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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 827/2003
of 14 May 2003
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽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 15 May 2003.

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

Done at Brussels, 14 May 2003.

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 14 May 2003 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	125,0
	096	49,6
	999	87,3
0707 00 05	052	106,2
	999	106,2
0709 90 70	052	84,5
	999	84,5
0805 10 10, 0805 10 30, 0805 10 50	052	39,8
	204	44,5
	220	52,9
	388	70,8
	600	49,7
	624	52,2
	999	51,6
0805 50 10	528	62,2
	999	62,2
0808 10 20, 0808 10 50, 0808 10 90	388	82,4
	400	98,4
	404	128,4
	508	82,6
	512	80,2
	524	61,4
	528	76,8
	720	74,6
	804	93,5
	999	86,5

⁽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 828/2003

of 14 May 2003

amending the specification of 16 names appearing in the Annex to Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (Danablu, Monti Iblei, Lesbos, Beaufort, Salers, Reblochon or Reblochon de Savoie, Laguiole, Mont d'Or or Vacherin du Haut-Doubs, Comté, Roquefort, Epoisses de Bourgogne, Brocciu corse or Brocciu, Sainte-Maure de Touraine, Ossau-Iraty, Dinde de Bresse, Huile essentielle de lavande de Haute-Provence)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Regulation (EC) No 692/2003 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In accordance with Article 9 of Regulation (EEC) No 2081/92, Denmark has requested in respect of the name 'Danablu' registered as a protected geographical indication by Commission Regulation (EC) No 1107/96 of 12 June 1996 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92 ⁽³⁾, as last amended by Regulation (EC) No 692/2003, the amendment of the method of production.
- (2) In accordance with Article 9 of Regulation (EEC) No 2081/92, Italy has requested in respect of the name 'Monti Iblei', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description and the method of production.
- (3) In accordance with Article 9 of Regulation (EEC) No 2081/92, Greece has requested in respect of the name 'Lesbos', registered as a protected geographical indication by Regulation (EC) No 1107/96, the amendment of the name.
- (4) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Beaufort', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the method of production, the labelling and the national requirements.
- (5) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Salers', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the geographical area, the method of production, the labelling and the national requirements.

- (6) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Reblochon' or 'Reblochon de Savoie', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the geographical area, the method of production, the labelling and the national requirements.
- (7) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Laguiole' registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the geographical area, the method of production, the labelling and the national requirements.
- (8) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Mont d'Or' or 'Vacherin du Haut-Doubs', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the method of production, the labelling and the national requirements.
- (9) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Comté', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the geographical area, the method of production and the national requirements.
- (10) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Roquefort', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the method of production, the labelling and the national requirements.
- (11) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Epoisses de Bourgogne', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the name, the labelling and the national requirements.

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 99, 17.4.2003, p. 1.

⁽³⁾ OJ L 148, 21.6.1996, p. 1.

- (12) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Brocciu corse' or 'Brocciu', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the method of production, the labelling and the national requirements.
- (13) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Sainte-Maure de Touraine', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the labelling and the national requirements.
- (14) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Ossau-Iraty', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the geographical area.
- (15) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Dinde de Bresse', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the method of production, the labelling and the national requirements.
- (16) In accordance with Article 9 of Regulation (EEC) No 2081/92, France has requested in respect of the name 'Huile essentielle de lavande de Haute-Provence', registered as a protected designation of origin by Regulation (EC) No 1107/96, the amendment of the description, the proof of origin and the national requirements.
- (17) Following examination of the 16 requests for amendment, it has been decided that the amendments concerned are not minor.
- (18) In accordance with the procedure laid down in Article 9 of Regulation (EEC) No 2081/92 and since the amendments are not minor, the Article 6 procedure applies *mutatis mutandis*.
- (19) It has been decided that the amendments in the 16 cases comply with Regulation (EEC) No 2081/92. No statement of objection, within the meaning of Article 7 of the Regulation, has been sent to the Commission following the publication in the *Official Journal of the European Union* ⁽¹⁾ of the above names.
- (20) Consequently, these amendments must be registered and published in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments set out in the Annex to this Regulation are hereby registered and published in accordance with Article 6(4) of Regulation (EEC) No 2081/92.

Article 2

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

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

Done at Brussels, 14 May 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ C 151, 25.6.2002, p. 9 (Danablu).
OJ C 151, 25.6.2002, p. 11 (Monti Iblei).
OJ C 254, 13.9.2001, p. 19 (Lesbos).
OJ C 45, 19.2.2002, p. 6 (Beaufort).
OJ C 296, 23.10.2001, p. 17 (Salers).
OJ C 296, 23.10.2001, p. 14 (Reblochon or Reblochon de Savoie).
OJ C 296, 23.10.2001, p. 11 (Laguiole).
OJ C 296, 23.10.2001, p. 13 (Mont d'Or or Vacherin du Haut-Doubs).
OJ C 296, 23.10.2001, p. 8 (Comté).
OJ C 135, 6.6.2002, p. 7 (Roquefort).
OJ C 296, 23.10.2001, p. 16 (Epoisses de Bourgogne).
OJ C 296, 23.10.2001, p. 7 (Brocciu corse or Brocciu).
OJ C 252, 12.9.2001, p. 17 (Sainte-Maure de Touraine).
OJ C 151, 25.6.2002, p. 10 (Ossau-Iraty).
OJ C 296, 23.10.2001, p. 10 (Dinde de Bresse).
OJ C 252, 12.9.2001, p. 15 (Huile essentielle de lavande de Haute-Provence).

ANNEX

DENMARK

Danablu

— Method of production:

for:

'Raw Danish cow's-milk is standardised as regards fat content, homogenised and subjected to thermal treatment. There are added starters, blue mould cultures and following acidification curdling agents. The curd is cut once an appropriate level of firmness has been reached; possibly slight stirring. The cheese mass is poured into moulds, drained off, salted, pricked and stored.'

read:

'Raw Danish cow's-milk is standardised as regards fat content, homogenised and pasteurised or subjected to thermal treatment. There are added starters, blue mould cultures and following acidification curdling agents. The curd is cut once an appropriate level of firmness has been reached; possibly slight stirring. The cheese mass is poured into moulds, drained off, salted, pricked and stored.'

ITALY

Monti Iblei

— Description:

Add:

Monti Iblei extra virgin olive oil must also have the following values when placed on the market:

K 232 $\leq$ 2,20

K 270 $\leq$ 0,18.

— Method of production:

Monti Iblei extra virgin olive oil is produced from healthy olives, harvested from the onset of ripening (rather than from 20 September) until 15 January each year.

GREECE

Lesbos oil

— Name:

for: 'Lesbos (PGI)',*read:* 'Lesvos (PGI)' or 'Mitilini (PGI)',

(using one or other of the two place names in each case).

In all cases where the name 'Lesbos' appears in the specification, read 'Lesvos or Mitilini'.

FRANCE

Beaufort

— Method of production:

More details are given about the method of producing 'Beaufort'. These concern the preservation of the milk, the milk used, the fact that the cauldron used to heat the curd is traditionally made of copper and the fact that the cheese cannot be sold grated under the designation.

— Labelling:

'Chalet d'alpage' cheese is identified by means of an additional casein label.

— National requirements:

for: 'Decree of 12 August 1993',

read: 'Decree on the registered designation of origin "Beaufort"'.

FRANCE

Salers

— Description:

'Salers' cheeses range in weight from 30 kg to 50 kg (*instead of 35 to 50 kg*).

They have a minimum fat content of 44 g (*instead of 45 g*).

— Geographical area:

In order to confine the geographical area to the heartland of the designation and places where maturing has traditionally been carried out, it is restricted to part of the department of Cantal and certain cantons and communes in neighbouring departments.

— Method of production:

The main points in the method of production of 'Salers' cheeses are clarified in the following respects:

— production is authorised from 15 April to 15 November (*instead of 1 May to 31 October*) when the animals are out to pasture,

— the cheese production process is defined by a number of operations and technical parameters relating to the milk (milk produced on the holding when the animals are out to pasture), renneting (at a temperature of between 30 °C and 34 °C), coagulation, cutting of the curd, initial pressing, milling, acidification followed by ripening, salting in the mass, placing in mould, final pressing,

— maturing takes place, depending on the duration of the process, at between 6 °C and 14 °C (*instead of at a maximum of 12 °C*), at over 95 % humidity; the cheeses are turned over and wiped regularly during maturing.

— Labelling:

Addition of 'The cheeses are also identified by an embossed stamp on the top, giving the name of the designation twice. The cheeses may also bear an embossed stamp on the top with the words "Ferme de ..." to identify the farm.

The cheeses, which are made from milk of herds entirely made up of cows of the Salers breed, also bear an embossed stamp on the side with the words "tradition Salers" and images of heads of Salers cows.'

— National requirements:

for: 'Decree of 29 December 1986',

read: 'Decree on the registered designation of origin "Salers"'.

FRANCE

Reblochon or Reblochon de Savoie

— Geographical area:

Limited changes to the geographical area involving the deletion of two communes in Saint-Jean de Maurienne, the inclusion of the whole of a commune hitherto included in part only, the inclusion of parts of two communes, and a formal change where communes formerly amalgamated have separated.

— Method of production:

The main points of the 'Reblochon' or 'Reblochon de Savoie' production method are clarified in the following respects:

— allowing for exceptions of up to 25 % of the dairy herd's annual needs, feed is to be provided by fodder from the geographical area: grazing in summer and properly preserved hay in winter; silage is banned on holdings producing milk for Reblochon,

— the cheese is made in specially dedicated workshops; certain technical parameters relating to collection, storage and taking delivery of the milk, renneting (within no more than 24 hours from the first milking, at a temperature of between 30 °C and 35 °C), addition of starter cultures, coagulation, shaping (in perforated moulds measuring 14 cm in diameter and 6 to 8 cm in height), pressing, salting, prematuring after removal from the mould (for a minimum of four days), washing and maturing (at between 12 °C and 14 °C) are added,

- where a waiver is granted, maturing may take place in two adjacent communes outside the geographical area until 1 January 2015 (*instead of indefinitely*),
- packaging of the whole cheeses (mandatory for manufacture of cheese on the farm) or as half-cheeses must take place within the geographical area.

Clarifications are provided regarding manufacture on the farm.

- Labelling:

A casein label, affixed during manufacture, gives the plant's identification number.

The word 'fermier' may be used subject to certain conditions.

- National requirements:

for: 'Decree of 29 December 1986',

read: 'Decree on the registered designation of origin "Reblochon"'.

FRANCE

Laguiole

- Description:

'Laguiole' cheeses weigh from 25 kg to 50 kg (*instead of 30 kg to 50 kg*).

The marketing of grated 'Laguiole' is prohibited.

- Geographical area:

Extension of the geographical area to a limited number of communes (19 in the departments of Aveyron and Lozère and one in Cantal) with the same characteristics as the heartland of the designation of origin, respecting natural and human factors.

- Method of production:

The main points of the method of production of 'Laguiole' cheeses are clarified in the following respects:

- from 1 January 2004, only the French Simmenthal and Aubrac breeds will be authorised,
- the cows' feed is provided solely, weather permitting, by fodder produced in the geographical area: grass grazed for at least 120 days in the summer, at least 30 % hay in the winter, plus wilted grass silage; from 1 January 2004, there will be a ban on maize silage in the dairy cows' feed,
- average milk production per cow on the farm may not exceed 6 000 litres per year,
- the various stages of cheese production: taking delivery of the milk, processing of the milk, renneting within no more than 48 hours after the first milking at a temperature of between 30 °C and 35 °C, addition of starter cultures, coagulation, initial pressing, ripening, milling, salting in the mass, ripening on salt, placing in mould, second pressing,
- the words 'buron' (shepherd's hut) and 'fermier' (farmhouse) are authorised under certain conditions.

- Labelling:

Identification of the cheese is also guaranteed by an embossed stamp on the rind comprising the Laguiole bull and word 'Laguiole'.

- National requirements:

for: 'Decree of 29 December 1986',

read: 'Decree on the registered designation of origin "Laguiole"'.

FRANCE

Mont d'Or or Vacherin du Haut-Doubs

- Description:

'Mont d'Or' and 'Vacherin du Haut-Doubs' cheeses, weighing, with box, either 480 g to 1,3 kg (*instead of 400 g to 1 kg without box*), or 2 kg to 3,2 kg (*instead of 1,8 kg to 3 kg*), are marketed whole in the box. They may not be frozen.

The moisture content of the fat-free cheese may not exceed 75 % (*instead of the minimum dry matter content is 45 g per 100 g of cheese*).

— Method of production:

The main points of the method of production of 'Mont d'Or' and 'Vacherin du Haut-Doubs' cheese are clarified in the following respects:

- each cow must have at least one hectare of grassland for feeding,
- the cheese is produced from 15 August to 15 March (*instead of* 15 August to 31 March); it may be placed on the market from 10 September to 10 May only; certain technical parameters relating to the chilling of the milk and to renneting are added,
- maturing: the cellars must have a humidity of at least 92 %.

— Labelling:

The labelling particulars, i.e. the name of the designation, the words 'Appellation d'origine contrôlée' (registered designation of origin), the logo and the name of the production plant (clearly printed), must be marked on the side of the box.

— National requirements:

for: 'Decree of 29 December 1986',

read: 'Decree on the registered designation of origin "Mont d'Or" or "Vacherin du Haut-Doubs"'.

FRANCE

Comté

— Description:

The cheeses weigh 30 kg to 48 kg (*instead of* 35 kg to 55 kg) and are 50 cm to 75 cm in diameter (*instead of* 40 cm to 70 cm) and 8 cm to 13 cm in height (*instead of* 9 cm to 13 cm). The cheeses must not be more than 1,4 times higher at the centre than at the outer rim. The salt content must not be less than 0,6 g of sodium chloride per 100 g of cheese. The moisture content of the fat-free cheese may not exceed 54 %.

The cheese may also be presented in packaged portions.

— Geographical area:

Reduction in geographical area involving the deletion of 90 communes.

— Method of production:

The main points of the method of production of 'Comté' cheese are clarified in the following respects:

- unless exceptional conditions arise, the dairy herd is to be fed on fodder from the geographical area with a minimum of one hectare of grassland per cow; silage and other fermented feedingstuffs are banned for the whole dairy herd,
- the milk is to come from within a circular area measuring 25 km in diameter; the processing plant is to be located within that circular area; limited adaptations and waivers may be allowed,
- the milk from no more than two successive milkings is chilled and possibly partly skimmed; natural rennet is added no more than 24 hours after the first milking, together with selected starter cultures; the curd is heated in a copper vat and kept at 53 °C for at least 30 minutes,
- the curd must be pressed at a minimum pressure of 150 g/cm² for at least six hours,
- maturing involves two stages: an initial pre-maturing phase (at between 10 °C and 15 °C and a humidity of more than 90 %) lasting at least 21 days, and a second phase in either a warm cellar (between 14 °C and 19 °C) or a cool cellar (below 14 °C). The cheeses are turned over regularly, salted with sea salt and their surface rubbed with cheese smear. Maturing on spruce boards for at least 120 days (*instead of* 90 days) within the geographical area is mandatory,
- pre-packaging is carried out within the geographical area (instead of subject to no limits) except where a waiver is granted for five years; only cheeses selected on the basis of certain criteria relating to the texture of the cheese and of the rind can be cut up and this must take place within 15 days after the cheese leaves the maturing cellar (*instead of* subject to no conditions).

— National requirements:

for: 'Decree of 29 December 1986',
read: 'Decree on the registered designation of origin "Comté".'

FRANCE

Roquefort

— Description:

The cheese is between 8,5 cm and 11,5 cm in height (*instead of* 8,5 cm and 10,5 cm) and weighs between 2,5 kg and 3 kg (*instead of* 2,5 kg and 2,9 kg). Its dry matter content must not be less than 55 grams per 100 grams of ripened cheese (*instead of* 56 grams per 100 grams).

— Method of production:

The breed of milk-producing sheep is specified (the 'Lacaune' breed and 'black' sheep bred from animals of the 'Lacaune' breed standard), with a five-year time limit for conforming to that standard. Details are given of their feed (at least three quarters of which must come from the area, unless exceptions are made; obligatory daily pasturing, once weather conditions allow).

Details are provided on the milk and its storage, renneting (carried out at a temperature of between 28 °C and 34 °C), the curd (delaying formation not allowed), the moulding of the curd (done after pre-draining), draining (done without pressing), the marking, seeding and pricking of the cheese; pricking and delivery to the ripening cave must take place within two days, or four under certain conditions. The cheese is produced in specially dedicated facilities.

The cheese is ripened and aged for at least 90 days from the date of its manufacture. During this period, it is first ripened and then aged at a controlled temperature. The cheese is left exposed in the caves for the length of time needed for the *Penicillium Roqueforti* to develop successfully. This must not be a period of less than two weeks. Slow ageing in a protective wrapping then continues in the caves or in temperature-controlled cellars where the cheese is stored. Protective wrapping takes place only in the caves.

The cheese is aged, stored, cut, conditioned, pre-packed and packed exclusively in the municipality of Roquefort-sur-Soulzon.

— Labelling:

Except for the 'Brebis Rouge' shared trademark and other special trading or manufacturing marks or corporate names or symbols, it is not permitted to qualify the name 'Roquefort' or add any other words to it.

— National requirements:

for: 'Decree of 29 December 1986',
read: 'Decree on the registered designation of origin "Roquefort".'

FRANCE

Epoisses de Bourgogne

— Name and labelling:

for: 'Epoisses de Bourgogne',
read: 'Epoisses'.

— National requirements:

for: 'Decree of 14 May 1991',
read: 'Decree on the registered designation of origin "Epoisses".'

FRANCE

Brocciu corse or Brocciu

— Description:

'Brocciu corse' or 'Brocciu' weighs between 250 grams and 3 kilograms (*instead of* 500 grams and 1 500 grams), and the four types of moulds used contain 3 kg, 1 kg, 500 g and 250 g.

The 'passu' type contains at least 35 grams of dry matter for 100 grams of cheese.

— Method of production:

The following major features of the method of production of 'Brocciu corse' or 'Brocciu' are clarified as follows:

- from July 2006, only the Corsican breed of sheep and the Corsican breed of goats are to be authorised,
- the fresh whey derived from the rennet-based curdling of the milk is used two hours at most after it is obtained. During the heating process of the whey, whole fresh and raw milk is added in a proportion not exceeding 25 % of the volume of the whey (*instead of 35 %*) as well as drinking water in a proportion not exceeding 15 % (*instead of an unlimited quantity*); the use of milk and whey which is frozen, powdered or in any other preserved form is prohibited,
- the resulting mass obtained is placed manually and carefully in successive stages in truncated cone-shaped moulds of the appropriate size,
- 'Brocciu corse' or 'Brocciu' of the 'passu' type is salted with dry salt and ripened for at least 21 days (*instead of 15 days*).

— Labelling:

The label bears the name of the designation and the words 'Appellation d'origine contrôlée' (registered designation of origin) or 'AOC' in letters at least two-thirds the size of the largest shown on the label.

On fresh cheese the word 'frais' (fresh) must appear. The indication of the date of manufacture is mandatory.

On ripened cheese the word 'passu' (*instead of 'sec' or 'passu'*) must appear.

— National requirements:

for: 'Decree of 10 June 1983',

read: 'Decree on the registered designation of origin "Brocciu corse" or "Brocciu"'.

FRANCE

Sainte-Maure de Touraine

— Description:

The surface of the cheeses is dusted with powdered wood ash. They contain a wheat straw placed longways within the cheese (*in place of: non-compulsory provision*).

— Labelling:

An indication of identity is attached to the straw.

— National requirements:

for: 'Decree of 29 June 1990',

read: 'Decree on the registered designation of origin "Sainte-Maure de Touraine"'.

FRANCE

Ossau-Iraty

— Geographical area:

The area is restricted in the department of Pyrénées-Atlantiques to the municipalities or parts of municipalities located on the left bank of the Ousse and then of the Gave de Pau, the Gaves Réunis and after their confluence the Adour, as well as part of the municipality of Lons, located on the right bank of the Gave de Pau.

176 municipalities in the department of Pyrénées-Atlantiques have been excluded.

FRANCE

Dinde de Bresse

— Method of production:

The main elements of the method of producing 'Dinde de Bresse' (Bresse farm turkey) are detailed below:

- rearing the turkeys: chicks must be born before 1 June (*instead of*: 1 July); batches must have no more than 1 500 birds (*instead of*: no restriction); free-range growing period must be at least 15 weeks (*instead of*: 14 weeks); stocking density during the finishing stage must not exceed five birds per m²; breeders may rear on their farms only turkeys reared under the production conditions specified for the designation of origin,
- feed from within the geographical area (*instead of*: not specified),
- veterinary medicines may not be administered in the three weeks prior to slaughter (*instead of*: two weeks),
- slaughter, plucking and preparation of the turkeys in general are mainly by hand.

— Labelling:

Means of identification are: farmer's ring on foot, seal with badge at base of neck and syndicate label.

— National requirements:

for: 'Decree of 22 December 1976',

read: 'Decree concerning the registered designation of origin "Dinde de Bresse"'.

FRANCE

Huile essentielle de lavande de Haute-Provence

— Description:

Addition of analytical criteria to specify more clearly the product granted the designation of origin.

— Proof of origin:

Clarification of the use of the product in question in prepared products with reference to its specific characteristics in perfumery. The base constituting the product should not contain any other natural or synthetic materials or substances with an odour similar to that of the essential oil.

— National requirements:

for: 'Decree of 14 December 1981',

read: 'Decree on the registered designation of origin "Huile essentielle de lavande de Haute-Provence"'.

**COMMISSION REGULATION (EC) No 829/2003
of 14 May 2003**

**amending Regulation (EC) No 225/2003 as regards the extension of the validity date for certificates
of origin for mushrooms originating in China**

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 Article 15(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2125/95 ⁽³⁾, as last amended by Regulation (EC) No 225/2003 ⁽⁴⁾, has opened and provided for the administration of tariff quotas for preserved mushrooms.
- (2) By Article 2 of Regulation (EC) No 225/2003 the Commission has established that, when applying to release preserved mushrooms originating in China into free circulation in the Community, importers may submit until 31 May 2003 certificates of origin and duplicates bearing the stamps and signatures of the Chinese authorities listed in the Annex to Regulation (EC) No 2125/95, as amended by Regulation (EC) No 1286/2002 ⁽⁵⁾.
- (3) Member States have informed the Commission that, in order to ensure that imports continue to run smoothly, this date needs to be postponed until the end of September 2003.

(4) Regulation (EC) No 225/2003 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 225/2003, is replaced by the following text:

'Article 2

Until 30 September 2003, an importer may submit, when applying to release preserved mushrooms originating in China into free circulation in the Community, certificates of origin and duplicates bearing the stamps and signatures of the Chinese authorities listed in the Annex to Regulation (EC) No 2125/95 as amended by Regulation (EC) No 1286/2002.'

Article 2

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

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

Done at Brussels, 14 May 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 72, 14.3.2002, p. 9.

⁽³⁾ OJ L 212, 7.9.1995, p. 16.

⁽⁴⁾ OJ L 31, 6.2.2003, p. 10.

⁽⁵⁾ OJ L 179, 9.7.2002, p. 21.

COMMISSION REGULATION (EC) No 830/2003**of 14 May 2003****amending Regulation (EC) No 2659/94 on detailed rules for the granting of private storage aid for Grana padano, Parmigiano-Reggiano and Provolone cheeses**

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 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⁾, and in particular Article 10 thereof,

Whereas:

(1) Article 6(1) of Commission Regulation (EC) No 2659/94 ⁽³⁾, as last amended by Regulation (EC) No 779/2002 ⁽⁴⁾, lays down the amounts of private storage aid for Grana padano, Parmigiano-Reggiano and Provolone cheeses. Those amounts should be amended to take account of the development in storage costs and of market price forecasts.

(2) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

Article 1

In Article 6 of Regulation (EC) No 2659/94, paragraph 1 is replaced by the following:

‘1. The amount of private storage aid for cheese shall be as follows:

- (a) EUR 20 per tonne for the fixed costs;
- (b) EUR 0,25 per tonne per day of storage under contract for the warehousing costs;
- (c) an amount for the financial costs, in euros per tonne per day of storage under contract, as follows:
 - 0,40 for Grana padano
 - 0,58 for Parmigiano-Reggiano
 - 0,32 for Provolone.’

Article 2

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

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

Done at Brussels, 14 May 2003.

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 284, 1.11.1994, p. 26.

⁽⁴⁾ OJ L 123, 9.5.2002, p. 31.

COMMISSION REGULATION (EC) No 831/2003
of 8 May 2003
prohibiting fishing for deepwater prawn by vessels flying the flag of Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, as amended by Regulation (EC) No 671/2003 ⁽⁴⁾, lays down quotas for deepwater prawn for 2003.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of deepwater prawn in Norwegian waters south of 62° 00' N by vessels flying the flag of Sweden

or registered in Sweden have exhausted the quota allocated for 2003. Sweden has prohibited fishing for this stock from 3 March 2003. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of deepwater prawn in Norwegian waters south of 62° 00' N by vessels flying the flag of Sweden or registered in Sweden are hereby deemed to have exhausted the quota allocated to Sweden for 2003.

Fishing for deepwater prawn in Norwegian waters south of 62° 00' N by vessels flying the flag of Sweden or registered in Sweden is hereby prohibited, as are the retention on board, transhipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 3 March 2003.

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

Done at Brussels, 8 May 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

⁽⁴⁾ OJ L 97, 15.4.2003, p. 11.

COMMISSION REGULATION (EC) No 832/2003
of 14 May 2003
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 1298/2002 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 15 May 2003.

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

Done at Brussels, 14 May 2003.

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

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 189, 18.7.2002, p. 8.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽²⁾				
	Third countries (except ACP and Bangla- desh) ⁽³⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	264,00	88,06	127,66	14,00	198,00
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	264,00	88,06	127,66	14,00	198,00
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 2286/2002 (OJ L 345, 10.12.2002, p. 5) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	208,26	203,37	303,87	329,92	—
(b) fob price (EUR/tonne)	—	—	—	277,82	303,87	—
(c) Sea freight (EUR/tonne)	—	—	—	26,05	26,05	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 833/2003**of 14 May 2003****amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the milk and milk products sector**

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⁾, and in particular Article 26(3) and Article 31(14) thereof,

Whereas:

- (1) Council Decisions 2003/298/EC ⁽³⁾ and 2003/299/EC ⁽⁴⁾ concluding protocols adjusting the trade aspects of the Europe Agreements establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic and the Slovak Republic, respectively, of the other part, include provisions on concessions in the form of reciprocal tariff quotas involving the abolition of Community refunds on certain products.
- (2) In order to avoid disrupting trade with these countries and guarantee that the products concerned are exported without refunds, specific arrangements for the issue of licences to these countries should be drawn up as soon as possible. To that end, the provisions applying by virtue of Article 20b of Commission Regulation (EC) No 174/1999 ⁽⁵⁾, as last amended by Regulation (EC) No 754/2003 ⁽⁶⁾, and Commission Regulation (EC) No

1369/2002 of 26 July 2002 derogating from Article 31(10) of Council Regulation (EC) No 1255/1999 as regards proof of arrival at destination in the case of differentiated refunds and laying down detailed rules for the application of the lowest export refund rate for certain milk products ⁽⁷⁾, should be extended to the Czech Republic and the Slovak Republic.

- (3) Regulation (EC) No 174/1999 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VIII to Regulation (EC) No 174/1999 is replaced by the Annex hereto.

Article 2

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

It shall apply from 16 May 2003.

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

Done at Brussels, 14 May 2003.

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 107, 30.4.2003, p. 12.

⁽⁴⁾ OJ L 107, 30.4.2003, p. 36.

⁽⁵⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁶⁾ OJ L 107, 30.4.2003, p. 5.

⁽⁷⁾ OJ L 198, 27.7.2002, p. 37.

ANNEX

'ANNEX VIII

Application of Article 20b of Regulation (EC) No 174/1999

Products	Country of destination						
CN code	Poland	Estonia	Latvia	Lithuania	Hungary	Czech Republic	Slovak Republic
0401		X	X	X	X		
0402		X	X	X	X	X	X
ex 0403:							
0403 10 11						X	X
0403 10 13						X	X
0403 10 19						X	X
0403 10 31						X	X
0403 10 33						X	X
0403 10 39						X	X
0403 90 11		X	X	X	X	X	X
0403 90 13		X	X	X	X	X	X
0403 90 19		X	X	X	X	X	X
0403 90 31		X	X	X	X	X	X
0403 90 33		X	X	X	X	X	X
0403 90 39		X	X	X	X	X	X
0403 90 51		X	X	X	X	X	X
0403 90 53		X	X	X	X	X	X
0403 90 59		X	X	X	X	X	X
0403 90 61		X	X	X	X	X	X
0403 90 63		X	X	X	X	X	X
0403 90 69		X	X	X	X	X	X
0404 10						X	X
0404 90		X	X	X	X	X	X
ex 0405:							
0405 10	X	X	X	X	X	X	X
0405 20 90	X	X	X	X	X	X	X
0405 90	X	X	X	X	X	X	X

X = Article 20b applies.'

COMMISSION REGULATION (EC) No 834/2003**of 14 May 2003****amending Regulation (EC) No 1899/97 laying down rules for the application in the poultrymeat and egg sectors of the arrangements under the Europe Agreements with central and eastern European countries provided for by Council Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1408/2002 of 29 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 Hungary⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to Council Decision 2003/18/EC of 19 December 2002 concerning the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions⁽²⁾, and in particular Article 3(2) thereof,

Having regard to Council Decision 2003/263/EC of 27 March 2003 concerning the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions⁽³⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EC) No 1408/2002 repealed Regulation (EC) No 1727/2000.
- (2) Decision 2003/18/EC repealed Regulation (EC) No 2435/2000.
- (3) Decision 2003/263/EC provides for the direct management on entry into the territory of the Community of quotas of certain products in the poultrymeat and egg sectors originating in Poland at a reduced rate of customs duty, and repeals Regulation (EC) No 2851/2000.
- (4) Following the repeal of Regulations (EC) Nos 1727/2000, 2435/2000 and 2851/2000, the references to these acts in Commission Regulation (EC) No 1899/97⁽⁴⁾, as last amended by Regulation (EC) No 1525/2002⁽⁵⁾, should be deleted.

- (5) Repayment of import duties on products of group 17 listed in Part B of Annex I to Regulation (EC) No 1899/97 imported under licences used from 1 April 2003 is carried out in accordance with Articles 878 to 898 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽⁶⁾, as last amended by Regulation (EC) No 444/2002⁽⁷⁾.
- (6) To limit the potential trade problems that might temporarily arise from the parallel existence of two different management procedures for some tariff quotas in the egg sector, i.e. management via the quarterly issue of import licences and management according to the 'first come first served' principle in line with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93, import licence holders should be given the possibility of cancellation with release of the security.
- (7) Regulation (EC) No 1899/97 should therefore be amended accordingly.
- (8) Given that the Protocol approved by Decision 2003/263/EC entered into force on 1 April 2003, provision should be made for this Regulation to apply from the same date.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1899/97 is amended as follows:

1. The title is replaced by the following:

'Commission Regulation (EC) No 1899/97 of 29 September 1997 laying down rules for the application in the poultrymeat and egg sectors of the arrangements provided for by Council Regulations (EC) Nos 2290/2000, 2433/2000 and 2434/2000'.

⁽¹⁾ OJ L 205, 2.8.2002, p. 9.

⁽²⁾ OJ L 8, 14.1.2003, p. 18.

⁽³⁾ OJ L 97, 15.4.2003, p. 53.

⁽⁴⁾ OJ L 267, 30.9.1997, p. 67.

⁽⁵⁾ OJ L 229, 27.8.2002, p. 10.

⁽⁶⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁷⁾ OJ L 68, 12.3.2002, p. 11.

2. In Article 1, the first paragraph is replaced by the following:

'1. All imports into the Community under the arrangements provided for in Council Regulations (EC) Nos 2290/2000 (*), 2433/2000 (**) and 2434/2000 (***) of products covered by Annex I to this Regulation shall be subject to presentation of an import licence.

(*) OJ L 262, 17.10.2000, p. 1.

(**) OJ L 280, 4.11.2000, p. 1.

(***) OJ L 280, 4.11.2000, p. 9.'

3. Part B of Annex I is deleted.

Article 2

1. Holders of import licences issued under Regulation (EC) No 1899/97 for group 17 listed in Part B of Annex I thereto in its version before entry into force of this Regulation who

applied for those licences between 1 and 7 December 2002 or between 1 and 7 March 2003 may request, before 15 May 2003, their cancellation with release of the security.

2. Member States shall notify to the Commission before 20 May 2003 the volume of cancelled licences.

Article 3

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

It shall apply from 1 April 2003.

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

Done at Brussels, 14 May 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COUNCIL DIRECTIVE 2003/38/EC

of 13 May 2003

amending Directive 78/660/EEC on the annual accounts of certain types of companies as regards amounts expressed in euro

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Fourth Council Directive 78/660/EEC of 25 July 1978 on the annual accounts of certain types of companies ⁽¹⁾, and in particular Article 53(2) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Whereas:

- (1) Articles 11 and 27 of Directive 78/660/EEC and, by way of reference, Article 6 of the Seventh Council Directive 83/349/EEC of 13 June 1983 on consolidated accounts ⁽³⁾ and Articles 20 and 21 of the Eighth Council Directive 84/253/EEC of 10 April 1984 on the approval of persons responsible for carrying out the statutory audits of accounting documents ⁽⁴⁾ specify thresholds expressed in euro for the balance sheet total and the net turnover, at or below which Member States may grant derogations from certain provisions of those Directives.
- (2) Since the fifth five-year period following the adoption of Directive 78/660/EEC ends on 24 July 2003, a review of those thresholds has duly been undertaken, as required by that Directive. The results of this review indicate that, in the light of economic and monetary trends in the Community, an increase in the amounts expressed in euro is necessary.
- (3) Directive 78/660/EEC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 78/660/EEC is hereby amended as follows:

1. in Article 11:

- (a) the first paragraph shall be amended as follows:
 - (i) in the first indent the words 'balance sheet total: EUR 3 125 000' shall be replaced by the words 'balance sheet total: EUR 3 650 000';
 - (ii) in the second indent the words 'net turnover: EUR 6 250 000' shall be replaced by the words 'net turnover: EUR 7 300 000';

(b) the following paragraph shall be inserted:

'In the case of those Member States which have not adopted the euro, the amount in national currency equivalent to the amounts specified in the first paragraph shall be that obtained by applying the exchange rate published in the *Official Journal of the European Union* on the date of the entry into force of the Directive setting those amounts in consequence of the review provided for in Article 53(2).';

2. in Article 27:

(a) the first paragraph shall be amended as follows:

- (i) in the first indent the words 'balance sheet total: EUR 12 500 000' shall be replaced by the words 'balance sheet total: EUR 14 600 000';
- (ii) in the second indent the words 'net turnover: EUR 25 000 000' shall be replaced by the words 'net turnover: EUR 29 200 000';

(b) the following paragraph shall be inserted:

'In the case of those Member States which have not adopted the euro, the amount in national currency equivalent to the amounts specified in the first paragraph shall be that obtained by applying the exchange rate published in the *Official Journal of the European Union* on the date of the entry into force of the Directive setting those amounts in consequence of the review provided for in Article 53(2).'

Article 2

1. Member States shall adopt the measures necessary to comply with this Directive if and when they decide to make use of the option provided for in Articles 11 and 27 of Directive 78/660/EEC. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field governed by this Directive.

Article 3

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

⁽¹⁾ OJ L 222, 14.8.1978, p. 11. Directive as last amended by Directive 2001/65/EC (OJ L 283, 27.10.2001, p. 28).

⁽²⁾ Proposal of 24.1.2003 (not yet published in the Official Journal).

⁽³⁾ OJ L 193, 18.7.1983, p. 1. Directive as last amended by Directive 2001/65/EC.

⁽⁴⁾ OJ L 126, 12.5.1984, p. 20.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 13 May 2003.

For the Council

The President

A.-A. TSOCHATZOPOULOS

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 April 2003

on the conclusion of an additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, on conformity assessment and acceptance of industrial products (PECA)

(2003/336/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2), the first sentence of the first subparagraph of Article 300(3) and Article 300(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia of the other part ⁽¹⁾, entered into force on 1 February 1998.
- (2) Article 75 of the Europe Agreement provides that cooperation in the fields of standardisation and conformity assessment is to seek to achieve the conclusion of agreements on mutual recognition.
- (3) Article 113(2) of the Europe Agreement provides that the Association Council may delegate to the Association Committee any of its powers.
- (4) Article 2 of Decision 98/180/EC, ECSC, Euratom of the Council and the Commission of 19 December 1997 on the conclusion of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part ⁽²⁾, provides for the Community decision-making procedures and for the presentation of the Community position in the Association Council and in the Association Committee.
- (5) Article 14 of Decision No 1/1998 of the Association Council between the European Communities and their Member States, of the one part, and the Republic of

Estonia, of the other part of 23 February 1998 on its rules of procedure ⁽³⁾ provides that the Association Committee may set up further subcommittees or groups to assist it in carrying out its duties.

- (6) The draft Protocol to the Europe Agreement on conformity assessment and acceptance of industrial products was signed in Brussels on 6 March 2003 on behalf of the Community and should be approved.
- (7) Certain tasks for implementation have been entrusted to the Association Council, including in particular the power to amend the Annexes to the Protocol.
- (8) The appropriate internal procedures should be established to ensure the proper functioning of the Protocol.
- (9) It is necessary to empower the Commission to make certain technical amendments to this Protocol and to take certain decisions for its implementation,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol to the Europe Agreement with the Republic of Estonia on conformity assessment and acceptance of industrial products (hereinafter referred to as the Protocol), as well as the declaration annexed thereto, are hereby approved on behalf of the European Community.

The text of the Protocol and of the declaration is attached to this Decision.

⁽¹⁾ OJ L 68, 9.3.1998, p. 3.

⁽²⁾ OJ L 68, 9.3.1998, p. 1.

⁽³⁾ OJ L 73, 12.3.1998, p. 17.

Article 2

The President of the Council shall, on behalf of the Community, transmit the diplomatic note provided for in Article 17 of the Protocol.

Article 3

1. The Commission, after consultation with the special committee appointed by the Council, shall:

- (a) put into effect the notifications, acknowledgements, suspensions and withdrawals of bodies, and appointments of the joint team or teams of experts, in accordance with Articles 10, 11 and 14, indent c) of the Protocol;
- (b) bring about the consultations, exchange of information, the requests for verification and for participation in verifications, in accordance with Articles 3, 12 and 14, indents d) and e), and Sections III and IV of the Annexes to the Protocol concerning electrical safety, electromagnetic compatibility, lifts and the safety of toys;
- (c) if necessary, reply to requests in accordance with Article 11, Sections III and IV of the Annexes to the Protocol concerning electrical safety, electromagnetic compatibility, lifts and the safety of toys.

2. Following consultation of the special committee referred to in paragraph 1 of this Article, the Commission shall determine the position to be taken by the Community in the Association Council and, where applicable, in the Association Committee, with regard to:

- (a) amendments to the Annexes in accordance with Article 14, point (a) of the Protocol;

- (b) the addition of new Annexes in accordance with Article 14, point (b) of the Protocol;
- (c) any decisions regarding disagreements on the results of the verifications and the suspensions, in part or totally, of any notified body in accordance with the second and third subparagraphs of Article 11 of the Protocol;
- (d) any measures taken in the application of the safeguard clauses in Section IV of the Annexes of the Protocol concerning electrical safety, electromagnetic compatibility, lifts and the safety of toys;
- (e) any measures concerning the verification, suspension, or withdrawal of industrial products having mutual acceptance under Article 4 of the Protocol.

3. In all other cases the position to be taken by the Community in the Association Council and, where applicable, in the Association Committee, with regard to this Protocol shall be determined by the Council, acting by qualified majority on a proposal from the Commission.

Done at Luxembourg, 14 April 2003.

For the Council

The President

A. GIANNITSIS

PROTOCOL

to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, on conformity assessment and acceptance of industrial products (PECA)

THE EUROPEAN COMMUNITY AND ESTONIA,

hereinafter referred to as 'the Parties',

WHEREAS Estonia has applied for membership of the European Union and such membership implies the effective implementation of the *acquis* of the European Community,

RECOGNISING that the progressive adoption and implementation of Community law by Estonia provides the opportunity to extend certain benefits of the Internal Market and to ensure its effective operation in certain sectors before accession,

CONSIDERING THAT, in the sectors covered by this Protocol, Estonian national law substantially corresponds to Community law,

CONSIDERING their shared commitment to the principles of free movement of goods and to promoting product quality, so as to ensure the health and safety of their citizens and the protection of the environment, in particular through technical assistance and other forms of cooperation between them,

DESIRING to conclude a Protocol to the Europe Agreement on Conformity Assessment and Acceptance of industrial products (hereinafter referred to as this Protocol) providing for the mutual acceptance of industrial products which fulfil the requirements to be lawfully placed on the market in one of the Parties and of the mutual recognition of the results of conformity assessment of industrial products which are subject to Community or national law, noting that Article 75 of the Europe Agreement provides, where appropriate, for the conclusion of an agreement on mutual recognition,

NOTING the close relationship between the European Community and Iceland, Liechtenstein and Norway through the Agreement on the European Economic Area, which makes it appropriate to consider the conclusion of a parallel European Conformity Assessment Agreement between Estonia and these countries equivalent to this Protocol,

BEARING IN MIND their status as Contracting Parties to the Agreement establishing the World Trade Organisation, and conscious in particular of their obligations under the World Trade Organisation Agreement on Technical Barriers to Trade,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

The purpose of this Protocol is to facilitate the elimination by the Parties of technical barriers to trade in respect of industrial products. The means to this end is the progressive adoption and implementation by Estonia of national law which is equivalent to Community law.

This Protocol provides for:

1. the mutual acceptance of industrial products, listed in the Annexes on mutual acceptance of industrial products, which fulfil the requirements for being lawfully placed on the market in one of the Parties;
2. the mutual recognition of the results of conformity assessment of industrial products subject to Community law and to the equivalent Estonian national law, both listed in the Annexes on mutual recognition of results of conformity assessment.

Article 2

Definitions

For the purposes of this Protocol,

- 'industrial products' means products as specified in Article 9 of the Europe Agreement,

- 'Community law' means any legal act and implementing practice of the European Community applicable to a particular situation, risk or category of industrial products, as interpreted by the Court of Justice of the European Communities,

- 'national law' means any legal act and implementing practice by which Estonia adopts the Community law applicable to a particular situation, risk or category of industrial products.

The terms used in this Protocol shall have the meaning given in Community law and Estonian national law.

Article 3

Alignment of legislation

For the purposes of this Protocol, Estonia agrees to take appropriate measures, in consultation with the Commission of the European Communities, to maintain or complete the adoption of Community law, in particular in the fields of standardisation, metrology, accreditation, conformity assessment, market surveillance, the general safety of products, and producer's liability.

*Article 4***Mutual acceptance of industrial products**

The Parties agree that, for the purposes of mutual acceptance, industrial products listed in the Annexes on mutual acceptance of industrial products which fulfil the requirements for being lawfully placed on the market of a Party, may be placed on the market of the other Party without further restriction. This shall be without prejudice to Article 34 of the Europe Agreement.

*Article 5***Mutual recognition of the results of conformity assessment procedures**

The Parties agree to recognise the results of conformity assessment procedures carried out in accordance with Community or national law listed in the Annexes on mutual recognition of the results of conformity assessment. The Parties shall not require procedures to be repeated, nor shall they impose additional requirements for the purposes of accepting that conformity.

*Article 6***Safeguard clause**

Where a Party finds that an industrial product placed on its territory by virtue of this Protocol, and used in accordance with its intended use, may compromise the safety or health of users or other persons, or has any other legitimate concern protected by legislation identified in the Annexes, it may take appropriate measures to withdraw such a product from the market, to prohibit its placing on the market, putting into service or use, or to restrict its free movement. The Annexes shall provide for the procedure to be applied in such cases.

*Article 7***Extension of coverage**

As Estonia adopts and implements further national law adopting Community law, the Parties may amend the Annexes or conclude new ones, in accordance with the procedure laid down in Article 14.

*Article 8***Origin**

The provisions of this Protocol shall apply to industrial products irrespective of their origin.

*Article 9***Obligations of the Parties as regards their authorities and bodies**

The Parties shall ensure that authorities under their jurisdiction which are responsible for the effective implementation of Community and national law shall continuously apply it.

Furthermore, they shall ensure that these authorities are able, where appropriate, to notify, suspend, re-establish and withdraw notification from bodies, to ensure the conformity of industrial products with Community or national law or to require their withdrawal from the market.

The Parties shall ensure that bodies, notified under their respective jurisdictions to assess conformity in relation to requirements of Community or national law specified in the Annexes, continuously comply with the requirements of Community or national law. Furthermore, they shall take all necessary steps to ensure that these bodies maintain the necessary competence to carry out the tasks for which they are notified.

*Article 10***Notified bodies**

Initially, the bodies notified for the purposes of this Protocol shall be those included in the lists which Estonia and the Community have exchanged before the completion of the procedures for entry into force.

Thereafter, the following procedure shall apply for the notification of bodies to assess conformity in relation to the requirements of Community or national law specified in the Annexes:

- (a) a Party shall forward its notification to the other Party in writing;
- (b) on the acknowledgement of the other Party, given in writing, the body shall be considered as notified and as competent to assess conformity in relation to the requirements specified in the Annexes from that date.

If a Party decides to withdraw a notified body under its jurisdiction, it shall inform the other Party in writing. The body shall cease to assess conformity in relation to the requirements specified in the Annexes from the date of its withdrawal at the latest. Nevertheless, conformity assessment carried out before that date shall remain valid, unless otherwise decided by the Association Council.

*Article 11***Verification of notified bodies**

Each Party may request the other Party to verify the technical competence and compliance of a notified body under its jurisdiction. Such a request shall be justified in order to allow the Party responsible for the notification to carry out the requested verification and report speedily to the other Party. The Parties may also jointly examine the body, with the participation of the relevant authorities. To this end, the Parties shall ensure the full cooperation of bodies under their jurisdiction. The Parties shall take all appropriate steps, and use whatever available means may be necessary, with a view to resolving any problems which are detected.

If the problems cannot be resolved to the satisfaction of both Parties, they may notify the chairman of the Association Council of their dissent, giving their reasons. The Association Council may decide on appropriate action.

Unless and until decided otherwise by the Association Council, the notification of the body and the recognition of its competence to assess conformity in relation to the requirements of Community or national law specified in the Annexes shall be suspended in part or totally from the date on which the disagreement of the Parties has been notified to the chairman of the Association Council.

Article 12

Exchange of information and cooperation

In order to ensure the correct and uniform application and interpretation of this Protocol, the Parties, their authorities and their notified bodies shall:

- (a) exchange all relevant information concerning implementation of law and practice including, in particular, on the procedure to ensure compliance by notified bodies;
- (b) take part, as appropriate, in the relevant mechanisms of information, coordination and other related activities of the Parties;
- (c) encourage their bodies to cooperate with a view to establishing mutual recognition arrangements in the voluntary sphere.

Article 13

Confidentiality

Representatives, experts and other agents of the Parties shall be required, even after their duties have ceased, not to disclose information acquired under this Protocol which is of the kind covered by the obligation of professional secrecy. This information may not be used for purposes other than those envisaged by this Protocol.

Article 14

Management of the Protocol

Responsibility for the effective functioning of this Protocol shall be held by the Association Council in conformity with Article 109 of the Europe Agreement. In particular, it shall have the power to take decisions regarding:

- (a) amending the Annexes;
- (b) adding new Annexes;

- (c) appointing a joint team or teams of experts to verify the technical competence of a notified body and its compliance with the requirements;
- (d) exchanging information on proposed and actual modifications of the Community and national law referred to in the Annexes;
- (e) considering new or additional conformity assessment procedures affecting a sector covered by an Annex;
- (f) resolving any questions relating to the application of this Protocol.

The Association Council may delegate the above responsibilities set out under this Protocol, in conformity with Article 113(2) of the Europe Agreement.

Article 15

Technical cooperation and assistance

The Community may provide technical cooperation and assistance to Estonia where necessary in order to support the effective implementation and application of this Protocol.

Article 16

Agreements with other countries

Agreements on conformity assessment concluded by either Party with a country which is not a Party to this Protocol shall not entail an obligation upon the other Party to accept the results of conformity assessment procedures carried out in that third country, unless there is an explicit agreement between the Parties in the Association Council.

Article 17

Entry into force

This Protocol shall enter into force on the first day of the second month following the date on which the Parties have exchanged diplomatic notes confirming the completion of their respective procedures for entry into force of the Protocol.

Article 18

Status of the Protocol

This Protocol shall constitute an integral part of the Europe Agreement.

This Protocol is drawn up in two originals in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Estonian languages, each text being equally authentic.

ANNEX

ANNEX

on mutual acceptance of industrial products

(for the record)

ANNEX

*on mutual recognition of results of conformity assessment***Table of contents**

1. Electrical Safety
2. Electromagnetic Compatibility
3. Lifts
4. Safety of toys

ELECTRICAL SAFETY

SECTION I

COMMUNITY AND NATIONAL LAW

Community law:	Council Directive 73/23/EEC of 19 February 1973 on the approximation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ L 77, 26.3.1973, p. 29), as last amended by Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1).
National law:	Electrical Safety Act (RT I, 18.6.2002, 49, 310); Regulation of the Minister of Economic Affairs No 33 of 28 June 2002 'Requirements for Electrical Equipment and Installations and for Electromagnetic Compatibility Thereof, and Procedure for Conformity Assessment and Attestation of Electrical Equipment and Installations, and Requirements for Provision of Labelling on and Information with Electrical Equipment and Installations' (RTL, 11.7.2002, 76, 1171)

SECTION II

NOTIFYING AUTHORITIES**European Community**

— Belgium:	Service public fédéral économie, P.M.E., classes moyennes & Énergie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie.
— Denmark:	Økonomi- og Erhvervsministeriet, Elektricitetsrådet.
— Germany:	Bundesministerium für Arbeit, und Sozialordnung.
— Greece:	Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry).
— Spain:	Ministerio de Ciencia y Tecnología.
— France:	Ministère de l'économie, des finances et de l'industrie. Direction générale de l'industrie, des technologies de l'information et des postes (DiGITIP) — SQUALPI.
— Ireland:	Department of Enterprise, Trade and Employment.
— Italy:	Ministero delle Attività Produttive.
— Luxembourg:	Ministère de l'économie service de l'énergie de l'état Ministère du travail (inspection du travail et des mines).
— Netherlands:	Ministerie van Volksgezondheid, Welzijn en Sport (consumer goods). Minister van Sociale Zaken en Werkgelegenheid (others).
— Austria:	Bundesministerium für Wirtschaft und Arbeit.
— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade.
— Finland:	Kauppa- ja teollisuusministeriö/Handels- och industriministeriet.
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
— United Kingdom:	Department of Trade and Industry.
Estonia:	Majandus- ja Kommunikatsiooniministeerium.

SECTION III

NOTIFIED BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Estonia in accordance with Article 10 of this Protocol.

Estonia

Bodies which have been designated/authorised by Estonia in accordance with the Estonian national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**Safeguard Clauses***A. Safeguard clause relating to industrial products*

1. Where a Party has taken measures to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measures are:
 - (a) unjustified, the national authority of the Party which took the measures shall withdraw them;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where Estonia considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

ELECTROMAGNETIC COMPATIBILITY

SECTION I

COMMUNITY AND NATIONAL LAW

Community law: Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (OJ L 139, 23.5.1989, p. 19), as last amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1).

National law: Electrical Safety Act (RT I, 18.6.2002, 49, 310);

Regulation of the Minister of Economic Affairs No 33 of 28 June 2002 'Requirements for Electrical Equipment and Installations and for Electromagnetic Compatibility Thereof, and Procedure for Conformity Assessment and Attestation of Electrical Equipment and Installations, and Requirements for Provision of Labelling on and Information with Electrical Equipment and Installations' (RTL, 11.7.2002, 76, 1171)

SECTION II

NOTIFYING AUTHORITIES

European Community

- Belgium: Service public fédéral économie, P.M.E., classes moyennes & énergie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie.
- Denmark: IT- og Telestyrelsen.
- Germany: Bundesministerium für Wirtschaft und Technologie.
- Greece: Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry).
- Spain: Ministerio de Ciencia y Tecnología.
- France: Ministère de l'économie, des finances et de l'industrie. Direction générale de l'industrie, des technologies de l'information et des postes (DiGITIP) — SQUALPI.
- Ireland: Department of Enterprise, Trade and Employment.
- Italy: Ministero delle Attività Produttive.
- Luxembourg: Ministère de l'économie, service de l'énergie de l'état.
- Netherlands: Ministerie van Verkeer en Waterstaat.
- Austria: Bundesministerium für Wirtschaft und Arbeit.
- Portugal: Under the authority of the Government of Portugal:
Instituto Português da Qualidade.
ICP-Autoridade Nacional de Comunicações (ANACOM).
- Finland: Kauppa- ja teollisuusministeriö/Handels- och industriministeriet.
- Sweden: Under the authority of the Government of Sweden:
Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
- United Kingdom: Department of Trade and Industry.
- Estonia:** Majandus- ja Kommunikatsiooniministeerium.

SECTION III

NOTIFIED AND COMPETENT BODIES

European Community

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Estonia in accordance with Article 10 of this Protocol.

Estonia

Bodies which have been designated/authorised by Estonia in accordance with the Estonian national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS

Safeguard Clauses*A. Safeguard clause relating to industrial products*

1. Where a Party has taken measures to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.

2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where Estonia considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

LIFTS

SECTION I

COMMUNITY AND NATIONAL LAW

Community law:	European Parliament and Council Directive 95/16/EC of 29 June 1995 on the approximation of the laws of the Member States relating to lifts (OJ L 213, 7.9.1995, p. 1).
National law:	Lifts and Cableways Installations Safety Act (RT I, 19.6.2002, 50, 312)
	Regulation of the Minister of Economic Affairs No 39 of 1 July 2002 'Conformity Assessment and Attestation of Conformity of Lifts, Subsystems and Safety Components' (RTL, 12.7.2002, 77, 1197)
	Regulation of the Minister of Economic Affairs No 38 of 1 July 2002 'Requirements for Lifts, Safety Components and Installations and their Supply with Information and Affixation with the Mark of Conformity' (RTL, 12.7.2002, 77, 1196)

SECTION II

NOTIFYING AUTHORITIES

European Community

— Belgium:	Service public fédéral économie, P.M.E., classes moyennes & énergie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie.
— Denmark:	Arbejdstilsynet.
— Germany:	Bundesministerium für Arbeit, und Sozialordnung.
— Greece:	Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry).
— Spain:	Ministerio de Ciencia y Tecnología.
— France:	Ministère de l'équipement, des transports et du logement, Direction générale de l'urbanisme, de l'habitat et de la construction.
— Ireland:	Department of Enterprise, Trade and Employment.
— Italy:	Ministero delle Attività Produttive.

— Luxembourg:	Ministère du travail (inspection du travail et des mines).
— Netherlands:	Ministerie van Sociale Zaken en Werkgelegenheid.
— Austria:	Bundesministerium für Wirtschaft und Arbeit.
— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade.
— Finland:	Kauppa- ja teollisuusministeriö/Handels- och industriministeriet.
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
— United Kingdom:	Department of Trade and Industry.
Estonia:	Majandus- ja Kommunikatsiooniministeerium.

SECTION III

NOTIFIED BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Estonia in accordance with Article 10 of this Protocol.

Estonia

Bodies which have been designated by Estonia in accordance with the Estonian national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**Safeguard Clauses***A. Safeguard clause relating to industrial products*

1. Where a Party has taken measures to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of its investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measures are:
 - (a) unjustified, the national authority of the Party which took the measures shall withdraw them;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where Estonia considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

SAFETY OF TOYS

SECTION I

COMMUNITY AND NATIONAL LAW

Community law:	Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (OJ L 187, 16.7.1988, p. 1), as amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1).
National law:	Government Regulation No 36 of 24 January 2001 'Safety Requirements for Toys and Procedure for Conformity Attestation of Toys' (RT I, 31.1.2001, 13, 58) Regulation No 72 of the Minister of Social Affairs of 2 November 2000 'Restrictions on Handling of Chemicals Dangerous to Population and Environment' (RTL, 10.11.2000, 116, 1825) Regulation No 37 of the Minister of Social Affairs of 26 May 2000 'The Procedure for Identification, Classification, Packaging and Labelling of Dangerous Chemicals' (RTL, 13.7.2000, 78, 1184) Regulation No 12 of the Minister of Social Affairs of 8 March 1999 'The List of Dangerous Substances' (RTL, 15.3.1999, 39, 508; 39, 509)

SECTION II

NOTIFYING AUTHORITIES

European Community

— Belgium:	Service public fédéral économie, P.M.E., classes moyennes & énergie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie.
— Denmark:	Økonomi- og Erhvervsministeriet, Forbrugerstyrelsen.
— Germany:	Bundesministerium für Arbeit, und Sozialordnung.
— Greece:	Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry).
— Spain:	Ministerio de Ciencia y Tecnología. Instituto Nacional de Consumo.
— France:	Ministère de l'économie et des finances.
— Ireland:	Department of Enterprise and Employment.
— Italy:	Ministero delle Attività Produttive.
— Luxembourg:	Ministère du travail et de l'emploi.
— Netherlands:	Inspectie gezondheidsbescherming.
— Austria:	Bundesministerium für Wirtschaft und Arbeit.
— Portugal:	Divisão de Estudos de Produtos do Instituto do Consumidor.
— Finland:	Kauppa- ja teollisuusministeriö/Handels- och industriministeriet.
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC).
— United Kingdom:	Department of Trade and Industry.
Estonia:	Majandus- ja Kommunikatsiooniministeerium.

SECTION III

NOTIFIED BODIES

European Community

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to Estonia in accordance with Article 10 of this Protocol.

Estonia

Bodies which have been authorised by Estonia in accordance with the Estonian national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS

1. Information concerning the certificate and the technical file

In accordance with Article 10(4) of Directive 88/378/EEC, the authorities listed in Section II may obtain on request a copy of the certificate and, on reasoned request, a copy of the technical file and the reports on the examinations and tests carried out.

2. Notification of grounds for refusal by approved bodies

In accordance with Article 10(5) of Directive 88/378/EEC, Estonian bodies shall inform the Notifying Authority when refusing to issue an EC type-examination certificate. The Notifying Authority shall likewise notify the Commission of the European Communities thereof.

3. Safeguard Clauses*A. Safeguard clause relating to products*

1. Where a Party has taken measures to deny free access to its market for products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measures are:
 - (a) unjustified, the national authority of the Party who has taken the measures shall withdraw them;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where the Republic of Estonia considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
 2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
 3. The Community shall keep the Association Council and the other Party informed of the proceedings.
 4. The outcome of the procedure shall be notified to the other Party.
-

**DECLARATION BY THE COMMUNITY ON THE ATTENDANCE OF ESTONIAN REPRESENTATIVES AT
COMMITTEE MEETINGS**

In order to ensure a better understanding of the practical aspects of the application of the *acquis communautaire*, the Community declares that the Republic of Estonia is invited, under the following conditions, to the meetings of the committees established or referred to under the Community law on electrical safety, electromagnetic compatibility and lifts.

This participation shall be limited to meetings or parts thereof during which the application of the *acquis* is discussed; it shall not entail attendance at meetings intended to prepare and issue opinions on implementation or management powers delegated to the Commission by the Council.

This invitation may be extended, on a case-by-case basis, to groups of experts convened by the Commission.

COUNCIL DECISION

of 14 April 2003

on the conclusion of an additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, on conformity assessment and acceptance of industrial products (PECA)

(2003/337/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2), the first sentence of the first subparagraph of Article 300(3) and Article 300(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of the Slovak Republic of the other part, ⁽¹⁾ entered into force on 1 February 1995.

(2) Article 75 of the Europe Agreement provides that cooperation in the fields of standardisation and conformity assessment is to seek to achieve the conclusion of agreements on mutual recognition.

(3) Article 108(2) of the Europe Agreement provides that the Association Council may delegate to the Association Committee any of its powers.

(4) Article 2 of Decision 94/909/ECSC, EC, Euratom of the Council and the Commission of 19 December 1994 on the conclusion of the Europe Agreement between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part ⁽²⁾, provides for the Community decision-making procedures and for the presentation of the Community position in the Association Council and in the Association Committee.

(5) Article 14 of Decision No 1/1995 of the Association Council between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part of 17 May 1995 on its rules of procedure provides that the Association Council may set up further subcommittees or groups to assist it in carrying out its duties.

(6) The draft Protocol to the Europe Agreement on conformity assessment and acceptance of industrial products was signed in Brussels on 26 February 2003, on behalf of the Community, and should be approved.

(7) Certain tasks for implementation have been conferred to the Association Council and in particular the power to amend the Annexes to the Protocol.

(8) The appropriate internal procedures should be established to ensure the proper functioning of the Protocol.

(9) It is necessary to empower the Commission to make certain technical amendments to this Protocol and to take certain decisions for its implementation,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol to the Europe Agreement with the Slovak Republic on conformity assessment and acceptance of industrial products (hereinafter referred to as the Protocol), as well as the declaration annexed thereto, are hereby approved on behalf of the European Community.

The text of the Protocol and of the declaration is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Community, transmit the diplomatic note provided for in Article 17 of the Protocol.

Article 3

1. The Commission, after consultation with the special Committee appointed by the Council, shall:

(a) carry into effect the notifications, acknowledgements, suspensions and withdrawals of bodies, and appointments of joint team or teams of experts, in accordance with Articles 10, 11 and 14(c) of the Protocol;

(b) bring about the consultations, exchange of information, the requests for verifications and for participation in verifications, in accordance with Articles 3, 12 and 14(d) and (e), and Sections III and IV of the Annexes to the Protocol concerning machinery, personal protective equipment, electrical safety, electromagnetic compatibility and equipment and protective systems intended for use in potentially explosive atmospheres;

⁽¹⁾ OJ L 359, 31.12.1994, p. 2.

⁽²⁾ OJ L 359, 31.12.1994, p. 1.

(c) if necessary, reply to requests in accordance with Article 11, Sections III and IV of the Annexes to the Protocol concerning machinery, personal protective equipment, electrical safety, electromagnetic compatibility and equipment and protective systems intended for use in potentially explosive atmospheres.

2. Following consultation of the special Committee referred to in paragraph 1 of this Article, the Commission shall determine the position to be taken by the Community in the Association Council and, where applicable, in the Association Committee, with regard to:

- (a) amendments to the Annexes in accordance with Article 14, point (a) of the Protocol;
- (b) addition of new Annexes in accordance with Article 14, point (b) of the Protocol;
- (c) any decisions regarding disagreements on the results of the verifications and the suspensions, in part or totally, of any notified body in accordance with the second and third subparagraphs of Article 11 of the Protocol;
- (d) any measures taken in the application of the safeguard clauses in Section IV of the Annexes of the Protocol concerning machinery, personal protective equipment, elec-

trical safety, electromagnetic compatibility and equipment and protective systems intended for use in potentially explosive atmospheres;

- (e) any measures concerning the verification, suspension, or withdrawal of industrial products as having mutual acceptance under Article 4 of the Protocol.

3. In all other cases the position to be taken by the Community in the Association Council and, where applicable, in the Association Committee, with regard to this Protocol shall be determined by the Council, acting by qualified majority on a proposal from the Commission.

Done at Luxembourg, 14 April 2003.

For the Council

The President

A. GIANNITSIS

PROTOCOL

to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part, on conformity assessment and acceptance of industrial products (PECA)

THE EUROPEAN COMMUNITY AND THE SLOVAK REPUBLIC, hereinafter referred to as 'the Parties',

WHEREAS the Slovak Republic has applied for membership of the European Union and such membership implies the effective implementation of the *acquis* of the European Community,

RECOGNISING that the progressive adoption and implementation of Community law by the Slovak Republic provides the opportunity to extend certain benefits of the Internal Market and to ensure its effective operation in certain sectors before accession,

CONSIDERING THAT, in the sectors covered by this Protocol, the Slovak Republic national law substantially takes over the Community law,

CONSIDERING their shared commitment to the principles of free movement of goods and to promoting product quality, so as to ensure the health and safety of their citizens and the protection of the environment, including through technical assistance and other forms of cooperation between them,

DESIRING to conclude a Protocol to the Europe Agreement on conformity assessment and acceptance of industrial products (hereinafter referred to as this Protocol) providing for the application of the mutual acceptance of industrial products which fulfil the requirements for being lawfully placed on the market in one of the Parties and of the mutual recognition of the results of conformity assessment of industrial products which are subject to Community or national law, noting that Article 75 of the Europe Agreement provides, where appropriate, for the conclusion of an agreement on mutual recognition,

NOTING the close relationship between the European Community and Iceland, Liechtenstein and Norway through the Agreement on the European Economic Area, which makes it appropriate to consider the conclusion of a parallel European Conformity Assessment Agreement between the Slovak Republic and these countries equivalent to this Protocol,

BEARING IN MIND their status as Contracting Parties to the Agreement establishing the World Trade Organisation, and conscious in particular of their obligations under the World Trade Organisation Agreement on Technical Barriers to Trade,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

The purpose of this Protocol is to facilitate the elimination by the Parties of technical barriers to trade in respect of industrial products. The means to this end is the progressive adoption and implementation by the Slovak Republic of national law, which is equivalent to Community law.

This Protocol provides for:

1. the mutual acceptance of industrial products, listed in the Annexes on mutual acceptance of industrial products, which fulfil the requirements for being lawfully placed on the market in one of the Parties;
2. the mutual recognition of the results of conformity assessment of industrial products subject to Community law and to the equivalent Slovak Republic national law, both listed in the Annexes on mutual recognition of results of conformity assessment.

Article 2

Definitions

For the purpose of this Protocol,

- 'industrial products' means products as specified in Article 9 of the Europe Agreement,
- 'Community law' means any legal act and implementing practice of the European Community applicable to a particular situation, risk or category of industrial products, as interpreted by the Court of Justice of the European Communities,
- 'national law' means any legal act and implementing practice by which the Slovak Republic takes over the Community law applicable to a particular situation, risk or category of industrial products.

The terms used in this Protocol shall have the meaning given in Community law and Slovak Republic national law.

*Article 3***Alignment of legislation**

For the purpose of this Protocol, the Slovak Republic agrees to take appropriate measures, in consultation with the Commission of the European Communities, to maintain or complete the take-over of Community law, in particular in the fields of standardisation, metrology, accreditation, conformity assessment, market surveillance, general safety of products, and producer's liability.

*Article 4***Mutual acceptance of industrial products**

The Parties agree that, for the purpose of mutual acceptance, industrial products listed in the Annexes on mutual acceptance of industrial products, which fulfil the requirements for being lawfully placed on the market of a Party, may be placed on the market of the other Party, without further restriction. This shall be without prejudice to Article 36 of the Europe Agreement.

*Article 5***Mutual recognition of the results of conformity assessment procedures**

The Parties agree to recognise the results of conformity assessment procedures carried out in accordance with the Community or national law listed in the Annexes on mutual recognition of the results of conformity assessment. The Parties shall not require procedures to be repeated, nor shall they impose additional requirements, for the purposes of accepting that conformity.

*Article 6***Safeguard clause**

Where a Party finds that an industrial product placed on its territory by virtue of this Protocol, and used in accordance with its intended use, may compromise the safety or health of users or other persons, or any other legitimate concern protected by legislation identified in the Annexes, it may take appropriate measures to withdraw such a product from the market, to prohibit its placing on the market, putting into service or use, or to restrict its free movement. The Annexes shall provide for the procedure to be applied in such cases.

*Article 7***Extension of coverage**

As the Slovak Republic adopts and implements further national law taking over Community law, the Parties may amend the Annexes or conclude new ones, in accordance with the procedure laid down in Article 14.

*Article 8***Origin**

The provisions of this Protocol shall apply to industrial products irrespective of their origin.

*Article 9***Obligation of Parties as regards their authorities and bodies**

The Parties shall ensure that authorities under their jurisdiction which are responsible for the effective implementation of Community and national law shall continuously apply it. Further, they shall ensure that these authorities are able, where appropriate, to notify, suspend, remove suspension and withdraw notification of bodies, to ensure the conformity of industrial products with Community or national law or to require their withdrawal from the market.

The Parties shall ensure that bodies, notified under their respective jurisdiction to assess conformity in relation to requirements of Community or national law specified in the Annexes, continuously comply with the requirements of Community or national law. Further, they shall take all necessary steps to ensure that these bodies maintain the necessary competence to carry out the tasks for which they are notified.

*Article 10***Notified bodies**

Initially, the bodies notified for the purpose of this Protocol shall be those included in the lists which the Slovak Republic and the Community have exchanged before the completion of the procedures for entry into force.

Afterwards, the following procedure shall apply for the notification of bodies to assess conformity in relation to the requirements of Community or national law specified in the Annexes:

- (a) Each Party shall forward its notification to the other Party in writing;
- (b) on the acknowledgement of the other Party, given in writing, the body shall be considered as notified and as competent to assess conformity in relation to the requirements specified in the Annexes from that date.

If a Party decides to withdraw a notified body under its jurisdiction, it shall inform the other Party in writing. The body shall cease to assess conformity in relation to the requirements specified in the Annexes from the date of its withdrawal at the latest. Nevertheless, conformity assessment carried out before that date shall remain valid, unless otherwise decided by the Association Council.

*Article 11***Verification of notified bodies**

Each Party may request the other Party to verify the technical competence and compliance of a notified body under its jurisdiction. Such request shall be justified in order to allow the Party responsible for the notification to carry out the requested verification and report speedily to the other Party. The Parties may also jointly examine the body, with the participation of the relevant authorities. To this end, the Parties shall ensure the full cooperation of bodies under their jurisdiction. The Parties shall take all appropriate steps, and use whatever available means may be necessary, with a view to resolving any problems which are detected.

If the problems cannot be resolved to the satisfaction of both Parties, they may notify the chairman of the Association Council of their dissent, giving their reasons. The Association Council may decide on appropriate action.

Unless and until decided otherwise by the Association Council, the notification of the body and the recognition of its competence to assess conformity in relation to the requirements of Community or national law specified in the Annexes shall be suspended in part or totally from the date on which the disagreement of the Parties has been notified to the chairman of the Association Council.

*Article 12***Exchange of information and cooperation**

In order to ensure a correct and uniform application and interpretation of this Protocol, the Parties, their authorities and their notified bodies shall:

- (a) exchange all relevant information concerning implementation of law and practice including, in particular, on procedure to ensure compliance of notified bodies;
- (b) take part, as appropriate, in the relevant mechanisms of information, coordination and other related activities of the Parties;
- (c) encourage their bodies to cooperate with a view to establishing mutual recognition arrangements in the voluntary sphere.

*Article 13***Confidentiality**

Representatives, experts and other agents of the Parties shall be required, even after their duties have ceased, not to disclose information acquired under this Protocol which is of the kind covered by the obligation of professional secrecy. This information may not be used for purposes other than those envisaged by this Protocol.

*Article 14***Management of the Protocol**

Responsibility for the effective functioning of this Protocol shall be held by the Association Council in conformity with Article 104 of the Europe Agreement. In particular, it shall have the power to take decisions regarding:

- (a) amending the Annexes;

- (b) adding new Annexes;

- (c) appointing a joint team or teams of experts to verify the technical competence of a notified body and its compliance with the requirements;

- (d) changing information on proposed and actual modifications of the Community and national law referred to in the Annexes;

- (e) considering new or additional conformity assessment procedures affecting a sector covered by an Annex;

- (f) resolving any questions relating to the application of this Protocol.

The Association Council may delegate the above responsibilities set out under this Protocol, in conformity with Article 108(2) of the Europe Agreement.

*Article 15***Technical cooperation and assistance**

The Community may provide technical cooperation and assistance to the Slovak Republic where necessary in order to support the effective implementation and application of this Protocol.

*Article 16***Agreements with other countries**

Agreements on conformity assessment concluded by either Party with a country which is not a Party to this Protocol shall not entail an obligation upon the other Party to accept the results of conformity assessment procedures carried out in that third country, unless there is an explicit agreement between the Parties in the Association Council.

*Article 17***Entry into force**

This Protocol shall enter into force on the first day of the second month following the date on which the Parties have exchanged diplomatic notes confirming the completion of their respective procedures for entry into force of the Protocol.

*Article 18***Status of the Protocol**

This Protocol constitutes an integral part of the Europe Agreement.

This Protocol is drawn up in two originals in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Slovak languages, each text being equally authentic.

L. Bay

ANNEX

ANNEX

on mutual acceptance of industrial products

(for the record)

ANNEX

*on mutual recognition of results of conformity assessment***Table of contents**

1. Machinery
2. Personal protective equipment
3. Electrical safety
4. Electromagnetic compatibility
5. Equipment and protective systems intended for use in potentially explosive atmospheres

MACHINERY

SECTION I

COMMUNITY AND NATIONAL LAW

Community law:	European Parliament and Council Directive 98/37/EC of 22 June 1998 on the approximation of the laws of the Member States relating to machinery (OJ L 207, 23.7.1998, p. 1), as amended by European Parliament and Council Directive 98/79/EC of 27 October 1998 (OJ L 331, 7.12.1998, p. 1).
National law:	Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7 September 1999, in force from 1 January 2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4 October 2001, in force from 1 November 2001, Collection of Laws No 178/2001). Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15 February 2002, in force from 1 April 2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (in force from 1 July 2002). Act No 95/2000 Coll. on Labour Inspection (approved on 8 February 2000, in force from 1 July 2000, Collection of Laws No 43/2000) in the wording of the Act No 231/2002 Coll. (approved on 3 April 2002, in force from 3 May 2002, Collection of Laws No 99/2002). Governmental Ordinance No 391/1999 via which details of technical requirements for machinery are laid down (approved on 16 December 1999, in force from 1 January 2000, Collection of Laws No 157/1999) in the wording of Governmental Ordinance No 475/2000 Coll. (approved on 20 December 2000, in force from 30 December 2000, Collection of Laws No 194/2000) in the wording of Governmental Ordinance No 161/2002 Coll. (approved on 13 March 2002, in force from 1 April 2002, Collection of Laws No 66/2002).

SECTION II

NOTIFYING AUTHORITIES**European Community**

— Belgium:	Ministère de l'Emploi et du Travail/Ministerie voor Arbeid en Tewerkstelling
— Denmark:	Beskæftigelsesministeriet, Arbejdstilsynet
— Germany:	Bundesministerium für Arbeit und Sozialordnung
— Greece:	Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry)
— Spain:	Ministerio de Ciencia y Tecnología
— France:	Ministère de l'Emploi et de la Solidarité, Direction des relations du travail, Bureau CT 5
— Ireland:	Department of Enterprise, Trade and Employment
— Italy:	Ministero delle Attività Produttive
— Luxembourg:	Ministère du Travail (Inspection du Travail et des Mines)
— Netherlands:	Ministerie van Sociale Zaken en Werkgelegenheid

— Austria:	Bundesministerium für Wirtschaft und Arbeit
— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade
— Finland:	Sosiaali- ja terveystieteiden ministeriö/Social- och hälsovårdsministeriet
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
— United Kingdom:	Department of Trade and Industry
Slovak Republic	Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III

NOTIFIED BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to the Slovak Republic in accordance with Article 10 of this Protocol.

Slovak Republic

Bodies which have been designated by the Slovak Republic in accordance with the national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**Safeguard clauses***A. Safeguard clause relating to industrial products*

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party which took the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where the Slovak Republic considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

PERSONAL PROTECTIVE EQUIPMENT

SECTION I

COMMUNITY AND NATIONAL LAW

- Community law: Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (OJ L 399, 30.12.1989, p. 18), as last amended by Parliament and Council Directive 96/58/EC of 3 September 1996 (OJ L 236, 18.9.1996, p. 44).
- National law: Act No 264/1999 Coll. On Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7 September 1999, in force from 1 January 2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4 October 2001, in force from 1 November 2001, Collection of Laws No 178/2001).
- Act No 128/2002 Coll. On State Control of Internal market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15 February 2002, in force from 1 March 2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (in force from 1 July 2002).
- Act No 95/2000 Coll. on Labour Inspection (approved on 8 February 2000, in force from 1 July 2000, Collection of Laws No 43/2000) in the wording of the Act No 231/2002 Coll. (approved on 3 April 2002, in force from 3 May 2002, Collection of Laws No 99/2002).
- Governmental Ordinance No 29/2001 Coll. stipulating Details on Technical Requirements and Procedures of Conformity Assessment of Personal Protective Equipment (approved on 16 November 2000, in force from 1 April 2001, Collection of Laws No 13/2001) in the wording of Governmental Ordinance No 323/2002 Coll. (approved on 29 May 2002, in force from 1 July 2002).

SECTION II

NOTIFYING AUTHORITIES

European Community

- Belgium: Service Public Fédéral Economie, P.M.E., Classes moyennes & Energie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie
- Denmark: Arbejdstilsynet
- Germany: Bundesministerium für Arbeit und Sozialordnung
- Greece: Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry)
- Spain: Ministerio de Ciencia y Tecnología
- France: Ministère de l'emploi et de la solidarité, Direction des relations du travail, Bureau CT 5

Ministère de l'économie, des finances et de l'industrie, Direction générale de l'industrie, des technologies de l'information et des postes (DiGITIP) — SQUALPI
- Ireland: Department of Enterprise, Trade and Employment
- Italy: Ministero delle Attività Produttive
- Luxembourg: Ministère du Travail (Inspection du Travail et des Mines)
- Netherlands: Ministerie van Volksgezondheid, Welzijn en Sport
- Austria: Bundesministerium für Wirtschaft und Arbeit
- Portugal: Under the authority of the Government of Portugal:
Instituto Português da Qualidade
- Finland: Sosiaali- ja terveysministeriö/Social- och hälsovårdsministeriet
- Sweden: Under the authority of the Government of Sweden:
Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
- United Kingdom: Department of Trade and Industry
- Slovak Republic:** Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III

NOTIFIED BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to the Slovak Republic in accordance with Article 10 of this Protocol.

Slovak Republic

Bodies which have been designated by the Slovak Republic in accordance with the national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**Safeguard clauses***A. Safeguard clause relating to industrial products*

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party who has taken the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where the Slovak Republic considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

ELECTRICAL SAFETY**SECTION I****COMMUNITY AND NATIONAL LAW**

- Community law: Council Directive 73/23/EEC of 19 February 1973 on the approximation of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ L 77, 26.3.1973, p. 29), as last amended by Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1).
- National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7 September 1999, in force from 1 January 2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4 October 2001, in force from 1 November 2001, Collection of Laws No 178/2001).
- Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15 February 2002, in force from 1 April 2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (in force from 1 July 2002).
- Act No 95/2000 Coll. on Labour Inspection and on change and amendment of some acts (approved on 8 February 2000, in force from 1 July 2000, Collection of Laws No 43/2000) in the wording of Act No 231/2002 Coll. (approved on 3 April 2002, in force from 3 May 2002, Collection of Laws No 99/2002).
- Governmental Ordinance No 392/1999 Coll. which lays down details of technical requirements and procedures for conformity assessment for electrical equipment used within certain voltage limits (approved on 16 December 1999, in force from 1 January 2000, Collection of Laws No 157/1999) in the wording of Governmental Ordinance No 149/2002 Coll. (approved on 13 March 2002, in force from 1 April 2002, Collection of Laws No 62/2002) in the wording of Governmental Ordinance No 303/2002 Coll. (approved on 5 June 2002, in force from 1 July 2002, Collection of Laws No 131/2002).

SECTION II**NOTIFYING AUTHORITIES****European Community**

- Belgium: Service Public Fédéral Economie, P.M.E., Classes moyennes & Energie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie
- Denmark: Økonomi- og Erhvervsministeriet, Elektricetsrådet
- Germany: Bundesministerium für Arbeit und Sozialordnung
- Greece: Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry)
- Spain: Ministerio de Ciencia y Tecnología
- France: Ministère de l'économie, des finances et de l'industrie. Direction Générale de l'Industrie, des Technologies de l'Information et des Postes (DiGITIP) — SQUALPI
- Ireland: Department of Enterprise, Trade and Employment
- Italy: Ministero delle Attività Produttive
- Luxembourg: Ministère de l'Economie — Service de l'Energie de l'Etat
Ministère du Travail (Inspection du Travail et des Mines)
- Netherlands: Ministerie van Volksgezondheid, Welzijn en Sport (consumer goods)
Ministerie van Sociale Zaken en Werkgelegenheid (others)
- Austria: Bundesministerium für Wirtschaft und Arbeit
- Portugal: Under the authority of the Government of Portugal:
Instituto Português da Qualidade

- | | |
|-------------------------|---|
| — Finland: | Kauppa- ja teollisuusministeriö/Handels- och industriministeriet |
| — Sweden: | Under the authority of the Government of Sweden:
Styrelsen för ackreditering och teknisk kontroll (SWEDAC) |
| — United Kingdom: | Department of Trade and Industry |
| Slovak Republic: | Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky |

SECTION III

NOTIFIED BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to the Slovak Republic in accordance with Article 10 of this Protocol.

Slovak Republic

Bodies which have been designated by the Slovak Republic in accordance with the national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**Safeguard clauses***A. Safeguard clause relating to industrial products*

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party which took the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where the Slovak Republic considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

ELECTROMAGNETIC COMPATIBILITY**SECTION I****COMMUNITY AND NATIONAL LAW**

- Community law: Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (OJ L 139, 23.5.1989, p. 19), as last amended by Council Directive 93/68/EEC of 22 July 1993 (OJ L 220, 30.8.1993, p. 1).
- National law: Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7 September 1999, in force from 1 January 2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4 October 2001, in force from 1 November 2001, Collection of Laws 178/2001).
- Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15 February 2002, in force from 1 April 2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (in force from 1 July 2002).
- Act No 95/2000 Coll. on Labour Inspection and on change and amendment of some acts (approved on 8 February 2000, in force from 1 July 2000, Collection of Laws No 43/2000) in the wording of the Act No 231/2002 Coll. (approved on 3 April 2002, in force from 3 May 2002, Collection of Laws No 99/2002).
- Governmental Ordinance No 394/1999 Coll., which lays down details on technical requirements for products with regard to electromagnetic compatibility (approved on 16 December 1999, in force from 1 January 2000, Collection of Laws No 157/1999) in the wording of Governmental Ordinance No 159/2002 Coll. (approved on 13 March 2002, in force from 1 April 2002, Collection of Laws No 65/2002) in the wording of Governmental Ordinance No 301/2002 Coll. (approved on 5 June 2002, in force from 1 July 2002, Collection of Laws No 131/2002).

SECTION II**NOTIFYING AUTHORITIES****European Community**

- Belgium: Service Public Fédéral Economie, P.M.E., Classes moyennes & Energie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie
- Denmark: IT-og Telestyrelsen
- Germany: Bundesministerium für Wirtschaft und Technologie
- Greece: Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry)
- Spain: Ministerio de Ciencia y Tecnología
- France: Ministère de l'économie, des finances et de l'industrie. Direction Générale de l'Industrie, des Technologies de l'Information et des Postes (DiGITIP) — SQUALPI
- Ireland: Department of Enterprise, Trade and Employment
- Italy: Ministero delle Attività Produttive
- Luxembourg: Ministère de l'Economie — Service de l'Energie de l'Etat
- Netherlands: Ministerie van Verkeer en Waterstaat
- Austria: Bundesministerium für Wirtschaft und Arbeit
- Portugal: Under the authority of the Government of Portugal:
Instituto Português da Qualidade
ICP — Autoridade Nacional de Comunicações (ANACOM)
- Finland: Kauppa- ja teollisuusministeriö/Handels- och industriministeriet. For EMC aspects of telecommunications and radio equipment: Liikenne- ja viestintäministeriö/Kommunikationsministeriet
- Sweden: Under the authority of the Government of Sweden:
Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
- United Kingdom: Department of Trade and Industry
- Slovak Republic:** Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III

NOTIFIED AND COMPETENT BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to the Slovak Republic in accordance with Article 10 of this Protocol.

Slovak Republic

Bodies which have been designated by the Slovak Republic in accordance with the national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**Safeguard clauses***A. Safeguard clause relating to industrial products*

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party which took the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where the Slovak Republic considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
3. The Community shall keep the Association Council and the other Party informed of the proceedings.
4. The outcome of the procedure shall be notified to the other Party.

EQUIPMENT AND PROTECTIVE SYSTEMS INTENDED FOR USE IN POTENTIALLY EXPLOSIVE ATMOSPHERES

SECTION I

COMMUNITY AND NATIONAL LAW

- Community law: European Parliament and Council Directive 94/9/EC of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (OJ L 100, 19.4.1994, p. 1).
- National law:
- Act No 264/1999 Coll. on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts (approved on 7 September 1999, in force from 1 January 2000, Collection of Laws No 113/1999) in the wording of Act No 436/2001 Coll. (approved on 4 October 2001, in force from 1 November 2001, Collection of Laws No 178/2001).
- Act No 128/2002 Coll. On State Control of Internal Market in the Consumer Protection Matters and on change and amendment of some acts (approved on 15 February 2002, in force from 1 April 2002, Collection of Laws No 56/2002) in the wording of the Act No 284/2002 Coll. (in force from 1 July 2002).
- Act No 95/2000 Coll. on Labour Inspection and on change and amendment of some acts (approved on 8 February 2000, in force from 1 July 2000, Collection of Laws No 43/2000) in the wording of Act No 231/2002 Coll. (approved on 3 April 2002, in force from 3 May 2002, Collection of Laws No 99/2002).
- Governmental Ordinance No 117/2001 Coll. Laying down Details of Technical Requirements and Procedures for Conformity Assessment of Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres (approved on 28 March 2001, in force from 1 April 2001, Collection of Laws No 48/2001) in the wording of Governmental Ordinance No 296/2002 Coll. (approved on 5 June 2002, in force from 1 July 2002, Collection of Laws No 130/2002).

SECTION II

NOTIFYING AUTHORITIES

European Community

- Belgium: Service Public Fédéral Economie, P.M.E., Classes moyennes & Energie/Federale Overheidsdienst Economie, K.M.O., Middenstand & Energie
- Denmark: For electrical aspects:
Økonomi- og Erhvervsministeriet, Elektricetsrådet

For mechanical aspects:
Beskæftigelsesministeriet, Arbejdstilsynet
- Germany: Bundesministerium für Arbeit und Sozialordnung
- Greece: Υπουργείο Ανάπτυξης, Γενική Γραμματεία Βιομηχανίας (Ministry of Development, General Secretariat of Industry)
- Spain: Ministerio de Ciencia y Tecnología
- France: Ministère de l'économie, des finances et de l'industrie, Direction de l'Action Régionale et de la Petite et Moyenne Industrie (DARPMI), Sous-direction de la sécurité industrielle
- Ireland: Department of Enterprise, Trade and Employment
- Italy: Ministero delle Attività Produttive
- Luxembourg: Ministère de l'Economie — Service de l'Energie de l'Etat
- Netherlands: Ministerie van Sociale Zaken en Werkgelegenheid
- Austria: Bundesministerium für Wirtschaft und Arbeit

— Portugal:	Under the authority of the Government of Portugal: Instituto Português da Qualidade
— Finland:	Kauppa- ja teollisuusministeriö/Handels- och industriministeriet
— Sweden:	Under the authority of the Government of Sweden: Styrelsen för ackreditering och teknisk kontroll (SWEDAC)
— United Kingdom:	Department of Trade and Industry
Slovak Republic:	Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky

SECTION III

NOTIFIED BODIES**European Community**

Bodies which have been notified by the Member States of the Community in accordance with the Community law of Section I and notified to the Slovak Republic in accordance with Article 10 of this Protocol.

Slovak Republic

Bodies which have been designated by the Slovak Republic in accordance with the national law of Section I and notified to the Community in accordance with Article 10 of this Protocol.

SECTION IV

SPECIFIC ARRANGEMENTS**1. Transitional arrangements**

The certificates issued in the EC Member States in conformity with Directives 76/117/EEC, 79/196/EEC and 82/130/EEC will be recognised as a proof of conformity assessment under Article 33 paragraphs 1 and 2 of Act 264/1999 Coll., on Technical Requirements for Products and on Conformity Assessment and on change and amendment of some Acts. Based on these certificates, the importer of these products in the Slovak Republic will issue a declaration of conformity of the relevant product to the applicable requirements referred to in this paragraph.

2. Safeguard clauses*A. Safeguard clause relating to industrial products*

1. Where a Party has taken a measure to deny free access to its market for industrial products bearing the CE marking, subject to this Annex, it shall immediately inform the other Party, indicating the reasons for its decision and how non-compliance has been assessed.
2. The Parties shall consider the matter and the evidence brought to their knowledge, and shall report to each other the results of their investigations.
3. Where there is agreement on the outcome of such investigations, the Parties shall take appropriate measures to ensure that such products are not placed on the market.
4. Where there is no agreement, the matter shall be forwarded to the Association Council who may decide to have an expert appraisal carried out.
5. Where the Association Council finds that the measure is:
 - (a) unjustified, the national authority of the Party which took the measure shall withdraw it;
 - (b) justified, the Parties shall take appropriate measures to ensure that such products are not placed on the market.

B. Safeguard clause relating to harmonised standards

1. Where the Slovak Republic considers that a harmonised standard referred to in the legislation defined in this Annex does not meet the essential requirements of such legislation, it shall inform the Association Council giving the reasons therefor.
 2. The Association Council shall consider the matter and may request the Community to proceed in accordance with the procedure provided for in the Community legislation identified in this Annex.
 3. The Community shall keep the Association Council and the other Party informed of the proceedings.
 4. The outcome of the procedure shall be notified to the other Party.
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DECLARATION BY THE COMMUNITY ON THE ATTENDANCE OF THE SLOVAK REPUBLIC REPRESENTATIVES AT COMMITTEE MEETINGS

In order to ensure a better understanding of the practical aspects of the application of the *acquis communautaire*, the Community declares that the Slovak Republic is invited, under the following conditions, to the meetings of the committees established or referred to under the Community law on machinery, personal protective equipment, electromagnetic compatibility and equipment and protective systems intended for use in potentially explosive atmospheres.

This participation shall be limited to meetings or parts thereof during which the application of the *acquis* is discussed; it shall not entail attendance at meetings intended to prepare and issue opinions on implementation or management powers delegated to the Commission by the Council.

This invitation may be extended, on a case-by-case basis, to groups of experts convened by the Commission.

COUNCIL DECISION
of 6 May 2003
appointing a member of the Committee of the Regions

(2003/338/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) The seat of a member of the Committee of the Regions has become vacant following the resignation of Ms Heide SIMONIS, of which the Council was notified on 2 April 2003,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Ulrike RODUST is hereby appointed a member of the Committee of the Regions in place of Ms Heide SIMONIS for the remainder of her term of office, which ends on 25 January 2006.

Done at Brussels, 6 May 2003.

For the Council

The President

P. EFTHYMIOU

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 6 May 2003
appointing an alternate member of the Committee of the Regions

(2003/339/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the German Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) The seat of an alternate member of the Committee of the Regions has become vacant following the resignation of Ms Ulrike RODUST, of which the Council was notified on 2 April 2003,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Heide SIMONIS is hereby appointed an alternate member of the Committee of the Regions in place of Ms Ulrike RODUST for the remainder of her term of office, which ends on 25 January 2006.

Done at Brussels, 6 May 2003.

For the Council

The President

P. EFTHYMIU

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 6 May 2003
appointing a member of the Committee of the Regions

(2003/340/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the French Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) The seat of a member of the Committee of the Regions has become vacant following the resignation of Mr Jean-Paul DELEVOYE, of which the Council was notified on 14 February 2003,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr André ROSSINOT, Mayor of Nancy, is hereby appointed a member of the Committee of the Regions in place of Mr Jean-Paul DELEVOYE for the remainder of his term of office, which ends on 25 January 2006.

Done at Brussels, 6 May 2003.

For the Council

The President

P. EFTHYMIU

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 6 May 2003
appointing a member of the Committee of the Regions

(2003/341/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the French Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) The seat of a member of the Committee of the Regions has become vacant following the resignation of Mr Jean-Pierre RAFFARIN, of which the Council was notified on 28 October 2002,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Jacques VALADE, Senator for the Gironde, is hereby appointed a member of the Committee of the Regions in place of Mr Jean-Pierre RAFFARIN for the remainder of his term of office, which ends on 25 January 2006.

Done at Brussels, 6 May 2003.

For the Council
The President
P. EFTHYMIU

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

COUNCIL DECISION
of 6 May 2003
appointing an alternate member of the Committee of the Regions

(2003/342/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the French Government,

Whereas:

- (1) On 22 January 2002 the Council adopted Decision 2002/60/EC appointing the members and alternate members of the Committee of the Regions ⁽¹⁾.
- (2) The seat of an alternate member of the Committee of the Regions has become vacant following the resignation of Ms Nicole AMELINE, of which the Council was notified on 16 October 2002,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Elisabeth MORIN, Chairwoman of the Poitou-Charentes Regional Council, is hereby appointed an alternate member of the Committee of the Regions in place of Ms Nicole AMELINE for the remainder of her term of office, which ends on 25 January 2006.

Done at Brussels, 6 May 2003.

For the Council

The President

P. EFTHYMIOU

⁽¹⁾ OJ L 24, 26.1.2002, p. 38.

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

No 17/03/COL

of 5 February 2003

recognising the fully operational character of the Norwegian database for bovine animals

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the EEA Agreement, and in particular Article 109 and Protocol 1 thereof,

Having regard to the Surveillance and Court Agreement, and in particular Article 5(2)(d) and Protocol 1 thereof,

Having regard to the Act referred to in point 1.1.7a of Chapter I of Annex I to the EEA Agreement establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products (Council Regulation (EC) No 820/97 of 21 April 1997), as adapted by way of Protocol 1 to the EEA Agreement, and in particular the first indent of Article 6(3),

Having regard to the request submitted by Norway on 2 May 2001,

Whereas, on 2 May 2001, Norway submitted to the EFTA Surveillance Authority a request asking for recognition of the fully operational character of its database that forms part of the Norwegian system for the identification and registration of bovine animals;

Whereas the Norwegian request was accompanied by appropriate information that was updated on 3 October 2001 and on 24 January 2002;

Whereas the Norwegian authorities undertook to improve the reliability of this database ensuring in particular that:

- (1) Measures shall be taken in order to ensure that the national legislation is in compliance with the EC legislation incorporated into the EEA Agreement and applicable to Norway.
- (2) Measures shall be taken in order to ensure that births, deaths and all movements to and from the holdings are entered into the cattle database, including animals imported or exported and movements to and from markets and notification of slaughter at the slaughterhouses.

- (3) Measures, including administrative procedures for sanctions, shall be introduced to improve the procedures for the notification of births, deaths and all kinds of movements in order to comply with the time limit of seven days as laid down in second indent of Article 7(1) of Regulation (EC) No 1760/2000.
- (4) Procedures shall be introduced in order to ensure that the Norwegian Animal Health Authority during inspections on the farm takes into account the information available in the Cattle database.
- (5) Measures shall be established in order to correct errors on the farm revealed during inspections performed by the Norwegian Animal Health Authority.
- (6) Measures shall be introduced to ensure compliance with the established follow-up procedures based on the provisions of Commission Regulation (EC) No 494/98 as regards restrictions on movements of animals present on the holding in case of animals for which the identification and registration requirements laid down by Article 3 of Regulation (EC) No 1760/2000 are not fully complied with.
- (7) Procedures shall be put in place for issuing and submission of regular status reports from the operator of the database (SYSTOR) to the Norwegian Animal Health Authority.
- (8) Procedures shall be put in place in order to control the overall system for notification of births, deaths and movement and for the registration of such events in the cattle database.
- (9) Measures shall be taken to verify that all required information on all the holdings is registered in the cattle database.
- (10) Measures, including educational actions, shall be put in place in order to reduce incorrect notifications and registration of events.
- (11) A procedure shall be put in place in order to control the time spent from the event occurred until it is entered into the database.
- (12) A procedure shall be put in place in order to verify all information entered into the cattle database. Measures for rapid correction of errors on the farm and in the database revealed by the verifying process shall be included in the procedure.
- (13) Measures shall be put in place in order to ensure the entering of information in the database and to make it available when holdings are put under restriction for movement of animals due to non-compliance with the requirements of Regulation (EC) No 1760/2000.
- (14) A procedure shall be introduced in order to inform the keeper on a regular basis about the information recorded in the database.
- (15) Measures shall be put in place to ensure compliance with Article 6(2) of Regulation (EC) No 1760/2000 as regards the use of passports whenever animals are moved,

Whereas the Norwegian authorities undertook to implement those improvement measures at the latest by 1 September 2002, and to inform the EFTA Surveillance Authority of any problems occurring during the implementation period of the abovementioned measures;

Whereas Norway by a letter of 17 July 2002 informed the Authority that the improvement measures would not be implemented by 1 September 2002;

Whereas Norway by a letter of 20 December 2002 informed the Authority that the improvement measures had been implemented as of 5 December 2002;

Whereas Norway by a letter of 30 January 2003 provided additional information to the letter of 20 December 2002;

Whereas in view of the evaluation of the situation in Norway, it is appropriate to recognise the fully operational character of the Norwegian database for bovine animals,

HAS ADOPTED THIS DECISION:

1. The Norwegian database for bovine animals is recognised as fully operational.
2. This Decision is addressed to Norway.
3. This Decision shall be authentic in the English language.

Done at Brussels, 5 February 2003.

For the EFTA Surveillance Authority

President

Einar M. BULL
