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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1297/2003
of 22 July 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 23 July 2003.

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

Done at Brussels, 22 July 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 22 July 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	096	56,8
	999	56,8
0707 00 05	052	112,2
	999	112,2
0709 90 70	052	90,7
	999	90,7
0805 50 10	052	51,2
	388	51,4
	524	61,6
	528	53,8
	999	54,5
0806 10 10	052	155,0
	624	133,3
	999	144,2
0808 10 20, 0808 10 50, 0808 10 90	388	86,0
	400	97,4
	508	84,9
	512	92,0
	528	68,1
	720	63,7
	804	106,8
	999	85,6
0808 20 50	052	110,0
	388	94,9
	512	85,8
	528	44,5
	800	169,8
	999	101,0
0809 10 00	052	103,9
	064	140,1
	094	127,0
	999	123,7
0809 20 95	052	291,5
	400	276,0
	404	252,6
	999	273,4
0809 40 05	060	99,4
	064	89,1
	094	90,9
	999	93,1

⁽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 1298/2003
of 22 July 2003**

supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the Register of protected designation of origin and protected geographical indications provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs 'Φοινίκι Λακωνίας' (Finiki Lakonias)

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 806/2003 ⁽²⁾, and in particular Article 6(3), (4) and (5) thereof,

Whereas:

- (1) Under Article 5 of Regulation (EEC) No 2081/92, Greece has sent the Commission an application for the registration of the name 'ΦΟΙΝΙΚΙ ΛΑΚΩΝΙΑΣ' (Finiki Lakonias) as a protected designation of origin.
- (2) In accordance with Article 6(1) of that Regulation, the application has been found to meet all the requirements laid down therein and in particular to contain all the information required in accordance with Article 4 thereof.
- (3) A statement of objection has been received by the Commission from Italy under Article 7 of that Regulation following publication in the *Official Journal of the European Communities* ⁽³⁾. This statement of objection concerning the provision in the product specification allowing bottling to take place outside the defined geographical area was not found admissible within the meaning of Article 7(4) of Regulation (EEC) No 2081/92 as it did not show non-compliance with the conditions referred to in Article 2 of that Regulation. No other statement of objection has been notified to the Commission in respect of the name Φοινίκι Λακωνίας (Finiki Lakonias) following its publication in the *Official Journal of the European Communities*.

(4) The name should therefore be entered in the Register of protected designations of origin and protected geographical indications and hence be protected throughout the Community as a protected designation of origin.

(5) The Annex to this Regulation supplements the Annex to Commission Regulation (EC) No 2400/96 ⁽⁴⁾, as last amended by Regulation (EC) No 1291/2003 ⁽⁵⁾.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 15 of Regulation (EEC) No 2081/92,

HAS ADOPTED THIS REGULATION:

Article 1

The name in the Annex hereto is added to the Annex to Regulation (EC) No 2400/96 and entered as a protected designation of origin (PDO) in the Register of protected designations of origin and protected geographical indications provided for in Article 6(3) of Regulation (EEC) No 2081/92.

Article 2

This Regulation shall enter into force on the 20th 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, 22 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ C 180, 26.6.2001, p. 10.

⁽⁴⁾ OJ L 327, 17.12.1996, p. 11.

⁽⁵⁾ OJ L 181, 19.7.2003, p. 12.

ANNEX

PRODUCTS LISTED IN ANNEX I TO THE EC TREATY, INTENDED FOR HUMAN CONSUMPTION

Oils and fats*Olive oil*

GREECE

— ‘Φοινίκι Λακωνίας’ (Finiki Lakonias) (PDO).

**COMMISSION REGULATION (EC) No 1299/2003
of 22 July 2003**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 July 2003.

It shall apply from 23 July to 6 August 2003.

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

Done at Brussels, 22 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 22 July 2003 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 23 July to 6 August 2003				
Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	14,93	13,14	22,46	11,99
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	—	—	7,95	7,29
Morocco	—	—	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 1300/2003
of 22 July 2003
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 624/98 ⁽⁴⁾, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1166/2003 ⁽⁵⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 July 2003.

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

Done at Brussels, 22 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 162, 1.7.2003, p. 57.

ANNEX

to the Commission Regulation of 22 July 2003 altering representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)		
CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	16,68	7,97
1701 11 90 ⁽¹⁾	16,68	14,27
1701 12 10 ⁽¹⁾	16,68	7,77
1701 12 90 ⁽¹⁾	16,68	13,75
1701 91 00 ⁽²⁾	18,39	17,53
1701 99 10 ⁽²⁾	18,39	12,09
1701 99 90 ⁽²⁾	18,39	12,09
1702 90 99 ⁽³⁾	0,18	0,46

⁽¹⁾ For the standard quality as defined in Annex I, point II, to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ For the standard quality as defined in Annex I, point I, to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION DIRECTIVE 2003/70/EC
of 17 July 2003
amending Council Directive 91/414/EEC to include mecoprop, mecoprop-P and propiconazole as
active substances

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2003/68/EC ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽³⁾, as last amended by Regulation (EC) No 2266/2000 ⁽⁴⁾, establishes a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list includes mecoprop, mecoprop-P and propiconazole.
- (2) For those active substances the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulation (EEC) No 3600/92 for a range of uses proposed by the notifiers. By Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant protection products and designating the rapporteur Member State for the implementation of Regulation (EEC) No 3600/92 ⁽⁵⁾, as last amended by Regulation (EC) No 2230/95 ⁽⁶⁾, the following rapporteur Member States were designated, which in turn submitted the relevant assessment reports and recommendations to the Commission in accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92: mecoprop: Rapporteur Member State Denmark, all relevant information was submitted on 31 August 1999; mecoprop-P: Rapporteur Member State Denmark, all relevant information was submitted on 7 January 1999; propiconazole: Rapporteur Member State Finland, all relevant information was submitted on 30 November 1998.
- (3) Those assessment reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health.
- (4) The reviews of all active substances were finalised on 15 April 2003 in the format of the Commission review reports for mecoprop, mecoprop-P and propiconazole.

- (5) The reviews of mecoprop, mecoprop-P and propiconazole did not reveal any open questions or concerns, which would have required a consultation of the Scientific Committee on Plants.
- (6) It has appeared from the various examinations made that plant protection products containing mecoprop, mecoprop-P or propiconazole may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include these active substances in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing these active substances can be granted in accordance with the provisions of that Directive.
- (7) The Commission review report is required for the proper implementation by the Member States, of several sections of the uniform principles laid down in Directive 91/414/EEC. It is, therefore, appropriate to provide that the finalised review report, except for confidential information, should be kept available or made available by the Member States for consultation by any interested parties.
- (8) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (9) After inclusion, Member States should be allowed a reasonable period within which to implement the provisions of Directive 91/414/EEC as regards plant protection products containing mecoprop, mecoprop-P or propiconazole, and in particular, to review existing authorisations to ensure that the conditions regarding those active substances set out in Annex I to Directive 91/414/EEC are satisfied. A longer period should be provided for the submission and assessment of the complete dossier of each plant protection product in accordance with the uniform principles laid down in Directive 91/414/EEC.
- (10) It is therefore appropriate to amend Directive 91/414/EEC accordingly.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 177, 16.7.2003, p. 12.

⁽³⁾ OJ L 366, 15.12.1992, p. 20.

⁽⁴⁾ OJ L 259, 13.10.2000, p. 27.

⁽⁵⁾ OJ L 107, 28.4.1994, p. 8.

⁽⁶⁾ OJ L 225, 22.9.1995, p. 1.

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

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

Member States shall adopt and publish by 30 November 2004 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply those provisions from 1 December 2004.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

1. Member States shall review the authorisation for each plant protection product containing mecoprop, mecoprop-P or propiconazole to ensure that the conditions relating to those active substances set out in Annex I to Directive 91/414/EEC are complied with. Where necessary and by 30 November 2004 at the latest, they shall amend or withdraw the authorisation.

2. Member States shall, for each authorised plant protection product containing mecoprop, mecoprop-P or propiconazole as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 31 May 2004 at the latest, re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC. Where necessary and by 31 May 2008 at the latest, they shall amend or withdraw the authorisation.

Article 4

This Directive shall enter into force on 1 June 2004.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 17 July 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The following entries shall be added at the end of the table in Annex I to Directive 91/414/EEC.

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
56	Mecoprop CAS No 7085-19-0 CIPAC No 51	(RS)-2-(4-chloro-o-tolyloxy)- propionic acid	930 g/kg	1 June 2004	31 May 2014	Only uses as herbicide may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on mecoprop, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 15 April 2003 shall be taken into account. In this overall assessment: — Member States should pay particular attention to the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of authorisation should include risk mitigation measures, where appropriate, — Member States should pay particular attention to the protection of non-target arthropods. Risk mitigation measures should be applied, where appropriate.
57	Mecoprop-P CAS No 16484-77-8 CIPAC No 475	(R)-2-(4-chloro-o-tolyloxy)- propionic acid	860 g/kg	1 June 2004	31 May 2014	Only uses as herbicide may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on mecoprop-P, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 15 April 2003 shall be taken into account. In this overall assessment: — Member States should pay particular attention to the potential for groundwater contamination, when the active substance is applied in regions with vulnerable soil and/or climatic conditions. Conditions of authorisation should include risk mitigation measures, where appropriate.

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
58	Propiconazole CAS No 60207-90-1 CIPAC No 408	(±)-1-[2-(2,4-dichloro-phenyl)-4-propyl-1,3-dioxolan-2-ylmethyl]-1H-1,2,4-triazole	920 g/kg	1 June 2004	31 May 2014	Only uses as fungicide may be authorised. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on propiconazole, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 15 April 2003 shall be taken into account. In this overall assessment: — Member States should pay particular attention to the protection of non-target arthropods and aquatic organisms. Conditions of authorisation should include risk mitigation measures, where appropriate, — Member States should pay particular attention to the protection of soil organisms for applications rates exceeding 625 g a.i./ha (e.g. uses in lawn). Conditions of authorisation should include risk mitigation measures (e.g. spotwise application scheme), where appropriate.

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.'

II

(Acts whose publication is not obligatory)

COUNCIL

POLITICAL AND SECURITY COMMITTEE DECISION DRC 2/2003

of 11 July 2003

on the setting up of the Committee of Contributors for the European Union military operation in the Democratic Republic of Congo

(2003/529/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 25, last paragraph, thereof,

Having regard to the Council Joint Action 2003/423/CFSP of 5 June 2003 on the European Union military operation in the Democratic Republic of Congo ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) Under Article 10 of the Joint Action 2003/423/CFSP, the Council authorised the Political and Security Committee (PSC) to take relevant decisions on the setting up of a Committee of Contributors, in case that the third States provide significant military contributions.
- (2) The European Council conclusions of Nice and Brussels have laid down the arrangements for the participation of third States in crisis management operations and the setting up of a Committee of Contributors.
- (3) The Committee of Contributors will play a key role in the day-to-day management of the operation. The Committee will be the main forum where contributing States collectively address questions relating to the employment of their forces in the operation. The PSC, which exercises the political control and strategic direction of the operation, will take account of the views expressed by the Committee of Contributors.
- (4) In conformity with Article 6 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not participate in the elaboration and implementation of decisions and actions

of the European Union which have defence implications. Denmark does not participate in the financing of the operation,

HAS DECIDED AS FOLLOWS:

Article 1

Establishment

A Committee of Contributors for the European Union military operation in the Democratic Republic of Congo (hereafter called the CoC) is hereby established.

Article 2

Functions

The terms of reference of the CoC are laid down in the European Council Conclusions of Nice (7, 8 and 9 December 2000) and Brussels (24 to 25 October 2002).

Article 3

Composition

1. The CoC members shall be as follows:
 - Representatives of all EU Member States,
 - Representatives of the third States participating in the operation and providing significant military contributions, referred to in the Annex.
2. The Director General of the European Union Military Staff and the Operation Commander are also entitled to attend or to be represented at the CoC meetings.

⁽¹⁾ OJ L 143, 11.6.2003, p. 50.

*Article 4***Chair**

In conformity with the Nice conclusions and without prejudice to the prerogatives of the Presidency, the CoC for this operation will be chaired by the Secretary General/High Representative or his representative in close consultation with the Presidency, assisted by the Chairman of the European Union Military Committee or representative.

*Article 5***Meetings**

1. The CoC shall be convened by the Chair on a regular basis. Where circumstances require, emergency meetings may be convened on the Chair's initiative, or at the request of a member.
2. The Chair shall circulate in advance a provisional agenda and documents relating to the meeting. The proceedings shall be circulated after each meeting.
3. Representatives of the Commission and other persons may be invited for relevant parts of the discussion, as appropriate.

*Article 6***Procedure**

1. Except as provided in paragraph 3 and without prejudice to the competencies of the Political and Security Committee and the responsibilities of the Operation Commander,
 - unanimity of the representatives of States contributing to the operation shall apply when the CoC takes decisions on day-to-day management of the operation,
 - unanimity of the CoC members shall apply when the CoC makes recommendations on possible adjustments to operational planning, including possible adjustment to objectives.

The abstention of a member shall not preclude unanimity.

2. The Chair shall establish that the majority of the representatives of States entitled to take part in the deliberations is present.
3. All procedural questions shall be settled by the simple majority of the members present at the meeting.
4. Denmark shall not take part in any decision of the Committee.

*Article 7***Confidentiality**

1. The Council Security Regulations shall apply to the meetings and proceedings of the CoC. In particular, representatives in the CoC shall possess adequate security clearances.
2. The deliberations of the CoC shall be covered by the obligation of professional secrecy, except insofar the CoC unanimously decides otherwise.

*Article 8***Entry into force**

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 11 July 2003.

For the Political and Security Committee

The President

M. MELANI

*ANNEX***LIST OF THIRD STATES REFERRED TO IN ARTICLE 3**

- Brazil
 - Canada
 - South Africa.
-

COUNCIL DECISION

of 16 July 2003

on the compatibility with the common market of an aid that the Italian Republic intends to grant to its milk producers

(2003/530/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third subparagraph of Article 88(2) thereof,

Having regard to the application of the Italian Republic,

Whereas:

- (1) Articles 87, 88 and 89 of the Treaty have been declared applicable to the milk market by the common market organisation in milk and milk products as established by Regulation (EC) No 1255/1999 ⁽¹⁾.
- (2) Italian milk producers have produced milk in excess of their reference quantities during the period from 1995/1996 to 2001/2002 and are due to pay to the Community an amount of EUR 1 386 475 250 by virtue of the additional levy on milk and milk products established in accordance with Regulation (EEC) No 3950/92 ⁽²⁾.
- (3) This amount has to a large extent not been recovered by the Italian authorities following suspensions of payment obtained by these producers from national Administrative Courts.
- (4) The current situation in Italy is characterised by the fact that the collection of the additional levy is running into a series of difficulties, which have notably resulted in a vast number of pending court cases which may continue to retard actual payments for a considerable time in the future.
- (5) The Italian authorities envisage measures to settle this pending litigation and to remove the social tensions that currently exist by allowing these milk producers to settle their outstanding debt by means of deferred payment without interest over a number of years.
- (6) The Italian authorities intend to this effect to grant State aid to these producers whereby the Italian Republic would itself make payment to the Community of the total amount due from these producers to the Community and would recover this amount in full from the producers by way of deferred payment.
- (7) The Italian government undertakes to avoid similar problems in the future by imposing the rigorous application of the additional levy on the basis of a new law for

the future management of milk quotas, providing a radical overhaul and modernisation of its implementation provisions. According to the Commission's assessment, this law provides the correct legislative basis for application of the regime and, once fully and correctly implemented, the regime is expected to function well.

- (8) In order to avoid the imposition of heavy financial burdens on the individual Italian milk producers concerned, which would probably be caused by the immediate recovery in full of all the amounts due, and thus to alleviate the existing social tensions, exceptional circumstances exist which justify considering the aid which the Italian Republic intends to grant to these milk producers in the form of an advance and a deferred payment to be compatible with the common market in derogation from Article 87 of the Treaty, if the conditions laid down in this Decision are fulfilled.
- (9) Under Article 88(1) of the Treaty the Commission keeps under constant review all aid schemes authorised by the Council. In accordance with the procedures set out by Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty ⁽³⁾, the Commission monitors compliance with the conditions under which an aid scheme is approved and can order the recovery of unlawful aid,

HAS ADOPTED THIS DECISION:

Article 1

The aid the Italian Republic intends to grant to milk producers, by itself making payment to the Community of the amount due from them to the Community by virtue of the additional levy on milk and milk products for the period 1995/1996 to 2001/2002 and by allowing these producers to repay their debt by way of deferred payment over a number of years without interest, is exceptionally considered to be compatible with the common market on condition that:

- repayment shall be in full by yearly instalments of equal size,
- the repayment period shall not exceed 14 years, starting from 1 January 2004.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 405, 31.12.1992, p. 1. Regulation as last amended by Commission Regulation (EC) No 572/2003 (OJ L 82, 29.3.2003, p. 20).

⁽³⁾ OJ L 83, 27.3.1999, p. 1.

Article 2

The grant of the aid set out in Article 1 shall be conditional on Italy declaring the amount of EUR 1 386 475 250, corresponding to the total additional levy for the periods referred to in Article 1, to the European Agricultural Guarantee and Guidance Fund (EAGGF).

Italy shall deduct the outstanding debt, which corresponds to the total additional levy reduced by the levy already declared for the time-period up to and including March 2003 and credited to the EAGGF, the levy already withheld on the basis of reductions of monthly advances as well as the levy already withheld on the basis of the decision relating to the clearance of accounts for 1995/1996 and 1996/1997, and interest thereon corresponding to a total amount of EUR 249 585 217, in three yearly instalments of equal size, from the expenditure financed by the EAGGF for November 2003, November 2004 and November 2005 respectively.

Interest, calculated on a monthly basis, is reduced by the interest already charged on the basis of the decisions relating to the clearance of accounts for 1995/1996 and 1996/1997.

Declarations of the additional levy for April 2003 and onwards, for the periods referred to in Article 1, and credited to the EAGGF shall be taken into consideration.

Article 3

In order to allow the Commission to perform its tasks under Article 88(1) of the Treaty, the competent Italian authorities shall report annually to the Council and the Commission on the progress made by them in recovering the amount due from the producers by virtue of the additional levy for the period 1995/1996 to 2001/2002. The Commission will assess this information and report its assessment to the Council.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 16 July 2003.

For the Council

The President

G. MAGRI

COUNCIL DECISION

of 16 July 2003

on the granting of aid by the Belgian Government to certain coordination centres established in Belgium

(2003/531/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third subparagraph of Article 88(2) thereof,

Having regard to the application made by the Belgian Government on 26 May 2003,

Whereas:

- (1) In a letter dated 26 May 2003 Belgium, in accordance with Article 88(3) of the Treaty, informed the Commission of its plan to apply until 31 December 2005 to certain undertakings authorised to act as coordination centres under Royal Decree No 187 of 30 December 1982 (as supplemented or amended by subsequent legislation), and whose authorisations are due to expire between 17 February 2003 and 31 December 2005, a special type of tax treatment as described in that letter. In a letter of the same date, registered at the General Secretariat of the Council on 26 May 2003, Belgium submitted to the Council a reasoned request for a decision in accordance with the third subparagraph of Article 88(2) of the Treaty declaring that the measures Belgium is planning to introduce are compatible with the common market.
- (2) The coordination centres in question are responsible for the financial and administrative coordination of multinational groups.
- (3) In adopting Royal Decree No 187 of 30 December 1982 (as supplemented and amended by subsequent legislation), Belgium introduced special tax arrangements for coordination centres to take account of the particular nature of their activities and of the international environment in which they operate.
- (4) The Commission did not raise any objection to those arrangements in 1987 and 1990. It looked at them again under Article 88 of the Treaty after adoption of the Commission notice on the application of the State aid rules to measures relating to direct business taxation⁽¹⁾ and the examination made of tax measures derogating from the Member States' normal tax rules in the context of the Council's proceedings on the Code of Conduct for business taxation.
- (5) Within the framework of the Council's discussions on tax policy and of the Code of Conduct Follow-up Group, the Council meeting on 26 and 27 November 2000 approved conclusions on the rollback of potentially

harmful arrangements whereby their effects on enterprises subject to harmful arrangements on 31 December 2000 would cease on 31 December 2005 at the latest, regardless of whether the arrangements were granted for a predetermined period. The Council also reserved the right to grant a possible extension beyond 31 December 2005 for some arrangements to take account of special circumstances.

- (6) By Decision of 17 February 2003⁽²⁾ the Commission declared the Belgian arrangements for coordination centres to be incompatible with the common market. Under that Decision, Belgium is obliged to abolish the aid arrangements in question or amend them to make them compatible with the common market, although the effects of the arrangements may continue until expiry of each current individual authorisation or until 31 December 2010, whichever is the earlier.
- (7) The undertakings referred to in Belgium's application hold temporary but renewable authorisations under Royal Decree No 187. Their authorisations expire before 1 January 2006.
- (8) The multinational groups of which the coordination centres covered by the planned aid arrangements form part have made considerable investments in those centres. Without the new aid which Belgium plans to grant they might be obliged to cease operating in Belgium.
- (9) Cessation of the activities of the coordination centres covered by the new aid would have negative economic and social repercussions for Belgium.
- (10) The new aid planned is temporary. It is intended to avoid irreversible loss of financial business and jobs in Belgium and in the Community by enabling the beneficiaries to continue operating in Belgium, at least for the period necessary to enable Belgium to introduce other measures for coordination centres established on its territory or to facilitate reorganisation of the investments of the multinational groups in question, avoiding abrupt termination of contracts.
- (11) By contrast, the absence of any special tax arrangements for the coordination centres in question in the period until 31 December 2005 might cause a collapse of large multinationals' confidence in the Belgian State and have significant economic repercussions for Belgium in the long term as well.

⁽¹⁾ OJ C 384, 10.12.1998, p. 3.

⁽²⁾ Not yet published in the Official Journal.

- (12) Since the Commission Decision of 17 February 2003 allows the effects of the arrangements for the coordination centres to be maintained until deadlines which fall after 31 December 2005, depending on the expiry date of the current authorisation, and other Commission Decisions grant deadlines until 31 December 2010 for competitive special tax arrangements in other Member States, application of the special measures planned by Belgium should not cause any distortions of competition which are out of proportion to the anticipated benefits. Moreover, it is compatible with the balanced dismantling of comparable special arrangements in the Member States and their dependent or associated territories sought by the Council in its proceedings on the Code of Conduct for business taxation.
- (13) Exceptional circumstances therefore exist making it possible to consider as compatible with the common market the new aid planned by Belgium for coordination centres authorised as at 31 December 2000 and whose authorisations expire before 1 January 2006, which consists in granting them the tax treatment described in its letter of 26 May 2003 until 31 December 2005.
- (14) Given the urgency of the matter, it is imperative to grant an exception to the six-week period mentioned in paragraph I(3) of the Protocol on the role of national Parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

HAS ADOPTED THIS DECISION:

Article 1

The aid which Belgium plans to grant in the period up to 31 December 2005 to undertakings authorised as at 31 December 2000 to act as coordination centres under Royal Decree No 187 of 30 December 1982, and whose authorisations expire

between 17 February 2003 and 31 December 2005, shall be considered compatible with the common market; by way of derogation from the general rules on taxation, it involves:

- application of the normal corporate tax rate to a theoretical tax base corresponding to a variable percentage of certain operating costs (the 'cost plus' method). However, an alternative tax base is used if it exceeds the tax base resulting from application of the 'cost plus' method; this alternative tax base includes the abnormal or benevolent advantages received by the centres and non-deductible expenses,
- application of a special annual tax of EUR 10 000 per employee, with a ceiling of EUR 100 000,
- exemption from the *précompte immobilier* (property tax) on buildings owned by the centres which they use for their professional activity,
- exemption from *précompte mobilier* (withholding tax) on dividends, interest and royalties paid by the centres except, in the case of interest, where the beneficiary is subject to tax on natural persons or to tax on legal persons,
- exemption from *précompte mobilier* (withholding tax) on revenue which the centres receive from money deposits,
- exemption from the 0,50 % registration tax on subscriptions of capital and on increases in authorised capital.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 16 July 2003.

For the Council
The President
G. MAGRI

COMMISSION

COMMISSION RECOMMENDATION

of 10 July 2003

on guidance for the implementation of Regulation (EC) No 761/2001 of the European Parliament and of the Council allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) concerning the selection and use of environmental performance indicators

(notified under document number C(2003) 2253)

(Text with EEA relevance)

(2003/532/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 211, second indent, thereof,

Whereas:

- (1) Regulation (EC) No 761/2001 of the European Parliament and of the Council of 19 March 2001 allowing voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) ⁽¹⁾ defines the essential requirements for participation by organisations in EMAS.
- (2) Regulation (EC) No 761/2001 calls on the Commission to promote consistency in the application of EMAS.
- (3) This consistency can be enhanced by providing guidance on producing an environmental statement as referred to in Article 3(2)(c) of Regulation (EC) No 761/2001, both to organisations and environmental verifiers.
- (4) Pursuant to Annex III 3.3 to Regulation (EC) No 761/2001, organisations implementing EMAS may use environmental performance indicators to increase clarity, transparency and comparability of the information provided by an organisation.
- (5) The selection and use of environmental performance indicators may also help organisations in better understanding and improving their environmental management and performance.

- (6) The guidance on the EMAS environmental statement contained in Annex I.3 to Recommendation No 2001/680/EC ⁽²⁾ announces that the Commission will develop guidance on the selection and use of environmental performance indicators in due course.
- (7) The selection and use of environmental performance indicators should be cost-effective and appropriate to the size and type of organisation and its needs and priorities.
- (8) The guidance provided for in this Recommendation is in accordance with the opinion of the Committee established pursuant to Article 14 of Regulation (EC) No 761/2001,

HEREBY RECOMMENDS:

1. For the purpose of producing the EMAS environmental statement organisations may use the environmental performance indicators contained in Annex I.
2. This Recommendation is addressed to the Member States.

Done at Brussels, 10 July 2003.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 114, 24.4.2001, p. 1.

⁽²⁾ OJ L 247, 17.9.2001, p. 1.

ANNEX I

GUIDANCE ON THE SELECTION AND USE OF ENVIRONMENTAL PERFORMANCE INDICATORS FOR THE EMAS REGULATION**1. Introduction**

In Annex III 3.3 of the EMAS Regulation participating organisations are encouraged to use environmental performance indicators where appropriate.

The use of such indicators will enhance the reporting of environmental performance by converting raw data into information that can be easily understood by the intended audience. Environmental performance indicators summarise extensive environmental data to a limited number of significant key information sets. This will assist organisations in quantifying and reporting environmental performance. Another important function of environmental indicators is to assist organisations in the management of their environmental aspects and impacts. Besides that, organisations such as ranking agencies and financial advisory firms are becoming increasingly interested in environmental performance.

Creating environmental information can be expensive and time consuming. Environmental performance indicators should therefore be cost-effective and appropriate to the size and type of organisation and its needs and priorities. They should address primarily those environmental impacts that are most significant and which the company can influence by its operations, management, activities, products and services. They should also be sensitive enough to reflect significant changes in environmental impacts. In addition, organisations should make the optimum use of the environmental information they collect. To this end the indicators should fulfil the dual purpose of assisting the management of the organisation and providing information to stakeholders. Depending on an organisation's capabilities and resources, the use of environmental performance indicators may initially be limited to those aspects considered most relevant, with the initial scope being gradually widened over time. The indicators and measurement units provided in this guidance are given by way of example.

Several publications and standards which may assist organisations already exist and are referenced in the literature Annex II of this Recommendation.

The basic principles of environmental indicator systems are:

- comparability: indicators should enable a comparison and show changes in the environmental performance,
- balance between problematic (bad) and prospective (good) areas,
- continuity: indicators should be based on the same criteria and should be taken over comparable time sections or units,
- timeliness: indicators should be updated frequently enough to allow action to be taken,
- clarity: indicators should be clear and understandable.

2. Categories of environmental performance indicators

Usually, three categories of environmental indicators are defined for evaluating and reporting the environmental performance of an organisation ⁽¹⁾:

Operational Performance Indicators (OPIs)			Management Performance Indicators (MPIs)		Environmental Condition Indicators (ECIs)	
Input indicators	Physical facilities and equipment indicators	Output indicators	System indicators	Functional area indicators	Environmental media indicators	Bio- and anthroposphere indicators
Materials	Design	Products provided by the organisation	Implementation of policies, and programs	Administration and planning	Air	Flora
Energy	Installation	Services provided by the organisation	Conformance	Purchasing and investments	Water	Fauna

⁽¹⁾ The major categories OPIs, MPIs, and ECIs as well as most subcategories correspond directly to relevant indicator categories used in EN/ISO 14031:1999 'Environmental management — Environmental performance evaluation — Guidelines'. The subcategories 'products supporting the organisation's operation', 'transport', 'employee involvement', 'administration and planning', 'purchasing and investments' and 'health and safety' are specific for EMAS.

Operational Performance Indicators (OPIs)			Management Performance Indicators (MPIs)		Environmental Condition Indicators (ECIs)	
Input indicators	Physical facilities and equipment indicators	Output indicators	System indicators	Functional area indicators	Environmental media indicators	Bio- and anthroposphere indicators
Services supporting the organisation's operation	Operation	Wastes	Financial performance	Health and safety	Land	Humans
Products supporting the organisation's operation	Maintenance	Emissions	Employee involvement	Community relations		Aesthetics, heritage and culture
	Land use					
	Transport					

Operational performance indicators (OPIs): These concentrate on the aspects associated with an organisation's operations including activities, products or services and can cover such topics as emissions, product and raw material recycling, fuel consumption of vehicle fleet, or energy usage.

Operational performance indicators can be subdivided into input indicators, physical facilities and equipment indicators and output indicators. They concentrate on planning, controlling and monitoring the environmental impacts of the organisation's operations. Operational performance indicators are also a tool for communicating environmental data through environmental reports or environmental statements, in accordance with the EMAS Regulation. By integrating cost aspects into them, they furthermore represent a basis for environmental cost management.

Management Performance Indicators (MPIs): These concentrate on the efforts of management to provide the infrastructure for environmental management to succeed and can, among others, cover environmental programmes, objectives and targets, training, incentive schemes, audit frequency, site inspections, administration and community relations.

These indicators serve primarily as internal control and information measurements, but do not by themselves provide sufficient information to give an accurate picture of the organisation's environmental performance.

Environmental Condition Indicators (ECIs): These give information on the quality of the environment surrounding the organisation or the local, regional or global state of the environment. Examples include the water quality of a nearby lake, the regional air quality, concentrations of greenhouse gases or the concentration of certain pollutants in the soil. While they may be quite wide-ranging they can be used to focus the attention of the organisation on the management of the environmental aspects associated with significant environmental impacts.

The condition of environmental media (air, water, land) and the environmental problems that arise from it depend often on a variety of influences. Examples are emissions from different organisations, private households or transport. Data about the condition of environmental media are usually measured and recorded by governmental institutions. These data are used to derive specific environmental indicator systems for the main environmental problems. In connection with environmental policy goals, public environmental indicators can be used by organisations as an orientation for setting priorities in determining their own indicators and objectives. This is especially the case when the organisation is one of the main sources of an environmental problem, for example the impact of an airport on its surroundings in respect of noise or the impact of a direct effluent discharge on local water quality. In particular in these cases, ECIs enable the measurement of environmental impacts of the organisation.

These three categories of environmental indicators have become widely accepted and organisations should consider a combination of these indicators in order to be able to demonstrate, that:

- they understand the environmental impacts associated with their activities, products and services (ECIs);
- they are taking appropriate measures to ensure the management of environmental aspects associated with the environmental impacts (MPIs); and
- the results of the management of environmental aspects is improved environmental performance of their operations (OPIs).

It is recognised however that for organisations with less significant environmental impacts and a less complex environmental management system the most important indicators will be those relating to operational performance.

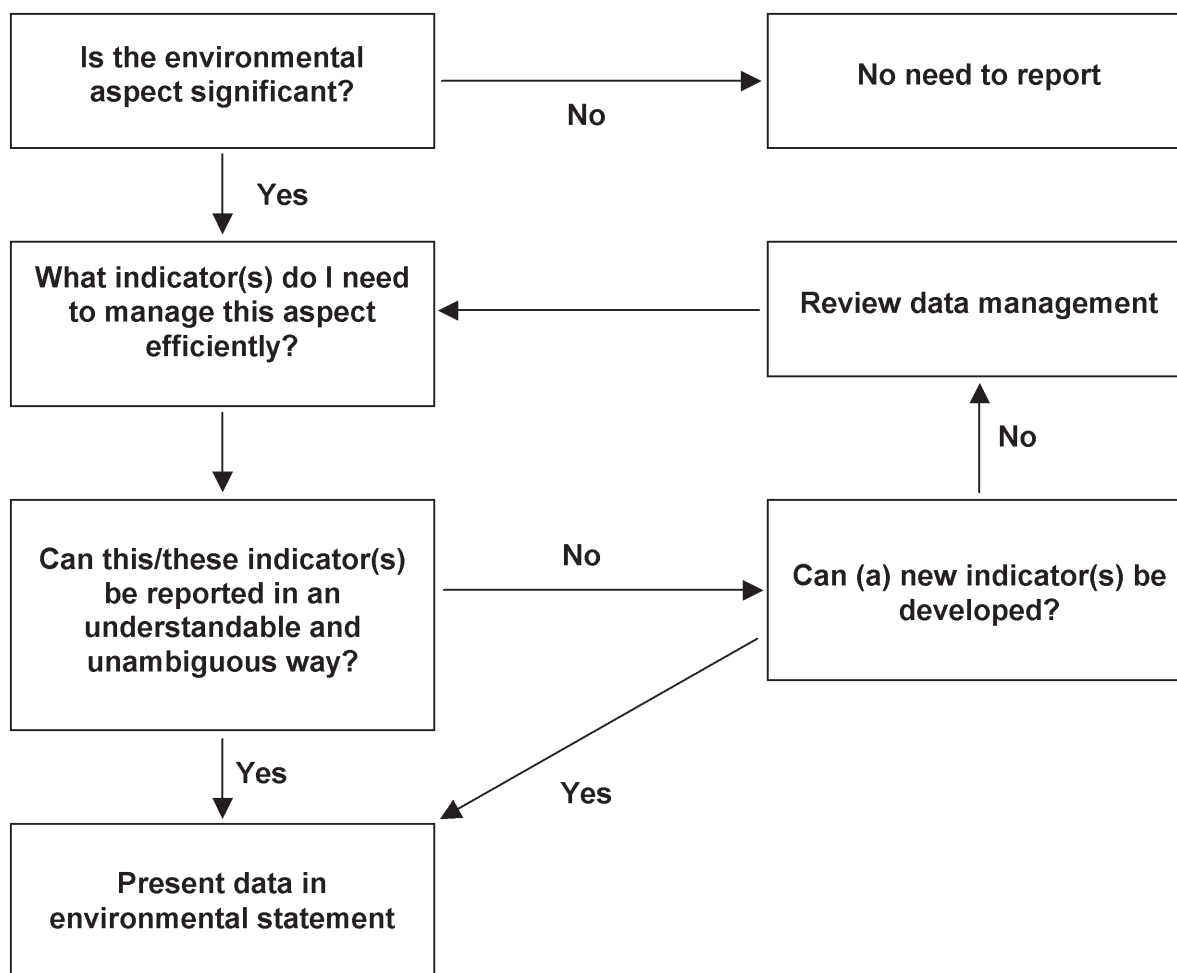
3. Guidance

In selecting environmental performance indicators for a particular environmental aspect an organisation should ask itself the following questions:

- What are the organisation's main environmental aspects and impacts?
- Where can most improvements be achieved?
- Where can environmental improvements also lead to cost reduction?

The selected environmental indicators should comply with environmental policy priorities:

- How does the organisation affect the local or regional environmental situation in relation to important local or regional environmental policy issues?
- What environmental problems dominate the current political discussions?
- What external requirements, for example from interested parties, affect the organisation?



Figure

Flowchart about decision processes when selecting environmental performance indicators

In addition, organisations should select indicators which enhance their management. Indicators which do not contribute to the management of the organisation will ultimately not be incorporated in day-to-day management and hence will have little effect in improving performance. In short, only those indicators which enable the employees and management to perform their tasks better are the ones which are most appropriate to the organisation.

The sections (a) to (e) below consider each of the criteria detailed in Annex III 3.3 to the EMAS Regulation and assist organisations in the selection of appropriate indicators

(a) *Indicators should give an accurate appraisal of the organisation's performance*

It is important that the organisation can have a correct assessment of its environmental performance. The indicators should represent environmental performance as accurately as possible, providing a balanced illustration of environmental aspects and impacts.

For instance, if an organisation reduces emissions to air or water but as a result produces more solid waste to landfill, then the organisation should consider and report the overall environmental benefit. This will also have financial implications since the cost of disposal will also have to be included to enable management to estimate the costs and benefits of such action.

In the following, examples of indicators and measurement units for use in the EMAS environmental statement are given. They relate to the different indicator categories and subcategories as mentioned in the table of section 2 on categories of environmental performance indicators above.

In addition to absolute values of environmental impacts, measurement units may also address the environmental impact per unit of product or service, per turnover, gross sales or gross value added ('eco-efficiency' indicators) or the environmental impact per employee ⁽¹⁾.

OPERATIONAL PERFORMANCE: INPUT INDICATORS		
Indicator category	Examples of indicators	Examples of measurement units
Materials	Raw materials, operating and auxiliary materials, ground water, surface water, fossil fuels, wood, etc.	tonnes per year tonnes per tonnes of product per year tonnes of hazardous/harmful substances per year tonnes of hazardous/harmful substances per tonnes of product per year cubic metres per year cubic metres per tonnes of product
Energy	Electricity, gas, oil, renewables, etc.	megawatt hours per year kilowatt hours per tonnes of product
Products (to be co-ordinated with functional area 'purchasing and investments')	Preliminary products, auxiliary and office products, etc.	tonnes per year kilograms of hazardous/harmful material per tonnes of product number/percentage of products with eco-labels (per year)
Services (to be co-ordinated with functional area 'purchasing and investments')	Cleaning, waste disposal, horticulture, catering, communication, office services, transport, travel, education, administration planning, financial services, etc.	tonnes per year kilograms of hazardous/harmful material per service unit (and year) number/percentage of services with eco-labels (per year)
OPERATIONAL PERFORMANCE: PHYSICAL FACILITIES AND EQUIPMENT INDICATORS		
Indicator category	Examples of indicators	Examples of measurement units
Design	Buildings, machinery, equipment, etc.	heat loss of buildings in Watts per square metres and Kelvin percentage of equipment with reusable parts (per year)
Installation	Buildings, machinery, equipment, etc.	percentage of machinery parts designed for reuse (per year) percentage or number of equipment with eco-labels or environmental declarations (per year)

⁽¹⁾ The use of employee related indicators should be treated with caution as this measure depends in some cases heavily on the capital-labour mix employed by the company.

OPERATIONAL PERFORMANCE: PHYSICAL FACILITIES AND EQUIPMENT INDICATORS

Indicator category	Examples of indicators	Examples of measurement units
Operation	Buildings, machinery, equipment, etc.	hours per year specific machinery or equipment is in operation tonnes of substances, materials or products per year used for operation
Maintenance	Buildings, machinery, equipment, transport vehicles, etc.	hours per year specific machinery or equipment needs maintenance tonnes of substances, materials or products per year used for maintenance
Land use	Natural habitats, green area, paved area, etc.	square kilometres (per year)
Transport	Fuel consumption, emissions from vehicles, business travels by type of transport (plane, car, bus, train), etc.	fuel consumption in tonnes per year by vehicle fleet greenhouse gas emissions emitted in tonnes per year by vehicle fleet mass or number of fine and ultrafine particles emitted per year by vehicle fleet person kilometres per year

OPERATIONAL PERFORMANCE: OUTPUT INDICATORS

Indicator category	Examples of indicators	Examples of measurement units
Emissions	Air emissions such as greenhouse gases, volatile organic compounds, fine and ultrafine particles, etc. Effluents such as discharge of specific hazardous substances, process water or cooling water, etc. Waste such as hazardous wastes ⁽¹⁾ , non-hazardous waste, sludge, heat, noise, etc.	tonnes per year kilograms per tonnes of product cubic metres per year cubic metres per tonnes of product kilograms of substances per cubic metre of waste water percentage of waste recyclable (per year) megajoules per year megajoules per tonnes of product decibels (at specific location)
Products (design, development, packaging, use, recovery, disposal)	Substances in products, packaging material, energy consumption of appliances, etc.	tonnes of hazardous/harmful material per year (and product unit) mass percentage of product parts designed for reuse per year number and percentage of products with eco-labels ⁽²⁾ (per year) tonnes of packaging material per year
Services (design, development, operation)	Cleaning, waste disposal, horticultural, catering, communication, office services, transport, travel, education, administration planning, financial services etc.	tonnes or kilograms of hazardous/harmful substances used per service unit and year fuel consumption in litres per service unit and year number and percentage of services with eco-labels (per year)

MANAGEMENT PERFORMANCE: SYSTEM INDICATORS		
Indicator category	Examples of indicators	Examples of measurement units
Implementation of policies and programmes	Environmental objectives and targets, workplace conditions, data management, etc.	percentage of objectives and targets reached per year percentage of units/workplaces with environmental requirements (per year) percentage of units/workplaces integrated into environmental measurement and data management systems (per year)
Conformance	Auditing, conformance with voluntary environmental agreements, etc.	percentage of units/workplaces audited per year number of targets of voluntary agreements achieved (per year)
Financial performance	Resource savings, etc.	euro per year
Employee involvement	Environmental training, employee consultation, suggestions by employees for improvements, etc.	days of training per employee and year percentage of total training per year number of meetings with employee/employee representatives per year number of suggestions per employee and year number/percentage of suggestions implemented per year

MANAGEMENT PERFORMANCE: FUNCTIONAL AREA INDICATORS		
Indicator category	Examples of indicators	Examples of measurement units
Administration and planning	Direct and indirect environmental aspects and impacts of planning decisions, policies, land-use planning, engagement in green markets, etc.	number of policy developments for which an environmental impact analysis was made (per year) percentage of land planned to remain or become natural habitats or green areas (per year) total value in euro or percentage of products sold on green markets
Purchasing and investments (to be co-ordinated with input indicators related to products and services)	Environmental performance of suppliers and contractors, etc. Investments in environmental projects, etc.	number/percentage of suppliers and contractors with environmental policies or management systems total value in euro or percentage of capital investments into environmental projects per year
Health and safety of workplaces	Environmental accidents, illnesses, indoor air quality, water quality at workplaces, noise, etc.	number of employee accidents per year sick days per employee and year concentration of harmful substances in milligram per litre or parts per million level of noise in decibels at location
Community relations	Discussions with stakeholders groups (meetings, active participation in events), etc. External requests for the environmental statement, etc.	number of discussions in person days per year number of external request per year number of external website downloads per year

ENVIRONMENTAL CONDITIONS: ENVIRONMENTAL MEDIA INDICATORS

Indicator category	Examples of indicators	Examples of measurement units
Air	Specific substances in the air such as sulphur and nitrogen oxides, ozone, volatile organic compounds, fine and ultra-fine particles, etc.	milligrams per litre parts per million
Water	Specific substances in rivers, lakes, groundwater such as nutrients, heavy metals, organic compounds, etc.	milligrams per litre
Land	Natural habitats, protected areas Soil contaminated by heavy metals, pesticides, nutrients, etc.	percentage of area (per year) change in square kilometres per year square metres/cubic metres of contaminated soil per cubic metre (per year)

ENVIRONMENTAL CONDITIONS: BIO- AND ANTHROPOSPHERE INDICATORS

Indicator category	Examples of indicators	Examples of measurement units
Flora	Extinct and endangered species	number/percentage compared with natural habitats
Fauna	Extinct and endangered species	number/percentage compared with natural habitats
Humans	Life expectancy of local population, environmental diseases of local population, concentration of contaminants in blood of local population (lead, etc.)	life expectancy in years percentage of local population with specific (chronic) diseases milligrams of contaminant per litre
Aesthetics, heritage and culture	Natural monuments	square kilometres

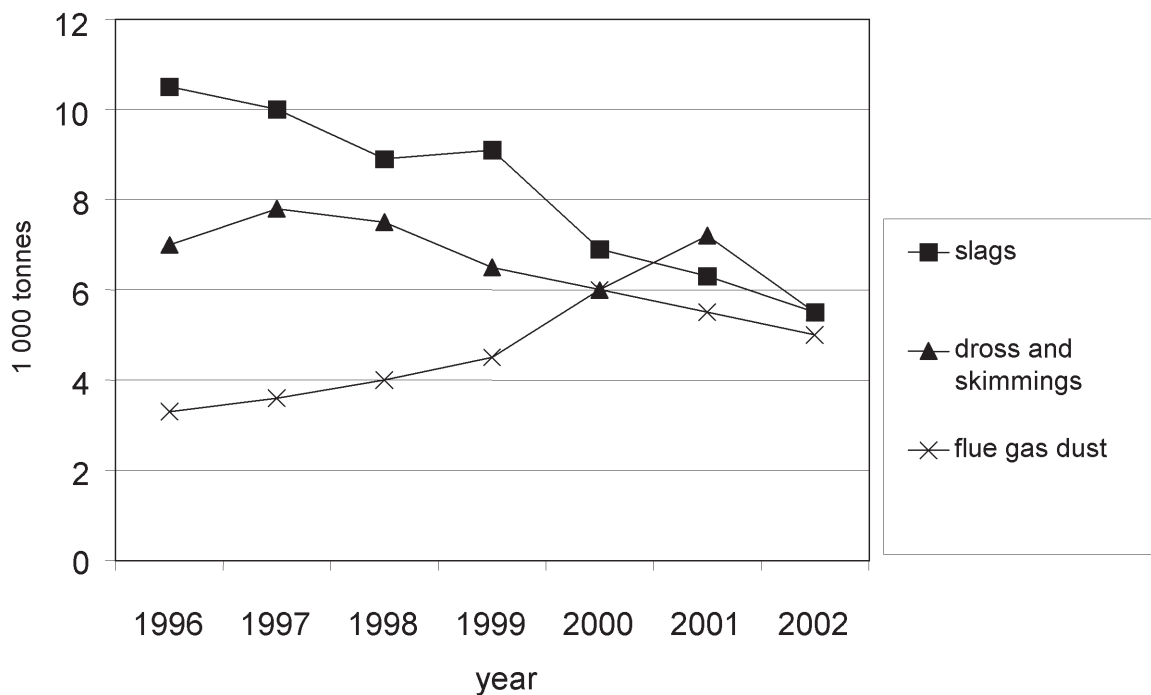
(¹) Different types of wastes with significant environmental impacts should be reported separately, in particular in the case of hazardous wastes. They should be accompanied, if appropriate, by the description and code of the relevant entry in the European waste list (Commission Decision 2000/532/EC of 3 May 2000).

(²) Throughout this document and in relation to EMAS it is recommended that the European Union eco-label or national eco-labels of the EU Member States are used.

See <http://www.europa.eu.int/comm/environment/ecolabel> for further information.

N.B.: Often the local environmental media and ecosystems are most relevant for environmental condition indicators (ECIs). However, in some cases — such as greenhouse gas emissions — the state of the global environmental might also be of relevance. If ECIs do not primarily reflect the environmental impact of the registered organisation itself but rather the impact of other organisations or unknown sources this should be clearly mentioned in the communication with stakeholders.

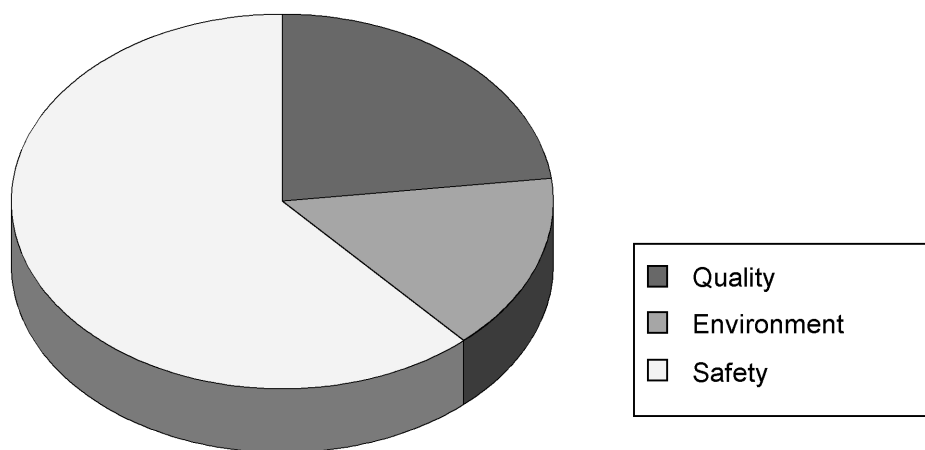
In the following a few examples of presenting environmental performance indicators in diagrams are given. In many cases it is beneficial to give not only information on the past year but trends over several years.



Figure

Development of three different types of hazardous waste in 1 000 tonnes per year between 1996 and 2002: Slags (10 04 01), dross and skimmings (10 04 02) and flue gas dust (10 04 04) ⁽¹⁾

If organisations are reporting management indicators such as training then it can be beneficial to know that part of the overall training dedicated to environmental subjects or alternatively the proportion of auditing which is dedicated to environment. This will better allow an organisation to estimate the costs of its environmental management.



Figure

Proportions of training hours per employee in safety, environment and quality in 2002

In the case where organisations wish to report their performance in relation to the condition of the environment it will be beneficial to know the relative contribution of the organisation to the environmental impact. Thus if an organisation is reporting on the condition of a local river it would be beneficial to estimate its contribution to the overall river condition in order to target its efforts efficiently.

⁽¹⁾ The codes in brackets relate to the codes of the different entries in the European waste list.

(b) *Indicators should be understandable and unambiguous*

For reasons of both credibility and management control it is important that indicators do not create a false impression or mislead the intended audience. The indicators should be clear and understandable to the user and correspond to the users' information requirements. Indicators should be coherent and concentrate on essential data.

For reporting purposes data is often aggregated or normalised. Whilst this may allow for a succinct presentation it is important that the end result is easily understood. For instance reporting against an internal index for in-house recycling may not be understandable if the method for generation of that index is not explained in simple terms.

Normalising data against a base year may allow for year on year comparison but may not reflect all aspects of environmental performance. For example, it is important that the effects of acquisitions and divestments are clearly explained and the audience should be able to understand the absolute magnitude of the aspect being reported.

(c) *Indicators should allow for year on year comparison*

This aspect ensures that it is easy to follow the development of environmental performance of an organisation. The importance of the correct selection of indicators at the beginning of the reporting process can be demonstrated in the requirement for year on year comparison. If the parameters for reporting a particular environmental aspect and impact change then it is often difficult to see if improvement is made.

For instance, if energy is reported in year 1 as total consumption but in year 2 as energy usage per tonne of product the year on year comparison cannot be made. Therefore organisations should ensure that continuity over time is considered when selecting indicators. For avoiding confusion, indicators should always be accompanied by the absolute values, for example as presented in the following table.

Table

Example of a table that allows for year on year comparison ⁽¹⁾

Indicator	Unit	1993	1994	1995
Employees	persons	548	520	409
Turnover	million	87,6	78,5	74,2
Production	tonnes	4 075	3 639	2 933
Energy consumption	MWh	89 285	82 422	73 865
Energy consumption/cotton	kWh/kg	21,9	22,2	23,7
Water consumption	m ³	249 670	241 450	219 010
Water consumption/cotton	l/kg	—	62,9	64,7
MST/Ökotex ⁽²⁾ 100 tested	%	50	90	99
Dying without heavy metals	%	35,2	35,3	40
Waste	kg	158 014	102 598	81 658

⁽¹⁾ Rauberger (1998).

⁽²⁾ M.S.T. stands for "Markenzeichen schadstoffgeprüfter Textilien (label for textiles checked for harmful substances)" of the "Verein für verbraucher- und umweltfreundliche Textilien (VvuT, association of consumer and environmental friendly textiles)". "Ökotex" is a reference to the "Öko-Tex Standard 100" (see website <http://www.oeko-tex.com>).

Organisations should also be aware that for giving an accurate picture of annual performance development absolute annual averages and, if necessary, their variances should be reported. If this is not appropriate an average year or a long-term average should be chosen as baseline. Exceptional peak years are not suitable as reference years.

It is occasionally necessary to change the method by which an environmental aspect is reported. In this instance an organisation should strive to ensure that comparisons with previous years can be made, for example by recalculating the previous years data in accordance with the new reporting method.

(d) *Indicators should allow for comparison with sector, national or regional benchmarks*

One of the essential requirements for comparison of indicators is that they are generated the same way for avoiding the comparison of 'apples and pears'. In the area of energy consumption, for example, the question could be whether to report on primary or secondary energy consumption. The organisation should take care to apply the 'common standard' when creating their indicators. These 'common standards' are set in certain cases by research, trade associations, non-governmental organisations, local, national or regional governments. Organisations should ensure that they are aware of these benchmarks and that if reporting against these aspects then the indicators they choose should allow for direct comparison with these benchmarks. To avoid over reporting — if several different benchmarks have been produced — organisations should choose the most relevant for their sector.

Table

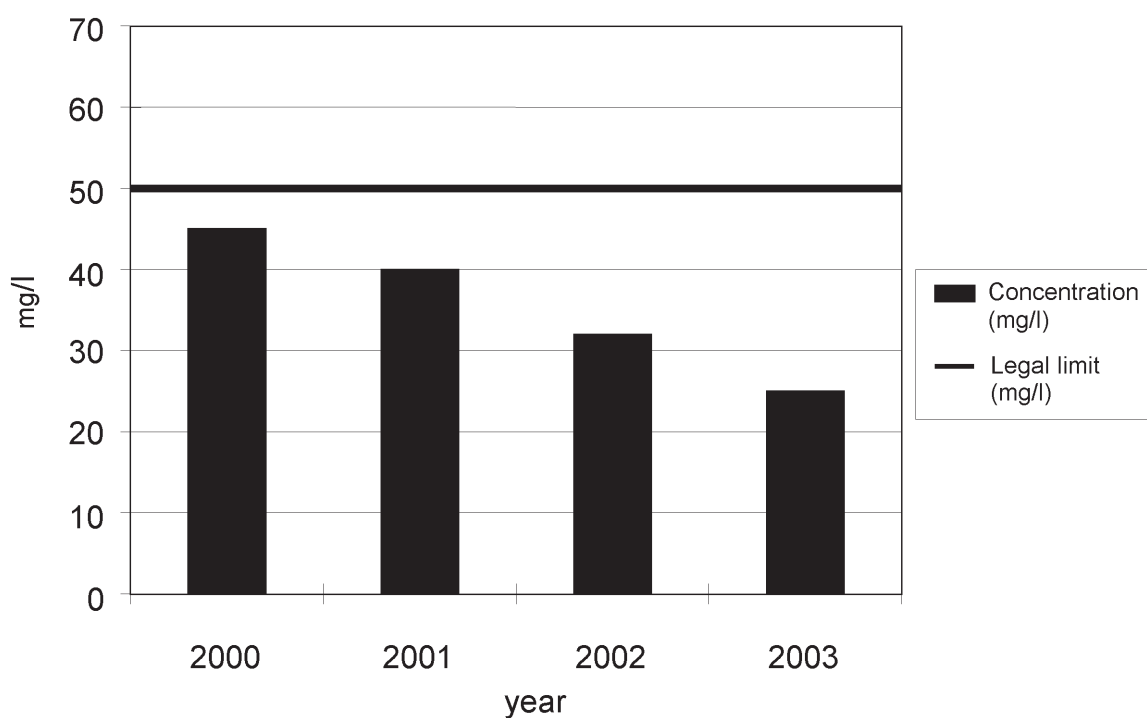
Example of a table that allows for comparison with benchmark ⁽¹⁾

Indicator Unit	Minimum	Average	Maximum	Bank of Köln
Electricity [mWh]/employee	4,3	5	6,8	6,8
Heating energy [GJ]/employee	18,2	24,6	29,8	26,3
Water consumption [l]/employee and day	40	83	171	117
Paper consumption [kg]/employee	116	138	209	209
Copying paper consumption [sheet]/employee	9	18	23	19
Travels [km]/employee	410	880	1 100	600

⁽¹⁾ Rauberger (1998).

(e) *Indicators should allow for comparison with regulatory requirements*

For both internal management and external credibility, organisations should be able to demonstrate how they are performing in relation to regulatory requirements. Where regulatory requirements exist for the aspect to be reported, organisations should include these requirements in the same table or graphical representation as the performance.



Figure

Example of a graph that allows for comparison with a regulatory requirement

4. Summary

Before deciding on the indicator to be used for tracking an environmental aspect an organisation should ask itself the following questions:

- (a) Can the data represent the environmental impact of the organisation?
- (b) Can the indicators enable the quantification of environmental targets?
- (c) Does the data support the management process of the organisation?
- (d) Is the data understandable without complicated explanation?
- (e) Will data in this format be usable year on year?
- (f) Are any existing legal limits for this aspect incorporated?
- (g) Can the data be compared with relevant benchmarks for this aspect?

If the answer to any of the above is NO then an organisation should give further consideration to the design of that environmental indicator. Indicators should however be regularly reviewed to ensure their relevance and to take account of new information or developments.

ANNEX II

A SELECTION OF NATIONAL, REGIONAL AND GLOBAL PUBLICATIONS CONCERNING ENVIRONMENTAL INDICATORS

ANPA — National Agency for the Protection of the Environment (1998): 'Manuale per l'attuazione del Sistema Comunitario di Ecogestione ed Audit (Manual for the Implementation of the European Eco-Management and Audit Scheme) (EMAS)', CD-ROM Sezione Banca Dati Indicatori (Section — Database of Environmental Indicators), Roma, Internet: www.anpa.it/emas.

Association for Environmental Management in Banks; Savings Banks and Insurance Companies (VfU) and German Federal Environment Ministry (1997): 'Time to act — environmental management in financial institutions — A survey of recent developments including principles and guidelines for in-house eco-balances of financial service providers', Bonn, Internet: www.vfu.de.

Business in the Community (2000): 'Winning With Integrity', London, Internet: www.bitc.org.uk.

Business in the Community (2001): 'A Measure of Progress', London, Internet: www.bitc.org.uk.

FORGE Group (2000): 'Guidelines on Environmental Management and Reporting for the Financial Services Sector', Internet: www.bba.org.uk.

German Federal Environment Ministry and Federal Environmental Agency (ed.) (1997): 'A Guide to Corporate Environmental Indicators', Bonn/Berlin, Internet: www.umweltbundesamt.de.

German Federal Environmental Agency (1999): 'Leitfaden betriebliche Umweltauswirkungen — Ihre Erfassung und Bewertung im Rahmen des Umweltmanagements. (Guideline of Operational Environmental Impacts — Collection and Evaluation in the Framework of Environmental Management)', Berlin, Internet: www.umweltbundesamt.de.

Global reporting initiative (2002): 'Sustainability reporting guidelines', Boston, USA, Internet: www.globalreporting.org.

EN/ISO 14031:1999 'Environmental management — Environmental performance evaluation — Guidelines', Geneva, Internet: www.iso.ch.

ISO/TR 14032:1999 'Environmental management — Examples of environmental performance evaluation (EPE)', Geneva, Internet: www.iso.ch.

Jasch, C. and Rauberger, R. (1998): 'Leitfaden Kennzahlen zur Messung der betrieblichen Umweltleistung (Guideline Indicators for the Measurement of Operational Environmental Performance)' edited by the Austrian Federal Ministry for the Environment, Youth and Family Affairs, Vienna, IÖW Wien Publications No 25/1998, Internet: www.ioew.at/ioew/index.html.

Rauberger, R. (1998): 'Erweitertes betriebliches Umweltcontrolling (Extended Operational Environmental Controlling)', in 'Praxishandbuch Umweltschutz — Management', edited by Hans-Peter Wruk and Horst Ellringmann, Cologne, Deutscher Wirtschaftsdienst, Internet: www.dvd-verlag.com.

UK Association of Certified and Chartered Accountants and Certified Accountants Educational Trust (2001): 'An Introduction to Environmental Reporting', London, Internet: www.accaglobal.com.

UK Department for the Environment, Food and Rural Affairs (2000): 'Environmental Reporting — Guidelines for Company Reporting on Waste', London, DEFRA Publications, Internet: www.defra.gov.uk/environment/envrp/index.htm.

UK Department for the Environment, Food and Rural Affairs (2000): 'Environmental Reporting Guidelines for Company Reporting on Water', London, DEFRA Publications, Internet: www.defra.gov.uk/environment/envrp/index.htm.

UK Department for the Environment, Food and Rural Affairs (2001): 'Environmental Reporting — General Guidelines', London, DEFRA Publications, Internet: www.defra.gov.uk/environment/envrp/index.htm.

UK Department for the Environment, Food and Rural Affairs (2001): 'Guidelines for Company Reporting on Greenhouse Gas Emissions', London, DEFRA Publications, Internet: www.defra.gov.uk/environment/envrp/index.htm.

United Nations Division for Sustainable Development (2001): 'Environmental Management Accounting, Procedures and Principles', United Nations publication, Economic and Social Affairs Series, Internet: www.un.org/esa/sustdev/estema1.htm.

VDI Verein Deutscher Ingenieure (ed.) (2001): 'Betriebliche Kennzahlen für das Umweltmanagement — Leitfaden zu Aufbau, Einführung und Nutzung (Operational Indicators for Environmental Management — Guideline for Setup, Introduction and Use)', VDI Richtlinie Nr. 4050, Duesseldorf, Internet: www.vdi.de.

World Business Council for Sustainable Development (2000): 'Measuring eco-efficiency — a guide to reporting company performance', Geneva, Internet: www.wbcsd.org/newscenter/reports/2000/MeasuringEE.pdf.

COMMISSION DECISION

of 17 July 2003

amending Decision 98/371/EC concerning the animal health conditions and veterinary certifications for import of fresh meat from certain European countries to take into account some aspects in relation with Estonia and Lithuania

*(notified under document number C(2003) 2561)***(Text with EEA relevance)**

(2003/533/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat products from third countries ⁽¹⁾, as last amended by Regulation 1452/2001/EC ⁽²⁾, and in particular Articles 14, 15 and 16 thereof,

Whereas:

- (1) The animal health conditions and veterinary certification for imports of fresh meat from certain European countries are laid down in Commission Decision 98/371/EC ⁽³⁾, as last amended by Decision 2002/940/EC ⁽⁴⁾.
- (2) Imports of fresh meat for human consumption of domestic animals of the porcine species from Estonia and Lithuania were not authorised due to animal health reasons, concerning in particular the control of classical swine fever.
- (3) The Estonian and Lithuanian competent veterinary authorities have submitted a request to be authorised to export pig meat to the Community and have supported their request with information concerning the health status of the swine in Estonia and Lithuania and their control of classical swine fever.
- (4) In February 2003 Commission veterinary missions were carried out to assess the animal health situation in Estonia and in Lithuania.
- (5) Based on the reports of the missions and the further information provided by the Estonian and Lithuanian competent veterinary authorities, it appears that the health status of the swine in Estonia and Lithuania in relation to classical swine fever is satisfactory.

(6) Therefore, it is appropriate to authorise Estonia and Lithuania to export pig meat to the Community, subject to certain conditions in relation to the use of catering waste for the feeding to swine. The Estonian and Lithuanian competent veterinary authorities have committed themselves that, for the purpose of exporting pig meat, a list of pig holdings kept under regular veterinary supervisions and where appropriate controls are carried out to exclude any use of catering waste for feeding to pigs will be established.

(7) Decision 98/371/EC should be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision 98/371/EC is replaced by the Annex to the present Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 July 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 198, 21.7.2001, p. 11.

⁽³⁾ OJ L 170, 16.6.1998, p. 16.

⁽⁴⁾ OJ L 325, 30.11.2002, p. 40.

ANNEX

‘ANNEX II

Animal health guarantees to be requested on certification of fresh meat

Country	Code	Fresh meat for human consumption								Fresh meat intended for purposes other than human consumption
		Bovine		Swine		Ovine/Caprine		Solipeds		
		MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	
Albania	AL	—		—		—		—	—	—
Bosnia and Herzegovina	BA	—		—		—		—	—	—
Bulgaria	BG	—		—		—		D	—	E
	BG-1	A		—		C		D	—	E
	BG-2	—		—		—		D	—	E
Belarus	BY	—		—		—		—	—	E
Czech Republic	CZ	A		B		C		D	—	E
	CZ-1	A		B		C		D	—	E
	CZ-2	A		B		C		D	—	E
Estonia	EE	—		B	A	—		—	—	E
Federal Republic of Yugoslavia	FY	—		—		—		D	—	E
	FY-1	A		—		C		D	—	E
	FY-2	—		—		—		D	—	E
Croatia	HR	A		—		C		D	—	E
Hungary	HU	A		B		C		D	—	E
Lithuania	LT	A		B	A	C		D	—	E
Latvia	LV	—		—		—		—	—	E
Former Yugoslav Republic of Macedonia ⁽³⁾	MK	—		—		C		D	—	E
Poland	PL	A		B	A	C		D	—	E
Romania	RO	A		—		C		D	—	E
Russia	RU	—		—		—		—	—	E
Slovenia	SI	A		—		C		D	—	E
Slovak Republic	SK	A		B	A	C		D	—	E

N.B. Imports of fresh meat for human consumption are not allowed unless a programme of control of residues in the exporting third country has been approved by the Commission.

⁽¹⁾ MC: Model of certificate to be completed. The letters (A, B, C, D...) appearing on the tables refer to the models of animal health guarantees, as described in Annex III to Decision 98/371/EC, to be applied for each product and origin in accordance with Article 2 of this Decision. A dash “—” indicates that imports are not authorised.

⁽²⁾ SG: Supplementary guarantees. The letters (a, b, c, d...) appearing on the tables are referring to the supplementary guarantees to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in the section V of each model of certificate laid down in Annex III.

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

COMMISSION DECISION

of 17 July 2003

amending Decision No 2119/98/EC of the European Parliament and of the Council and Decision 2000/96/EC as regards communicable diseases listed in those decisions and amending Decision 2002/253/EC as regards the case definitions for communicable diseases

*(notified under document number C(2003) 2301)***(Text with EEA relevance)**

(2003/534/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 2119/98/EC of the European Parliament and of the Council of 24 September 1998 setting up a network for the epidemiological surveillance and control of communicable diseases in the Community ⁽¹⁾, and in particular points (a) and (c) of Article 3 and Article 8 thereof,

Whereas:

- (1) Decision No 2119/98/EC provides for the establishment of a network at Community level to promote cooperation and coordination regarding the prevention and control of certain categories of communicable diseases referred to in that Decision. Diseases caused by agents specifically engineered for the purpose of maximising morbidity and/or mortality upon deliberate release should be covered by that Decision.
- (2) Commission Decision 2000/96/EC of 22 December 1999 on the communicable diseases to be progressively covered by the Community network under Decision No 2119/98/EC of the European Parliament and of the Council ⁽²⁾, lists certain communicable diseases to be covered by epidemiological surveillance in the Community network set up under Decision No 2119/98/EC.
- (3) Commission Decision 2002/253/EC of 19 March 2002 laying down case definitions for reporting communicable diseases to the Community network under Decision No 2119/98/EC of the European Parliament and of the Council ⁽³⁾, provides for case definitions for communicable diseases listed in Decision 2000/96/EC.
- (4) It is appropriate that the communicable diseases for which case definitions are provided in Decision 2002/253/EC are congruent with the communicable diseases listed in Decision 2000/96/EC.
- (5) Smallpox could pose a serious public health threat in the event of deliberate release. This communicable disease should therefore be listed in Annex 1 to Decision 2000/96/EC. A case definition for smallpox should be included in Decision 2002/253/EC.
- (6) Although tetanus is not transmissible among humans and only occurs sporadically in the Community, evaluation of vaccine programmes based on surveillance would contribute to the improvement of vaccine policies. Tetanus should therefore be listed as a communicable disease in Decision 2000/96/EC. A case definition for tetanus is already provided for in Decision 2002/253/EC.
- (7) A deliberate release of anthrax in the Community would pose a serious risk to public health. Therefore that disease should be listed as a communicable disease in Decision 2000/96/EC. A case definition for anthrax is already provided for in Decision 2002/253/EC.
- (8) Transmission of botulism is not restricted to foodborne intoxication and any reference to that mode of contracting the disease should, therefore, be deleted.
- (9) It is appropriate that the case definition for diphtheria in Decision 2002/253/EC be reviewed to take into account the latest scientific evidence.
- (10) Decision 2000/96/EC defines criteria for the selection of communicable diseases of special areas to be covered by epidemiological surveillance within the Community network set up under Decision No 2119/98/EC. Q-fever and tularaemia would fulfil those criteria in the event of deliberate release. Those diseases also occur naturally within the European Community. Surveillance based on case definitions would offer added benefit. Those communicable diseases should therefore be listed in Decision 2000/96/EC. In addition, case definitions for Q-fever and tularaemia should be included in Decision 2002/253/EC.
- (11) Decisions No 2119/98/EC, 2000/96/EC and 2002/253/EC should therefore be amended accordingly.

⁽¹⁾ OJ L 268, 3.10.1998, p. 1.

⁽²⁾ OJ L 28, 3.2.2000, p. 50.

⁽³⁾ OJ L 86, 3.4.2002, p. 44.

- (12) The measures provided for in this Decision are in accordance with the opinion of the Committee set up by Article 7 of Decision No 2119/98/EC,

Article 3

The Annex to Decision 2002/253/EC is amended in accordance with Annex III to this Decision.

HAS ADOPTED THIS DECISION:

Article 4

This Decision is addressed to the Member States.

Article 1

The Annex to Decision No 2119/98/EC is amended in accordance with Annex I to this Decision.

Done at Brussels, 17 July 2003.

Article 2

Annex I to Decision 2000/96/EC is amended in accordance with Annex II to this Decision.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

In the Annex to Decision No 2119/98/EC, the last indent is replaced by the following:

- ‘— Other diseases (rabies, typhus, viral haemorrhagic fevers, malaria and any other as yet unclassified serious epidemic disease, including diseases that are caused by agents specifically engineered for the purpose of maximising morbidity and/or mortality upon deliberate release, etc.).’

ANNEX II

Annex I to Decision 2000/96/EC is amended as follows:

1. in point 2.1, the following terms are added:
‘Smallpox
Tetanus’;
 2. in point 2.4, the term ‘Anthrax’ is inserted before the term ‘Botulism’;
 3. point 2.5.3 is amended as follows:
 - (a) the term ‘Q-fever’ is inserted after the term ‘Echinococcosis’;
 - (b) the term ‘Tularaemia’ is added.
-

ANNEX III

In the Annex to Decision 2002/253/EC, the section on case definitions is amended as follows:

1. The heading 'BOTULISM, FOODBORNE' is replaced by the heading 'BOTULISM'.
2. The text on 'DIPHtherIA' is replaced by the following:

'DIPHtherIA

Clinical description

Clinical picture compatible with either respiratory diphtheria, i.e. an upper respiratory tract illness characterised by an adherent membrane of the tonsils, pharynx or nose, in combination with sore throat and low grade fever, or non-respiratory diphtheria; i.e. an illness characterised by cutaneous, conjunctival, otic, genital or other types of ulcers.

Laboratory criteria for diagnosis

Isolation of diphtheria toxin-producing corynebacteria (typically *Corynebacterium diphtheriae* or *C. ulcerans*) from a clinical specimen.

Case classification

Possible:	N.A.
Probable:	a clinically compatible case.
Asymptomatic carriers:	asymptomatic carriers with toxigenic strains.
Confirmed:	a clinically compatible case that is laboratory confirmed with the isolation of a toxigenic strain of corynebacteria, or a clinically compatible case with an epidemiological link to a laboratory confirmed case.

It is to be noted that both respiratory and non-respiratory diphtheria cases with isolation of toxigenic strains should be reported, as should asymptomatic carriers with toxigenic strains, if they are detected. Cases with non-toxigenic *C. diphtheriae* or *C. ulcerans* should not be reported.'

3. After the text on 'POLIOMYELITIS, PARALYTIC' the following is inserted:

'Q-FEVER

Clinical description

A febrile illness accompanied by rigors, myalgia, malaise, and retrobulbar headache. Severe disease can include acute hepatitis, pneumonia, meningoencephalitis and abortion. Clinical laboratory findings may include elevated liver enzyme levels and abnormal film findings.

Laboratory criteria for diagnosis

- isolation of *Coxiella burnetii* from a clinical specimen,
- demonstration of a specific antibody response,
- demonstration of *C. burnetii* in a clinical specimen by detection of antigen or nucleic acid.

For probable cases: a single high titre of specific antibodies.

Case classification

Possible:	N.A.
Probable:	a clinically compatible case that fulfils the laboratory criteria for a probable case or has an epidemiological link.
Confirmed:	a laboratory confirmed case that is clinically compatible or has an epidemiological link.'

4. After the text on 'SHIGELLOSIS', the following is inserted:

'SMALLPOX

Clinical description

An illness with acute onset of fever over 38 °C followed by a rash characterised by vesicles or firm pustules at the same stage of development without other apparent cause and with a predominantly centrifugal distribution.

Atypical presentations may include:

- haemorrhagic lesions,
- flat velvety lesions not appearing as typical vesicles nor progressing to pustules.

Laboratory criteria for diagnosis

Isolation of smallpox (*Variola*) virus from a clinical specimen.

Polymerase chain reaction (PCR) identification of *Variola* DNA in a clinical specimen, followed by sequencing.

Negative-stain Electron microscopy (EM) identification of *Variola* virus in a clinical specimen.

Case classification

- | | |
|------------|--|
| Possible: | a clinically compatible case
A case that has an atypical presentation and has an epidemiological link to confirmed or probable cases. |
| Probable: | a clinically compatible case with either identification of orthopox virus by EM or PCR, or an epidemiological link to other probable or confirmed cases. |
| Confirmed: | for an initial case, a clinically compatible case with laboratory confirmation by EM and PCR, followed by sequencing. |

During an outbreak, a clinically compatible case with an epidemiological link and, where possible, laboratory confirmation by either EM or PCR.'

5. After the text on 'TUBERCULOSIS' the following is inserted:

'TULARAEMIA

Clinical description

Clinical picture compatible with one of the different forms of tularaemia:

- ulceroglandular (cutaneous ulcer with regional lymphadenopathy),
- glandular (regional lymphadenopathy with no ulcer),
- oculoglandular (conjunctivitis with preauricular lymphadenopathy),
- oropharyngeal (stomatitis or pharyngitis or tonsillitis and cervical lymphadenopathy),
- intestinal (intestinal pain, vomiting, and diarrhoea),
- pneumonic (primary pneumonic disease),
- typhoidal (febrile illness without early localising signs and symptoms).

Laboratory criteria for diagnosis

- Isolation of *Francisella tularensis* from a clinical specimen,
- demonstration of a specific antibody response.

For probable cases:

- a single high titre,
- detection of *F. tularensis* in a clinical specimen by fluorescent assay.

Case classification

- | | |
|------------|---|
| Possible: | N.A. |
| Probable: | a clinically compatible case that fulfils the laboratory criteria for a probable case or has an epidemiological link. |
| Confirmed: | a clinically compatible case that is laboratory confirmed.' |

COMMISSION DECISION

of 22 July 2003

amending Decision 2003/218/EC as regards the protection and surveillance zones in relation to bluetongue in Italy*(notified under document number C(2003) 2601)***(Text with EEA relevance)**

(2003/535/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue ⁽¹⁾, and in particular Article 8(2)(d), Article 9(1)(c) and Article 12, first paragraph thereof,

Whereas:

(1) In the light of the evolution of the bluetongue situation in 2003, Commission Decision 2003/218/EC of 27 March 2003 on protection and surveillance zones in relation to bluetongue and on rules applicable to movements of animals in and from those zones and repealing Decision 2001/783/EC ⁽²⁾ was adopted. That Decision provides for the establishment of areas according to the lower (section 1 of Annex I A, I B and I C) or higher (section 2 of Annex I A, I B and I C) level of risk observed. In view of the epidemiological situation and environmental factors, it is necessary to demarcate in accordance with the procedure referred to in Article 8(2)(d) the whole of the areas where in each Member State concerned protection and surveillance zones shall be established, while providing the conditions applicable to the movements of animals derogating from the restrictions applicable pursuant to the higher or lower level of risk observed.

(2) As regards Italy, the surveillance programme has demonstrated seroconversion in Campobasso and Chieti provinces, indicating the presence of the bluetongue virus.

(3) Therefore these two provinces should be added to the protection and surveillance zones in Italy.

(4) In view of the level of virus circulation and the vaccination coverage in the provinces of Campobasso and Chieti, they should both be considered as lower risk areas and inserted in section 1 of Annex I B to Decision 2003/218/EC.

(5) Decision 2003/218/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Annex I of Decision 2003/218/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 12 August 2003.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 July 2003.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 327, 22.12.2002, p. 74.⁽²⁾ OJ L 82, 29.3.2003, p. 35.

ANNEX

'ANNEX I

(protection zones and surveillance zones)

ANNEX I A

Section 1

Sicilia: Catania, Enna, Messina

Basilicata: Matera, Potenza

Puglia: Brindisi, Foggia

Section 2

Sicilia: Agrigento, Caltanissetta, Palermo, Ragusa, Siracusa, Trapani

Calabria: Catanzaro, Cosenza, Crotone, Reggio Calabria, Vibo Valentia

Puglia: Bari, Lecce, Taranto

Campania: Avellino, Benevento, Caserta, Napoli, Salerno

ANNEX I B

Section 1

France:

Corse du sud, Haute Corse

Italy:

Sardegna: Cagliari, Nuoro, Sassari, Oristano

Lazio: Viterbo, Roma

Toscana: Grosseto, Livorno, Pisa, Massa-Carrara

Molise: Isernia, Campobasso

Abruzzo: l'Aquila, Chieti

Section 2

Lazio: Latina, Frosinone

ANNEX I C

Section 1: the entire Greek territory with the exception of prefectorates listed in section 2.

Section 2: Dodekanisi, Samos, Chios and Lesbos prefectorates.'

COMMISSION DECISION

of 22 July 2003

excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)*(notified under document number C(2003) 2587)***(Only the French, Greek and Italian texts are authentic)**

(2003/536/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EC) No 1287/95 ⁽²⁾, and in particular Article 5(2)(c) thereof,Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽³⁾, and in particular Article 7(4) thereof,

After consulting the Committee for the European Agricultural Guidance and Guarantee Fund,

Whereas:

(1) Article 5(2)(c) of Regulation (EEC) No 729/70 and Article 7(4) of Regulation (EC) No 1258/1999 stipulate that the Commission is to exclude expenditure from Community financing where it finds that it has not been incurred in accordance with Community rules.

(2) The above Articles of Regulation (EEC) No 729/70 and Regulation (EC) No 1258/1999 as well as Article 8(1) and (2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section ⁽⁴⁾, as last amended by Regulation (EC) No 2025/2001 ⁽⁵⁾, provide that the Commission is to carry out the necessary checks, forward its findings to the Member States, consider any comments from the latter, enter into bilateral discussions to reach an agreement with the Member States concerned and formally communicate its conclusions to them, referring to Commission Decision 94/442/EC of 1 July 1994 setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽⁶⁾, as last amended by Decision 2001/535/EC ⁽⁷⁾.

(3) The Member States have had the opportunity to request that a conciliation procedure be initiated. That procedure has been applied in some cases and the reports issued on the outcome have been considered by the Commission.

(4) Articles 2 and 3 of Regulation (EEC) No 729/70 and Article 2 of Regulation (EC) No 1258/1999 provide that refunds on exports to third countries and intervention intended to stabilise agricultural markets may be financed only where they are either granted or undertaken in accordance with the Community rules governing the common organisations of agricultural markets.

(5) The findings of checks performed, the results of bilateral discussions and the outcome of the conciliation procedures have shown that some expenditure declared by the Member States does not meet those conditions and cannot therefore be financed under the EAGGF Guarantee Section.

(6) The Annex to this Decision sets out the amounts that are not recognised as being chargeable to the EAGGF Guarantee Section. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the checks to the Member States.

(7) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Community rules was notified by the Commission to the Member States and is set out in a summary report on the subject.

(8) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 30 April 2003 and relating to its content,

⁽¹⁾ OJ L 94, 28.4.1970, p. 13.

⁽²⁾ OJ L 125, 8.6.1995, p. 1.

⁽³⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁴⁾ OJ L 158, 8.7.1995, p. 6.

⁽⁵⁾ OJ L 274, 17.10.2001, p. 3.

⁽⁶⁾ OJ L 182, 16.7.1994, p. 45.

⁽⁷⁾ OJ L 193, 17.7.2001, p. 25.

HAS ADOPTED THIS DECISION:

Article 1

The expenditure itemised in the Annex hereto that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section is hereby excluded from Community financing because it does not comply with Community rules.

Article 2

This Decision is addressed to the Hellenic Republic, the French Republic and the Italian Republic.

Done at Brussels, 22 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Total corrections

Sector	Member State	Budget item	Reason	Nat. currency	Expenditure to be excluded from financing	Deductions already made	Financial impact of this decision	Financial year
Milk and milk products	FR	2040, 2049	Flat-rate correction of 10 % for shortcomings in key controls + correction for poor management of guarantees	EUR	932 171,48	0,00	932 171,48	1997-1999
Fruit and vegetables	FR	1512	Incorrect calculation of Community withdrawal compensation (CWC)	EUR	8 949,00	0,00	8 949,00	2002
Arable crops	FR	1041-1062	Flat-rate correction of 2 % for shortcomings in inspection visits	EUR	5 585 865,00	0,00	5 585 865,00	2000-2001
Total FR					6 526 985,48	0,00	6 526 985,48	
Wine and tobacco	GR	1630	Unsound control procedure for alcoholic strength of grapes and lack of key controls	EUR	1 107 610,00		1 107 610,00	1999-2000
Livestock premiums	GR	2120-2122	Flat-rate corrections of 25 % (2000) and 10 % (1999) for shortcomings in key controls	EUR	12 979 608,50	814 240,55	12 165 367,95	1999-2000
Livestock premiums	GR	2220, 2221	Flat-rate correction of 5 % for shortcomings in key controls	EUR	14 200 695,85		14 200 695,85	1999-2000
Olive oil, fibre plants and seed	GR	1210	Flat-rate correction of 5 % for shortcomings in control system	EUR	45 138 544,00	20 998 254,38	24 140 289,62	1999-2000
Total GR					73 426 458,35	21 812 494,93	51 613 963,42	
Fruit and vegetables	IT	1515	Flat-rate corrections of 5 % (2000/2001) and 10 % (1999/2000) for shortcomings in controls	EUR	22 251 827,08	0,00	22 251 827,08	1999-2002
Olive oil, fibre plants and seed	IT	1210	Flat-rate correction of 2 % for shortcomings in the management and effectiveness of controls	EUR	13 048 335,00		13 048 335,00	2000
Total IT					35 300 162,08	0,00	35 300 162,08	

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

**COUNCIL JOINT ACTION 2003/537/CFSP
of 21 July 2003
appointing the European Union Special Representative for the Middle East peace process and
amending Joint Action 2002/965/CFSP**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 14, 18(5) and 23(2) thereof,

Whereas:

- (1) Council Joint Action 2002/965/CFSP of 10 December 2002 amending and extending the mandate of the European Union Special Representative for the Middle East peace process ⁽¹⁾ was extended by Council Joint Action 2003/445/CFSP ⁽²⁾ until 31 December 2003.
- (2) Joint Action 2003/445/CFSP provides that the Council should appoint a new EU Special Representative for the Middle East Peace Process following the resignation of Mr Miguel-Angel MORATINOS.
- (3) On 14 July 2003, the Council decided to appoint Ambassador Marc OTTE as the new EU Special Representative for the Middle East Peace Process.
- (4) Joint Action 2002/965/CFSP should be amended accordingly,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mr Marc OTTE is hereby appointed European Union Special Representative for the Middle East peace process.

Article 2

Article 1 of Joint Action 2002/965/CFSP and Article 2 of Joint Action 2003/445/CFSP are hereby deleted.

Article 3

This Joint Action shall enter into force on 14 July 2003.

It shall apply until 31 December 2003.

Article 4

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 21 July 2003.

For the Council
The President
F. FRATTINI

⁽¹⁾ OJ L 334, 11.12.2002, p. 11.

⁽²⁾ OJ L 150, 18.6.2003, p. 70.