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Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 874/2003 of 6 May 2003 on the conclusion of the Agreement between the European Community and the Republic of Kiribati on fishing within the Kiribati fishing zone** 1
- Agreement between the European Community and the Republic of Kiribati on fishing within the Kiribati fishing zone** 3
- Commission Regulation (EC) No 875/2003 of 21 May 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables 20
- ★ **Commission Regulation (EC) No 876/2003 of 21 May 2003 defining specific measures pursuant to Council Regulation (EC) No 2347/2002 concerning catches and landings of deep-sea species for seasonal fisheries by Denmark in the Skagerrak and North Sea** 22
- ★ **Commission Regulation (EC) No 877/2003 of 21 May 2003 provisionally authorising the use of the acidity regulator 'Benzoic acid' in feedingstuffs ⁽¹⁾** 24
- ★ **Commission Regulation (EC) No 878/2003 of 20 May 2003 establishing unit values for the determination of the customs value of certain perishable goods** 26
- Commission Regulation (EC) No 879/2003 of 21 May 2003 prohibiting fishing for cod by vessels flying the flag of the Netherlands 30
- Commission Regulation (EC) No 880/2003 of 21 May 2003 fixing the import duties in the rice sector 31
- ★ **Commission Directive 2003/40/EC of 16 May 2003 establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters** 34

Notice to readers (see page 40)

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 874/2003
of 6 May 2003
on the conclusion of the Agreement between the European Community and the Republic of Kiribati on fishing within the Kiribati fishing zone**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission ⁽¹⁾,

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

Whereas:

- (1) The Community and the Republic of Kiribati have negotiated and initialled a Fisheries Agreement providing Community fishermen with fishing opportunities in the waters over which Kiribati has sovereignty or jurisdiction in respect of fisheries.
- (2) It is in the Community's interest to approve the said Agreement.
- (3) The method for allocating the fishing opportunities among the Member States should be defined,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Community and the Republic of Kiribati on fishing within the Kiribati fishing zone is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

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

- | | | |
|------------------------|-----------|-----------------------------|
| — purse seine vessels: | France: | 27 % of available licences |
| | Spain: | 73 % of available licences, |
| — long-liners: | Spain: | 6 vessels |
| | Portugal: | 6 vessels. |

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

Article 3

The Member States whose vessels fish under this Agreement shall notify the Commission of the quantities of each stock caught within the Kiribati fishing zone in accordance with Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas ⁽³⁾.

⁽¹⁾ Proposal of 10 December 2002 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 8 April 2003 (not yet published in the Official Journal).

⁽³⁾ OJ L 73, 15.3.2001, p. 8.

Article 4

This Regulation shall enter into force on the seventh 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, 6 May 2003.

For the Council
The President
P. EFTHYMIU

AGREEMENT

between the European Community and the Republic of Kiribati on fishing within the Kiribati fishing zone

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community', and

THE REPUBLIC OF KIRIBATI, hereinafter referred to as 'Kiribati',

CONSIDERING, on the one hand, the spirit of cooperation resulting from the Lomé and Cotonou Conventions and, on the other, the good cooperation relations between the Community and Kiribati,

CONSIDERING the wish of Kiribati to promote the rational exploitation of its fishery resources by means of intensified cooperation,

RECALLING that, in respect in particular of sea fishing, Kiribati exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from its coasts,

TAKING INTO ACCOUNT the United Nations Convention on the Law of the Sea,

AFFIRMING THAT the exercise of sovereign rights by coastal States in waters under their jurisdiction for the purpose of exploiting, conserving and managing living resources must be conducted in accordance with principles of international law,

DETERMINED TO conduct their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing as enshrined in the Lomé and Cotonou Conventions,

DESIROUS OF establishing the terms and the conditions governing fishing activities of common interest to both Parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern the fishing activities of vessels flying the flag of a Member State of the Community, hereinafter referred to as 'Community vessels', in the waters over which Kiribati has sovereignty or jurisdiction in respect of fisheries, identified by Kiribati's national legislation as 'Kiribati fishery limits' and hereinafter referred to as the 'Kiribati fishing zone'.

Article 2

Kiribati hereby undertakes to authorise the pursuit of fishing activities by Community vessels within its fishing zone in accordance with this Agreement, in particular the Protocol and the Annex hereto.

The fishing activities governed by this Agreement shall be subject to the laws and regulations in force in Kiribati.

Article 3

The Community hereby undertakes to take all appropriate steps to ensure that its vessels observe the provisions of this Agreement and the rules and regulations governing fishing within the Kiribati fishing zone.

The authorities of Kiribati shall notify the Commission of the European Communities of all amendments to the said rules and regulations before they are applied.

The steps taken by Kiribati's authorities to regulate fishing in the interests of the conservation of fishery resources shall be based on objective and scientific criteria. They shall apply without discrimination to Community vessels, without preju-

dice to agreements concluded between developing countries within a single geographical region, including reciprocal fisheries agreements.

Article 4

Fishing activities by Community vessels within the Kiribati fishing zone under this Agreement shall be subject to the possession of a fishing licence issued at the Community's request by the Kiribati authorities.

The Kiribati authorities shall issue fishing licences within the limits laid down by category of vessels in the Protocol attached to this Agreement.

The issue of licences shall be subject to the payment of a fee by the shipowners concerned.

The procedure for licence applications, the fees payable and the arrangements for payment are set out in the Annex.

Article 5

The Parties to this Agreement undertake to coordinate, either directly or within international organisations, their efforts to ensure the management and conservation of living resources in the Central and Western Pacific, and to facilitate the relevant scientific research.

Article 6

The vessels authorised under the terms of this Agreement to fish within the Kiribati fishing zone shall be obliged to send their catch reports to the Kiribati authorities, in accordance with the provisions set out in the Annex.

Article 7

In return for the fishing opportunities granted under Article 2, the Community shall make a financial contribution to the Republic of Kiribati in accordance with the conditions and procedures set out in the Protocol attached to this Agreement, without prejudice to financing accorded to Kiribati under the Lomé and Cotonou Conventions.

Article 8

Where, as a result of circumstances solely attributable to the fault or negligence of Kiribati, fishing activities cannot be carried out within the Kiribati fishing zone, the Community may, after prior consultation with the Kiribati authorities, suspend the payment of the financial contribution provided for in Article 7.

The payment of the financial contribution shall recommence once the situation has returned to normal and following consultation and agreement between the two Parties confirming that the situation is likely to allow a return to normal fishing activities.

The validity of the licences issued to Community vessels under Article 4 shall be extended with the number of months during which fishing activities could not be carried out.

Article 9

In the event of any dispute over the interpretation or application of this Agreement, consultations shall be held between the Parties.

Article 10

A Joint Committee, composed of officials of both Parties, shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet, alternately in Kiribati and in the Community, at the request of either of the Parties to this Agreement

Article 11

Should the Kiribati authorities decide, as result of developments in the state of stocks, to take measures to conserve fishery resources which affect the activities of Community vessels, consultations shall be held between the Parties in order to adapt the Protocol and the Annex as appropriate.

The consultations shall be based on the principle that any substantial reduction of the fishing opportunities laid down in the Protocol must entail a proportionate reduction in the financial contribution payable by the Community.

Article 12

Nothing in this Agreement shall affect or prejudice in any manner whatsoever the views of either Party with respect to any matter relating to the law of the sea.

Article 13

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

Article 14

The Protocol and the Annex constitute an integral part of this Agreement.

Article 15

This Agreement shall be concluded for an initial period of five years commencing from the date of its entry into force. Unless one of the Parties ends it by giving notice to that effect six months before the end of this five-year period, it shall be tacitly renewed for further periods of two years, unless denounced by notice given at least three months before the end of any such two-year period.

The Parties shall enter into negotiations in the event of either of them denouncing this Agreement.

Before the end of the current period of validity of the Protocol, the Parties shall hold negotiations to establish by agreement what amendments or additions to the Protocol and the Annex are required.

Article 16

This Agreement, drawn up in duplicate in the Danish, German, Greek, English, Spanish, Finnish, French, Italian, Dutch, Portuguese and Swedish languages, each of these texts being equally authentic, shall enter into force when the Parties exchange the notification concerning the accomplishment of the respective appropriate adoption procedures.

PROTOCOL

setting out the fishing possibilities and the financial contribution provided for in the Agreement between the European Community and the Republic of Kiribati on fishing within the Kiribati fishing zone

Article 1

1. Pursuant to Article 2 of the Agreement, Kiribati shall grant annual fishing licences to Community tuna fishing vessels for a period of three years beginning on the date of entry into force of the Agreement and in conformity with the limits established by the Palau Arrangement for the Management of the Western Pacific Purse Seine Fishery, hereinafter referred to as 'the Palau Arrangement'.

2. For the first year of application of this Protocol, annual licences to fish simultaneously within the Kiribati fishing zone shall be granted to six purse seine vessels and 12 long-liners.

3. For the following years, annual licences to fish simultaneously within the Kiribati fishing zone shall be granted to four purse seine vessels and 12 long-liners.

Article 2

1. The financial contribution referred to in Article 7 of the Agreement shall be fixed at EUR 546 000 the first year and at EUR 416 000 per year the following years.

2. For the first year of application of the Protocol, a first part of the financial contribution equivalent to EUR 446 000 shall be paid into the Kiribati Government Account No 1, with the Bank of Kiribati Ltd, Betio, Tarawa, and shall be made available soon after the entry into force of this Protocol.

For the following years, a first part of the financial contribution equivalent to EUR 316 000 per year shall be paid into the same Kiribati Government Account by the anniversary date of the Protocol.

The use to which such parts of the financial contribution are to be put shall fall within the exclusive competence of the Government of Kiribati.

3. A second part of the financial contribution, equivalent to EUR 100 000 per year shall be earmarked for the purpose of the matters specified in Article 5 of this Protocol.

4. The total financial contribution corresponds to a catch within the Kiribati fishing zone of 8 400 tonnes of tuna for the first year and 6 400 tonnes of tuna per year for the following years.

Article 3

1. Starting from the second year of application of the Protocol and without prejudice to Article 11 of the Agreement, at the request of the Community, the number of fishing

licences for purse seine vessels granted in Article 1(3) of this Protocol may be increased, if resources permit and in accordance with an appropriate tuna stock assessment based on objective and scientific criteria, including the 'Western and Central Pacific Tuna Fishery Overview and Status of Stocks' published yearly by the Secretariat of the Pacific Community.

The concession of such additional licences shall be consistent with the terms of the Palau Arrangement. In any case, Kiribati shall not grant more than seven additional licences for purse seine vessels per year. The actual number of additional licences available will be communicated by Kiribati to the Community every year following the annual meeting of the Palau Arrangement.

2. For each additional purse seine licence granted by Kiribati pursuant to paragraph 1, the Community shall increase the financial contribution referred to in Article 2(1) of this Protocol by EUR 65 000 per year, which corresponds to a catch of 1 000 tonnes of tuna per year.

3. The annual financial contribution to be paid by the Community in exchange for the granting of the additional annual licences pursuant to paragraphs 1 and 2 shall be paid into the Kiribati Government Account No 1 with the Bank of Kiribati Ltd, Betio, Tarawa.

Article 4

Starting from the second year of application of this Protocol, if the total amount of tuna caught each year by Community vessels under Articles 1(3) and 3(1) of this Protocol exceeds the sum of tuna catches referred to in Articles 2(4) and 3(2), the amount of the total annual financial contribution determined in accordance with Articles 2(1) and 3(2) shall be increased by EUR 65 per additional tonne of tuna caught. However, the total annual amount to be paid by the Community cannot exceed double the amount of the financial contribution determined in accordance with Articles 2(1) and 3(2).

Article 5

During the period covered by this Protocol, the measures set out below shall be financed from the second part of the financial contribution provided for in Article 2(3), to the amount of EUR 100 000 per year, broken down as follows:

- (a) EUR 50 000 for the participation of Kiribati officials to regional and international fishery-related meetings;

- (b) EUR 35 000 for institutional support to the administrative department responsible for fisheries;
- (c) EUR 15 000 for Kiribati contributions to regional and international fisheries organisations.

The programming of these measures shall be decided on by the Kiribati authorities and shall be sent to the Commission for information before the first payment.

Article 6

1. The amounts referred to in Article 5 shall be made available soon after the entry into force of this Protocol for the first year and by the anniversary date of the Protocol for the following years, and shall be paid into the Kiribati Government Account No 1, with the Bank of Kiribati Ltd, Betio, Tarawa.

2. The competent Kiribati authorities shall transmit an annual report on the implementation of these measures and the results achieved to the Delegation of the Commission responsible for Kiribati, three months after the anniversary date of the Protocol.

3. The Commission of the European Communities reserves the right to ask the competent national authorities for any additional information on these results and, where applicable, to reconsider the payments concerned in the light of the actual implementation of the measures.

Article 7

Should the Community fail to make the payments provided for in Articles 2, 3 and 5, Kiribati reserves the right to suspend the application of this Protocol.

ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES BY COMMUNITY VESSELS WITHIN THE KIRIBATI FISHING ZONE**1. REGISTRATION OF FISHING VESSELS**

1. Fishing by Community vessels within the Kiribati fishing zone shall be subject to the issuance of a registration number by the Kiribati competent authorities.
2. Applications for registration shall be made on the form provided for that purpose by the Kiribati authorities responsible for fisheries, in accordance with the specimen given in Appendix I.
3. Registration shall be contingent upon the receipt of a 15 cm by 20 cm photograph of the applying vessel and the payment of EUR 600 per vessel as registration fee to be paid to the Kiribati Government Account No 1 with the Bank of Kiribati Ltd, Betio, Tarawa.

2. LICENCE APPLICATION AND ISSUING FORMALITIES

The procedure for applications for and the issue of licences authorising Community vessels to fish in the Kiribati fishing zone shall be as follows.

1. The relevant Community authorities shall present to the Chief Fisheries Officer of the Ministry of Natural Resources Development of Kiribati, via the Delegation of the European Commission responsible for Kiribati, an application for each vessel wishing to fish under the Agreement, at least 15 days before the beginning of the requested term of validity. Applications shall be made using the form in accordance with the specimen given in Appendix II.
2. Licences shall be signed and issued by the Chief Fisheries Officer to the shipowners or their representatives (agent) within 15 working days of application. The Delegation of the Commission will receive a copy of the fishing licence.
3. Licences shall be issued for a specific vessel and shall not be transferable. However, at the request of the Commission, a vessel's licence shall, in cases of *force majeure*, be replaced by a new licence for the remaining period of validity of the original licence for another vessel with identical characteristics. In such cases, no new advance shall be due.
4. Licences must be held on board at all times. However, on receipt of notification of payment of the advance sent by the Commission to the Chief Fisheries Officer, vessels shall be entered on a list of vessels authorised to fish, which shall be sent to the Kiribati authorities responsible for fisheries inspection. Pending arrival of the licence itself, a copy of the licence may be obtained by fax; that copy, which authorises the vessel to fish until arrival of the original document, must be kept on board.
5. Licences shall be valid for one year. They shall be renewable, subject to the number of available fishing possibilities established by the Protocol.
6. The fee shall be set at EUR 35 per tonne caught within the Kiribati fishing zones. It shall include all local and national taxes with the exception of port taxes and charges for the provision of services.
7. Licences shall be issued on advance payment of an annual sum of EUR 21 000 per tuna seiner and EUR 4 200 per long-liner and are not refundable. Such amounts are equivalent to the fees for respectively 600 tonnes and 120 tonnes of tuna and tuna-like species caught within the Kiribati fishing zone.
8. Payments shall be made into the Kiribati Government Account No 1 with the Bank of Kiribati Ltd, Betio, Tarawa, cleared of any deductions.

3. AGENTS

The shipowner shall nominate, appoint and maintain an agent who shall be resident in Tarawa, Kiribati, and who shall have authority to receive and respond to any legal process. The shipowner shall notify the Chief Fisheries Officer of the name and address of such an agent.

4. STATEMENT OF CATCH

1. Captains of purse seine vessels and long-liners shall complete a catch report (log-sheet) corresponding respectively to the specimens provided in Appendix III B and III B for each period spent fishing within the Kiribati fishing zone.
2. The report, which must be legible and signed by the captain of the vessel, shall be sent not later than 45 days after the completion of the fishing trip to the Chief Fisheries Officer and, for processing, to the Institut de recherche pour le développement (IRD) or to the Instituto Español de Oceanografía (IEO) or to the Instituto Português de Investigação Marítima (IPIMAR) and to the Secretariat of the Pacific Community (SPC).

3. A fishing trip ends when there is total or partial unloading of catches.
4. If these provisions are not complied with, the Chief Fisheries Officer reserves the right to suspend the licence of the offending vessel until these formalities have been carried out and to apply the penalties provided for under Kiribati's national law.

5. STATEMENT OF ADDITIONAL FEES DUE BY SHIPOWNERS

1. Member States shall confirm to the Commission before 30 June each year the amounts caught during the past year. On the basis of those figures the Commission shall establish a breakdown of the fees due in respect of the fishing year, calculated on the basis of EUR 35 per tonne, which it shall then send to the Kiribati Chief Fisheries Officer.
2. Shipowners shall be notified of this breakdown by the Commission by the end of July at the latest and shall have 45 days in which to meet their financial obligations. Shipowners cannot recover the balance in cases where the amount payable in respect of actual fishing operations is less than the advance payment.

6. INSPECTION AND MONITORING

Community vessels fishing within the Kiribati fishing zone shall permit and facilitate the boarding and fulfilment of the tasks of Kiribati officials responsible for the inspection and monitoring of fishing activities. These officials should not remain on board any longer than the time required to verify catches by sampling and carry out any other inspections relating to fishing activities.

7. OBSERVERS

1. At the moment of the vessel registration, all Community vessels shall contribute EUR 400 to a 'Fisheries Observers Project Fund' to be paid to the Kiribati Government Account No 4 with the Bank of Kiribati Ltd, Betio, Tarawa.
2. At the request of the Kiribati authorities, Community vessels shall take one observer on board on at least 20 % of their fishing trips.
3. The observer shall be treated as an officer. The time spent on board by the observer shall be fixed by the Kiribati authorities but, as a general rule, it should not exceed the time required to carry out his duties. Once on board, the observer shall:
 - observe the fishing activities of the vessels,
 - verify the position of vessels engaged in fishing operations,
 - perform biological sampling in the context of scientific programmes,
 - note the fishing gear used,
 - verify the catch data for Kiribati's zone recorded in the logbook.

While on board, the observer:

- must take all appropriate steps to ensure that the conditions under which he is taken on board and his presence on board do not interrupt or hamper fishing activities,
 - must respect the material and equipment on board and the confidentiality of all documents belonging to the vessel.
4. The conditions governing his embarkation shall be agreed between the shipowner or his representative and the Kiribati authorities. If the shipowner is unable to take the observer on board and put him off at a port in Kiribati mutually agreed with the Kiribati authorities, the shipowner shall bear the cost of taking the observer aboard and putting him ashore.
 5. If the observer is not present at the time and place agreed and during the six hours following the time agreed, the shipowner shall be absolved of his obligation to take the observer on board.

8. CONTROL OF FISHING ACTIVITIES

1. Community vessels fishing under this Agreement shall be subject to a vessel monitoring system (VMS) whose specific conditions shall be agreed separately by the Parties.
2. Before such specific conditions are applicable, and as a transitional arrangement, Community vessels shall be required to comply with the regional VMS requirements currently applicable within the Kiribati fishing zone.

9. FISHING ZONES

1. The vessels referred to in Articles 1 and 3 of this Protocol shall be authorised to engage in fishing activities within the Kiribati fishing zone except in such areas as are designated as closed areas indicated by the chart 83005-FLC, in accordance with the Fisheries Ordinance (Cap. 33) and Marine Zone (Declaration) Act of the Government of Kiribati. Kiribati shall communicate to the Commission any modification to the said fishing zones at least two months before their application.
2. In any case, fishing shall not be permitted within the 12 nautical miles from the baselines.
3. As regards purse seine vessels in particular, fishing is prohibited in the following areas:
 - (i) within 60 nautical miles from the baselines of the islands of Tarawa, Kanton and Kiritimati;
 - (ii) within three nautical miles of any anchored fish-aggregating device for which notification of its location shall be given by geographical coordinates.

10. REPORTING DETAILS

1. Captains shall provide the Chief Fisheries Officer with information relating to the time, position of, and catch on board of the licensed fishing vessel in the manner as described in Appendix IV by fax or e-mail on the following occasions:
 - (a) at least 24 hours prior to entering the Kiribati fishing zone and immediately upon departure from the fishing zone;
 - (b) every Tuesday while within the Kiribati fishing zone after the entry report or the last weekly report;
 - (c) at least 48 hours prior to the estimated time of entry into any port of Kiribati and immediately upon port departure;
 - (d) immediately after transhipping the catch to a licensed reefer carrier; and
 - (e) at least 24 hours prior to refuelling from a licensed bunkering vessel.

This information should be communicated by facsimile (686) 21120/22287 or e-mail to the following address: fleu@mnr.gov.ki or fleu@tskl.net.ki.

2. A vessel found to be fishing without having informed the Chief Fisheries Officer shall be regarded as not in compliance with Kiribati national legislation.
3. The Chief Fisheries Officer and the shipowners shall keep a copy of fax communications or e-mail messages until both parties have agreed to the final statement of fees due referred to at point 2 (Licence application and issuing formalities).
4. The shipowners of purse seine vessels shall provide copy of the landing receipt after completion of every fishing trip that took place totally or in part within the Kiribati fishing zone. If this provision is not complied with, the Chief Fisheries Officer reserves the right to suspend the licence of the offending vessel until these formalities have been carried out and to apply the penalties provided for under Kiribati's national law.

11. TRANSHIPMENT AND USE OF SERVICES

1. Community vessels fishing within the Kiribati fishing zone shall not tranship their catches at sea under any circumstances. Moreover, they shall tranship to a duly licensed carrier vessel at least three times per year (for the whole fleet) in any port of call in Kiribati. Captains of purse seine vessels shall report full details of the transhipment in the log-sheet (Appendix III A).
2. The carrier vessel will have to apply for vessel registration along the procedure indicated at point 1 (Registration of fishing vessels) and fulfil the observer obligation indicated at point 6, first paragraph. The Captain of the licensed vessel shall provide 48 hours notice to the Government of a request to tranship any or all of the fish on board and shall provide the name of the licensed vessel, its radio call sign, its position, the catch on board by species, the time and port where such transhipment is requested to occur, and undertake to pay all fees required by the Government.
3. For the purpose of entry into port for transhipment or any other reason, the shipowner shall appoint and maintain an agent. The agent should be a locally based company involved in fishing and registered in Kiribati.
4. Community vessels shall, wherever possible, procure the supplies and services they require in Kiribati ports.

12. CREW

1. Each Community vessel fishing under this Agreement shall undertake to employ two Kiribati nationals as crew-members. Conditions of service for Kiribati nationals should be as standard for the industry in Kiribati.
2. In case a Community vessel is not in the condition to employ Kiribati nationals as crew-members, shipowners shall be obliged to pay a lump sum equivalent to the wages of two crew-members for the duration of the fishing season in the Kiribati fishing zone.
3. That sum shall be paid by the Government of Kiribati for the benefit of the Central Pacific Producer (CPP) Recruiting Fund.

13. ARREST OF FISHING VESSELS AND APPLICATION OF PENALTIES

The relevant Kiribati authorities shall inform the Delegation of the Commission and the flag State, within 48 hours, of the arrest of or application of penalties of Community vessels fishing under this Agreement and shall transmit a brief report of the circumstances and reasons leading to such an arrest or application of penalties.

The Delegation of the Commission and the flag State shall be kept informed of any proceedings initiated and penalties imposed.

Vessel Master:	Fishing Master (Fish Captain):	
Name	Name	
Date of Birth ... / ... / ... (dd/mm/yy)	Date of Birth ... / ... / ... (dd.mm.yy)	
Social security No	Social security No	
Nationality	Nationality	
Home address	Home address	
.....		
Vessel Type:		
Single purse ☐	Seiner long-liner ☐	
Group purse seiner ☐	Pole and liner ☐	
Purse seine carrier ☐	Long-line reefer ☐	
Support craft ☐	Bunker ☐	
If other, specify		
Usual number of crew		
State(s) of authorised area of operation		
Hull material: Steel ☐ Wood ☐ FRP ☐ Aluminium ☐		
If other, specify		
Year built	Place built	
Gross tonnage	Overall length	
Main engine(s) power (specify units)		
Maximum fuel carrying capacity Kilolitres/Gallons		
Daily freezing capacity (more than one, if appropriate):		
Method	Capacity Metric tons/day	Temperature (C)
Brine (NaCl) Br		
Brine (CaCl) CB		
Air (blast) BF		
Air (coils) RC		
If other, specify:		
Storage capacity (more than one, if appropriate):		
Method	Capacity Cubic meters	Temperature (C)
Ice IC		
Refrigerated sea water RW		
Brine (NaCl) BR		
Brine (CaCl) CB		
Air (coils) RC		

Complete either A, B, or C below as appropriate.

A. For purse seine vessels:

Helicopter registration No Helicopter model

Net length (metres) Net Depth (metres)

Power block net pull Kilos

Purse winch bare drum line pull Metres per minute

Doppler current meter present? Y/N (please circle your response)

Bird radar present? Y/N (please circle your response)

Number of wells:

Stern Storage capacity St/Mt

Bow Storage capacity St/Mt

Support craft:

Skiff length Metre/feet power of engine HP/PS

Speedboat 1 Length Metre/feet power of engine HP/PS

Speedboat 2 Length Metre/feet power of engine HP/PS

Speedboat 3 Length Metre/feet power of engine HP/PS

B. For long-line vessels:

Maximum number of baskets Main line length in Km

Maximum number of hooks

Main line material

Line shooter present? Y/N (please circle your response)

C. For support craft:

Activities (more than one, if appropriate)

Light-boat ☐

Scouting-boat ☐

Anchor-boat ☐

Aircraft ☐

If other, specify

Fishing vessel(s) supported

I declare that the above information is true and complete. I understand, I am required to report within 30 days any changes to the above information, including the change in Vessel Master and Fish Captain during the period of registration. I further understand that failure to do so may affect the good standing of my vessel on the Fishing Vessel Register.

Applicant:

Name Signature

OWNER ☐ CHARTERER ☐ AUTHORISED AGENT ☐

Address

.....

.....

.....

Tel. Fax: Telex

Appendix II

APPLICATION FORM FOR A FISHING LICENCE

1. New application or renewal:
2. Name of vessel and flag:
.....
3. Period of validity: from to
4. Name of shipowner:
.....
5. Address of shipowner:
.....
.....
6. Name and address of charterer (if different from 4 and 5):
.....
.....
7. Name and address of official representative in Kiribati:
.....
8. Name of the captain of the vessel:
9. Type of vessel:
10. Registration number:
11. Vessel's external identification:
12. Port and country of registration:
13. Overall length and breadth of vessel:
14. Gross and net tonnage:
15. Make and power of main engine:
16. Freezer capacity (t/d):
17. Hold capacity (m³):
18. Radio call sign and frequency:
19. Other communications equipment (telex, fax):
20. Fishing applicants:
.....
21. Number of crew broken down by nationality:
.....
22. Number of fishing licence (in the case of a renewal, attach licence):
.....

I, the undersigned,, certify that the above information is correct
and undertake to comply therewith.

.....

(Stamp and signature of shipowner)

(Date)

Appendix IV

REPORTING DETAILS

REPORTS TO THE CHIEF FISHERIES OFFICER
Tel. (686) 21099 Fax (686) 21120 Telex (761) 77039

1. Reporting of entry to the zone

24 hours prior to entering the fishery limits:

- (a) report code (ZENT);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of entry (dd.mm.yy);
- (e) time of entry (GMT);
- (f) position of entry;
- (g) total catch on board by weight by species:

Skipjack	(SJ) ____ · ____ (Mt)
Yellowfin	(YF) ____ · ____ (Mt)
Others	(OT) ____ · ____ (Mt);

e.g. ZENT/89TKS-PS001TN/JJAP2/11.10.89/0635Z/0230N;17610E/SK-510:YF-120:OT-10.

2. Reporting of departure from the zone

Immediately upon leaving the fishery limits:

- (a) report code (ZDEP);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of departure;
- (e) time of departure (GMT);
- (f) position of departure;
- (g) catch on board by weight by species:

Skipjack	(SJ) ____ · ____ (Mt)
Yellowfin	(YF) ____ · ____ (Mt)
Others	(OT) ____ · ____ (Mt);

(h) total catch in zone by weight by species (like catch on board);

(i) total fishing days (the actual number of days in which a set was made in the zone);

e.g. ZDEP/89TKS-PS001TN/JJAP2/21.10.89/1045Z/0125S;16730E/SJ-450:YF-190:OT-4/SJ-42:BE-70:OT-1/14.

3. Weekly position and catch reporting while within the zone

Every Tuesday while within the fishery limits after the entry report or the last weekly report:

- (a) report code (WPCR);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of WPCR (dd.mm.yy);
- (e) reporting position;
- (f) catch since the last report:

Skipjack	(SJ) ____ · ____ (Mt)
Yellowfin	(YF) ____ · ____ (Mt)
Others	(OT) ____ · ____ (Mt);

(g) fishing days since the last report;

e.g. WPCR/89TKS-PS001TN/JJAP2/11.12.89/0140N;16710W/SJ-23:YF-9:OT-2.0/7.

4. Port entry, including entry for transshipment, re-provisioning, discharging crew or emergency

At least 48 hours before the vessel enters port:

- (a) report code (PENT);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of reporting (dd.mm.yy);
- (e) reporting position;
- (f) port name;
- (g) estimated time of arrival (LST) dd.mm:hhmm;
- (h) catch on board by weight by species:

Skipjack	(SJ) ____ · ____ (Mt)
Yellowfin	(YF) ____ · ____ (Mt)
Others	(OT) ____ · ____ (Mt);

(i) reason for visiting port;

e.g. PENT/89TKS-PS001TN/JJAP2/24.12.89/0130S;17010E/BETIO/26.12:1600L/SJ-562:YF-150:OT-4/TRANSSHIPPING.

5. Port departure

Immediately after leaving port:

- (a) report code (PDEP);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of reporting (GMT) dd.mm.yy;
- (e) port name;
- (f) date and time of departure (LST) dd.mm:hhmm;
- (g) catch on board by weight by species:

Skipjack	(SJ) ____ · ____ (Mt)
Yellowfin	(YF) ____ · ____ (Mt)
Others	(OT) ____ · ____ (Mt);

(h) next destination;

e.g. PDEP/89TKS-PS001TN/JJAP2/30.12.89/BETIO/29.12:1600L/SJ-0.0:YF-0.0:OT-4/FISHING GROUND.

6. Entry into or departure from a closed area

At least 12 hours before entering and immediately after leaving the closed area:

- (a) report type (ENCA for entry and DECA for exit);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of ENCA or DECA;
- (e) time of ENCA or DECA (GMT) dd.mm.yy:hhmm;
- (f) position of ENCA or DECA (to one minute of arc);
- (g) speed and course;
- (h) reason for ENCA;

e.g. ENCA/89TKS-PS001TN/JJAP2/30.12.89:1645Z/0130S;17010E/7:320/ENTER PORT.

7. Refuelling notice

At least 24 hours before refuelling from a licensed tanker

- (a) report type (FUEL);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) date of reporting (GMT);
- (e) position of reporting (to one minute of arc);
- (f) amount of fuel on board (Kilolitres);
- (g) estimated date of bunkering;
- (h) estimated position of bunkering;
- (i) name of tanker;

e.g. FUEL/89TKS-PS001TN/JJAP2/06.02.90/0130S;17010E/35/08.02.90/0131S;17030E/CHEMSION.

8. Bunkering Activity Report

Immediately after refuelling from a licensed tanker:

- (a) report type (BUNK);
- (b) registration or licence number;
- (c) call sign or signal letters;
- (d) starting date and time of bunkering (GMT) dd.mm.yy:hhmm;
- (e) starting position of bunkering;
- (f) amount of fuel received in kilolitres;
- (g) ending time of bunkering (GMT);
- (h) ending position of bunkering;
- (i) name of tanker;

e.g. BUNK/89TKS-S001TN/JJAP2/08.02.90:1200Z/0131S;17030E/160/08.02.90:1800Z/ 0131S;17035E/
CRANE PHOENIX.

9. Transhipment Activity Report

Immediately after transhipping at an authorised port in Kiribati to a licensed carrier vessel:

- (a) report type (TSHP);
- (b) registration or licence number;
- (c) call sign or letters;
- (d) date of discharge (dd.mm.yy);
- (e) port of discharge;
- (f) transhipped catch by weight by species:

Skipjack (SJ) ____ · ____ (Mt)

Yellowfin (YF) ____ · ____ (Mt)

Others (OT) ____ · ____ (Mt);

- (g) name of reefer carrier;
- (h) destination of catch;

e.g. TSHP/89TKS-PS001TN/JJAP2/11.12.89/BETIO/SJ-450:YF-150:OT-0.0/JAPAN STAR/PAGO PAGO.

10. Completion Report

Within 48 hours after completing a trip by discharging catch at other fishing ports (outside Kiribati) including operational port, or home port:

- (a) report type (COMP);
- (b) vessel name;
- (c) licence number;
- (d) call sign or signal letters;
- (e) date of discharge (dd.mm.yy);
- (f) discharged catch by species:

Skipjack (SJ) ____ · ____ (Mt)

Yellowfin (YF) ____ · ____ (Mt)

Others (OT) ____ · ____ (Mt);

- (g) name of port;

e.g. COMP/89TKS-PS001TN/JJAP2/26.12.89/SJ-670:YF-65:OT-0.0/BETIO.

COMMISSION REGULATION (EC) No 875/2003
of 21 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 22 May 2003.

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

Done at Brussels, 21 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 21 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	110,0
	096	100,5
	999	105,3
0707 00 05	052	114,3
	999	114,3
0709 90 70	052	88,0
	999	88,0
0805 10 10, 0805 10 30, 0805 10 50	052	83,4
	204	41,4
	220	39,3
	382	63,3
	388	70,2
	400	42,8
	600	52,6
	624	57,3
	999	56,3
0805 50 10	382	63,0
	388	56,8
	400	53,4
	528	57,2
	999	57,6
0808 10 20, 0808 10 50, 0808 10 90	204	46,5
	388	80,3
	400	86,3
	404	78,2
	508	84,5
	512	83,8
	524	67,5
	528	67,2
	720	107,8
	804	98,9
	999	80,1

⁽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 876/2003
of 21 May 2003**

**defining specific measures pursuant to Council Regulation (EC) No 2347/2002 concerning catches
and landings of deep-sea species for seasonal fisheries by Denmark in the Skagerrak and North Sea**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 2347/2002 of 16 December 2002 establishing specific access requirements and associated conditions applicable to fishing for deep-sea stocks ⁽¹⁾, and in particular Article 3(3) thereof,

Scope

This Regulation applies to fishing vessels flying the flag of Denmark and registered in the Community which are engaged in the following activities:

Whereas:

- (1) Regulation (EC) No 2347/2002 prohibits the retention on board, transhipment or landing of any aggregate quantity of deep-sea species in excess of 100 kilograms in each sea trip unless the vessel in question holds a deep-sea fishing permit.
- (2) Regulation (EC) No 2347/2002 provides however, that upon request of a Member State, specific measures may be laid down by the Commission to take account of seasonal or artisanal fisheries.
- (3) Denmark has asked for specific measures to be laid down to take account of the seasonal nature of fisheries for deep-sea species in the Skagerrak and in Norwegian waters of ICES Division IVa.
- (4) Denmark has made available detailed catch information for the fisheries concerned demonstrating the evident need for such measures in order to avoid discarding, in that unavoidable by-catches up to 300 kilograms of some deep-sea species are routinely taken in fisheries targeting other species, such as witch, during some months of the year.
- (5) It is therefore appropriate to allow Danish vessels not holding a deep-sea fishing permit to retain on board, tranship or land defined quantities of deep-sea species in order to reduce discarding and to reduce waste from the fisheries concerned.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

- (a) fishing within Norwegian waters of ICES Division IVa in the period 1 May to 31 October and returning directly to port in the period 1 May to 10 November after having fished in Norwegian waters of ICES Division IVa in the period 1 May to 31 October;
- (b) fishing within the Skagerrak in the period 1 April to 31 May and returning directly to port in the period 1 April to 5 June after having fished in the Skagerrak in the period 1 April to 31 May.

Article 2

Specific measures

By way of derogation from Article 3(1) of Regulation (EC) No 2347/2002:

1. vessels which are engaged in the activity defined in Article 1(a) and which do not hold a deep-sea fishing permit shall be authorised to retain on board, tranship or to land:
 - (a) any quantity of blue ling (*Molva dypterygia*) less than 300 kilograms;
 - (b) any aggregate quantity of deep-sea species other than blue ling (*Molva dypterygia*) less than 100 kilograms;
2. vessels which are engaged in the activity described in Article 1(b) and which do not hold a deep-sea fishing permit shall be authorised to retain on board, tranship or to land:
 - (a) any quantity of roundnose grenadier (*Coryphaenoides rupestris*) less than 300 kilograms;
 - (b) any aggregate quantity of deep-sea species other than roundnose grenadier (*Coryphaenoides rupestris*) less than 100 kilograms;

⁽¹⁾ OJ L 351, 28.12.2002, p. 6.

3. vessels which are engaged in both the activities defined in Article 1(a) and Article 1(b) which do not hold a deep-sea fishing permit shall be authorised to retain on board, tranship or to land:

- (a) any quantity of roundnose grenadier (*Coryphaenoides rupestris*) less than 300 kilograms;
- (b) any quantity of blue ling (*Molva dypterygia*) less than 300 kilograms;

- (c) any aggregate quantity of deep-sea species other than roundnose grenadier (*Coryphaenoides rupestris*) and blue ling (*Molva dypterygia*) less than 100 kilograms.

Article 3

This Regulation shall enter into force on the seventh 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, 21 May 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 877/2003

of 21 May 2003

provisionally authorising the use of the acidity regulator 'Benzoic acid' in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Directive 70/524/EEC requires that no additive may be put into circulation unless a Community authorisation has been granted.
- (2) In the case of additives referred to in Part II of Annex C to Directive 70/524/EEC, which include acidity regulators, provisional authorisation of a new additive for use in feedingstuffs may be given if the conditions laid down in that Directive are satisfied, and if it is reasonable to assume, in view of the available results, that when used in animal nutrition it has one of the effects referred to in Article 2(a) of that Directive. Such provisional authorisation may be given for a period not exceeding four years.
- (3) The assessment of the application for authorisation submitted, in respect of the acidity regulation preparation 'Benzoic acid', shows that the conditions referred to in Directive 70/524/EEC are satisfied.
- (4) The acidity regulation preparation 'Benzoic acid' should therefore be authorised on a provisional basis for a period of four years.

- (5) The Scientific Committee for Animal Nutrition has delivered a favourable opinion under certain conditions on the safety of the preparation, which belongs to the group 'Acidity regulators', for pigs for fattening.
- (6) The assessment of the application shows that certain procedures are required to protect workers from exposure to the additive 'Benzoic acid'. However, such protection is assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽³⁾.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

The additive 'Benzoic acid' belonging to the group 'Acidity regulator' and referred to in the Annex is authorised for use as an additive in feedingstuffs under the conditions laid down in the Annex.

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, 21 May 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 265, 3.10.2002, p. 1.

⁽³⁾ OJ L 183, 29.6.1989, p. 1.

ANNEX

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg/kg of complete feedingstuff			
Acidity regulators								
E 210	Benzoic acid	C ₇ H ₆ O ₂	Pigs for fattening		5 000	10 000		25.5.2007

COMMISSION REGULATION (EC) No 878/2003
of 20 May 2003
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to 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 ⁽³⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 May 2003.

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

Done at Brussels, 20 May 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 68, 12.3.2002, p. 11.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	45,94	341,06	420,32	32,46
1.30	Onions (other than seed) 0703 10 19	42,06	312,26	384,83	29,72
1.40	Garlic 0703 20 00	151,90	1 127,64	1 389,69	107,31
1.50	Leeks ex 0703 90 00	40,98	304,25	374,96	28,95
1.60	Cauliflowers 0704 10 00	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	73,15	543,05	669,25	51,68
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,04	562,02	43,40
1.100	Chinese cabbage ex 0704 90 90	67,82	503,51	620,52	47,92
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—
1.130	Carrots ex 0706 10 00	36,50	270,97	333,94	25,79
1.140	Radishes ex 0706 90 90	92,37	685,74	845,09	65,26
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	445,75	3 309,17	4 078,18	314,92
1.170	Beans:				
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	140,41	1 042,41	1 284,66	99,20
1.170.2	— Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	211,42	1 569,54	1 934,28	149,37
1.180	Broad beans ex 0708 90 00	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	394,35	2 927,59	3 607,93	278,61
1.200.2	— other 0709 20 00	247,97	1 840,87	2 268,67	175,19
1.210	Aubergines (eggplants) 0709 30 00	81,28	603,44	743,67	57,43

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	63,75	473,26	583,24	45,04
1.230	Chantarelles 0709 59 10	809,36	6 008,53	7 404,83	571,81
1.240	Sweet peppers 0709 60 10	169,27	1 256,64	1 548,67	119,59
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	97,31	722,45	890,33	68,75
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	140,67	1 044,32	1 287,00	99,38
2.40	Avocados, fresh ex 0804 40 00	175,86	1 305,54	1 608,93	124,24
2.50	Guavas and mangoes, fresh ex 0804 50 00	179,67	1 333,87	1 643,84	126,94
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	50,80	377,13	464,77	35,89
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	37,64	279,45	344,39	26,59
2.60.3	— Others 0805 10 50	50,80	377,13	464,77	35,89
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	108,29	803,92	990,75	76,51
2.70.2	— Monreales and satsumas ex 0805 20 30	84,66	628,48	774,53	59,81
2.70.3	— Mandarines and wilkings ex 0805 20 50	80,75	599,47	738,78	57,05
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	76,27	566,21	697,79	53,88
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	91,86	681,98	840,46	64,90
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	63,05	468,09	576,87	44,55
2.90.2	— pink ex 0805 40 00	66,48	493,55	608,24	46,97
2.100	Table grapes 0806 10 10	148,96	1 105,85	1 362,83	105,24
2.110	Water melons 0807 11 00	50,84	377,43	465,14	35,92

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	79,65	591,33	728,75	56,28
2.120.2	— Other ex 0807 19 00	97,81	726,15	894,90	69,11
2.140	Pears				
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	71,78	532,87	656,70	50,71
2.140.2	— Other ex 0808 20 50	73,02	542,11	668,09	51,59
2.150	Apricots 0809 10 00	430,13	3 193,20	3 935,26	303,89
2.160	Cherries 0809 20 95 0809 20 05	—	—	—	—
2.170	Peaches 0809 30 90	180,10	1 337,06	1 647,77	127,24
2.180	Nectarines ex 0809 30 10	230,72	1 712,82	2 110,85	163,00
2.190	Plums 0809 40 05	199,53	1 481,28	1 825,51	140,97
2.200	Strawberries 0810 10 00	110,16	817,81	1 007,85	77,83
2.205	Raspberries 0810 20 10	361,18	2 681,33	3 304,44	255,17
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	2 297,10	17 053,21	21 016,17	1 622,90
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	114,56	850,49	1 048,14	80,94
2.230	Pomegranates ex 0810 90 95	286,72	2 128,55	2 623,20	202,57
2.240	Khakis (including sharon fruit) ex 0810 90 95	299,74	2 225,21	2 742,32	211,77
2.250	Lychees ex 0810 90 30	636,48	4 725,13	5 823,19	449,68

COMMISSION REGULATION (EC) No 879/2003
of 21 May 2003
prohibiting fishing for cod by vessels flying the flag of the Netherlands

THE COMMISSION DES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽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 catch limitations are required ⁽³⁾, lays down quotas for cod 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 cod in the waters of ICES divisions VIIb-k, VIII, IX, X CECAF 34.11 (EC waters) by vessels flying the flag of the Netherlands or registered in the Nether-

lands have exhausted the quota allocated for 2003. The Netherlands has prohibited fishing for this stock from 30 April 2003. This date should consequently be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions VIIb-k, VIII, IX, X CECAF 34.11 (EC waters) by vessels flying the flag of the Netherlands or registered in the Netherlands are hereby deemed to have exhausted the quota allocated to the Netherlands for 2003.

Fishing for cod in the waters of ICES divisions VIIb-k, VIII, IX, X CECAF 34.11 (EC waters) by vessels flying the flag of the Netherlands or registered in the Netherlands is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 30 April 2003.

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

Done at Brussels, 21 May 2003.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽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.

COMMISSION REGULATION (EC) No 880/2003
of 21 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 the second subparagraph of Article 4(1) of Regulation (EC) No 1503/96 results in an adjustment of the import duties that have been fixed as from 15 May 2003 by Commission Regulation (EC) No 832/2003 ⁽⁵⁾ 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 adjusted in compliance with Article 4 of Regulation (EC) No 1503/96 and 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 22 May 2003.

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

Done at Brussels, 21 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.

⁽⁵⁾ OJ L 120, 15.5.2003, p. 15.

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 ⁽⁸⁾
1006 10 21					
1006 10 23					
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	(7)	69,51	101,16		158,25
1006 20 13	(7)	69,51	101,16		158,25
1006 20 15	250,66	83,39	120,99		188,00
1006 20 17	250,66	83,39	120,99		188,00
1006 20 92	250,66	83,39	120,99		188,00
1006 20 94	264,00	88,06	127,66	14,00	198,00
1006 20 96	250,66	83,39	120,99		188,00
1006 20 98	250,66	83,39	120,99		188,00
1006 30 21	250,66	83,39	120,99		188,00
1006 30 23	264,00	88,06	127,66	14,00	198,00
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	250,66	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	206,01	202,90	317,76	343,52	—
(b) fob price (EUR/tonne)	—	—	—	292,00	317,76	—
(c) Sea freight (EUR/tonne)	—	—	—	25,76	25,76	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION DIRECTIVE 2003/40/EC

of 16 May 2003

establishing the list, concentration limits and labelling requirements for the constituents of natural mineral waters and the conditions for using ozone-enriched air for the treatment of natural mineral waters and spring waters

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 80/777/EEC ⁽¹⁾, of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters, as last amended by Directive 96/70/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) Constituents may be present in the natural state in certain natural mineral waters because of their hydrogeological origin and may present a risk to public health above a certain concentration. It is therefore deemed necessary to establish concentration limits for these constituents in natural mineral waters.
- (2) Article 11 of Directive 80/777/EEC makes provision for adopting harmonised concentration limits for the constituents of natural mineral waters after consulting the Scientific Committee for Food, and for labelling requirements to indicate, where applicable, the presence of certain constituents at high concentrations.
- (3) The Scientific Committee for Food issued an opinion ⁽³⁾, on arsenic, barium, fluoride, boron and manganese and, for other constituents of natural mineral waters, validated the limits recommended by the WHO for drinking water.
- (4) The revised Codex standard for 'natural mineral waters' ⁽⁴⁾, gives, for health purposes, a list of constituents and maximum limits for these constituents. It was adopted on the basis of the most recent international scientific data and affords sufficient public health protection.
- (5) It is generally acknowledged that a low-level fluoride intake can have a beneficial effect on teeth. By contrast, excessive fluoride intake across the board can have harmful effects on public health. Thus, it is necessary to lay down a harmonised maximum limit for fluoride in natural mineral waters affording sufficient protection for the population as a whole.
- (6) The World Health Organisation recommended a guide value of 1,5 mg/l for fluoride for drinking water, which was validated for natural mineral waters by the Scientific Committee for Food in the abovementioned opinion. In order to protect infants and young children, who are the

most sensitive to the risk of fluorosis, where the fluoride content of a natural mineral water exceeds this guide value, a reference to this fact, which can be seen easily by the consumer, also needs to be made on the label.

- (7) The Scientific Committee for Food indicated a guide value for boron in natural mineral waters based on the WHO ⁽⁵⁾, recommendations of 1996. However, the WHO and other internationally recognised scientific organisations have since then made new appraisals of boron's effect on public health and have recommended higher values. The European Food Safety Authority should therefore be consulted about boron in natural mineral waters so that the new scientific appraisals available can be taken into account and a maximum limit for boron should not be set at this stage.
- (8) The Scientific Committee for Food also indicated in the above opinion the acceptable level for barium, manganese and arsenic in natural mineral waters. For the other undesirable constituents of natural mineral waters which may have a harmful effect on public health, the revised Codex standard lays down maximum limits that afford sufficient protection for public health. However, the limit for nitrates is deemed to be too low in the light of the available data and should be brought into line with that for drinking water ⁽⁶⁾.
- (9) The maximum limit for nitrates laid down in the Codex standard affords sufficient protection for public health and should serve as a reference for Community and international trade in natural mineral waters. However, during the procedure for official recognition of natural mineral water sources referred to in Article 1 of the aforementioned Directive, the Member States' competent authorities must be able to take a lower guide value for nitrates in natural mineral waters collected within their territory.
- (10) Natural mineral waters whose content in certain constituents exceeds the maximum limits for these constituents shall, for public health purposes, be subjected to the separation treatments for these constituents. In order to enable the operators concerned to make the necessary investment to comply with these new standards, sufficient periods should be allowed before the maximum concentration limits for such constituents come into force, in particular with regard to fluoride and nickel for which no separation treatment has yet been assessed or authorised at Community level.

⁽¹⁾ OJ L 229, 30.8.1980, p. 1.

⁽²⁾ OJ L 299, 23.11.1996, p. 26.

⁽³⁾ Opinion of 13 December 1996 on arsenic, barium, fluoride, boron and manganese in natural mineral waters.

⁽⁴⁾ Codex standard 108-1981, Rev 1-1997, revised during the 7th session of the CCNMW (October 2000).

⁽⁵⁾ WHO (1996): guidelines on the quality of drinking water, second edition, volume 2.

⁽⁶⁾ Council Directive 98/83/EC (OJ L 330 of 5.12.1998, p. 32).

- (11) For the purposes of official checks on these constituents, a fluctuation margin around the maximum concentration limits is required corresponding to measurement uncertainties.
- (12) Article 4(1)(b) of Directive 80/777/EEC (as amended) provides for the separation of iron, manganese, sulphur and arsenic from certain natural mineral waters, using ozone-enriched air treatment, subject to an assessment of this treatment by the Scientific Committee for Food and adoption of the conditions for use of this treatment by the Standing Committee on the Food Chain and Animal Health.
- (13) The Scientific Committee for Food issued an opinion⁽¹⁾, on this treatment which provides for both given methods and results. However, it is deemed appropriate to stipulate only given results, in order to take account of developments in ozone-enriched air treatment techniques and treatment variability depending on the physico-chemical composition of the water to be treated.
- (14) Moreover, treatment with ozone-enriched air should not modify the composition in terms of characteristic constituents within the meaning of Article 7(2)(a) of Directive 80/777/EEC, or have a disinfectant action within the meaning of Article 4(3) or generate the formation of treatment residues which may have a harmful effect on public health.
- (15) Pursuant to Article 7(2)(c) of the above Directive, natural mineral waters treated with ozone-enriched air must bear a reference on the label giving customers sufficient information about the treatment carried out.
- (16) In accordance with the provisions of Article 9(4)(a) fourth indent of Directive 80/777/EEC, the provisions concerning the treatments provided for in Article 4 of the Directive, and in particular treatment with ozone-enriched air, are applicable to spring waters.
- (17) The measures laid down in this Directive are in accordance with the opinion of the Scientific Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive establishes the list of constituents of natural mineral waters which may present a risk to public health, the limits for admissible levels of these constituents, the deadlines for application of these limits and the labelling requirements for certain constituents. These constituents must be present in the water naturally and may not result from contamination at source.

⁽¹⁾ Opinion of the Scientific Committee for Food of 7 June 1996 on the use of ozone for separating unstable elements such as iron, manganese and arsenic from natural mineral waters.

It also defines the conditions for using ozone-enriched air for separating compounds of iron, manganese, sulphur and arsenic from natural mineral waters or spring waters, and the labelling requirements for waters which have undergone such treatment.

Article 2

1. By 1 January 2006 at the latest, natural mineral waters shall, at the time of packaging, comply with the maximum concentration limits set out in Annex I for the constituents listed in that Annex.

2. However, in the case of fluorides and nickel, the deadline referred to above is extended until 1 January 2008.

3. By way of derogation from paragraph 1, during the procedure for official recognition of natural mineral waters collected within their territory, the competent authorities of the Member States may take a lower reference value for nitrates and nitrites, provided that the same reference value is applied to all applications made to them.

Article 3

For the purposes of official controls, the Member States shall comply with the specifications listed in Annex II for analysing the constituents listed in Annex I.

Article 4

1. Natural mineral waters with a fluoride concentration exceeding 1,5 mg/l shall bear on the label the words 'contains more than 1,5 mg/l of fluoride: not suitable for regular consumption by infants and children under 7 years of age'.

2. The label information laid down in paragraph 1 of this Article shall be placed in immediate proximity to the trade name and in clearly visible characters.

3. Natural mineral waters which, under the terms of paragraph 1 of this Article, bear label information, shall indicate the actual fluoride content in relation to the physico-chemical composition in terms of essential constituents, as laid down in Article 7(2)(a) of Directive 80/777/EEC.

Article 5

1. Without prejudice to the provisions of Article 4(1)(b) of Directive 80/777/EEC, application of the treatment of natural mineral waters with ozone-enriched air must be notified in advance to the competent authorities, who shall ensure that:

- (a) use of such treatment is justified by the composition of the water in terms of compounds of iron, manganese, sulphur and arsenic;

(b) the operator takes all measures necessary to guarantee that the treatment is effective and safe and to allow it to be checked by the competent authorities.

2. Ozone-enriched air treatment of natural mineral waters must comply with all the following conditions:

- (a) the physico-chemical composition of the natural mineral waters in terms of essential constituents shall not be modified by the treatment;
- (b) the natural mineral water before treatment must comply with the microbiological criteria laid down in Article 5(1) and (2) of Directive 80/777/EEC;
- (c) the treatment shall not lead to the formation of residues with a concentration exceeding the maximum limits laid down in Annex III or residues which could pose a risk to public health.

Article 6

Pursuant to Article 7(2)(c) of Directive 80/777/EEC, the labelling of natural mineral waters which have been treated with ozone-enriched air shall bear, in proximity to the analytical composition of characteristic constituents, the words 'water subjected to an authorised ozone-enriched air oxidation technique'.

Article 7

Without prejudice to the provisions of Article 9(4)(b) of Directive 80/777/EEC, the provisions of Articles 5 and 6 of this Directive shall apply to spring waters.

Article 8

1. The Member States shall take the necessary measures to permit the marketing of products complying with the present Directive by 1 January 2004 at the latest.

2. Without prejudice to the deadlines set out in Article 2(1) and (2), the Member States shall prohibit the marketing of products not complying with the present Directive from 1 July 2004. However, products packaged and labelled prior to 1 July 2004 may be sold until stocks are exhausted.

Article 9

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2003 at the latest. They shall forthwith inform the Commission thereof.

The provisions adopted pursuant to this paragraph shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. Member States shall determine how such reference is to be made.

Article 10

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 11

This Directive is addressed to the Member States.

Done at Brussels, 16 May 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Constituents naturally present in natural mineral waters and maximum limits which, if exceeded, may pose a risk to public health

Constituents	Maximum limits (mg/l)
Antimony	0,0050
Arsenic	0,010 (as total)
Barium	1,0
Boron	For the record (*)
Cadmium	0,003
Chromium	0,050
Copper	1,0
Cyanide	0,070
Fluorides	5,0
Lead	0,010
Manganese	0,50
Mercury	0,0010
Nickel	0,020
Nitrates	50
Nitrites	0,1
Selenium	0,010

(*) The maximum limit for boron will be fixed, where necessary, following an opinion of the European Food Safety Authority and on a proposal from the Commission by 1 January 2006.

ANNEX II

Performance characteristics (*) for analysing the constituents in Annex I

Constituents	Accuracy of parametric value in % (Note 1)	Precision of parametric value (Note 2)	Detection limit in % of parametric value (Note 3)	Notes
Antimony	25	25	25	
Arsenic	10	10	10	
Barium	25	25	25	
Boron				See Annex I
Cadmium	10	10	10	
Chromium	10	10	10	
Copper	10	10	10	
Cyanides	10	10	10	Note 4
Fluorides	10	10	10	
Lead	10	10	10	
Manganese	10	10	10	
Mercury	20	10	20	
Nickel	10	10	10	
Nitrates	10	10	10	
Nitrites	10	10	10	
Selenium	10	10	10	

(*) Analytical methods for measuring concentrations of the constituents listed in Annex I must be able to measure, as a minimum, concentrations equal to the parametric value with a specified accuracy, precision and detection limit. Whatever the sensitivity of the method of analysis used, the result will be expressed using at least the same number of decimal places as for the maximum limit laid down in Annex I.

Note 1: accuracy is the systematic error and is the difference between the average value of a large number of repeated measurements and the exact value.

Note 2: precision is the random error and is expressed in general as the standard deviation (within a batch and between batches) of a sample of results from the average. Acceptable precision is equal to twice the relative standard deviation.

Note 3: the detection limit is:

- either three times the relative standard deviation within a batch of a natural sample containing a low concentration of the parameter,
- or five times the relative standard deviation within a batch of a virgin sample.

Note 4: the method should make it possible to determine total cyanide in all its forms.

ANNEX III

Maximum limits for residues from treatment of natural mineral waters and spring waters by ozone-enriched air

Treatment residue	Maximum limit (*) (µg/l)
Dissolved ozone	50
Bromates	3
Bromoforms	1

(*) Compliance with the maximum limits is monitored by the competent authorities in the Member States at the time of bottling or other form of packaging intended for the final consumer.



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