4.	Fischzucht Graf — anlage D-87737 Reichau	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz
5.	Fischzucht Graf — anlage D-87737 Klosterbeuren	Fischzucht Graf GbR Engishausen 64 D-87743 Egg an der Günz

## 3.6. SAXONY

1.	Anglerverband Südsachsen 'Mulde/Elster' e.V.	Forellenanlage Schlettau D-09487 Schlettau
2.	H. und G. Ermisch GbR	Forellen- und Lachszucht D-01844 Langburkersdorf

## 3.7. HESSEN

1.	Hermann Rameil	Fischzuchtbetriebe Hermann Rameil D-34311 Naumburg OT Altendorf
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## 4. FISH FARMS IN SPAIN APPROVED WITH REGARD TO VHS AND IHN

## 4.1. REGION: AUTONOMOUS COMMUNITY OF ARAGON

1.	Truchas del Prado	located in Alcala de Ebro, Province of Zaragoza (Aragón)
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## 5.A. FISH FARMS IN FRANCE APPROVED WITH REGARD TO VHS AND IHN

## 5.A.1. ADOUR-GARONNE

1.	Pisciculture de Sarrance	F-64490 Sarrance (Pyrénées-Atlantiques)
2.	Pisciculture des Sources	F-12540 Cornus (Aveyron)
3.	Pisciculture de Pissos	F-40410 Pissos (Landes)
4.	Pisciculture de Tambareau	F-40000 Mont-de-Marsan (Landes)
5.	Pisciculture 'Les Fontaines d'Escot'	F-64490 Escot (Pyrénées-Atlantiques)
6.	Pisciculture de la Forge	F-47700 Casteljaloux (Lot-et-Garonne)

## 5.A.2. ARTOIS-PICARDIE

1.	Pisciculture du Moulin du Roy	F-62156 Rémy (Pas-de-Calais)
2.	Pisciculture du Bléquin	F-62380 Séninghem (Pas-de-Calais)
3.	Pisciculture de Earls Feldmann 76340 Hodeng-Au-Bosc	F-80580 Bray-les-Mareuil
4.	Pisciculture Bonnelle à Ponthoile	Bonnelle, F-80133 Ponthoile M. Sohier 26, rue George Deray F-80100 Abbeville
5.	Pisciculture Bretel à Gezaincourt	Bretel, F-80600 Gezaincourt-Doulens M. Sohier 26, rue George Deray F-80100 Abbeville

## 5.A.3. AQUITAINE

1.	SARL Salmoniculture de la Ponte — Station d'alevinage du Ruisseau Blanc	Le Meysout — F-40120 Arue
2.	L'EPST-INRA Pisciculture à Lees Athas	Saillet et Esquit — F-64490 Lees Athas INRA — BP-3 F-64310 Saint-Pee-sur-Nivelle

## 5.A.4. DROME

1.	Pisciculture 'Sources de la Fabrique'	40, Chemin de Robinson F-26000 Valence
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## 5.A.5. HAUTE-NORMANDIE

1.	Pisciculture des Godeliers	F-27210 Le Torpt
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## 5.A.6. LOIRE-BRETAGNE

1.	SCEA 'Truites du lac de Cartravers'	Bois-Boscher F-22460 Merleac (Côtes d'Armor)
2.	Pisciculture du Thélohier	F-35190 Cardroc (Ille-et-Vilaine)
3.	Pisciculture de Plainville	F-28400 Marolles-les-Buis (Eure-et-Loir)
4.	Pisciculture Rémon à Parné-sur-Roc	SARL Remon 21, rue de la Véquerie F-53260 Parne-sur-Roc (de la Mayenne)

## 5.A.7. RHIN-MEUSE

1.	Pisciculture du ruisseau de Dompierre	F-55300 Lacroix-sur-Meuse (Meuse)
2.	Pisciculture de la source de la Deüe	F-55500 Cousances-aux-Bois (Meuse)

## 5.A.8. RHONE-MEDITERRANEE-CORSE

1.	Pisciculture Charles Murgat	Les Fontaines F-38270 Beaufort (Isère)
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## 5.A.9. SEINE-NORMANDIE

1.	Pisciculture du Vaucheron	F-55130 Gondrecourt-le-Château (Meuse)
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## 5.B FISH FARMS IN FRANCE APPROVED WITH REGARD TO VHS

## 5.B.1. ARTOIS-PICARDIE

1.	Pisciculture de Sangheen	F-62102 Calais (Pas-de-Calais)
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## 6. FISH FARMS IN ITALY APPROVED WITH REGARD TO VHS AND IHN

## 6.1. REGION: FRIULI VENEZIA GIULIA

**the River Stella basin**

1.	Azienda ittica agricola Collavini Mario	Via Tiepolo, 12 I-33032 Bertiolo (UD) No I096UD005
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**the Tagliamento river basin**

2.	Nuova Azzurra SpA	Nuova Azzurra SpA Via Molino del Cucco, 38 Rivoli di Osoppo (UD)
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## 6.2. PROVINCIA: AUTONOMA DI TRENTO

**the Noce basin**

1.	Ass. Pescatori Solandri (Loc. Fucine)	Cavizzana
2.	Troticoltura di Grossi Roberto	Grossi Roberto Via Molini, 11 Monoclassico (TN) No 121TN010

**the Brenta basin**

3.	Campestrin Giovanni	Telve Valsugana (Fontane)
4.	Ittica Resenzola Serafini	Grigno
5.	Ittica Resenzola Selva	Grigno
6.	Leonardi F.lli	Levico Terme (S. Giuliana)
7.	Dellai Giuseppe-Trot. Valsugana	Grigno (Fontana Secca, Maso Puele)
8.	Capello Paolo	Via Zacconi, 21 Loc. Maso Fontane, Roncegno

**the Adige basin**

9.	Celva Remo	Pomarolo
10.	Margonar Domenico	Ala (Pilcante)
11.	Degiuli Pasquale	Mattarello (Regole)
12.	Tamanini Livio	Vigolo Vattaro
13.	Troticoltura Istituto Agrario di S. Michele a/A.	S. Michele all'Adige

**Sarca basin**

14.	Ass. Pescatori Basso Sarca	Ragoli (Pez)
15.	Stab. Giudicariense La Mola	Tione (Delizia d'Ombra)

16.	Azienda Agricola La Sorgente s.s.	Tione (Saone)
17.	Fonti del Dal s.s.	Lomaso (Dasindo)
18.	Comfish Srl (ex Paletti)	Preore (Molina)
19.	Ass. Pescatori Basso Sarca	Tenno (Pranzo)
20.	Troticoltura 'La Fiana'	Di Valenti Claudio (Bondo)

**Chiese basin**

21.	Facchini Emiliano	Pieve di Bono (Agrone)
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## 6.3. REGION: UMBRIA

**Nera River Vallex**

1.	Impianto Ittogenico provinciale	Loc Ponte di Cerreto di Spoleto (PG) — Public Plant (Province of Perugia)
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## 6.4. REGION: VENETO

**Astico basin**

1.	Centro Ittico Valdastico	Valdastico (Veneto, Province Vicenza)
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**River Lietta basin**

2.	Azienda Agricola Lietta sas	Via Rai, 3 I-31010 Ormelle (TV) No 052TV074
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**River Bacchiglione basin**

3.	Azienda Agricola Troticoltura Grosselle Massimo	Massimo Grosselle Via Palmirona, 18 Sandrigo (VI) No 091VI831
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## 6.5. REGION: VALLE D'AOSTA

**River Dora Baltea basin**

1.	Stabilimento ittogenico regionale	Rue Mont Blanc, 14 Morgex (AO)
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## 7. FISH FARMS IN AUSTRIA APPROVED WITH REGARD TO VHS AND IHN

1.	Alois Köttl	Forellenzucht Alois Köttl A-4872 Neukirchen a.d. Vöckla
2.	Herbert Böck	Forellenhof Kaumberg A-2572 Kaumberg, Höfnergraben 1



**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 2204/2002 of 12 December 2002 on the application of Articles 87 and 88 of the EC Treaty to State aid for employment**

*(Official Journal of the European Communities L 337 of 13 December 2002)*

In the table of contents on the cover page, in the title on page 3, and in the date of enactment on page 11:

*for:* '12 December 2002',

*read:* '5 December 2002'.

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