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

COUNCIL DECISION
of 28 November 2002
setting up a European Network for the Protection of Public Figures

(2002/956/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(a) and (c) and Article 34(2)(c) thereof,

Having regard to the initiative of the Kingdom of Spain ⁽¹⁾,

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

Whereas:

- (1) Apart from the Council Recommendation of 6 December 2001 setting a common scale for assessing threats to public figures visiting the European Union ⁽³⁾, no Union legislation, standards or manuals of a general nature exist to govern the protection of public figures, whether they be national public figures or those of Community or foreign origin.
- (2) The possibility of assaults and attacks to those figures cannot be excluded.
- (3) The protection of public figures is the responsibility of the host Member State. Protective measures of the host Member State are based solely on the legal provisions in force in that Member State and the relevant international agreements.
- (4) The increased travel by public figures within the Union requires a formal channel for communication and consultation between national Authorities,

HAS DECIDED AS FOLLOWS:

Article 1

1. A European network for the protection of public figures, hereinafter referred to as 'the Network', is hereby created.
2. The Network shall consist of the national police services and other services responsible for the protection of the public figures. Each Member State shall designate a single contact point. Information concerning the designated national contact

points, including subsequent modifications, shall be transmitted to the General Secretariat of the Council which shall publish the information in the Official Journal.

Article 2

For the purposes of this Decision, 'public figure' shall mean any person to whom a protection service is assigned in accordance with the national legislation of a Member State or pursuant to the regulations of an international or supranational organisation or institution.

Article 3

1. The Network activity shall be promoted by the Member State holding the Presidency of the Council.
2. Candidate countries and Europol may also designate a contact point to participate in the Network.

The Presidency shall consider, on a case-by-case basis, on the participation of the Commission and the General Secretariat of the Council in the activities of the Network as referred to in Article 4(a), (b), (c) and (d).

Article 4

The Network shall have the following objectives:

- (a) promoting the exchange of information between the departments participating in the Network, in particular:
 - general and technical information and experience regarding the protection of public figures,
 - information on the most appropriate criteria for selecting and training appropriate staff of the services which are responsible for the protection of public figures;
- (b) promoting the development of a set of common best practices as regards operational activities undertaken by the departments participating in the Network;
- (c) promoting the mutual secondment of officials of the departments participating in the Network;

⁽¹⁾ OJ C 42, 15.2.2002, p. 14.

⁽²⁾ Opinion delivered on 30 May 2002 (not yet published in the Official Journal).

⁽³⁾ OJ C 356, 14.12.2001, p. 1.

- (d) allowing the departments participating in the Network to exchange information, communicate and develop common views on:
- procedures and requests for authorisation by the host Member State of the presence in its territory of the protection services of the requesting State accompanying a public figure,
 - methods of common action to prevent assaults and attacks, including the way in which officials and resources could be deployed,
 - protocols on the priority to be granted to the protected public figure during movement of delegations,
 - collaboration with relevant law enforcement services and other public departments,
 - recommendations regarding media;
- (e) favouring the exchange, in accordance with the national legislation, of operational information, either through the contact points or by means of direct contacts between the responsible services, as communicated by the contact

points, concerning the application of security in cases where the protection of a public figure has to be assured in two or more Member States.

Article 5

The Network shall submit an annual report to the Council on the development of its activities. The Council will evaluate the activities of the Network every three years.

Article 6

This Decision shall take effect on the day following that of its adoption by the Council.

Done at Brussels, 28 November 2002.

For the Council

The President

B. HAARDER

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2187/2002
of 9 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 ⁽¹⁾, as last amended by Regulation (EC) No 1947/2002 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 10 December 2002.

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

Done at Brussels, 9 December 2002.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 9 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 ⁽¹⁾	Standard import value
0702 00 00	052	72,8
	204	80,0
	999	76,4
0707 00 05	052	108,2
	204	111,0
	220	155,5
	999	124,9
0709 90 70	052	89,7
	204	93,6
	999	91,7
0805 10 10, 0805 10 30, 0805 10 50	052	52,8
	204	58,2
	220	46,6
	388	56,0
	624	65,9
	999	55,9
0805 20 10	052	66,6
	204	68,4
	999	67,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	64,7
	999	64,7
0805 50 10	052	63,5
	600	65,3
	999	64,4
0808 10 20, 0808 10 50, 0808 10 90	060	28,7
	400	108,3
	404	104,0
	720	127,2
	999	92,0
0808 20 50	052	144,8
	400	118,8
	720	46,5
	999	103,4

⁽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 2188/2002
of 9 December 2002
concerning the provisional authorisation of new uses of additives in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1756/2002 ⁽²⁾, and in particular Articles 3 and 9e thereof,

Whereas:

(1) Directive 70/524/EEC provides that a new use in the case of an already authorised additive requires a Community authorisation in accordance with Article 4 of the Directive.

(2) Article 9e(1) of Directive 70/524/EEC provides that provisional authorisation of a new additive for use in feedingstuffs or a new use of an additive already authorised may be given if the conditions of Article 3a(b) to (e) of that Directive are satisfied, and if it is reasonable to assume, in view of the available results, that when used in animal nutrition it has one of the effects referred to in Article 2(a) of that Directive. Such provisional authorisation may be given for a period of up to four years in the case of additives referred to in Part II of Annex C to Directive 70/524/EEC.

(3) New data were submitted by the producing companies to extend the authorisation of the two preparations of enzymes described in Annex I and II to this Regulation, and which are listed respectively under No 11 and 51 in the Annexes to Directive 70/524/EEC, to new animal categories.

(4) The assessment of the dossiers submitted in respect of the new use of the preparations of enzymes described in Annex I and II shows that the conditions referred to in Article 9e(1) are satisfied, and the extensions of use may therefore be authorised on a provisional basis for a period of four years.

(5) New data were submitted by the producing company to extend the authorisation of an enzyme preparation described in Annex III to this Regulation, and which is listed under No 51 in the Annexes to Directive 70/524/EEC, to a new physical form as regards one animal category.

(6) The assessment of the dossier submitted in respect of the new use of the preparation of enzyme described in Annex III shows that the conditions referred to in Article 9e(1) are satisfied, and the extension of use may therefore be authorised on a provisional basis for a period of four years.

(7) The assessment of the dossier also shows that certain procedures may be required to protect workers from exposure to the additives listed in the Annexes. Such protection should however be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽³⁾.

(8) On 18 April and 19 June 2002 the Scientific Committee for Animal Nutrition has delivered favourable opinions with regard to the safety of the abovementioned enzymes preparations, under the conditions described in the Annexes to this Regulation.

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

HAS ADOPTED THIS REGULATION:

Article 1

The preparations belonging to the group 'Enzymes' listed in Annexes I and II to this Regulation are authorised for use as additives in animal nutrition under the conditions laid down in these Annexes.

Article 2

The preparation belonging to the group 'Enzymes' listed in Annex III to this Regulation is authorised for use as additive in animal nutrition under the conditions laid down in this Annex.

Article 3

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

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 265, 3.10.2002, p. 1.

⁽³⁾ OJ L 183, 29.6.1989, p. 1.

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

Done at Brussels, 9 December 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
Enzymes								
11	Endo-1,4-beta-glucanase EC 3.2.1.4 Endo-1,3(4)-beta-glucanase EC 3.2.1.6 Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-glucanase, endo-1,3(4)-beta-glucanase, and endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 74252) having a minimum activity of: Granular and liquid form: Endo-1,4-beta-glucanase: 8 000 U ⁽¹⁾ /g or ml Endo-1,3(4)-beta-glucanase: 18 000 U ⁽²⁾ /g or ml Endo-1,4-beta-xylanase: 26 000 U ⁽³⁾ /g or ml	Laying hens	—	Endo-1,4-beta-glucanase: 400 U Endo-1,3(4)-beta-glucanase: 900 U Endo-1,4-beta-xylanase: 1 300 U	— — —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dosages per kilogram of complete feedingstuff: endo-1,4-beta-glucanase: 400-1 280 U endo-1,3(4)-beta-glucanase: 900-2 880 U endo-1,4-beta-xylanase: 1 300-4 160 U. 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans and beta-glucans), e.g. containing more than 40 % wheat, triticale or barley.	1.1.2007

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
			Piglets	—	Endo-1,4-beta-glucanase: 400 U	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting.	1.1.2007
					Endo-1,3(4)-beta-glucanase: 900 U	—	2. Recommended dosages per kilogram of complete feedingstuff: endo-1,4-beta-glucanase: 400-1 600 U endo-1,3(4)-beta-glucanase: 900-3 600 U endo-1, 4-beta-xylanase: 1 300-5 200 U.	
					Endo-1,4-beta-xylanase: 1 300 U	—	3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans and beta-glucans), e.g. containing more than 40 % wheat, triticale or maize or wheat and 20 % rye.	

(¹) 1 U is the amount of enzyme which liberates 0,1 micromoles of glucose from carboxymethylcellulose per minute at pH 5,0 and 40 °C.

(²) 1 U is the amount of enzyme which liberates 0,1 micromoles of glucose from barley beta-glucan per minute at pH 5,0 and 40 °C.

(³) 1 U is the amount of enzyme which liberates 0,1 micromoles of glucose from oat spelt xylan per minute at pH 5,0 and 40 °C.

ANNEX II

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
Enzymes								
51	Endo-1,4-beta-xylanase EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Bacillus subtilis</i> (LMG S-15136) having a minimum activity of: Endo-1,4-beta-xylanase: Solid and liquid: 100 IU (1)/g or ml	Turkeys for fattening	—	10 IU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dosages per kilogram of complete feedingstuff: 10 IU. 3. For use in compound feed rich in arabinoxylan, e.g. containing minimum 40 % wheat or barley.	1.1.2007

⁽¹⁾ 1 IU is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from birchwood xylan per minute at pH 4,5 and 30 °C.

ANNEX III

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
Enzymes								
51	Endo-1,4-beta-xylanase: EC 3.2.1.8	Preparation of endo-1,4-beta-xylanase produced by <i>Bacillus subtilis</i> (LMG S-15136) having a minimum activity of: Endo-1,4-beta-xylanase: Liquid: 100 IU ⁽¹⁾ /ml	Chickens for fattening	—	10 IU	—	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dosages per kilogram of complete feedingstuff: 10 IU. 3. For use in compound feed rich in arabinoxylan, e.g. containing minimum 40 % wheat or barley.	1.1.2007

⁽¹⁾ 1 IU is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from birchwood xylan per minute at pH 4,5 and 3 °C.

**COMMISSION REGULATION (EC) No 2189/2002
of 9 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 ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁴⁾, 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 10 December 2002.

It shall apply from 11 to 24 December 2002.

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

Done at Brussels, 9 December 2002.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 9 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 11 to 24 December 2002

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	11,81	10,34	34,79	17,00
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	6,91	7,88	9,90	9,36
Morocco	14,53	14,57	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	5,74	3,00	—	—

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 28 November 2002

on the conclusion of an Agreement in the form of an Exchange of Letters concerning the amendment to the Annexes to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products

(2002/957/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 ⁽¹⁾,

Whereas:

(1) The Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products has been approved by Council Decision 97/132/EC ⁽²⁾.

(2) Due to a difference in certification systems between the two Parties, the Parties have not notified each other of the completion of their respective procedures for ratification of the Agreement, as provided for in the second subparagraph of Article 18(1) thereof.

(3) Therefore, the Agreement has not entered into force and until it does the Agreement is provisionally applied as agreed by the Agreement in the form of an Exchange of Letters, attached to Council Decision 97/131/EC of 17 December 1996 on the conclusion of an Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products ⁽³⁾.

(4) Certain amendments to the Annexes to the Agreement concerning certification and recognition of equivalence of certification systems for certain commodities are

necessary before the two Parties can complete their respective procedures and notify each other of their completion and before the Agreement can enter into force.

(5) The two Parties have confirmed their agreement in principle to the form of an Exchange of Letters and the determination of the sanitary measures applicable to trade in live animal and animal products.

(6) The Agreement in the form of an Exchange of Letters should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning amendments to the Annexes to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters, including the amendments to the Annexes to the Agreement, is attached to this Decision.

Article 2

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

⁽¹⁾ Proposal of 16 September 2002 (not yet published in the Official Journal).

⁽²⁾ OJ L 57, 26.2.1997, p. 4. Decision as amended by Decision 1999/837/EC (OJ L 332, 23.12.1999, p. 1).

⁽³⁾ OJ L 57, 26.2.1997, p. 1.

Article 3

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

This Decision shall take effect on the date of publication.

Done at Brussels, 28 November 2002.

For the Council

The President

M. FISCHER BOEL

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS
concerning amendments to the Annexes to the Agreement between the European Community and
New Zealand on sanitary measures applicable to trade in live animals and animal products

A. Letter from the European Community

Brussels, 28.11.2002

Sir,

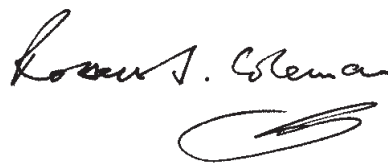
With reference to the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products, I have the honour to propose to you to amend the Annexes to this Agreement as follows:

Replace the texts of Annex V, Horizontal Issues 42.A and 42.B, and Annex VII with the texts of Annexes A and B as agreed by our respective services and attached hereto.

I should be obliged if you would confirm the agreement of New Zealand to such amendment of the Annexes to the Agreement.

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

For the European Community



B. Letter from New Zealand

London, 28.11.2002

Sir,

I have the honour to refer to your letter containing details of proposed amendments to Annex V, Horizontal Issues 42.A and 42.B, and Annex VII of the Agreement between the European Community and New Zealand on sanitary measures applicable to trade in live animals and animal products.

In this regard I have the honour to confirm the acceptability to New Zealand of the proposed amendments as set out in your letter referred to above, a copy of which is attached hereto.

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

For the competent authority of New Zealand

A handwritten signature in black ink, appearing to read 'A. M. M. B. Z.' with a stylized flourish at the end.

RECOGNITION OF SANITARY MEASURES

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Equiv.	Special conditions	Action	Trade conditions		Equiv.	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			

42. A. Horizontal Issues

Definitions									For "serious infectious disease" and "epizootic"	EC to confirm
Water	80/778/EEC	Meat Act 1981 Health Act 1956	Yes (1)			Meat Act 1981	80/778/EEC	Yes (1)		EC to evaluate new NZ proposal for water system
Residues <i>Residue monitoring</i> — Red meat species	96/22/EC 96/23/EC	Meat Act 1981 Food Act 1981	Yes (1)			Meat Act 1981	96/22/EC 96/23/EC	Yes (1)		
— Other species			NE	Not evaluated	Still to be addressed			NE	Not evaluated	Still to be addressed
— Standards			NE	Not evaluated (currently outside the scope of the Agreement)	Still to be addressed			NE	Not evaluated (currently outside the scope of the Agreement)	Still to be addressed

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Equiv.	Special conditions	Action	Trade conditions		Equiv.	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
Certification systems	96/93/EC	Animal Products Act 1999	Yes (1)	Equivalency status applies to all animals and animal product commodities accorded both animal and public health equivalence (Yes 1) as appropriate.		Animal Products Act 1999	72/462/EEC 91/495/EEC 92/5/EEC 92/45/EEC 94/65/EC 96/93/EC	Yes (1)	Equivalency status applies to animals and animal product commodities under the scope of Directives 72/462/EEC, 91/495/EEC, 92/5/EEC, 92/45/EEC, 94/65/EC, accorded both animal and public health equivalence (Yes 1) as appropriate. When the official health certificate is issued after the departure of the consignment, it shall include reference to the appropriate Eligibility Number (ED), date of issuance of the eligibility document that supports the official health certificate, the date of departure of the consignment and the date of signing of the official health certificate. New Zealand shall inform the border inspection post of arrival of any certification problem after departure from New Zealand.	For commodities other than those accorded certification systems equivalence the EC is to evaluate equivalence.

Commodity	EC Exports to New Zealand					New Zealand Exports to EC				
	Trade conditions		Equiv.	Special conditions	Action	Trade conditions		Equiv.	Special conditions	Action
	EC standards	NZ standards				NZ standards	EC standards			
42. B. Horizontal issues	Issue					Action				
Premises listings	Competent authority to recommend listing Still require lists currently					Still to be addressed Still to be addressed				
Certification	Consistency of required information Modification to existing certificates Principles of health marking					Still to be addressed NZ has requested EC to consider Still to be addressed				
Compliance	Resolution/transparency Linkage to audit process					Still to be addressed Still to be addressed				
Premises supervision	Veterinary supervision					EC to clarify internal/external requirements				

Annex V (a) Not evaluated, Still evaluating, Yes (3), Yes (2) and No = existing trade conditions apply in the interim.

(b) For the EC: Animal and animal products must be eligible for intra-Community trade, unless otherwise indicated in the text of Annex V.

(c) For definitions of abbreviations refer to Glossary at the beginning of this Annex.'

ANNEX B

'ANNEX VII

CERTIFICATION

Official health certificates will cover consignments of live animals and/or animal products being traded between the Parties.

Health attestations:

- (a) (i) full equivalence agreed — Model health attestation to be used (equivalence for animal and/or public health as appropriate and for certification systems). Refer Yes (1) Annex V;

"The (insert live animal or animal product) herein described, complies with the relevant (European Community/New Zealand (*)) (animal health/public health (*)) standards and requirements which have been recognised as equivalent to the (New Zealand/European Community (*)) standards and requirements as prescribed in (European Community/New Zealand Veterinary Agreement (Council Decision 97/132/EC)). Specifically, in accordance with (insert ... exporting Party's legislation)

(*) Delete as appropriate.";

- (ii) equivalence agreed for animal and/or public health as appropriate, Refer Yes (1) Annex V, but not for certification systems — existing certification;
- (b) equivalence agreed in principle — minor issues to be resolved. Refer Yes (2), Annex V — existing certification;
- (c) equivalence in form of compliance with importing country's requirements — health attestation to be used in accordance with Annex V. Refer Yes (3), Annex V;
- (d) not equivalent — existing certification.

For exports from New Zealand: the official health certificate will be issued in English as well as in one of the languages of the Member State in which the border inspection post is situated where the consignment is presented.

For exports from the European Community: the official health certificate will be issued in the language of the Member State of origin as well as in English.

The controlling authority shall ensure that official certifying officers are aware of the importing party's health conditions as prescribed in this Agreement and are obliged to certify to these requirements where appropriate.

For consignments of commodities for which the model health attestation as referred to in paragraph (a)(i) is prescribed, the official health certificate may be issued after departure of the consignment provided that:

- the certificate shall be available at arrival in the border inspection posts,
- the statement provided for in paragraph (a)(i) shall be completed by the following statement: "The undersigned officer certifies this consignment on the basis of eligibility document(s) (specify reference to the appropriate Eligibility Document(s) ED)) issued on (insert date), which were ascertained by him and were issued prior to the departure of the consignment".'

COUNCIL DECISION

of 28 November 2002

concerning the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Morocco 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

(2002/958/EC)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 18 of 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⁽¹⁾, hereafter referred to as the 'Association Agreement', which has been in force since 1 March 2000, provides that from 1 January 2000, the Community and Morocco will assess the situation with a view to determining the liberalisation measures to be applied by the parties with effect from 1 January 2001. The Council has authorised the Commission to begin negotiations with the Kingdom of Morocco with a view to concluding a new agricultural agreement to follow on from the existing one, which would take the form of additional protocols to the Association Agreement.

Article 2 of Protocol No 1 to the Association Agreement provides for the application to tomatoes originating in Morocco of an entry price level from which the specific customs duties will be reduced to zero, within the limits of the maximum quantities, periods and conditions stipulated in that Article and Article 3 of the said Protocol.

- (2) Council Regulation (EC) No 2264/2001 of 21 November 2001 introducing certain temporary autonomous concessions in the form of Community tariff quotas applicable to imports into the Community of tomatoes originating in the Kingdom of Morocco⁽²⁾ lays down temporary measures concerning the tomatoes for the period from 1 November 2001 to 31 May 2002.
- (3) Consultations have taken place between the Community and Morocco under Article 2(6) of Protocol No 1 to the Association Agreement pending the conclusion of the comprehensive renegotiation of the agricultural protocols and in order to allow Morocco's traditional exports of tomatoes to the Community to continue without disturbing the Community market.

- (4) The outcome of these consultations is an Agreement in the form of an Exchange of Letters between the Community and the Kingdom of Morocco, which is attached to this Decision, providing for a temporary derogation from Protocol No 1 to the Association Agreement and introducing for the period from 1 October 2002 to 31 May 2003 only arrangements similar to those laid down in Regulation (EC) No 2264/2001.

- (5) The Agreement in the form of an Exchange of Letters provides that the Community reserves the right to terminate those arrangements if the negotiations in hand under Article 18 of the Association Agreement between the Community and the Kingdom of Morocco are not completed before 31 December 2002.

- (6) The measures necessary for implementing the arrangements contained in this Agreement in the form of an Exchange of Letters may be adopted by the Commission in accordance with Article 5(1) of 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⁽³⁾.

- (7) The Agreement in the form of an Exchange of Letters negotiated between the European Community and the Kingdom of Morocco should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Kingdom of Morocco derogating temporarily, as regards the importation into the Community of tomatoes originating in Morocco, from the provisions of 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 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

⁽¹⁾ OJ L 70, 18.3.2000, p. 2. Agreement as amended by the Agreement in the form of an Exchange of Letters (OJ L 70, 18.3.2000, p. 206).

⁽²⁾ OJ L 305, 21.11.2001, p. 20.

⁽³⁾ OJ L 109, 19.4.2001, p. 2. Regulation as amended by Commission Regulation (EC) No 786/2002 (OJ L 127, 14.5.2002, p. 3).

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 28 November 2002.

For the Council

The President

B. HAARDER

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

between the European Community and the Kingdom of Morocco and 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

A. Letter from the European Community

Brussels, 29.11.2002

Sir,

I have the honour to refer to the negotiations which are currently taking place under Article 16 of the Euro-Mediterranean Agreement establishing an association between the European Community and the Kingdom of Morocco and to the consultations under Article 2(6) of Agricultural Protocol No 1 to the Association Agreement held between the Moroccan authorities and the departments of the Commission of the European Communities concerning imports into the Community of tomatoes originating in Morocco.

The purpose of the negotiations is to review the situation in order to determine the arrangements that will apply with effect from 1 January 2003.

Pending the conclusion of the comprehensive renegotiation of Agricultural Protocols No 1 and No 3 to the Association Agreement and in order to allow Morocco's traditional exports of tomatoes to the Community to continue without disturbing the Community market, the following arrangements have been agreed for the period from 1 October 2002 to 31 May 2003 only and without prejudice to the parties' interpretation of Article 2(4) of Protocol No 1:

1. In order to avoid any disturbance on the Community market in tomatoes, Morocco undertakes to ensure that its total exports do not exceed the quantities agreed during the period from 1 October 2002 to 31 May 2003.
2. The quantities provided for in Article 3(1)(a) of Agricultural Protocol No 1 to the Association Agreement are increased as follows for the 2002/2003 marketing year:

November 2002:	4 000 tonnes,
December 2002:	2 000 tonnes,
April 2003:	7 500 tonnes,
May 2003:	4 581 tonnes.

The conditions set out in Articles 2 and 3 of Agricultural Protocol No 1 to the Association Agreement shall apply *mutatis mutandis* to the above quantities. The agreed entry price level, from which specific duties will be reduced to zero, shall be EUR 461 per tonne.

3. The quota for April and May 2003 shall be opened only on condition that 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.
4. The delegations agree that the review provided for in Article 18 of the Association Agreement shall include the adoption of clear and reliable arrangements for the importation of Moroccan tomatoes into the Community. Upon the entry into force of those arrangements, the derogating provisions laid down in this Agreement shall be abolished.
5. In the meantime the renegotiation of Agricultural Protocols No 1 and No 3 will continue in order to determine the arrangements that are to apply with effect from 1 January 2003. The Community and Morocco reserve the right to abolish the provisions contained in this Agreement if the negotiations now in hand under Article 18 of the Association Agreement between the Community and the Kingdom of Morocco are not concluded before 31 December 2002.

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

I should be obliged if you would inform me whether your Government is in agreement with the contents of this letter.

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

For the European Community

A handwritten signature in black ink, appearing to read "P. S. Christ", followed by a horizontal line.

B. Letter from the Kingdom of Morocco

Brussels, 29.11.2002

Sir,

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

'I have the honour to refer to the negotiations which are currently taking place under Article 16 of the Euro-Mediterranean Agreement establishing an association between the European Community and the Kingdom of Morocco and to the consultations under Article 2(6) of Protocol No 1 to the Association Agreement held between the Moroccan authorities and the departments of the Commission of the European Communities concerning imports into the Community of tomatoes originating in Morocco.

The purpose of the negotiations is to review the situation in order to determine the arrangements that will apply with effect from 1 January 2003.

Pending the conclusion of the comprehensive renegotiation of Agricultural Protocols No 1 and No 3 to the Association Agreement and in order to allow Morocco's traditional exports of tomatoes to the Community to continue without disturbing the Community market, the following arrangements have been agreed for the period from 1 October 2002 to 31 May 2003 only and without prejudice to the parties' interpretation of Article 2(4) of Protocol No 1:

1. In order to avoid any disturbance on the Community market in tomatoes, Morocco undertakes to ensure that its total exports do not exceed the quantities agreed during the period from 1 October 2002 to 31 May 2003.
2. The quantities provided for in Article 3(1)(a) of Agricultural Protocol No 1 to the Association Agreement are increased as follows for the 2002/2003 marketing year:

November 2002:	4 000 tonnes,
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The conditions set out in Articles 2 and 3 of Agricultural Protocol No 1 to the Association Agreement shall apply *mutatis mutandis* to the above quantities. The agreed entry price level, from which specific duties will be reduced to zero, shall be EUR 461 per tonne.

3. The quota for April and May 2003 shall be opened only on condition that 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.
4. The delegations agree that the review provided for in Article 18 of the Association Agreement shall include the adoption of clear and reliable arrangements for the importation of Moroccan tomatoes into the Community. Upon the entry into force of those arrangements, the derogating provisions laid down in this Agreement shall be abolished.
5. In the meantime the renegotiation of Agricultural Protocols No 1 and No 3 will continue in order to determine the arrangements that are to apply with effect from 1 January 2003. The Community and Morocco reserve the right to abolish the provisions contained in this Agreement if the negotiations now in hand under Article 18 of the Association Agreement between the Community and the Kingdom of Morocco are not concluded before 31 December 2002.

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

I should be obliged if you would inform me whether your Government is in agreement with the contents of this letter.'

I have the honour to inform you that the Kingdom of Morocco is in agreement.

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

For the Kingdom of Morocco

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.
