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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1424/2002 of 2 August 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
★ Commission Regulation (EC) No 1425/2002 of 2 August 2002 amending Regulation (EC) No 97/95 as regards the 2002/03 marketing year for the production of potato starch	3
★ Commission Regulation (EC) No 1426/2002 of 2 August 2002 amending Regulation (EC) No 449/2001 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables	4
★ Commission Regulation (EC) No 1427/2002 of 2 August 2002 amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables	6
★ Commission Regulation (EC) No 1428/2002 of 2 August 2002 derogating from Regulation (EC) No 609/2001 as regards the implementation of certain provisions for 2002	8
★ Commission Regulation (EC) No 1429/2002 of 2 August 2002 establishing detailed rules for the application of the tariff quotas for beef and veal as laid down in Council Regulations (EC) No 1151/2002, (EC) No 1362/2002 and (EC) No 1361/2002 for Estonia, Latvia and Lithuania	9
Commission Regulation (EC) No 1430/2002 of 2 August 2002 suspending the buying-in of butter in certain Member States	14
Commission Regulation (EC) No 1431/2002 of 2 August 2002 altering the export refunds on beef	15

Council

2002/634/EC:

- ★ **Council Decision of 22 July 2002 amending Decision 2001/76/EC in respect of export credits for ships** 16

Commission

2002/635/EC:

- ★ **Commission Decision of 31 July 2002 amending Decisions 92/160/EEC, 92/260/EEC and 93/197/EEC with regard to importation of registered horses from Turkey and repealing Decision 98/404/EC ⁽¹⁾ (notified under document number C(2002) 2878)** ... 20

2002/636/EC:

- ★ **Commission Decision of 31 July 2002 on the temporary admission of horses participating in the World Equestrian Games in Spain in 2002 ⁽¹⁾ (notified under document number C(2002) 2884)** 27

2002/637/EC:

- ★ **Commission Decision of 31 July 2002 amending Decision 92/452/EEC establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community as regards Canada ⁽¹⁾ (notified under document number C(2002) 2888)** 29

2002/638/EC:

- ★ **Commission Decision of 31 July 2002 conferring management of aid on implementing agencies for pre-accession measures in agriculture and rural development Romania in the pre-accession period** 31

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1424/2002
of 2 August 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 ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 August 2002.

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

Done at Brussels, 2 August 2002.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 2 August 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	052	72,3
	999	72,3
0709 90 70	052	75,1
	999	75,1
0805 50 10	388	54,9
	524	64,1
	528	53,7
	999	57,6
0806 10 10	052	125,5
	064	114,9
	220	117,4
	508	75,3
	600	143,2
	624	190,3
	999	127,8
0808 10 20, 0808 10 50, 0808 10 90	388	89,1
	400	124,1
	508	65,7
	512	92,0
	524	31,4
	528	107,5
	804	99,3
	999	87,0
0808 20 50	052	124,7
	388	94,8
	512	79,7
	528	92,6
	804	66,9
0809 20 95	999	91,7
	052	411,1
	400	321,0
	404	254,4
0809 30 10, 0809 30 90	999	328,8
	052	104,5
	999	104,5
0809 40 05	064	61,2
	999	61,2

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

COMMISSION REGULATION (EC) No 1425/2002
of 2 August 2002
amending Regulation (EC) No 97/95 as regards the 2002/03 marketing year for the production of
potato starch

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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 8(5) thereof,

Having regard to Council Regulation (EC) No 1868/94 of 27 July 1994 establishing a quota system in relation to the production of potato starch ⁽³⁾, as last amended by Regulation (EC) No 962/2002 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas:

- (1) The amounts applicable for the 2001/02 marketing year as regards the minimum price and the payment to the producer, fixed by Regulation (EEC) No 1766/92, and the premium for potato starch producers, fixed by Regulation (EC) No 1868/94, are unchanged for the 2002/03 marketing year.
- (2) Annex II to Commission Regulation (EC) No 97/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2718/1999 ⁽⁶⁾, establishes the minimum price, the premium to be paid to the starch producer and the payment to be paid to the producer for potatoes based on their starch content and the underwater weight of 5 050 g of potato up to the 2001/02 marketing year. That Annex should therefore

be amended with a view to applying it to the 2002/03 marketing year using the same amounts as those applied in the 2001/02 marketing year.

- (3) To ensure the continuity of the marketing years, the measures provided for in this Regulation must apply from 1 July 2002.
- (4) Regulation (EC) No 97/95 must be amended accordingly.
- (5) 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

In Annex II to Regulation (EC) No 97/95 the subheading 'Part B: 2001/02 marketing year' is replaced by 'Part B: 2001/02 and 2002/03 marketing years'.

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 July 2002.

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

Done at Brussels, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 197, 30.7.1994, p. 4.

⁽⁴⁾ OJ L 149, 7.6.2002, p. 1.

⁽⁵⁾ OJ L 16, 24.1.1995, p. 3.

⁽⁶⁾ OJ L 327, 21.12.1999, p. 37.

COMMISSION REGULATION (EC) No 1426/2002**of 2 August 2002****amending Regulation (EC) No 449/2001 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from 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 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, as last amended by Commission Regulation (EC) No 453/2002 ⁽²⁾, and in particular Articles 6 and 25 thereof,

Whereas:

- (1) Commission Regulation (EC) No 449/2001 ⁽³⁾, as amended by Regulation (EC) No 1343/2001 ⁽⁴⁾, lays down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables.
- (2) Council Regulation (EC) No 2200/96 ⁽⁵⁾, as last amended by Regulation (EC) No 545/2002 ⁽⁶⁾, establishes a common organisation of the markets in fruit and vegetables.
- (3) The dates by which certain information must be sent to the competent authority should be amended to bring them into line with the dates laid down for the integrated administration and control system by Commission Regulation (EC) No 2419/2001 of 11 December 2001 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes established by Council Regulation (EEC) No 3508/92 ⁽⁷⁾, as amended by Regulation (EC) No 2550/2001 ⁽⁸⁾, and to allow delivery certificates to be sent by telex, fax or electronic mail.
- (4) Checks on the quantities delivered for processing should be tightened and provision should be made for cross-checks on areas, and certain changes should also be made to the system of checks and penalties in view of the anomalies found during on-the-spot checks and in order to differentiate between cases where the area declared is larger than the area actually determined, on the one hand, and where it is smaller, on the other.
- (5) In view of the problems found during implementation, provision should be made for some amended rules in

this Regulation to apply, at the request of the interested parties, to cases occurring before its entry into force.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 449/2001 is hereby amended as follows.

1. In the last paragraph of Article 4, 'before 20 May' is replaced by 'by 31 May at the latest'.
2. In the last subparagraph of Article 5(5), 'before 20 May' is replaced by 'by 31 May at the latest'.
3. In the last sentence of Article 6, 'during on-the-spot checks as provided for in Article 18' is replaced by 'during the area checks provided for in Article 18'.
4. The second sentence of the third subparagraph of Article 11(1) is replaced by the following:

'The producer organisation shall also forward a copy, or a telex, fax or electronic mail containing the information laid down in the first subparagraph, no later than the fifth working day following the week of delivery, to the body designated by the Member State where its head office is situated and, where applicable, to the body designated, by the Member State where processing is carried out, to facilitate checks.'
5. The second indent of Article 18(1)(i) is replaced by the following:

'— 7 % of quantities delivered for processing, in order to check that they tally with the certificates referred to in Article 11 and comply with the minimum quality requirements;'

6. Article 18(1)(v) is replaced by the following:

'(v) checks on all aid applications and supporting documents and, in the case of tomatoes, cross-checks on all declared parcels of land.'

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.⁽²⁾ OJ L 72, 14.3.2002, p. 9.⁽³⁾ OJ L 64, 6.3.2001, p. 16.⁽⁴⁾ OJ L 181, 4.7.2001, p. 16.⁽⁵⁾ OJ L 297, 21.11.1996, p. 1.⁽⁶⁾ OJ L 84, 28.3.2002, p. 1.⁽⁷⁾ OJ L 327, 12.12.2001, p. 11.⁽⁸⁾ OJ L 341, 22.12.2001, p. 105.

7. Article 20(5) is replaced by the following:

'5. In the case of tomatoes, if the area checks referred to in Article 18(1)(i) and/or (v) show a discrepancy between the area declared and that actually determined, at the level of the total area checked, the aid payable to the producer organisation shall be reduced, unless the difference is clearly due to error:

- by the percentage of the discrepancy established, if it is more than 5 % but no more than 20 % of the area determined,
- by 30 % if the discrepancy is more than 20 % of the area determined.

Notwithstanding the first subparagraph, where the area declared is less than the area actually determined, the aid payable to the producer organisation shall be reduced by half the percentage of the discrepancy established, and this reduction shall apply only if the discrepancy is more than 10 % of the area determined.'

8. The second and third subparagraphs of Article 21(1) are replaced by the following:

'In addition, the processor's approval as provided for in Article 3(1) shall be suspended:

- for the marketing year following the finding, if the difference referred to in the first subparagraph is more than 10 % but less than 20 %,
- for two marketing years following the finding if the difference is more than 20 %.

For the purposes of applying the first and second subparagraphs, any quantities of finished products, in excess of an 8 % tolerance, not complying with the minimum quality requirements shall be treated as quantities not processed.'

Article 2

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

At the request of the producer organisation or processor concerned, the provisions of Article 1(5), (7) and (8) shall apply to cases occurring before the entry into force of this Regulation.

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

Done at Brussels, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1427/2002
of 2 August 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 ⁽¹⁾, as last amended by Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 ⁽³⁾, as last amended by Regulation (EC) No 906/2002 ⁽⁴⁾, 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 ⁽⁵⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁶⁾.
- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁷⁾ 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 apples should be adjusted.

- (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 September 2002.

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

Done at Brussels, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ OJ L 193, 3.8.1996, p. 1.

⁽⁴⁾ OJ L 142, 31.5.2002, p. 29.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁶⁾ OJ L 68, 12.3.2002, p. 11.

⁽⁷⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

‘ANNEX

Without prejudice to the rules governing 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 by the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	189 144
78.0020			— 1 April to 30 September	14 449
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	6 820
78.0075			— 1 November to 30 April	3 609
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	69 158
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	82 028
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	758 268
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	85 146
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	93 931
78.0155	ex 0805 50 10	Lemons	— 1 June to 31 December	251 805
78.0160			— 1 January to 31 May	15 983
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	653 748
78.0180			— 1 September to 31 December	39 597
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	242 649
78.0235			— 1 July to 31 December	23 432
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 1428/2002**of 2 August 2002****derogating from Regulation (EC) No 609/2001 as regards the implementation of certain provisions for 2002**

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 ⁽¹⁾, as last amended by Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 48 thereof,

Whereas:

- (1) Commission Regulation (EC) No 609/2001 ⁽³⁾ lays down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards operational programmes, operational funds and Community financial assistance.
- (2) Article 11(4) of Regulation (EC) No 609/2001 sets 31 August as the latest date for paying financial assistance to the producer organisations. Annex II thereto sets 1 June and 1 October as the dates by which the Member States must have sent their information to the Commission.
- (3) These provisions impose particular administrative constraints on the Member States again this year, compared to Commission Regulation (EC) No 411/97 ⁽⁴⁾ (previously in force), because of the derogation regarding the operational funds for 2000 provided for in Commission Regulation (EC) No 1120/2001 ⁽⁵⁾. In order to allow the Member States to process the applications for financial assistance from the Member States, a new time limit of 15 October 2002 should be set for paying the financial assistance under Article 11(4) of Regulation (EC) No

609/2001, where the operational funds for 2001 are concerned.

- (4) It is therefore appropriate to set a new deadline of 31 October 2002 for the Member States transmission of information on 2001 to the Commission pursuant to Annex II to Regulation (EC) No 609/2001.
- (5) 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

Member States may postpone aid payments to producer organisations under Article 11(4) of Regulation (EC) No 609/2001 in respect of the operational funds for 2001, until 15 October 2002 at the latest.

Article 2

Member States shall send the Commission the information referred to in Annex II to Regulation (EC) No 609/2001 for 2001 by 31 October 2002 at the latest.

Article 3

This Regulation shall enter into force on the seventh 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, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ OJ L 90, 30.3.2001, p. 4.

⁽⁴⁾ OJ L 62, 4.3.1997, p. 9.

⁽⁵⁾ OJ L 153, 8.6.2001, p. 10.

COMMISSION REGULATION (EC) No 1429/2002

of 2 August 2002

establishing detailed rules for the application of the tariff quotas for beef and veal as laid down in Council Regulations (EC) No 1151/2002, (EC) No 1362/2002 and (EC) No 1361/2002 for Estonia, Latvia and Lithuania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 32(1) thereof,

Whereas:

(1) Council Regulations (EC) No 1151/2002, (EC) No 1362/2002 and (EC) No 1361/2002 of 27 June 2002, 22 July 2002 and 22 July 2002 establishing concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia ⁽³⁾, Latvia ⁽⁴⁾ and Lithuania ⁽⁵⁾ respectively opened certain annual tariff quotas for beef- and veal-based products. Imports under those quotas are exempt from the customs duties fixed in the Common Customs Tariff (CCT). The detailed rules for applying those quotas on a multiannual basis should be adopted for periods of 12 months starting on 1 July, hereinafter known as 'import years'.

(2) To ensure orderly imports, the quantities should be staggered over different periods.

(3) In view of the risk of speculation inherent in these arrangements for beef and veal, precise conditions should be laid down for access by operators. Verification of those conditions requires that applications should be submitted in the Member State in which the importer is listed in the VAT register.

(4) To ensure that all eligible operators have the fairest possible access to the arrangements, the number of applications per interested party should be restricted for each group of products for each Baltic country, and a maximum quantity which each import licence application may cover should be fixed.

(5) For a licence application per group of products, a minimum quantity should also be fixed so that the import of that quantity can be regarded as real and reliable.

(6) Provision should be made for quantities for which licence applications may be requested to be allocated after a period of consideration and, where appropriate, once a uniform percentage reduction has been applied.

(7) Bearing in mind the provisions of the agreements intended to guarantee the origin of the products, provision should be made for these arrangements to be managed using import licences. To that end, rules should be laid down on the submission of applications and on the information to be given on applications and licences, where appropriate, by derogating from or supplementing Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁶⁾, as last amended by Regulation (EC) No 954/2002 ⁽⁷⁾, and Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽⁸⁾, as last amended by Regulation (EC) No 2492/2001 ⁽⁹⁾.

(8) To avoid speculation, import licences should not be transferable.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. On a multiannual basis, for periods running from 1 July to 30 June of the following year, hereinafter referred to as 'import years', the products referred to in Annex I originating in Estonia, Latvia and Lithuania may be imported exempt from the customs duties fixed in the Common Customs Tariff under the tariff quotas laid down in Regulations (EC) No 1151/2002, (EC) No 1362/2002 and (EC) No 1361/2002 in accordance with the provisions of this Regulation.

2. For those quotas, the annual quantity of products is indicated in Annex I for each import year.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 170, 29.6.2002, p. 15.

⁽⁴⁾ OJ L 198, 27.7.2002, p. 13.

⁽⁵⁾ OJ L 198, 27.7.2002, p. 1.

⁽⁶⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁷⁾ OJ L 147, 5.6.2002, p. 8.

⁽⁸⁾ OJ L 143, 27.6.1995, p. 35.

⁽⁹⁾ OJ L 337, 20.12.2001, p. 18.

Article 2

1. The quantities referred to in Article 1 shall be staggered over the import year in question as follows:

- 50 % between 1 July and 31 December,
- 50 % between 1 January and 30 June.

2. If, during a particular import year, the quantity covered by licence applications submitted for the first period specified in paragraph 1 is less than the quantity available, the remaining quantity shall be added to the quantity available for the following period.

Article 3

1. To benefit from the import quotas referred to in Article 1, applicants must be natural or legal persons who, at the time of submitting their applications, must prove to the satisfaction of the competent authorities of the Member State concerned that they have been active in trade in beef and veal with third countries at least once during the preceding 12 months; applicants must be listed in a national VAT register.

2. Import licence applications may be submitted only in the Member State in which the applicant is registered in a VAT register.

3. For each country of origin referred to in Annex I:

- (a) a single application per group of products per interested party may be submitted; if the same interested party submits more than one application for a group all his applications for that group shall be inadmissible;
- (b) a group of products is understood to be certain products in their entirety as referred to in Annex I originating in a single country.

For Estonia two groups are made up in the following way:

Group 1: CN codes 0201 and 0202;

Group 2: CN code 1602 50 10.

For Latvia and Lithuania five groups are made up in the following way:

Group 1: CN codes 0201 and 0202;

Group 2: CN codes 0206 10 95 and 0206 29 91;

Group 3: CN code 0210 20;

Group 4: CN codes 0210 99 51 and 0210 99 90;

Group 5: CN code 1602 50;

- (c) for each group of products import licence applications must cover a minimum weight of 15 tonnes of products without exceeding 10 % of the quantity available.

4. Licence applications and licences must indicate:

- (a) in box 8, the name of the country of origin; licences shall carry an obligation to import from that country;
- (b) in box 16, one of the groups of Combined Nomenclature codes referred to in paragraph 3(b);

(c) in box 20, at least one of the following:

- Reglamento (CE) n° 1429/2002
- Forordning (EF) nr. 1429/2002
- Verordnung (EG) Nr. 1429/2002
- Κανονισμός (ΕΚ) αριθ. 1429/2002
- Regulation (EC) No 1429/2002
- Règlement (CE) n° 1429/2002
- Regolamento (CE) n. 1429/2002
- Verordening (EG) nr. 1429/2002
- Regulamento (CE) n.º 1429/2002
- Asetus (EY) N:o 1429/2002
- Förordning (EG) nr 1429/2002.

Article 4

1. Licence applications may be submitted only in the first 12 days of each period referred to in Article 2. However, for the period from 1 July to 31 December 2002 applications may be submitted no later than 20 August 2002.

2. After verification of the documents submitted, the Member States shall notify the Commission, no later than the fifth working day following the end of the application period, of the list of applicants broken down by quantity applied for per CN code group for each order number.

All notifications, including 'nil' returns, shall be forwarded by fax using the forms in Annex II.

3. The Commission shall decide as quickly as possible what applications can be accepted. If the quantities covered by applications exceed the quantity available the Commission shall reduce the quantities applied for by a fixed percentage.

4. Licences shall be issued as soon as possible subject to the Commission's decision regarding acceptance of the applications.

Article 5

1. Notwithstanding this Regulation, Regulations (EC) No 1291/2000 and (EC) No 1445/95 shall apply.

2. By derogation from Article 9(1) of Regulation (EC) No 1291/2000, import licences issued under this Regulation shall not be transferable and may confer eligibility to benefit from the tariff quotas only if they are drawn up in the same names as those indicated on the declarations of release for free circulation accompanying them.

3. Notwithstanding Article 3 of Regulation (EC) No 1445/95, import licences drawn up in accordance with this Regulation shall be valid for 180 days from their date of issue. However, no licence shall be valid after 30 June of the import year.

4. Licences issued shall be valid throughout the Community.

Article 6

The duties referred to in Annex I shall be applied on presentation either of an EUR.1 movement certificate issued by the exporter country in accordance with Protocol 3 annexed to the Europe Agreement with Estonia ⁽¹⁾, Latvia ⁽²⁾ and Lithuania ⁽³⁾, or of a declaration made out by the exporter in accordance with that Protocol.

Article 7

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

It shall apply from 1 July 2002.

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

Done at Brussels, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 68, 9.3.1998, p. 2.

⁽²⁾ OJ L 26, 2.2.1998, p. 3.

⁽³⁾ OJ L 51, 20.2.1998, p. 3.

ANNEX I

Concessions applying to imports into the Community of the following products originating in the following countries**(MFN = most-favoured nation duty)**

Country of origin	Order number	CN code	Description	Applicable duty (% of MFN)	Annual quantity for 1.7.2002 to 30.6.2003 (tonnes)	Annual increase from 1.7.2003 (tonnes)
Estonia	09.4851	0201	Meat of bovine animals, fresh or chilled	exempt	1 100	350
		0202	Meat of bovine animals, frozen			
		1602 50 10	Prepared or preserved meat of bovine animals, uncooked, including mixtures of cooked meat or offal and uncooked meat or offal			
Latvia	09.4871	0201	Meat of bovine animals, fresh or chilled	exempt	675	75
		0202	Meat of bovine animals, frozen			
		0206 10 95	Edible offal of bovine animals, fresh or chilled, thick skirt and thin skirt			
		0206 29 91	Edible offal of bovine animals, frozen, thick skirt and thin skirt			
		0210 20	Meat of bovine animals, salted or in brine, dried or smoked			
		0210 99 51	Thick skirt and thin skirt of bovine animals			
		0210 99 90	Edible flours and meals of meat and meat offal			
		1602 50	Other prepared or preserved meat or meat offal of bovine animals			
Lithuania	09.4861	0201	Meat of bovine animals, fresh or chilled	exempt	2 000	200
		0202	Meat of bovine animals, frozen			
		0206 10 95	Edible offal of bovine animals, fresh or chilled, thick skirt and thin skirt			
		0206 29 91	Edible offal of bovine animals, frozen, thick skirt and thin skirt			
		0210 20	Meat of bovine animals, salted or in brine, dried or smoked			
		0210 99 51	Thick skirt and thin skirt of bovine animals			
		0210 99 90	Edible flours and meals of meat and meat offal			
		1602 50	Other prepared or preserved meat or meat offal of bovine animals			

ANNEX II

Fax: (32-2) 296 60 27

Application of Regulation (EC) No 1429/2002

Commission of the European Communities — DG AGRI/D/2 — Beef and veal

Import licence application with exemption from CCT customs duties

Date: Period:

[illegible]

Member State:

Fax:

Tel.:

(¹) Continuous numbering.

COMMISSION REGULATION (EC) No 1430/2002
of 2 August 2002
suspending the buying-in of butter in certain Member States

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in by invitation to tender is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.

- (2) Commission Regulation (EC) No 1280/2002 suspending the buying-in of butter in certain Member States ⁽⁵⁾ establishes the most recent list of Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by Belgium and Luxembourg under Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 1280/2002 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Luxembourg, Denmark, Greece and Austria.

Article 2

Regulation (EC) No 1280/2002 is hereby repealed.

Article 3

This Regulation shall enter into force on 3 August 2002.

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

Done at Brussels, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

⁽⁵⁾ OJ L 184, 13.7.2002, p. 23.

COMMISSION REGULATION (EC) No 1431/2002
of 2 August 2002
altering the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The export refunds on beef were fixed by Commission Regulation (EC) No 934/2002 ⁽³⁾.
- (2) The negotiations on the adoption of additional concessions, held within the framework of the Europe Agreements between the European Community and the associated Central and Eastern European Countries, aim in particular to liberalise trade in products covered by the common organisation of the market in beef and veal. Hungary should be removed from the list of destinations giving rise to the grant of a refund.

- (3) The export refunds must be amended as a result,

Article 1

Regulation (EC) No 934/2002 is amended as follows:

1. Article 4 is replaced by:

'Article 4

The fact that no refund has been fixed for exports to Estonia, Lithuania, Latvia and Hungary shall not be considered to mean that there is a differentiated refund.'

2. Destinations B00 and B03 are replaced by:

'B00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Estonia, Lithuania, Latvia and Hungary.

B03: Ceuta, Melilla, Iceland, Norway, Faroe Islands, Andorra, Gibraltar, Vatican City, Poland, Czech Republic, Slovakia, Romania, Bulgaria, Albania, Slovenia, Croatia, Bosnia and Herzegovina, Yugoslavia, Former Yugoslav Republic of Macedonia, the communes of Livigno and Campione d'Italia, Helgoland, Greenland, Cyprus, stores and provisions (destinations referred to in Articles 36 and 45 and, if appropriate, in Article 44 of Commission Regulation (EC) No 800/1999, as amended (OJ L 102, 17.4.1999, p. 11)).'

Article 2

This Regulation shall enter into force on 6 August 2002.

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

Done at Brussels, 2 August 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 144, 1.6.2002, p. 25.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 July 2002

amending Decision 2001/76/EC in respect of export credits for ships

(2002/634/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 Community is a party to the Arrangement on guidelines for officially supported export credits concluded within the OECD, hereinafter referred to as 'the Arrangement'.
- (2) By virtue of Council Decision 2001/76/EC of 22 December 2000 replacing the Decision of 4 April 1978 on the application of certain guidelines in the field of officially supported export credits ⁽¹⁾, the Arrangement on guidelines for officially supported export credits, which is annexed to the Decision, applies in the Community.
- (3) The participants in the Arrangement, in conjunction with the participants in OECD Working Party No 6 on shipbuilding, have decided to update the specific guidelines on export credits applicable to this sector, as laid down in Annex I to the Arrangement. The participants in the Arrangement have, in the framework of the OECD, approved the new sector Understanding on export credits for ships.
- (4) The Arrangement continues to apply to ships not covered by the sector Understanding, and also to ships that are covered insofar as the Understanding does not specifically provide otherwise.
- (5) Decision 2001/76/EC should be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2001/76/EC is hereby amended as follows:

1. Article 3(a) shall be replaced by the following:

'(a) Ships

The Arrangement shall apply to ships not covered by the Sector Understanding on Export Credits for Ships, which has been adopted by all Participants to the Arrangement as an Annex to the Arrangement (Annex I). For the Participants to the Sector Understanding, the Arrangement shall apply to ships covered by that Understanding, except that where a corresponding provision exists in the Sector Understanding, which complements the Arrangement, the Sector Understanding shall prevail.'

2. Article 49(a)(4) shall be deleted;

3. Annex I shall be replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 July 2002.

For the Council

The President

P. S. MØLLER

⁽¹⁾ OJ L 32, 2.2.2001, p. 1.

ANNEX

ANNEX I

SECTOR UNDERSTANDING ON EXPORT CREDITS FOR SHIPS

CHAPTER I

SCOPE OF THE SECTOR UNDERSTANDING**1. Participation**

The Participants to the Sector Understanding are: Australia, the European Community (which includes the following countries: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom), Japan, Korea, Norway, Poland and the Slovak Republic.

2. Scope of application

This Sector Understanding, which complements the Arrangement, sets out specific guidelines for officially supported export credits relating to export contracts of:

- 2.1. Any new sea-going vessel of 100 gt and above used for the transportation of goods or persons, or for the performance of a specialised service (for example, fishing vessels, fish factory ships, ice breakers and as dredgers, that present in a permanent way by their means of propulsion and direction (steering) all the characteristics of self-navigability in the high sea), tugs of 365 kW and over and to unfinished shells of ships that are afloat and mobile. The Sector Understanding does not cover military vessels. Floating docks and mobile offshore units are not covered by the Sector Understanding, but should problems arise in connection with export credits for such structures, the Participants to the Sector Understanding (hereinafter the Participants), after consideration of substantiated requests by any Participant, may decide that they shall be covered.
- 2.2. Any conversion of a ship. Ship conversion means any conversion of sea-going vessels of more than 1 000 gt on condition that conversion operations entail radical alterations to the cargo plan, the hull or the propulsion system.
- 2.3. (i) Although hovercraft-type vessels are not included in the Sector Understanding, Participants are allowed to grant export credits for hovercraft vessels on equivalent conditions to those prevailing in the Sector Understanding. They commit themselves to apply this possibility moderately and not to grant such credit conditions to hovercraft vessels in cases where it is established that no competition is offered under the conditions of the Sector Understanding.
(ii) In the Sector Understanding, the term "hovercraft" is defined as follows: an amphibious vehicle of at least 100 tons designed to be supported wholly by air expelled from the vehicle forming a plenum contained within a flexible skirt around the periphery of the vehicle and the ground or water surface beneath the vehicle, and capable of being propelled and controlled by aircrews or ducted air from fans or similar devices.
(iii) It is understood that the granting of export credits at conditions equivalent to those prevailing in this Sector Understanding should be limited to those hovercraft vessels used on maritime routes and non-land routes, except for reaching terminal facilities standing at a maximum distance of one kilometre from the water.

CHAPTER II

PROVISIONS FOR EXPORT CREDITS AND TIED AID**3. Maximum repayment term**

The maximum repayment term, irrespective of country classification, is 12 years after delivery.

4. Cash payments

The Participants shall require a minimum cash payment of 20 % of the contract price by delivery.

5. Repayment of principal

The principal sum of an export credit shall be repaid in equal instalments at regular intervals of normally six months and a maximum of 12 months.

6. Minimum premium

The provisions of the Arrangement in relation to minimum premium benchmarks shall not be applied until such provisions have been further reviewed by the Participants to this Sector Understanding.

7. Aid

Any Participant desiring to provide aid must, in addition to the provisions of the Arrangement, confirm that the ship is not operated under an open registry during the repayment term and that appropriate assurance has been obtained that the ultimate owner resides in the receiving country, is not a non-operational subsidiary of a foreign interest and has undertaken not to sell the ship without his government's approval.

CHAPTER III**PROCEDURES****8. Notification**

For the purpose of transparency each Participant shall, in addition to the provisions of the Arrangement and the IBRD/Berne Union/OECD Creditor Reporting System, provide annually information on its system for the provision of official support and of the means of implementation of this Sector Understanding, including the schemes in force.

9. Review

- (a) The Sector Understanding shall be reviewed annually or upon request by any Participant within the context of the OECD Working Party on Shipbuilding, and a report made to the Participants to the Arrangement.
 - (b) To facilitate coherence and consistency between the Arrangement and this Sector Understanding and taking into account the nature of the shipbuilding industry, the Participants to this Sector Understanding and to the Arrangement will consult and coordinate as appropriate.
 - (c) Upon a decision by the Participants to the Arrangement to change the Arrangement, the Participants to this Sector Understanding (the Participants) will examine such a decision and consider its relevance to this Sector Understanding. Pending such consideration the amendments to the Arrangement will not apply to this Sector Understanding. In case the Participants can accept the amendments to the Arrangement they shall report this in writing to the Participants to the Arrangement. In case the Participants cannot accept the amendments to the Arrangement as far as their application to shipbuilding is concerned they shall inform the Participants to the Arrangement of their objections and enter into consultations with them with a view to seeking a resolution of the issues. In case no agreement can be reached between the two groups, the views of the Participants as regards the application of the amendments to shipbuilding shall prevail.
 - (d) Upon entry into force of the "Agreement Respecting Normal Competitive Conditions in the Commercial Shipbuilding and Repair Industry" this Sector Understanding shall cease to apply for those Participants who are legally required to apply the 1994 Understanding on Export Credits for Ships (C/WP6(94)6). Such Participants shall work for an immediate review to bring the 1994 Understanding in accordance with this Sector Understanding.
-

Attachment

COMMITMENTS FOR FUTURE WORK

In addition to the future work of the Arrangement, the Participants to this Sector Understanding agree:

- (a) to develop an illustrative list of types of ships which are generally considered non-commercially viable, taking into account the disciplines on tied aid set out in the Arrangement;
 - (b) to review the provisions of the Arrangement in relation to minimum premium benchmarks with a view to incorporating them into this Sector Understanding;
 - (c) to discuss, subject to the developments in relevant international negotiations, the inclusion of other disciplines on minimum interest rates including a special CIRR and floating rates;
 - (d) to discuss the applicability of yearly instalments of repayment of principal.
-

COMMISSION

COMMISSION DECISION

of 31 July 2002

amending Decisions 92/160/EEC, 92/260/EEC and 93/197/EEC with regard to importation of registered horses from Turkey and repealing Decision 98/404/EC

(notified under document number C(2002) 2878)

(Text with EEA relevance)

(2002/635/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae ⁽¹⁾, as last amended by Commission Decision 2002/160/EC ⁽²⁾, and in particular Articles 13, 15, 16 and Article 19(i) and (ii) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽³⁾, as last amended by Directive 96/43/EC ⁽⁴⁾, and in particular Article 18 thereof,

Whereas:

(1) Council Decision 79/542/EEC ⁽⁵⁾, as last amended by Decision 2001/731/EC ⁽⁶⁾, establishing a list of third countries from which Member States authorise imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products includes Turkey in Part 2 of the Annex, thus allowing only the importation of registered horses.

(2) Under Commission Decision 92/160/EEC of 5 March 1992 establishing the regionalisation of certain third

countries for imports of equidae ⁽⁷⁾, as last amended by Decision 2001/622/EC ⁽⁸⁾, as regards Turkey only temporary admission and re-entry of registered horses are allowed and only from six provinces.

(3) The health conditions and veterinary certification for the temporary admission, permanent imports and re-entry of registered horses are harmonised and laid down respectively in Commission Decisions 92/260/EEC ⁽⁹⁾ and 93/197/EEC ⁽¹⁰⁾, both as last amended by Decision 2001/828/EC ⁽¹¹⁾, and Commission Decision 93/195/EEC ⁽¹²⁾, as last amended by Decision 2001/611/EC ⁽¹³⁾.

(4) In the case of Turkey the animal health conditions and veterinary certification are laid down for the temporary admission and re-entry after temporary export of registered horses respectively in Decisions 92/260/EEC and 93/195/EEC.

(5) As in the course of a Commission inspection visit to Turkey in 1998 serious flaws have come to light in the procedures for exporting horses from Turkey to the Community, the Commission adopted Decision 98/404/EC of 12 June 1998 introducing protective measures with regard to importation of equidae from Turkey ⁽¹⁴⁾, as last amended by Decision 2000/507/EC ⁽¹⁵⁾.

(6) After the adoption of Decision 98/404/EC the competent authorities of Turkey communicated to the Commission measures directed at improving veterinary supervision and export certification based on recommendations made by the Commission following that inspection visit.

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 53, 23.2.2002, p. 37.

⁽³⁾ OJ L 268, 24.9.1991, p. 56.

⁽⁴⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁵⁾ OJ L 146, 14.6.1979, p. 15.

⁽⁶⁾ OJ L 274, 17.10.2001, p. 22.

⁽⁷⁾ OJ L 71, 18.3.1992, p. 27.

⁽⁸⁾ OJ L 216, 10.8.2001, p. 26.

⁽⁹⁾ OJ L 130, 15.5.1992, p. 67.

⁽¹⁰⁾ OJ L 86, 6.4.1993, p. 16.

⁽¹¹⁾ OJ L 308, 27.11.2001, p. 41.

⁽¹²⁾ OJ L 86, 6.4.1993, p. 1.

⁽¹³⁾ OJ L 214, 8.8.2001, p. 49.

⁽¹⁴⁾ OJ L 178, 23.6.1998, p. 41.

⁽¹⁵⁾ OJ L 204, 11.8.2000, p. 42.

- (7) In addition, the competent authorities, assisted by the private horse sector, have completed a glanders surveillance programme, which also included surveillance for African horse sickness and dourine, and submitted to the Commission a final report in April 2001. The surveillance programme confirmed with regard to the prevalence of glanders the findings of the mission carried out in 1998. A large number of mallein reactors identified amongst non-registered horses, mules and donkeys have been destroyed and compensated.
- (8) It appears therefore appropriate to allow temporary admission, re-entry after temporary export of Community registered horses and permanent imports of registered horses from those provinces in Turkey listed in Decision 92/160/EEC under the animal health conditions established for registered horses from areas of similar epidemiological situation. However, health tests required in accordance with the relevant conditions for imports shall be carried out in laboratories agreed by the Member State of destination.
- (9) Decisions 92/160/EEC, 92/260/EEC and 93/197/EEC should therefore be amended accordingly and Decision 98/404/EC repealed.
- (10) Countries appearing in the list being identified according to the ISO alpha 2 codes used by the Community legislation for the nomenclature of countries and territories for the external trade, notably Commission Regulation (EC) No 2032/2000 ⁽¹⁾, the provisional status of such codes should be specified whenever appropriate.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The words 'Turkey ⁽²⁾' in the Annex to Commission Decision 92/160/EEC are replaced by 'Turkey'.

Article 2

Commission Decision 92/260/EEC is amended as follows:

1. Annex I is amended as follows:

- (a) the list of third countries in Group B is replaced by the following:

'Australia (AU), Bulgaria (BG), Belarus (BY), Cyprus (CY), Czech Republic (CZ), Estonia (EE), Croatia (HR), Hungary (HU), Lithuania (LI), Latvia (LV), Former Yugoslav Republic of Macedonia (MK) ⁽³⁾, New Zealand (NZ), Poland (PL), Romania (RO), Russia ⁽¹⁾ (RU), Slovak Republic (SK), Slovenia (SL), Ukraine (UA), Federal Republic of Yugoslavia (YU)';

- (b) the following footnote is added:

⁽²⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.;

- (c) the list of third countries in Group C is replaced by the following:

'Canada (CA), Hong Kong (HK), Japan (JP), Republic of Korea (KR), Macao (MO), Malaysia (peninsula) (MY), Singapore (SG), Thailand (TH), United States of America (US).';

2. Annex II is amended as follows:

- (a) the third indent of section III(d) of the health certificates A, B, C and D is replaced by the following:

'— United Arab Emirates, Australia, Bulgaria, Belarus, Canada, Switzerland, Cyprus, Czech Republic, Estonia, Greenland, Hong-Kong, Croatia, Hungary, Iceland, Japan, Republic of Korea, Lithuania, Latvia, Former Yugoslav Republic of Macedonia, Macao, Malaysia (peninsula), Norway, New Zealand, Poland, Romania, Russia ⁽¹⁾, Singapore, Slovak Republic, Slovenia, Thailand, Ukraine, United States of America, Federal Republic of Yugoslavia.;

- (b) the health certificate E is amended as follows:

- (i) section III 'Health information' is replaced by Annex I to this Decision;

- (ii) a footnote is added as follows:

⁽⁶⁾ The laboratory tests required in accordance with the conditions in this animal health certificate must be carried out by a laboratory approved by the Member State of destination. The test results, certified by the laboratory, have to be attached to the animal health certificate accompanying the animal. These provisions apply to the following countries: Turkey (TR).'

Article 3

Commission Decision 93/197/EEC is amended as follows:

1. Annex I is amended as follows:

- (a) The list of third countries in Group B is replaced by the following:

'Australia (AU), Bulgaria (BG), Belarus (BY), Cyprus (CY), Czech Republic (CZ), Estonia (EE), Croatia (HR), Hungary (HU), Lithuania (LI), Latvia (LV), Former Yugoslav Republic of Macedonia (MK) ⁽³⁾, New Zealand (NZ), Poland (PL), Romania (RO), Russia ⁽¹⁾ (RU), Slovak Republic (SK), Slovenia (SL), Ukraine (UA), Federal Republic of Yugoslavia (YU).';

⁽¹⁾ OJ L 243, 28.9.2000, p. 14.

(b) The following footnote is added:

‘⁽³⁾ Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.’

(c) The words ‘Turkey ⁽¹⁾ ⁽²⁾ (TR)’ are added in alphabetical order of the ISO-code of the country to the list of third countries in Group E.

2. The health certificate E in Annex II is amended as follows:

The title is replaced by the following:

‘Health Certificate

for imports into Community territory of registered horses from United Arab Emirates, Bahrain, Egypt ⁽¹⁾, Jordan, Kuwait, Lebanon, Libya, Oman, Qatar, Saudi Arabia ⁽¹⁾, Syria, Turkey ⁽¹⁾ and of registered equidae and equidae for breeding and production from Algeria, Israel, Morocco, Malta, Mauritius and Tunisia’.

(a) Section III ‘Health information’ is replaced by Annex II to this Decision.

(b) The following footnote is added:

‘⁽⁵⁾ The laboratory tests required in accordance with the conditions in this animal health certificate must be carried out by a laboratory approved by the

Member State of destination. The test results, certified by the laboratory, have to be attached to the animal health certificate accompanying the animal. These provisions apply to the following countries: Turkey (TR).’

Article 4

Decision 98/404/EC is hereby repealed.

Article 5

Member States shall amend the measures they apply with regard to Turkey to bring them into line with this Decision.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

III. Health information

I, the undersigned certify that the horse described above meets the following requirements:

- (a) it comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including VEE), infectious anaemia, vesicular stomatitis, rabies, anthrax;
- (b) it has been examined today and shows no clinical signs of disease ⁽²⁾;
- (c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) during the last 40 days immediately preceding the exportation it has been resident on holdings under veterinary supervision in:
 - the country of dispatch,
 - (i) either in an isolation centre ⁽³⁾, or
 - (ii) in the case it was dispatched from the United Arab Emirates, in designated premises under official veterinary supervision ⁽³⁾,
 - and/or
 - Member States of the Community,
 - and/or
 - United Arab Emirates, Australia, Bulgaria, Belarus, Canada, Switzerland, Cyprus, Czech Republic, Estonia, Greenland, Hong Kong, Croatia, Hungary, Iceland, Japan, Republic of Korea, Lithuania, Latvia, Former Yugoslav Republic of Macedonia, Macao, Malaysia (peninsula), Norway, New Zealand, Poland, Romania, Russia ⁽¹⁾, Singapore, Slovak Republic, Slovenia, Thailand, Ukraine, United States of America, Federal Republic of Yugoslavia.

If it has been moved to the country of dispatch from a country listed in the third indent, it was imported with at least the same animal health requirements as if the horse was imported directly into the European Community;

- (e) it does not come from the territory or in cases of official regionalisation according to EEC legislation from a part of the territory of a third country in which:
 - (i) Venezuelan equine encephalomyelitis has occurred during the last two years;
 - (ii) dourine has occurred during the last six months;
 - (iii) glanders has occurred during the last six months;
 - (iv) vesicular stomatitis has occurred during the last six months ⁽³⁾,
 - or
 - the animal was tested by a virus neutralisation test for vesicular stomatitis on ⁽⁵⁾, this being within 10 days of export, with negative result at a dilution of 1 in 12 ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾;
 - (v) in the case of an uncastrated male animal older than 180 days, either equine viral arteritis has been officially recorded during the last six months ⁽³⁾;
 - or
 - the animal was tested ⁽⁴⁾ on a blood sample taken within 21 days of export on ⁽⁵⁾ by virus neutralisation test for equine viral arteritis with negative result at a dilution of 1 in 4 ⁽⁶⁾;
 - or
 - an aliquot of its entire semen taken within 21 days of export on ⁽⁵⁾ was tested by virus isolation test for equine viral arteritis with negative result ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾;
 - or
 - the animal was vaccinated on ⁽⁵⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programme for initial vaccination and has been revaccinated at regular intervals ⁽³⁾ ⁽⁴⁾.

Programmes for initial vaccination against equine viral arteritis:

Instruction: cross out vaccination programmes that do not apply to the animal described above.

- (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test at a dilution of 1 in 4 ⁽⁶⁾; or
- (b) vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision, commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test at a dilution of 1 in 4 ⁽⁶⁾; or
- (c) vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis ⁽⁶⁾;

- (f) it does not come from the territory or from a part of the territory of a third country considered, in accordance with EEC legislation, as infected with African horse sickness.

— It was not vaccinated against African horse sickness ⁽³⁾.

— It was vaccinated against African horse sickness on ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾;

- (g) it does not come from a holding which was subject to prohibition for animal health reasons nor had contact with equidae from a holding which was subject to prohibition for animal health reasons:

(i) during six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered;

(ii) in the case of infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;

(iii) during six months in the case of vesicular stomatitis;

(iv) during one month from the last recorded case, in the case of rabies;

(v) during 15 days from the last recorded case, in the case of anthrax;

or

if all the animals of species susceptible to the disease located on the holding have been slaughtered and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed and the premises disinfected, except in the case of anthrax, where the period of prohibition is 15 days;

- (h) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease in the 15 days prior to this declaration;

- (i) it was subjected to the following blood tests:

— a Coggins test for infectious anaemia on ⁽⁵⁾, this being within 30 days of export, with negative result ⁽⁴⁾ ⁽⁶⁾,

— a complement fixation test for dourine on ⁽⁵⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁶⁾,

— a complement fixation test for glanders on ⁽⁵⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁶⁾,

— a test for African horse sickness as described in Annex D to Council Directive 90/426/EEC either

(i) on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on ⁽⁵⁾ and on ⁽⁵⁾, the second of which must have been taken within 10 days of export ⁽³⁾, either with negative reactions, if it has not been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾, or without increase in antibody count, if it has been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁶⁾;

or

(ii) on one occasion, carried out on a sample of blood taken within 10 days of export on ⁽⁵⁾, with negative reaction, if it is to be dispatched from the United Arab Emirates (AE) ⁽³⁾ ⁽⁴⁾;

ANNEX II

III. Health information

I, the undersigned certify that the animal described above meets the following requirements:

- (a) it comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including VEE), infectious anaemia, vesicular stomatitis, rabies, anthrax;
- (b) it has been examined today and shows no clinical signs of disease ⁽²⁾;
- (c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) during the three months immediately preceding the exportation (or since birth, if the animal is less than three months old, or since entry, if it was imported directly from the European Community during the previous three months) it has been resident on holdings under veterinary supervision in the country of dispatch and it has been kept in an approved isolation center, protected from vector insects, either
 - during the 40 days prior to dispatch ⁽³⁾,
 - or
 - during 30 days prior to dispatch from the United Arab Emirates (AE) ⁽³⁾;
- (e) it comes from the territory or in cases of official regionalisation according to EEC legislation from a part of the territory of a third country in which:
 - (i) Venezuelan equine encephalomyelitis has not occurred during the last two years;
 - (ii) dourine has not occurred during the last six months;
 - (iii) glanders has not occurred during the last six months;
 - (iv) vesicular stomatitis has not occurred during the last six months ⁽³⁾;
 - or
 - the animal was tested on a sample of blood taken within 21 days of export on ⁽⁴⁾ by a virus neutralisation test for vesicular stomatitis with negative result at a dilution of 1 in 12 ⁽³⁾ ⁽⁵⁾;
 - (v) in the case of an uncastrated male animal older than 180 days, either equine viral arteritis has not been officially recorded during the last six months ⁽³⁾;
 - or
 - the animal was tested on a blood sample taken within 21 days of export on ⁽⁴⁾ by virus neutralisation test for equine viral arteritis with negative result at a dilution of 1 in 4 ⁽³⁾;
 - or
 - an aliquot of its entire semen taken within 21 days of export on ⁽⁴⁾ was tested by virus isolation test for equine viral arteritis with negative result ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾;
 - or
 - the animal was vaccinated on ⁽⁴⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programme for initial vaccination and has been revaccinated at regular intervals ⁽³⁾ ⁽⁴⁾.

Programmes for initial vaccination against equine viral arteritis:

Instruction: cross out vaccination programmes that do not apply to the animal described above.

- (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus neutralisation test at a dilution of 1 in 4 ⁽³⁾; or
- (b) vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision, commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test at a dilution of 1 in 4 ⁽³⁾; or
- (c) vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis ⁽³⁾;

- (f) it does not come from the territory or from a part of the territory of a third country considered, in accordance with EEC legislation, as infected with African horse sickness.
- It was not vaccinated against African horse sickness ⁽³⁾.
 - It was vaccinated against African horse sickness on. ⁽³⁾ ⁽⁴⁾;
- (g) it does not come from a holding which was subject to prohibition for animal health reasons nor had contact with equidae from a holding which was subject to prohibition for animal health reasons:
- (i) during six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered;
 - (ii) in the case of infectious anaemia, until the date on which, the infected animals having been slaughtered, the remaining animals have shown a negative reaction to two Coggins tests carried out three months apart;
 - (iii) during six months in the case of vesicular stomatitis
 - (iv) during one month from the last recorded case, in the case of rabies;
 - (v) during 15 days from the last recorded case, in the case of anthrax.
- If all the animals of species susceptible to the disease located on the holding have been slaughtered and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed and the premises disinfected, except in the case of anthrax, where the period of prohibition is 15 days;
- (h) it shows no clinical signs of contagious equine metritis (CEM) and it does not come from a holding where there has been any suspicion of CEM during the past two months nor had contact indirectly or directly through coitus with equidae infected or suspected of CEM;
- (i) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease in the 15 days prior to this declaration;
- (j) it was subjected to the following blood tests:
- a Coggins test for infectious anaemia on ⁽⁴⁾, this being within 30 days of export, with negative result ⁽⁴⁾ ⁽⁵⁾,
 - a complement fixation test for dourine on. ⁽⁴⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁵⁾,
 - a complement fixation test for glanders on ⁽⁴⁾, this being within 10 days of export, with negative result at a dilution of 1 in 10 ⁽⁴⁾ ⁽⁵⁾,
 - a test for African horse sickness as described in Annex D to Directive 90/426/EEC either
 - (i) on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days on. ⁽⁴⁾ and on ⁽⁴⁾, the second of which must have been taken within 10 days of export ⁽³⁾, either with negative reactions, if it has not been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾, or without increase in antibody count, if it has been vaccinated ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾
 - or
 - (ii) on one occasion, carried out on a sample of blood taken within 10 days of export on ⁽⁴⁾ with negative reaction, if it is to be dispatched from the United Arab Emirates (AE) ⁽³⁾ ⁽⁴⁾;
-

COMMISSION DECISION
of 31 July 2002
on the temporary admission of horses participating in the World Equestrian Games in Spain
in 2002

(notified under document number C(2002) 2884)

(Text with EEA relevance)

(2002/636/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

been made for such horses to leave the European Union without delay after the events have finished.

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae ⁽¹⁾, as last amended by Commission Decision 2002/160/EC ⁽²⁾, and in particular Article 19(ii) thereof,

HAS ADOPTED THIS DECISION:

Whereas:

- (1) The health conditions and veterinary certification for the temporary admission of registered horses are laid down in Commission Decision 92/260/EEC ⁽³⁾, as last amended by Decision 2001/828/EC ⁽⁴⁾. These conditions require guarantees for uncastrated male horses older than 180 days with regard to equine viral arteritis, in particular they require proof of the absence of the virus in the semen.
- (2) Registered horses participating in the World Equestrian Games in Jerez de la Frontera in Spain in September 2002 will be under the veterinary supervision of the competent authorities of Spain and the organising Fédération équestre internationale (FEI).
- (3) Certain male horses qualified for the participation in this high level equestrian event cannot comply with the conditions for equine viral arteritis laid down in Decision 92/260/EEC. However, the likelihood of these horses being used for breeding during the competition and the preceding acclimatisation period is negligible.
- (4) It appears appropriate to provide a derogation from the requirements for equine viral arteritis for male registered horses temporarily admitted for this sporting event which cannot be certified in accordance with Decision 92/260/EEC, under the condition that arrangements have

Article 1

By way of derogation from Decision 92/260/EEC, Member States shall authorise the temporary admission of uncastrated male registered horses for the purpose of participation in the World Equestrian Games in Jerez de la Frontera, Spain, without requiring the guarantees provided for in that Decision as regards equine viral arteritis provided that each horse is accompanied by an animal health certificate in accordance with the Group in Annex II to Decision 92/260/EEC corresponding to the third country of dispatch in which:

1. Section III(e)(v) relating to equine viral arteritis is deleted by the official veterinarian who signs the certificate;
2. the following words are added:

‘Registered horse in accordance with Commission Decision 2002/636/EC on the temporary admission of horses participating in the World Equestrian Games in Spain in 2002’;
3. the following is added to the declaration and signed by the owner or representative of the owner of the horse:

‘The horse covered by this certificate will not be used for breeding or for the collection of semen during its residence in a Member State of the European Union.

Arrangements have been made to transport the horse out of the European Union without delay after the World Equestrian Games have finished.’

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 53, 23.2.2002, p. 37.

⁽³⁾ OJ L 130, 15.5.1992, p. 67.

⁽⁴⁾ OJ L 308, 27.11.2001, p. 41.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2002.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION**of 31 July 2002****amending Decision 92/452/EEC establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community as regards Canada**

(notified under document number C(2002) 2888)

(Text with EEA relevance)

(2002/637/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species ⁽¹⁾, as last amended by Commission Decision 94/113/EC ⁽²⁾, and in particular Article 8 thereof,

Whereas:

- (1) The competent veterinary services of Canada have forwarded a request for amendment to the list established by Commission Decision 92/452/EEC ⁽³⁾, as last amended by Decision 2002/456/EC ⁽⁴⁾, of teams officially approved in their territory for the export of embryos of domestic animals of the bovine species to the Community.
- (2) Guarantees regarding compliance with the requirements specified in Article 8 of Directive 89/556/EEC have been provided to the Commission by the competent veterinary services of the country concerned, and the collection team concerned has been officially approved for exports to the Community.
- (3) Decision 92/452/EEC should therefore be amended accordingly.
- (4) 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 the Annex to Decision 92/452/EEC the row for the Canadian team E 549 is replaced by the following:

'CA		E 549	E 549 (IVF)	Abbotsford Veterinary Clinic PO Box 524 Unit 200-33648 McDougall Avenue Abbotsford British Columbia V2S 5Z5	Dr R. Vandervael Dr Martin Darrow'
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Article 2

This Decision shall apply as from the 20th day following that of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 302, 19.10.1989, p. 1.

⁽²⁾ OJ L 53, 24.2.1994, p. 23.

⁽³⁾ OJ L 250, 29.8.1992, p. 40.

⁽⁴⁾ OJ L 155, 14.6.2002, p. 60.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2002.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 31 July 2002

conferring management of aid on implementing agencies for pre-accession measures in agriculture and rural development Romania in the pre-accession period

(2002/638/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1266/1999 of 21 June 1999 on coordinating aid to the applicant countries in the framework of the pre-accession strategy and amending Regulation (EEC) No 3906/89⁽¹⁾, and in particular Article 12(2) thereof,

Whereas:

- (1) In accordance with Article 4(5) of Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the Applicant Countries of central and eastern Europe in the pre-accession period⁽²⁾, as last amended by Regulation (EC) No 2500/2001⁽³⁾, a Programme for Agriculture and Rural Development was approved by Commission Decision C(2000) 3742 final on 12 December 2000, and amended by Commission Decision H/2002/1936, on 11 July 2002 for Romania.
- (2) The Romanian government and the Commission, acting on behalf of the European Community, signed on 2 February 2001 the Multiannual Financing Agreement (hereinafter MAFA) laying down the technical, legal and administrative framework for the execution of the Sapard Programme.
- (3) Regulation (EC) No 1266/1999 provides that the *ex ante* approval requirement referred to in Article 12(1) of Regulation (EC) No 1266/1999 may be waived on the basis of a case-by-case analysis of the national and sectorial programme/project management capacity, financial control procedures and structures regarding public finance; Commission Regulation (EC) No 2222/2000⁽⁴⁾, as amended by Regulation (EC) No 2252/2001⁽⁵⁾, provides for detailed rules for the carrying out of the said analysis.
- (4) The competent authority of Romania has appointed the Sapard Agency, public institution with legal status, in the subordination of the Ministry of Agriculture, Food and Forestry. It will be responsible for implementing the following measures: 'Processing and Marketing of agricultural and fishery products', 'Development and

improvement of rural infrastructure' and 'Technical assistance' as defined in the Programme for Agriculture and Rural Development that was approved by Commission Decision C(2000) 3742 final on 12 December 2000, and amended by Commission Decision H/2002/1936 on 11 July 2002; whereas the Ministry of Public Finance, National Fund has been established for the financial functions it is due to perform in the framework of the implementation of the Sapard programme.

- (5) Pursuant to Regulation (EC) No 1266/1999 and Regulation (EC) No 2222/2000, the Commission analysed the national and sectorial programme/project management capacity, financial control procedures and structures regarding public finance and considers that, for the implementation of the aforementioned measures, Romania complies with the provisions of Articles 4 to 6 and of the Annex to Regulation (EC) No 2222/2000 and with the minimum conditions set out in the Annex to Regulation (EC) No 1266/1999.
- (6) In particular, the Sapard Agency has implemented the following key accreditation criteria satisfactorily: written procedures, segregation of duties, pre-project approval and pre-payment checks, payment procedures, accounting procedures, computer security, internal audit, and, where appropriate, public procurement provisions.
- (7) On 11 July 2002 the Romanian authorities provided the revised list of eligible expenditure in conformity with Article 4(1), Section B of the MAFA, and this did not give rise to objections by the Commission.
- (8) The Ministry of Public Finance, National Fund has implemented the following criteria satisfactorily for the financial functions it is due to perform in the framework of the implementation of the Sapard programme for Romania: audit trail, treasury management, receipt of funds, disbursements to the Sapard Agency, computer security and internal audit.
- (9) It is therefore appropriate to waive the *ex ante* approval requirement referred to in Article 12(1) of Regulation (EC) No 1266/1999 and to confer on the Sapard Agency, and on the Ministry of Public Finance, National Fund in Romania, the management of aid on a decentralised basis.

⁽¹⁾ OJ L 161, 26.6.1999, p. 68.

⁽²⁾ OJ L 161, 26.6.1999, p. 87.

⁽³⁾ OJ L 342, 27.12.2001, p. 1.

⁽⁴⁾ OJ L 253, 7.10.2000, p. 5.

⁽⁵⁾ OJ L 304, 21.11.2001, p. 8.

- (10) However, since the verifications carried out by the Commission are based on an operational, but not operating system, it is therefore appropriate to confer the management of the Sapard Programme on the Sapard Agency, and on the Ministry of Public Finance, National Fund, according to Article 3(2) of Regulation (EC) No 2222/2000, on a provisional basis.
- (11) Full conferral of management of the Sapard Programme is only envisaged after further verifications, in order to ensure that the system operates satisfactorily, have been carried out and after any recommendations the Commission may issue, with regard to the conferral of management of aid on the Sapard Agency, and on the Ministry of Public Finance, National Fund, have been implemented.
- (12) In order to take account of the requirements of Article 8(1)(b), Section A of the MAFA, expenditure pursuant to this Decision shall be eligible for Community co-finance only if incurred by beneficiaries from the date of this Decision or, if later, the date of the instrument making them a beneficiary for the project in question, except for feasibility and related studies, and for technical assistance, where this date shall be 12 December 2000, provided in all cases it is not paid by the Sapard Agency prior to the date of this Decision,

HAS DECIDED AS FOLLOWS:

Article 1

The requirement of *ex ante* approval by the Commission of project selection and contracting by Romania is hereby waived.

Article 2

Management of the Sapard Programme is conferred on a provisional basis to:

1. the Sapard Agency under the Ministry of Agriculture, Food and Forestry of Romania, Negustori Street 1 B, Sector 2, RO Bucharest 2, for the implementation of measures 'Processing and marketing of agricultural and fishery products', 'Development and improvement of rural infrastructure' and 'Technical assistance' as defined in the Programme for Agriculture and Rural Development that was approved by Commission Decision C(2000) 3742 final on 12 December 2000, and amended by Commission Decision H/2002/1936, adopted on 11 July 2002; and
2. the Ministry of Public Finance, National Fund, Apolodor Street 17, Sector 5, RO 70663 Bucharest, for the financial functions it is due to perform in the framework of the implementation of the Sapard programme for Romania.

Article 3

Expenditure pursuant to this Decision shall be eligible for Community co-finance only if incurred by beneficiaries from the date of this Decision or, if later, the date of the instrument making them a beneficiary for the project in question, except for feasibility and related studies, and for technical assistance, where this date shall be 12 December 2000, provided in all cases it is not paid by the Sapard Agency prior to the date of this Decision.

Done at Brussels, 31 July 2002.

For the Commission

Franz FISCHLER

Member of the Commission