

Official Journal

of the European Union

L 20

English edition

Legislation

Volume 51

24 January 2008

Contents

I Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory

REGULATIONS

- ★ **Council Regulation (EC) No 55/2008 of 21 January 2008 introducing autonomous trade preferences for the Republic of Moldova and amending Regulation (EC) No 980/2005 and Commission Decision 2005/924/EC** 1

Commission Regulation (EC) No 56/2008 of 23 January 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables 9

II Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory

DECISIONS

Commission

2008/72/Euratom:

- ★ **Commission Decision of 22 November 2007 on the conclusion of Agreements in the form of Exchange of Letters between the European Atomic Energy Community (Euratom) and the Swiss Confederation (Switzerland) on the application of the ITER Agreement, the Agreement on Privileges and Immunities for ITER and the Broader Approach Agreement to the territory of Switzerland and on Switzerland's membership in the European Joint Undertaking for ITER and the Development of Fusion Energy** 11

2008/73/EC, Euratom:

★ **Commission Decision of 20 December 2007 amending Decision 2004/277/EC, Euratom as regards rules for the implementation of Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism** (*notified under document number C(2007) 6464*) ⁽¹⁾..... 23

Corrigenda

★ **Corrigendum to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (OJ L 169, 10.7.2000)** 35



⁽¹⁾ Text with EEA relevance

I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 55/2008

of 21 January 2008

introducing autonomous trade preferences for the Republic of Moldova and amending Regulation (EC) No 980/2005 and Commission Decision 2005/924/EC

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The relationship between the European Union (EU) and the Republic of Moldova (hereinafter referred to as Moldova) builds on the Partnership and Cooperation Agreement ⁽¹⁾ that entered into force on 1 July 1998. One of its main objectives is to promote trade and investment and harmonious economic relations between the Parties and so to foster their sustainable economic development.

(2) In the European Neighbourhood Policy Action Plan (ENP Action Plan) for Moldova, which was agreed in 2005, the EU committed itself to consider the possibility of granting Moldova additional Autonomous Trade Preferences (ATPs), provided that Moldova substantially improved its system of controls and certification of origin of goods. In 2006 Moldova reformed its customs legislation and a satisfactory level of implementation of the new legislation was reached at the beginning of 2007.

(3) Until Romania's accession to the EU on 1 January 2007, Moldova had a free trade regime with Romania. On the whole, the effect of the 2007 enlargement was negligible for Moldova, but it had a negative impact on a few key export products of Moldova.

(4) Pursuant to Commission Decision 2005/924/EC ⁽²⁾, Moldova already benefits from the special incentive arrangement for sustainable development and good governance (the GSP+) provided for in Council Regulation (EC) No 980/2005 of 27 June 2005 applying a scheme of generalised tariff preferences ⁽³⁾ (GSPs).

(5) The general level of imports from Moldova is merely 0,03 % of all Community imports. Further market opening is expected to support the development of Moldova's economy through increased export performance while not creating negative effects for the Community.

(6) It is therefore appropriate to extend autonomous trade preferences to Moldova by removing all remaining tariff ceilings for industrial products and by improving access to the Community market for agricultural products.

(7) In accordance with ENP Action Plan, the level of ambition of the EU-Moldova relationship will depend on the degree of Moldova's commitment to common values as well as its capacity to implement jointly agreed priorities, including the readiness to engage in effective economic reforms. Furthermore, to benefit from the additional tariff preferences under the GSP+ regime, Moldova has fulfilled the conditions of ratifying and effectively implementing core international conventions on human and labour rights, environmental protection and good governance. To ensure Moldova maintains the level of progress it has achieved, the granting of additional autonomous trade preferences will be subject to continued implementation of, and compliance with, the priorities and conditions set in the ENP Action Plan and the GSP+.

⁽¹⁾ OJ L 181, 24.6.1998, p. 3.

⁽²⁾ OJ L 337, 22.12.2005, p. 50.

⁽³⁾ OJ L 169, 30.6.2005, p. 1. Regulation as amended by Commission Regulation (EC) No 606/2007 (OJ L 141, 2.6.2007, p. 4).

- (8) In addition, entitlement to benefit from autonomous trade preferences is conditional on Moldova's compliance with the relevant rules of origin of products and the procedures related thereto as well as involvement in effective administrative cooperation with the Community in order to prevent any risk of fraud.
- (9) The reasons for temporary suspension of preferences should include serious and systematic violations of the conditions for the entitlement to the preferential arrangements, fraud or failure to provide administrative cooperation for the verification of origin of goods and failure of Moldova to show continued engagement in the implementation of the priorities set in the ENP Action Plan and the covenants, conventions and protocols listed in Annex II.
- (10) It is necessary to provide for the reintroduction of Common Customs Tariff duties for any products causing, or threatening to cause, serious difficulties to a Community producer of like or directly competing products, subject to an investigation by the Commission.
- (11) For the purposes of defining the concept of originating products, certification of origin and administrative cooperation procedures, Title IV, Chapter 2, section 2 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽¹⁾ will apply.
- (12) For the sake of rationalisation and simplification, it is appropriate to provide that the Commission may, having consulted the Customs Code Committee and without prejudice to the specific procedures provided for in this Regulation, make any necessary changes and technical amendments to this Regulation.
- (13) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽²⁾.
- (14) The introduction of the proposed measures for products originating in Moldova will make the inclusion of Moldova in the Community's scheme of generalised tariff preferences superfluous. It is therefore appropriate to remove Moldova from the list of beneficiaries of Regulation (EC) No 980/2005 and from the list of the beneficiary countries which qualify for the GSP+ in Decision 2005/924/EC.
- (15) The import arrangements adopted by this Regulation should be renewed on the basis of the conditions established by the Council and in the light of the experience gained in granting them. It is therefore appropriate to limit their duration to 31 December 2012,

HAS ADOPTED THIS REGULATION:

Article 1

Preferential arrangements

1. Products originating in Moldova, other than those included in tables 1 and 2 in Annex I, shall be admitted for import into the Community without quantitative restrictions or measures having equivalent effect and with exemption of customs duties and charges having equivalent effect.

2. Products originating in Moldova and included in Annex I shall be admitted for import into the Community subject to the special provisions laid down in Article 3.

Article 2

Conditions for entitlement to the preferential arrangements

1. Entitlement to benefit from the preferential arrangements introduced by Article 1 shall be subject to:

- (a) compliance with the rules of origin of products and the procedures related thereto as provided for in Title IV, Chapter 2, section 2 of Regulation (EEC) No 2454/93;
- (b) compliance with the methods of administrative cooperation as provided for in Articles 121 and 122 of Regulation (EEC) No 2454/93;
- (c) Moldova's involvement in effective administrative cooperation with the Community in order to prevent any risk of fraud;
- (d) Moldova's abstention from introducing new duties or charges having equivalent effect and new quantitative restrictions or measures having equivalent effect for imports originating in the Community or from increasing existing levels of duties or charges or from introducing any other restrictions from the day of the entry into force of this Regulation;

⁽¹⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

⁽²⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 1).

- (e) Moldova's continued engagement in the implementation of the priorities set in the ENP Action Plan for Moldova of 2005, in particular as regards effective economic reform; and
- (f) Moldova's maintaining the ratification and effective implementation of the covenants, conventions and protocols listed in Annex II and accepting regular monitoring and review of its implementation record in accordance with the implementation provisions of the covenants, conventions and protocols it has ratified.

2. The Commission shall keep under review the status of ratification and effective implementation of the relevant covenants, conventions and protocols referred to in paragraph 1(f).

3. In the event of non-compliance with the conditions set in paragraph 1, the Commission may, in accordance with Article 10, take measures to suspend the preferential arrangements provided for in Article 1.

Article 3

Tariff quotas and price thresholds for certain agricultural products

1. Products listed in Table 1 of Annex I shall be admitted for import into the Community with exemption of customs duties within the limits of Community tariff quotas as set out in that table.

2. Products listed in Table 2 of Annex I shall be admitted for import into the Community with exemption of the ad valorem component of the import duty.

3. Notwithstanding other provisions of this Regulation, in particular Article 10, if imports of agricultural products cause serious disturbance to the Community markets and their regulatory mechanisms, the Commission may take the appropriate measures in accordance with the procedure laid down in the applicable Community law to the products in question.

Article 4

Implementation of tariff quotas for dairy products

The detailed rules for implementing the tariff quotas for headings 0401 to 0406 shall be determined by the Commission in accordance with the procedure referred to in Article 42 of Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1152/2007 (OJ L 258, 4.10.2007, p. 3).

Article 5

Administration of tariff quotas

The tariff quotas referred to in Article 3(1) and listed in Annex I, except tariff quotas for dairy products referred to in Article 4, shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 6

Access to tariff quotas

Member States shall ensure that importers have equal and uninterrupted access to the tariff quotas for as long as the balance of the relevant quota volume so permits.

Article 7

Conferment of powers

The Commission shall, in accordance with the procedure referred to in Article 8(2), adopt the provisions necessary for the application of this Regulation, other than those referred to in Article 4, notably:

- (a) amendments and technical adjustments necessary following amendments to the Combined Nomenclature codes and to the TARIC subdivisions;
- (b) necessary adjustments following the conclusion of other agreements between the Community and Moldova.

Article 8

Committee procedure

1. The Commission shall be assisted by the Customs Code Committee instituted by Article 248a of Regulation (EEC) No 2913/92 ⁽²⁾, hereinafter referred to as 'the Committee'.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

Article 9

Cooperation

Member States and the Commission shall cooperate closely to ensure that this Regulation, and in particular the provisions set out in Article 10(1), are complied with.

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

Article 10

Temporary suspension

1. Where the Commission finds that there is sufficient evidence of fraud, irregularities or systematic failure by Moldova to comply, or to ensure compliance, with the rules of origin of products and the procedures related thereto and to provide administrative cooperation as referred to in Article 2(1), or a failure to comply with any of the other the conditions defined in Article 2(1), it may take measures to suspend in whole or in part the preferential arrangements provided for in this Regulation for a period of not more than six months, provided that it has first:

- (a) informed the Committee;
- (b) called on the Member States to take such precautionary measures as are necessary in order to safeguard the Community's financial interests and/or to secure compliance by Moldova with Article 2(1);
- (c) published a notice in the *Official Journal of the European Union* stating that there are grounds for reasonable doubts concerning the application of the preferential arrangements and/or compliance with Article 2(1) by Moldova which may call into question its right to continue enjoying the benefits granted by this Regulation;
- (d) informed Moldova of any decision taken in accordance with this paragraph, before it becomes effective.

2. A Member State may refer the Commission's Decision to the Council within 10 days. The Council, acting by qualified majority, may take a different decision within 30 days.

3. On conclusion of the period of suspension, the Commission shall decide either to terminate the provisional suspension measure following consultation of the Committee or to extend the suspension measure in accordance with the procedure provided for in paragraph 1.

4. Member States shall communicate to the Commission all relevant information that may justify the suspension of preferences or its extension.

Article 11

Safeguard clause

1. Where a product originating in Moldova is imported on terms which cause, or threaten to cause, serious difficulties to a Community producer of like or directly competing products, Common Customs Tariff duties on that product may be reintroduced at any time by the Council acting by qualified majority on a proposal from the Commission.

2. At the request of a Member State or on the Commission's initiative, the Commission shall take a formal decision to initiate an investigation within a reasonable period of time. Where the Commission decides to initiate an investigation, it shall publish a notice in the *Official Journal of the European Union* announcing the investigation. The notice shall provide a summary of the information received and state that any relevant information should be sent to the Commission. It shall specify the period, which shall not exceed four months from the date of publication of the notice, within which interested parties may make their views known in writing.

3. The Commission shall seek all information it deems necessary and may verify the information received with Moldova and any other relevant source. It may be assisted by officials of the Member States on whose territory verification might be sought, if that Member State so requests.

4. In examining whether there are serious difficulties, the Commission shall take account, *inter alia*, of the following factors concerning Community producers where the information is available:

- market share,
- production,
- stocks,
- production capacity,
- capacity utilisation,
- employment,
- imports,
- prices.

5. The investigation shall be completed within six months after the publication of the notice referred to in paragraph 2. The Commission may, in the case of exceptional circumstances, extend this period in accordance with the procedure referred to in Article 8(2).

6. The Commission shall take a decision within three months, in accordance with the procedure referred to in Article 8(2). Such decision shall enter into force within one month as from its publication.

7. Where exceptional circumstances requiring immediate action make an investigation impossible, the Commission may, after informing the Committee, take any preventive measure which is strictly necessary.

Article 12

Surveillance measures in the agricultural sector

Products in Chapters 17, 18, 19 and 21 of the Harmonised System, originating in Moldova, shall be subject to a special surveillance measure in order to avoid disturbances in the Community market.

If Moldova does not comply with the rules of origin or does not provide administrative cooperation, as required in Article 2, for the aforementioned Chapters 17, 18, 19 and 21, or if imports of products under these Chapters subject to the preferential arrangements granted under this Regulation significantly exceed the usual levels of exports of Moldova, appropriate measures shall be taken in accordance with the procedures in Article 3(3), Article 10 or Article 11.

Article 13

Amendments to Regulation (EC) No 980/2005 and Commission Decision 2005/924/EC

1. In Annex I to Regulation (EC) No 980/2005, the entry 'MD Moldova, Republic of' shall be deleted.

2. In the Sole Article of Decision 2005/924/EC, the entry '(MD) Republic of Moldova' shall be deleted.

Article 14

Transitional measures

1. The benefit of the generalised tariff preferences established by Regulation (EC) No 980/2005 shall continue to be granted in respect of goods originating in Moldova which are put into free circulation in the Community before the first day of the third month following the entry into force of this Regulation, provided that:

- (a) the goods concerned are covered by a purchase contract concluded before the date of entry into force of this Regulation; and

- (b) it can be shown to the satisfaction of the customs authorities that those goods left the country of origin no later than the date of entry into force of this Regulation.

2. The customs authorities may regard paragraph 1(b) as having been satisfied if one of the following documents is submitted to them:

- (a) in the case of transport by sea or waterway, the bill of lading showing that loading took place before the date of entry into force of this Regulation;
- (b) in the case of transport by rail, the consignment note accepted by the railways of the expediting country before the date of entry into force of this Regulation;
- (c) in the case of transport by road, the international road transport TIR carnet issued before the date of entry into force of this Regulation by the customs office in the country of origin or any other appropriate document authenticated by the relevant customs authorities of the country of origin before that date;
- (d) in the case of transport by air, the air consignment note showing that the airline received the goods before the date of entry into force of this Regulation.

Article 15

Application of Community veterinary legislation

The provisions of this Regulation shall not affect any restrictions or import rules which are included in Community veterinary legislation.

Article 16

Entry into force and application

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

It shall apply from the first day of the second month after its entry into force until 31 December 2012.

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

Done at Brussels, 21 January 2008.

For the Council
The President
I. JARC

ANNEX I

**PRODUCTS SUBMITTED TO QUANTITATIVE LIMITS OR PRICE THRESHOLDS REFERRED TO IN
ARTICLE 3**

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

1. Products subject to annual duty free tariff quotas

Order No	CN Code	Description	2008 ⁽¹⁾	2009 ⁽¹⁾	2010 ⁽¹⁾	2011 ⁽¹⁾	2012 ⁽¹⁾
09.0504	0201 to 0204	Fresh, chilled and frozen meat of bovine animals, domestic swine and sheep and goats	3 000 ⁽²⁾	3 000 ⁽²⁾	4 000 ⁽²⁾	4 000 ⁽²⁾	4 000 ⁽²⁾
09.0505	ex 0207	Meat and edible offal of the poultry of heading 0105, fresh, chilled or frozen, other than fatty livers of subheading 0207 34	400 ⁽²⁾	400 ⁽²⁾	500 ⁽²⁾	500 ⁽²⁾	500 ⁽²⁾
09.0506	ex 0210	Meat and edible meat offal of swine and bovine animals, salted, in brine, dried or smoked; edible flours and meals of meat or meat offals of domestic swine and bovine animals	400 ⁽²⁾	400 ⁽²⁾	500 ⁽²⁾	500 ⁽²⁾	500 ⁽²⁾
09.4210	0401 to 0406	Dairy products	1 000 ⁽²⁾	1 000 ⁽²⁾	1 500 ⁽²⁾	1 500 ⁽²⁾	1 500 ⁽²⁾
09.0507	0407 00	Birds' eggs, in shell	90 ⁽³⁾	95 ⁽³⁾	100 ⁽³⁾	110 ⁽³⁾	120 ⁽³⁾
09.0508	ex 0408	Bird's eggs, not in shell and egg yolks, other than unfit for human consumption	200 ⁽²⁾	200 ⁽²⁾	300 ⁽²⁾	300 ⁽²⁾	300 ⁽²⁾
09.0509	1001 90 91	Common wheat	25 000 ⁽²⁾	30 000 ⁽²⁾	35 000 ⁽²⁾	40 000 ⁽²⁾	50 000 ⁽²⁾
09.0510	1003 00 90	Barley	20 000 ⁽²⁾	25 000 ⁽²⁾	30 000 ⁽²⁾	35 000 ⁽²⁾	45 000 ⁽²⁾
09.0511	1005 90	Maize	15 000 ⁽²⁾	20 000 ⁽²⁾	25 000 ⁽²⁾	30 000 ⁽²⁾	40 000 ⁽²⁾
09.0512	1601 00 91 and 1601 00 99	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	500 ⁽²⁾	500 ⁽²⁾	600 ⁽²⁾	600 ⁽²⁾	600 ⁽²⁾
	ex 1602	Other prepared or preserved meat; meat offal or blood:					
		— of fowls of the species <i>Gallus domesticus</i> , uncooked,					
		— of domestic swine,					
		— of bovine animals, uncooked					
09.0513	1701 99 10	White sugar	15 000 ⁽²⁾	18 000 ⁽²⁾	22 000 ⁽²⁾	26 000 ⁽²⁾	34 000 ⁽²⁾
09.0514	2204 21 and 2204 29	Wine of fresh grapes, of an actual alcoholic strength by volume not exceeding 15 % vol, other than sparkling wine	60 000 ⁽⁴⁾	70 000 ⁽⁴⁾	80 000 ⁽⁴⁾	100 000 ⁽⁴⁾	120 000 ⁽⁴⁾

⁽¹⁾ From 1 January until 31 December, except for 2008 from the first day of application of the Regulation until 31 December.

⁽²⁾ Tonnes (net weight).

⁽³⁾ Million units.

⁽⁴⁾ Hectolitres.

2. Products for which the ad valorem component of the import duty is exempted

CN Code	Description
0702	Tomatoes, fresh or chilled
0703 20	Garlic, fresh or chilled
0707	Cucumbers and gherkins, fresh or chilled
0709 90 70	Courgettes, fresh or chilled
0709 90 80	Globe artichokes
0806	Grapes, fresh or dried
0808 10	Apples, fresh
0808 20	Pears and quinces
0809 10	Apricots
0809 20	Cherries
0809 30	Peaches, including nectarines
0809 40	Plums and sloes

ANNEX II

COVENANTS, CONVENTIONS AND PROTOCOLS REFERRED TO IN ARTICLE 2(1)(F)

1. International Covenant on Civil and Political Rights
 2. International Covenant on Economic, Social and Cultural Rights
 3. International Convention on the Elimination of All Forms of Racial Discrimination
 4. Convention on the Elimination of All Forms of Discrimination Against Women
 5. Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
 6. Convention on the Rights of the Child
 7. Convention on the Prevention and Punishment of the Crime of Genocide
 8. Convention concerning Minimum Age for Admission to Employment (No 138)
 9. Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No 182)
 10. Convention concerning the Abolition of Forced Labour (No 105)
 11. Convention concerning Forced or Compulsory Labour (No 29)
 12. Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value (No 100)
 13. Convention concerning Discrimination in Respect of Employment and Occupation (No 111)
 14. Convention concerning Freedom of Association and Protection of the Right to Organise (No 87)
 15. Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively (No 98)
 16. International Convention on the Suppression and Punishment of the Crime of Apartheid
 17. Montreal Protocol on Substances that Deplete the Ozone Layer
 18. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
 19. Stockholm Convention on Persistent Organic Pollutants
 20. Convention on International Trade in Endangered Species of Wild Fauna and Flora
 21. Convention on Biological Diversity
 22. Cartagena Protocol on Biosafety
 23. Kyoto Protocol to the United Nations Framework Convention on Climate Change
 24. United Nations Single Convention on Narcotic Drugs (1961)
 25. United Nations Convention on Psychotropic Substances (1971)
 26. United Nations Convention against illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)
 27. United Nations Convention against Corruption (Mexico)
-

COMMISSION REGULATION (EC) No 56/2008**of 23 January 2008****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 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽¹⁾, and in particular Article 138(1) thereof,

Whereas:

- (1) Regulation (EC) No 1580/2007 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 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 January 2008.

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

Done at Brussels, 23 January 2008.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 23 January 2008 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	IL	154,9
	MA	48,3
	TN	125,1
	TR	87,6
	ZZ	104,0
0707 00 05	JO	178,8
	MA	48,4
	TR	120,0
	ZZ	115,7
0709 90 70	MA	92,8
	TR	137,0
	ZZ	114,9
0709 90 80	EG	361,3
	ZZ	361,3
0805 10 20	EG	42,0
	IL	51,0
	MA	70,1
	TN	60,2
	TR	70,3
	ZZ	58,7
0805 20 10	MA	101,9
	TR	101,8
	ZZ	101,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	84,5
	IL	105,3
	JM	120,0
	MA	150,6
	PK	51,2
	TR	77,5
	ZZ	98,2
0805 50 10	BR	72,8
	EG	75,5
	IL	120,2
	TR	120,2
	ZZ	97,2
0808 10 80	CA	87,8
	CL	60,8
	CN	85,4
	MK	36,5
	US	115,8
	ZA	60,7
0808 20 50	ZZ	74,5
	CL	59,3
	CN	71,5
	TR	116,7
	US	100,0
	ZA	95,8
	ZZ	88,7

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 22 November 2007

on the conclusion of Agreements in the form of Exchange of Letters between the European Atomic Energy Community (Euratom) and the Swiss Confederation (Switzerland) on the application of the ITER Agreement, the Agreement on Privileges and Immunities for ITER and the Broader Approach Agreement to the territory of Switzerland and on Switzerland's membership in the European Joint Undertaking for ITER and the Development of Fusion Energy

(2008/72/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the third paragraph of Article 101 thereof,

Having regard to Council Decision 2006/976/Euratom⁽¹⁾ of 19 December 2006 concerning the Specific Programme implementing the Seventh Framework Programme of the European Atomic Energy Community for nuclear research and training activities,

Having regard to Council Decision of 25 September 2006 concerning the conclusion, by the Commission, of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project (the ITER Agreement), of the Arrangement on Provisional Application of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation on the ITER Project and of the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project (the Agreement on Privileges and Immunities for ITER),

Having regard to Council Decision 2007/614/Euratom of 30 January 2007⁽²⁾ concerning the conclusion, by the

Commission, of the Agreement between the European Atomic Energy Community and the Government of Japan for the Joint Implementation of the Broader Approach Activities in the Field of Fusion Energy Research (the Broader Approach Agreement),

Having regard to Council Decision 2007/198/Euratom of 27 March 2007⁽³⁾ establishing the European Joint Undertaking for ITER and the Development of Fusion Energy (the Joint Undertaking) and conferring advantages upon it (Decision 2007/198/Euratom),

Having regard to the Cooperation Agreement between the European Atomic Energy Community and the Swiss Confederation in the field of controlled thermonuclear fusion and plasma physics⁽⁴⁾,

Whereas:

- (1) The ITER Agreement, the Agreement on Privileges and Immunities for ITER and the Broader Approach Agreement provide that they also apply to the territory of the Swiss Confederation, participating in the Euratom fusion programme as fully associated third State, in accordance with the Euratom Treaty or relevant agreement.

⁽¹⁾ OJ L 400, 30.12.2006, p. 404, as corrected by OJ L 54, 22.2.2007, p. 139-148.

⁽²⁾ OJ L 246, 21.9.2007, p. 32.

⁽³⁾ OJ L 90, 30.3.2007, p. 58.

⁽⁴⁾ OJ L 242, 4.9.1978, p. 2, as amended by the protocol amending the Cooperation Agreement, OJ L 116, 30.4.1982, p. 21.

- (2) The Decision 2007/198/Euratom and the Statutes attached to the former (the Statutes) foresee the membership of third countries in the Joint Undertaking which have concluded a cooperation agreement with Euratom in the field of controlled nuclear fusion that associates their respective research programmes with the Euratom programmes and which have expressed their wish to become Members of the Joint Undertaking.
- (3) Annex I to the Statutes already provides for voting rights of Switzerland in the Governing Board of the Joint Undertaking as its Member.
- (4) Switzerland that contributes substantially to the Euratom programme in fusion energy research formally expressed its intention to become a member of the Joint Undertaking for an initial period of duration of the 7th Framework programme of Euratom.
- (5) It is in the interest of the Community to formally agree with Switzerland the application of the ITER Agreement, the Agreement on Privileges and Immunities for ITER and the Broader Approach Agreement to the territory of Switzerland and the modalities of Switzerland's membership in the Joint Undertaking,

HAS DECIDED AS FOLLOWS:

Article 1

1. The conclusion of the Agreement in the form of Exchange of Letters between the European Atomic Energy Community and the Swiss Confederation on the application of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER Project, the Agreement on the Privileges and Immu-

nities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project and the Agreement between Euratom and the Government of Japan for the joint implementation of the Broader Approach Activities in the field of fusion energy research to the territory of the Swiss Confederation is hereby approved on behalf of the Community.

2. The text of the Agreement is attached to this Decision as Annex I.

Article 2

1. The conclusion of the Agreement in the form of Exchange of Letters between the European Atomic Energy Community and the Swiss Confederation on Switzerland's membership in the Joint Undertaking for ITER and the Development of Fusion Energy is hereby approved on behalf of the Community.

2. The text of the Agreement is attached to this Decision as Annex II.

Article 3

The Commissioner responsible for Research or a person designated by him is hereby authorised to sign the respective letters referred to in Article 1 and 2 on behalf of the Community.

Done at Brussels, 22 November 2007.

For the Commission

Janez POTOČNIK

Member of the Commission

ANNEX I

AGREEMENT

in the form of an Exchange of Letters between the European Atomic Energy Community and the Swiss Confederation on the application of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER Project, the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project and the Agreement between Euratom and the Government of Japan for the joint implementation of the Broader Approach Activities in the field of fusion energy research to the territory of the Swiss Confederation

A. Letter from the Swiss Confederation

Dear Commissioner,

I have the honour to inform you that the Swiss authorities have taken note of the contents of the EU Council Decision of 25 September 2006 (12731/06) on the conclusion of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER project and of the Council Decision of 30 January 2007 (5455/07) on the conclusion of the Agreement between the Government of Japan and the European Atomic Energy Community (Euratom) for the joint implementation of the Broader Approach Activities in the field of fusion energy research.

The Swiss Confederation ('Switzerland') agrees to apply the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER project (ITER-Agreement, Annex I) and the Agreement between Euratom and the Government of Japan for the joint implementation of the Broader Approach Activities in the field of fusion energy research (Broader Approach Agreement, Annex II) on its sovereign territory, as stated in Article 21 of the ITER-Agreement and in Article 26 of the Broader Approach Agreement, respectively. The application of these Agreements to Switzerland constitutes a continuation of its existing commitment in the area of fusion research in the spirit of Article 3,3 of the Cooperation Agreement of 14 September 1978 between Switzerland and Euratom in the area of controlled nuclear fusion and plasma physics. In addition, it constitutes the implementation of an intensive cooperation in the area of scientific and technical research, as stated in the Agreement on Participation in the 7th Framework Programmes of the European Community and Euratom.

Regarding the application of these Agreements to Switzerland, Euratom and Switzerland have agreed by mutual consent on the following points:

- (a) Swiss nationals with full citizen's rights shall be eligible on the same conditions as those for nationals from EU Member States to be:
- nominated by Euratom as representatives to the Council of the ITER Fusion Energy Organization (Article 6.1 of the ITER-Agreement),
 - nominated by the Council of the ITER Fusion Energy Organization as senior staff (Article 6.7d of the ITER-Agreement),
 - personnel seconded by Euratom to the ITER International Fusion Energy Organization (Article 7.2 of the ITER-Agreement),
 - employed directly by the ITER International Fusion Energy Organization through an appointment by the Director-General of the ITER Fusion Energy Organization (Article 7.2 and 4b of the ITER-Agreement),
 - nominated by Euratom as representatives to the Steering Committee on the Broader Approach activities and to the Project Committees of the Broader Approach activities (Article 3 and 5 of the Broader Approach Agreement),
 - nominated by the Steering Committee as staff of the Secretariat (Article 4 of the Broader Approach Agreement),
 - seconded by Euratom to the Broader Approach activities, i.e. as member of the project teams or as project leader (Article 6 of the Broader Approach Agreement).

- (b) In accordance with Article 12 of the ITER-Agreement, Switzerland agrees that the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project (ITER-API, Annex III) applies to Switzerland in accordance with Article 24 of the ITER-API. Switzerland also agrees that the Privileges and Immunities of the Broader Approach Agreement apply to its territory in accordance with Article 13 and 14.5 of the Broader Approach Agreement.

The Annexes I to III form an integral part of the present letter.

The Swiss authorities shall be consulted by Euratom if the ITER-Agreement, the Broader Approach Agreement or the ITER-API mentioned in this Exchange of Letters are to be amended. Any amendment that would affect Switzerland's obligations requires its formal agreement before taking effect for Switzerland.

This agreed extension to Switzerland shall be applied provisionally on the date of the Commission's reply to this letter. The application of this Exchange of Letters remains provisional until the Swiss Parliament decides on the extension of its content to Switzerland. Switzerland shall notify Euratom the completion of the Swiss internal approval procedures. The date of receipt of this notification by Euratom constitutes the coming into force of the Exchange of Letters. The application of the different agreements to Switzerland mentioned in this letter ends if Switzerland is no longer member of the European Joint Undertaking for ITER and the Development of Fusion Energy.

Euratom shall notify the ITER International Fusion Energy Organisation and the Government of Japan of the present letter on the application of the ITER-Agreement and of the Broader Approach Agreement to Switzerland.

Yours very sincerely,

Bernhard MARFURT
Head of Swiss Mission

ANNEX I

Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project

(The text of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER ⁽¹⁾ Project is not reproduced here)

⁽¹⁾ OJ L 358, 16.12.2006, p. 62.

ANNEX II

Agreement between the Government of Japan and the European Atomic Energy Community for the Joint Implementation of the Broader Approach Activities in the Field of Fusion Energy Research

(The text of the Agreement between the Government of Japan and the European Atomic Energy Community for the Joint Implementation of the Broader Approach Activities in the Field of Fusion Energy Research ⁽¹⁾ is not reproduced here)

⁽¹⁾ OJ L 246, 21.9.2007, p. 34.

ANNEX III

Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project

(The text of the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project ⁽¹⁾ is not reproduced here)

⁽¹⁾ OJ L 358, 16.12.2006, p. 82.

B. Letter from the European Atomic Energy Community

Sir,

Reference is made to your letter of 5 November 2007 stating:

'Dear Commissioner,

I have the honour to inform you that the Swiss authorities have taken note of the contents of the EU Council Decision of 25 September 2006 (12731/06) on the conclusion of the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER project and of the Council Decision of 30 January 2007 (5455/07) on the conclusion of the Agreement between the Government of Japan and the European Atomic Energy Community (Euratom) for the joint implementation of the Broader Approach Activities in the field of fusion energy research.

The Swiss Confederation ("Switzerland") agrees to apply the Agreement on the Establishment of the ITER International Fusion Energy Organization for the joint implementation of the ITER project (ITER-Agreement, Annex I) and the Agreement between Euratom and the Government of Japan for the joint implementation of the Broader Approach Activities in the field of fusion energy research (Broader Approach Agreement, Annex II) on its sovereign territory, as stated in Article 21 of the ITER-Agreement and in Article 26 of the Broader Approach Agreement, respectively. The application of these Agreements to Switzerland constitutes a continuation of its existing commitment in the area of fusion research in the spirit of Article 3.3 of the Cooperation Agreement of 14 September 1978 between Switzerland and Euratom in the area of controlled nuclear fusion and plasma physics. In addition, it constitutes the implementation of an intensive cooperation in the area of scientific and technical research, as stated in the Agreement on Participation in the 7th Framework Programmes of the European Community and Euratom.

Regarding the application of these Agreements to Switzerland, Euratom and Switzerland have agreed by mutual consent on the following points:

- (a) Swiss nationals with full citizen's rights shall be eligible on the same conditions as those for nationals from EU Member States to be:
- nominated by Euratom as representatives to the Council of the ITER Fusion Energy Organization (Article 6.1 of the ITER-Agreement),
 - nominated by the Council of the ITER Fusion Energy Organization as senior staff (Article 6.7d of the ITER-Agreement),
 - personnel seconded by Euratom to the ITER International Fusion Energy Organization (Article 7.2 of the ITER-Agreement),
 - employed directly by the ITER International Fusion Energy Organization through an appointment by the Director-General of the ITER Fusion Energy Organization (Article 7.2 and 4b of the ITER-Agreement),

- nominated by Euratom as representatives to the Steering Committee on the Broader Approach activities and to the Project Committees of the Broader Approach activities (Articles 3 and 5 of the Broader Approach Agreement),
 - nominated by the Steering Committee as staff of the Secretariat (Article 4 of the Broader Approach Agreement),
 - seconded by Euratom to the Broader Approach activities, i.e. as member of the project teams or as project leader (Article 6 of the Broader Approach Agreement).
- (b) In accordance with Article 12 of the ITER-Agreement, Switzerland agrees that the Agreement on the Privileges and Immunities of the ITER International Fusion Energy Organization for the Joint Implementation of the ITER Project (ITER-API, Annex III) applies to Switzerland in accordance with Article 24 of the ITER-API. Switzerland also agrees that the Privileges and Immunities of the Broader Approach Agreement apply to its territory in accordance with Articles 13 and 14,5 of the Broader Approach Agreement.

The Annexes I to III form an integral part of the present letter.

The Swiss authorities shall be consulted by Euratom if the ITER-Agreement, the Broader Approach Agreement or the ITER-API mentioned in this Exchange of Letters are to be amended. Any amendment that would affect Switzerland's obligations requires its formal agreement before taking effect for Switzerland.

This agreed extension to Switzerland shall be applied provisionally on the date of the Commission's reply to this letter. The application of this Exchange of Letters remains provisional until the Swiss Parliament decides on the extension of its content to Switzerland. Switzerland shall notify Euratom the completion of the Swiss internal approval procedures. The date of receipt of this notification by Euratom constitutes the coming into force of the Exchange of Letters. The application of the different agreements to Switzerland mentioned in this letter ends if Switzerland is no longer member of the European Joint Undertaking for ITER and the Development of Fusion Energy.

Euratom shall notify the ITER International Fusion Energy Organisation and the Government of Japan of the present letter on the application of the ITER-Agreement and of the Broader Approach Agreement to Switzerland.'

I hereby have the honour to express the agreement of the European Atomic Energy Community with this letter.

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

On behalf of the European Atomic Energy Community

Janez POTOČNIK

ANNEX II

AGREEMENT

in the form of an Exchange of Letters between the European Atomic Energy Community and the Swiss Confederation on Switzerland's membership in the European Joint Undertaking for ITER and the Development of Fusion Energy*A. Letter from the Swiss Confederation*

Dear Commissioner,

On 18 July 2006 the Swiss Confederation (Switzerland) notified the Commission about its interest in the European Joint Undertaking for ITER and the Development of Fusion Energy.

I am pleased to inform you that the Swiss authorities have taken note of the content of the Council Decision 2007/198/Euratom of 27 March 2007 on the establishment of the European Joint Undertaking for ITER and the Development of Fusion Energy (Joint Undertaking). In particular, Switzerland is aware of the possibility for third countries to become members of the Joint Undertaking under the condition that they have concluded a cooperation agreement with Euratom in the field of controlled nuclear fusion that associates their respective research programmes with the Euratom programmes.

On behalf of Switzerland I have the honour to state that, in accordance with Article 2 c) of the above-mentioned Council Decision, Switzerland is willing to become a member of the Joint Undertaking. This membership will be the basis of an ongoing cooperation between Euratom and Switzerland. It will substantiate the continuation of existing commitments to the fusion research in accordance with Article 3,3 of the Cooperation Agreement of 14 September 1978 between Euratom and Switzerland in the field of controlled nuclear fusion and plasma physics. In addition, this membership will constitute the implementation of an intensive cooperation in the area of scientific and technical research, as stated in the Agreement on Participation in the 7th Framework Programmes of the European Community and Euratom.

In view of the willingness of Switzerland to become a member of the Joint Undertaking, I would be grateful if you would confirm that the following interpretation is shared by the Commission representing Euratom:

Notwithstanding Article 12,2 a) and 82,3 a) of the Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 on the Staff Regulations of Officials of the European Communities and the Conditions of Employment of other servants of the European Communities and in accordance with Article 10 of the Statutes of the Joint Undertaking attached to the Council Decision on the Joint Undertaking establishment and the implementing provisions for the application of the Staff regulations by the Joint Undertaking, the Swiss nationals with full citizen's rights may be appointed by the Director of the Joint Undertaking as the Joint Undertaking's staff.

In addition, I would like to confirm that Switzerland as a member of the Joint Undertaking will comply with the above mentioned Council Decision on the Establishment of the Joint Undertaking and conferring benefits upon it. In particular:

- (a) In accordance with Article 7 of the above mentioned Council Decision Switzerland applies the Protocol on the Privileges and Immunities of the European Communities to the Joint Undertaking, its Director and Staff under the modalities attached to this correspondence (Annex I).
- (b) Switzerland confers all the advantages provided for in Annex III to the Euratom Treaty (Annex II) on the Joint Undertaking within the scope of its official activities.
- (c) Switzerland accepts the distribution of the voting rights of the Members of the Governing Board and to make annual membership contribution to the Joint Undertaking in accordance with Annex I and Annex II to the Statutes included in the above mentioned Council Decision.
- (d) Switzerland accepts the financial control as regards its participation in the activities of the Joint Undertaking stipulated in the above mentioned Council Decision and attached to this correspondence (Annex III).

Annexes I, II, and III form an integral part of the present letter.

According to Article 6.5 and Article 21 of the Statutes attached to the abovementioned Council Decision the Swiss authorities will be consulted if the provisions of the Statutes are to be amended. In point of fact, Switzerland underlines that any amendment that affects Switzerland's obligations requires its formal agreement before taking effect for Switzerland.

If the foregoing is acceptable for the Commission, I have the honour to propose that this letter together with the Commission's reply to that effect shall constitute an agreement between Switzerland and Euratom that shall be applied provisionally on the date of the Commission's reply to this letter. The application of this agreement remains provisional until the Swiss Parliament decides on the Swiss membership to the Joint Undertaking. Switzerland will notify Euratom of the completion of the Swiss internal approval procedures. The date of receipt of this notification by Euratom constitutes the coming into force of this Exchange of Letters. This agreement will be concluded for the duration of the seventh Euratom framework programme, i.e. from 2007 to 2011. It will be tacitly renewed for the duration of the following Euratom framework programmes, as long as neither party cancels the agreement at least one year before the end of the respective Euratom framework programme in force.

Yours very sincerely,

Bernhard MARFURT
Head of Swiss Mission

ANNEX I

Protocol on the Privileges and Immunities of the European Communities

(The text of the Protocol on the Privileges and Immunities of the European Communities ⁽¹⁾ is not reproduced here)

⁽¹⁾ OJ C 321 E, 29.12.2006, p. 318.

Appendix

Procedure for the Application in Switzerland of the Protocol on the Privileges and Immunities of the European Communities

1. Extension of application to Switzerland

Wherever the Protocol on the privileges and immunities of the European Communities (hereinafter called 'the Protocol') contains references to Member States, the references shall be understood to apply equally to Switzerland, unless the following provisions determine otherwise.

2. Exemption of the European Joint Undertaking for ITER from indirect taxation (including VAT)

Goods and services exported from Switzerland shall not be subject to Swiss value added tax (VAT). In the case of goods and services provided to the European Joint Undertaking for ITER in Switzerland for its official use, in accordance with the second paragraph of Article 3 of the Protocol, exemption from VAT shall be granted by way of refund. Exemption from VAT shall be granted if the actual purchase price of the goods and services mentioned in the invoice or equivalent document totals at least 100 Swiss francs (inclusive of tax).

The VAT refund shall be granted on presentation to the Federal Tax Administration's VAT Main Division of the Swiss forms provided for the purpose. As a rule, refund applications shall be processed within the three months following the date on which they were lodged together with the necessary supporting documents.

3. Procedure for the application of the rules relating to the European Joint Undertaking for ITER's staff

As regards the second paragraph of Article 13 of the Protocol, Switzerland shall exempt, according to the principles of its national law, officials and other servants of the European Joint Undertaking for ITER within the meaning of Article 2 of Regulation (Euratom, ECSC, EEC) No 549/69 of 25 March 1969 (OJ L 74, 27.3.1969, p. 1) from federal, cantonal and communal taxes on salaries, wages and emoluments paid to them by the Community and subject to an internal tax for its own benefit.

Switzerland shall not be considered as a Member State within the meaning of point 1 above for the application of Article 14 of the Protocol.

Officials and other servants of the European Joint Undertaking for ITER and members of their families who are members of the social insurance system applicable to officials and other servants of the Community shall not be obliged to be members of the Swiss social security system.

The Court of Justice of the European Communities shall have exclusive jurisdiction in any matters concerning relations between the European Joint Undertaking for ITER or the Commission and its staff with regard to the application of Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 (OJ L 56, 4.3.1968, p. 1) and the other provisions of Community law laying down working conditions.

ANNEX II

Annex III of the Euratom Treaty providing Advantages on the Joint Undertaking 'Fusion for Energy'

(The text of Annex III of the Euratom Treaty is not reproduced here)

ANNEX III

Financial Control as regards Swiss Participants in Activities of the European Joint Undertaking for ITER and the Development of Fusion Energy

Article 1

Direct communication

The Joint Undertaking and the Commission shall communicate directly with all persons or entities established in Switzerland and participating in activities of the Joint Undertaking, as contractors, participants in the Joint Undertaking's programmes, recipients of payments from the Joint Undertaking or the Community budget, or subcontractors. Such persons may send directly to the Commission and to the Joint Undertaking all relevant information and documentation which they are required to submit on the basis of the instruments referred to in this Agreement and of contracts or agreements concluded and any decisions taken pursuant to them.

Article 2

Audits

1. In accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as amended by Council Regulation (EC) No 1995/2006 of 13 December 2006 (OJ L 390, 30.12.2006, p. 1) and the financial regulation adopted by the Governing Board of the Joint Undertaking on 22 October 2007, with Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 (OJ L 357, 31.12.2002, p. 1), as last amended by Commission Regulation (EC, Euratom) No 478/2007 of 23 April 2007 (OJ L 111, 28.4.2007, p. 13) and with the other instruments referred to in this Agreement, contracts or agreements concluded and decisions taken with beneficiaries established in Switzerland may provide for scientific, financial, technological or other audits to be conducted at any time on the premises of the beneficiaries and of their subcontractors by Joint Undertaking and Commission officials or by other persons mandated by the Joint Undertaking and the Commission.

2. Joint Undertaking and Commission officials and other persons mandated by the Joint Undertaking and the Commission shall have appropriate access to sites, works and documents and to all the information required in order to carry out such audits, including in electronic form. This right of access shall be stated explicitly in the contracts or agreements concluded to implement the instruments referred to in this Agreement.

3. The Court of Auditors of the European Communities is to have the same rights as the Commission.

4. The audits may take place until five years after the expiry of this Agreement or under the terms of the contracts or agreements concluded and the decisions taken.

5. The Swiss Federal Audit Office shall be informed in advance of audits conducted on Swiss territory. This information shall not be a legal condition for carrying out such audits.

Article 3

On-the-spot-checks

1. Under this Agreement, the Commission (OLAF) shall be authorised to carry out on-the-spot checks and inspections on Swiss territory, under the terms and conditions set out in Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996.

2. On-the-spot checks and inspections shall be prepared and conducted by the Commission in close cooperation with the Swiss Federal Audit Office or with other competent Swiss authorities appointed by the Swiss Federal Audit Office, which shall be notified in good time of the object, purpose and legal basis of the checks and inspections, so that they can provide all the requisite help. To that end, the officials of the competent Swiss authorities may participate in the on-the-spot checks and inspections.

3. If the Swiss authorities concerned so wish, the on-the-spot checks and inspections may be carried out jointly by the Commission and by them.

4. Where the participants in the programme resist an on-the-spot check or inspection, the Swiss authorities, acting in accordance with national rules, shall give the Commission inspectors such assistance as they need to allow them to discharge their duty in carrying out an on-the-spot check or inspection.

5. The Commission shall report as soon as possible to the Swiss Federal Audit Office any fact or suspicion relating to an irregularity which has come to its notice in the course of the on-the-spot check or inspection. In any event the Commission is required to inform the aforementioned authority of the result of such checks and inspections.

Article 4

Information and consultation

1. For the purposes of proper implementation of this Annex, the competent Swiss and Community authorities shall exchange information regularly and, at the request of one of the Parties, shall conduct consultations.

2. The competent Swiss authorities shall inform the Joint Undertaking and the Commission without delay of any fact or suspicion which has come to their notice relating to an irregularity in connection with the conclusion and implementation of the contracts or agreements concluded in application of the instruments referred to in this Agreement.

Article 5

Confidentiality

Information communicated or acquired in any form whatever pursuant to this Annex shall be covered by professional secrecy and protected in the same way as similar information is protected by Swiss law and by the corresponding provisions applicable to the Community institutions. Such information shall not be communicated to persons other than those within the Community institutions, in the Member States, or in Switzerland whose functions require them to know it, nor may it be used for purposes other than to ensure effective protection of the financial interests of the Contracting Parties.

Article 6

Administrative measures and penalties

Without prejudice to application of Swiss criminal law, administrative measures and penalties may be imposed by the Joint Undertaking or the Commission in accordance with Regulations (EC, Euratom) No 1605/2002 of 25 June 2002 and (EC, Euratom) No 2342/2002 of 23 December 2002 and with Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests.

Article 7

Recovery and enforcement

Decisions taken by the Joint Undertaking or the Commission within the scope of this Agreement which impose a pecuniary obligation on persons other than States shall be enforceable in Switzerland.

The enforcement order shall be issued, without any further control than verification of the authenticity of the act, by the authority designated by the Swiss government, which shall inform the Joint Undertaking or the Commission thereof. Enforcement shall take place in accordance with the Swiss rules of procedure. The legality of the enforcement decision shall be subject to control by the Court of Justice of the European Communities.

Judgments given by the Court of Justice of the European Communities pursuant to an arbitration clause shall be enforceable on the same terms.

B. Letter from the European Atomic Energy Community

Sir,

I have the honour to acknowledge receipt your letter of 5 November 2007 which reads as follows:

'On 18 July 2006 the Swiss Confederation ("Switzerland") notified the Commission about its interest in the European Joint Undertaking for ITER and the Development of Fusion Energy.

I am pleased to inform you that the Swiss authorities concerned have taken note of the contents of the Council Decision 2007/198/Euratom of 27 March 2007 on the establishment of the European Joint Undertaking for ITER and the Development of Fusion Energy (Joint Undertaking). In particular, Switzerland is aware of the possibility for third countries to become members of the Joint Undertaking under the condition that they have concluded a cooperation agreement with Euratom in the field of controlled nuclear fusion that associates their respective research programmes with the Euratom programmes.

On behalf of Switzerland I have the honour to state that, in accordance with Article 2(c) of the above-mentioned Council Decision, Switzerland is willing to become a member of the Joint Undertaking. This membership will be the basis of an ongoing cooperation between Euratom and Switzerland. It will substantiate the continuation of existing commitments to the fusion research in accordance with Article 3.3 of the Cooperation Agreement of 14 September 1978 between Euratom and Switzerland in the field of controlled nuclear fusion and plasma physics. In addition, this membership will constitute the implementation of an intensive cooperation in the area of scientific and technical research, as stated in the Agreement on Participation in the 7th Framework Programmes of the European Community and Euratom.

In view of the willingness of Switzerland to become a member of the Joint Undertaking, I would be grateful if you would confirm that the following interpretation is shared by the Commission representing Euratom:

Notwithstanding Article 12.2(a) and 82.3(a) of the Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 on the Staff Regulations of Officials of the European Communities and the Conditions of Employment of other servants of the European Communities and in accordance with Article 10 of the Statutes of the Joint Undertaking attached to the Council Decision on the Joint Undertaking establishment and the implementing provisions for the application of the Staff regulations by the Joint Undertaking, the Swiss nationals with full citizen's rights may be appointed by the Director of the Joint Undertaking as the Joint Undertaking's staff.

In addition, I would like to confirm that Switzerland as a member of the Joint Undertaking will comply with the above mentioned Council Decision on the Establishment of the Joint Undertaking and conferring benefits upon it. In particular:

- (a) In accordance with Article 7 of the above mentioned Council Decision Switzerland applies the Protocol on the Privileges and Immunities of the European Communities to the Joint Undertaking, its Director and Staff under the modalities attached to this correspondence (Annex I).
- (b) Switzerland confers all the advantages provided for in Annex III to the Euratom Treaty (Annex II) on the Joint Undertaking within the scope of its official activities.
- (c) Switzerland accepts the distribution of the voting rights of the Members of the Governing Board and to make annual membership contribution to the Joint Undertaking in accordance with Annex I and Annex II to the Statutes included in the above mentioned Council Decision.
- (d) Switzerland accepts the financial control as regards its participation in the activities of the Joint Undertaking stipulated in the above mentioned Council Decision and attached to this correspondence (Annex III).

Annexes I, II, and III form an integral part of the present letter.

According to Article 6.5 and Article 21 of the Statutes attached to the above mentioned Council Decision the Swiss authorities will be consulted if the provisions of the Statutes are to be amended. In point of fact, Switzerland underlines that any amendment that affects Switzerland's obligations requires its formal agreement before taking effect for Switzerland.

If the foregoing is acceptable for the Commission, I have the honour to propose that this letter together with the Commission's reply to that effect shall constitute an agreement between Switzerland and Euratom that shall be applied provisionally on the date of the Commission's reply to this letter. The application of this agreement remains provisional until the Swiss Parliament decides on the Swiss membership to the Joint Undertaking. Switzerland will notify Euratom of the completion of the Swiss internal approval procedures. The date of receipt of this notification by Euratom constitutes the coming into force of this Exchange of Letters. This agreement will be concluded for the duration of the seventh Euratom framework programme, i.e. from 2007 to 2011. It will be tacitly renewed for the duration of the following Euratom framework programmes, as long as neither party cancels the agreement at least one year before the end of the respective Euratom framework programme in force.'

I have the honour to inform you that Euratom is in agreement with the above mentioned interpretation of the Staff regulations and the content of this letter, and to confirm that Switzerland shall become the member of the Joint Undertaking on the date of this letter.

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

On behalf of the European Atomic Energy Community

Janez POTOČNIK

COMMISSION DECISION

of 20 December 2007

amending Decision 2004/277/EC, Euratom as regards rules for the implementation of Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism

(notified under document number C(2007) 6464)

(Text with EEA relevance)

(2008/73/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Decision 2007/779/EC of 8 November 2007, Euratom establishing a Community civil protection mechanism ⁽¹⁾, and in particular Article 12 thereof,

Whereas:

(1) Commission Decision 2004/277/EC, Euratom of 29 December 2003 laying down rules for the implementation of Council Decision 2001/792/EC, Euratom establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance intervention ⁽²⁾ should be amended to incorporate implementing rules concerning European civil protection. These rules should cover the main characteristics of civil protection modules such as their tasks, capacities, components, and deployment time, and define their appropriate degree of self-sufficiency and interoperability.

(2) Civil protection modules made of national resources from one or more Member States on a voluntary basis constitute a contribution to the civil protection rapid response capability called for by the European Council in the Conclusions of its meeting of 16 and 17 June 2005 and by the European parliament in its Resolution of 13 January 2005 on the tsunami disaster. For civil protection modules to be able to contribute responding to major emergencies, their main characteristics should meet certain general requirements.

(3) Technical assistance support teams fulfilling support tasks are needed on site to support Community assessment and/or coordination teams in the areas of setting-up and running offices, telecommunications, subsistence and transport. For this purpose it is necessary to define general requirements for technical assistance support teams. Such teams may also contribute to the fulfilling

of the self-sufficiency requirements for civil protection modules. Any arrangements for the incorporation of technical assistance support teams in civil protection modules should be made prior to the transmission of general information on the modules to the Commission.

(4) Civil protection modules should be capable of working self-sufficiently for a given period of time. It is therefore necessary to define general requirements for self-sufficiency and, where appropriate, specific requirements that may vary in function of the type of intervention or the type of module concerned. Account should be taken of common practice of the Member States and of international organisations such as extended self-sufficiency periods for urban search and rescue modules or the sharing of tasks between the offering and the requesting country for supporting the operation of modules having an aerial component.

(5) Measures are needed at Community and participating state levels to enhance the interoperability of civil protection modules, notably regarding training and exercises.

(6) The measures provided for in this Decision are in accordance with the opinion of the Committee for Civil Protection,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2004/277/EC, Euratom is amended as follows:

1. In Article 2, the following definitions are added:

‘(c) “intervention teams” means the human and material resources including civil protection modules (as referred to in Articles 3a, 3b and 3c) set-up by the Member States for civil protection interventions.

(d) “technical assistance support teams” means the human and material resources set-up by the Member States to fulfil support tasks.’

⁽¹⁾ OJ L 314, 1.12.2007, p. 9.

⁽²⁾ OJ L 87, 25.3.2004, p. 20.

2. The following Articles 3a, 3b, and 3c are inserted:

Article 3a

1. Subject to the development of additional modules, civil protection modules shall be in accordance with the general requirements listed in Annex II.
2. Technical assistance support teams shall be in accordance with the general requirements listed in Annex III.
3. Civil protection modules as well as technical assistance support teams may be composed of resources provided by one or more Member States.
4. Where a civil protection module or a technical assistance support team are composed of more than one component, the deployment of that civil protection module or technical assistance support team in an intervention may be limited to the components necessary for that intervention.

Article 3b

1. The following elements of self-sufficiency shall apply to the individual civil protection modules as specified in Annex II:

- (a) appropriate shelter for the prevailing weather;
- (b) power generation and lighting covering the consumption of the base of operation and of the equipment required to fulfil the mission;
- (c) sanitation and hygiene facilities destined for the personnel of the module;
- (d) availability of food and water for the personnel of the module;
- (e) medical or paramedical staff, facilities and supplies for the personnel of the module;
- (f) equipment storage and maintenance of the equipment of the module;
- (g) equipment for the communication with the relevant partners, notably those in charge of the coordination on site;
- (h) local transportation;

- (i) logistics, equipment and staff enabling the setting-up of a base of operations and the beginning of the mission without delay upon arrival on site.

2. Compliance with the self-sufficiency requirements shall be guaranteed by the offering Member State by any of the following:

- (a) including in the civil protection module the necessary staff, equipments and consumables;
- (b) making the necessary arrangements on the site of operations;
- (c) making the necessary prearrangements to combine a non self-sufficient intervention team with a technical assistance support team in order to comply with the requirements referred to in Article 3c prior to the provision of information on the civil protection module concerned in accordance with Article 3(1).

3. The period for which self-sufficiency must be guaranteed at the onset of the mission may not be shorter than either of the following:

- (a) 96 hours;
- (b) the periods laid down in Annex II for specific civil protection modules.

Article 3c

The Member States shall take the necessary measures to ensure that the following requirements are met:

- (a) civil protection modules have the capability to operate with other civil protection modules;
- (b) technical assistance support teams have the capability to operate with other technical assistance support teams and with civil protection modules;
- (c) components of a civil protection module have the capability to operate together as one civil protection module;
- (d) components of a technical assistance support team have the capability to operate together as one technical assistance support team;
- (e) civil protection modules and technical assistance support teams, when deployed outside the EU, are able to operate with international disaster response capabilities supporting the affected state;

- (f) team leaders, deputy team leaders and liaison officers of civil protection modules and technical assistance support teams participate in appropriate training courses and exercises organised by the Commission in accordance with Article 5(5) of Decision 2007/NNN/EC, Euratom.'
3. In Article 11(1), the term 'Annex' is replaced by the term 'Annex I'.
4. In Article 24, the following point (e) is added:
- '(e) enhancing the interoperability of civil protection modules.'
5. In the title of the Annex, the term 'Annex' is replaced by the term 'Annex I'.

6. Annex II, as set out in Annex I to this Decision, is added.
7. Annex III, as set out in Annex II to this Decision, is added.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 December 2007.

For the Commission

Stavros DIMAS

Member of the Commission

ANNEX I

ANNEX II

General requirements for European civil protection modules ⁽¹⁾**1. High capacity pumping**

Tasks	— Provide pumping: • in flooded areas, • to assist fire fighting by delivering water.
Capacities	— Provide pumping with mobile medium and high capacity pumps with: • an overall capacity of at least 1 000 m³/hour, and • a reduced capacity to pump 40 meters height difference. — Ability to: • operate in areas and terrain that are not easily accessible, • pump muddy water, containing no more than 5 percent solid elements having particles size up to 40 mm, • pump water up to 40 degrees C° for longer operations, • deliver water over a distance of 1 000 meters.
Main components	— Medium and high capacity pumps. — Hoses and couplings compatible with different standards, including the Storz standard. — Sufficient personnel to fulfil the task, if necessary on a continuous basis.
Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after acceptance of the offer. — Ability to be deployed for a period of up to 21 days.

2. Water purification

Tasks	— Provide drinkable water, from surface water sources, according to the applicable standards and at least to the level of the WHO standards. — Perform water quality control at the outtake point of the purification equipment.
Capacities	— Purify 225 000 litres of water per day. — Storage capacity equivalent to the production of half a day.

⁽¹⁾ The list of civil protection modules and the related requirements established in this Decision may be amended to include other types of civil protection modules taking into account the experience gained by the Mechanism.

Main components	— Mobile water purification unit. — Mobile water storage unit. — Mobile field laboratory. — Couplings compatible with different standards, including the Storz standard. — Sufficient personnel to fulfil the task, if necessary on a continuous basis.
Self-sufficiency	— Elements of Article 3b(1)(a) to (i) apply.
Deployment	— Availability for departure maximum 12 hours after acceptance of the offer. — Ability to be deployed for a period of up to 12 weeks.

3. Medium urban search and rescue

Tasks	— Search for, locate and rescue victims ⁽¹⁾ located under debris (such as collapsed buildings and transport incidents). — Provide life-saving first aid as required, until handover for further treatment.
Capacities	— The module should have the ability to perform the following, taking into account acknowledged international guidelines, such as the INSARAG guidelines: • search with search dogs and/or technical search equipment, • rescue, including lifting, • cutting concrete, • technical rope, • basic shoring, • hazmat detection and isolation ⁽²⁾, • advanced life support ⁽³⁾. — Ability to work on one site 24 hours per day for 7 days.
Main components	— Management (command, liaison/coordination, planning, media/reporting, assessment/analysis, safety/security). — Search (technical search and/or canine search, hazmat detection, hazmat isolation). — Rescue (breaking and breaching, cutting, lifting and moving, shoring, technical rope). — Medical, including care of patients and of the team's personnel and search dogs.
Self-sufficiency	— At least 7 days of operations. — Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Operational in the affected country within 32 hours.

⁽¹⁾ Live casualty.

⁽²⁾ Basic capacity, more extensive capacities are included in the "chemical, biological, radiological and nuclear detection and sampling" module.

⁽³⁾ Patient care (first aid and medical stabilisation) from victim access to victim handover.

4. Heavy urban search and rescue

Tasks	— Search for, locate and rescue victims ⁽¹⁾ located under debris (such as collapsed buildings and transport incidents). — Provide life-saving first aid as required, until handover for further treatment.
Capacities	— The module should have the ability to perform the following, taking into account acknowledged international guidelines, such as the INSARAG guidelines: • search with search dogs and technical search equipment, • rescue, including heavy lifting, • cutting reinforced concrete and structural steel, • technical rope, • advanced shoring, • hazmat detection and isolation ⁽²⁾, • advanced life support ⁽³⁾. — Ability to work 24 hours per day on more than one site for 10 days.
Main components	— Management (command, liaison/coordination, planning, media/reporting, assessment/analysis, safety/security). — Search (technical search, canine search, hazmat detection, hazmat isolation). — Rescue (breaking and breaching, cutting, lifting and moving, shoring, technical rope). — Medical, including care of patients and of the team's personnel and search dogs ⁽⁴⁾.
Self-sufficiency	— At least 10 days of operation. — Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Operational in the affected country within 48 hours.

⁽¹⁾ Live casualty.

⁽²⁾ Basic capacity, more extensive capacities are included in the "chemical, biological, radiological and nuclear detection and sampling" module.

⁽³⁾ Patient care (first aid and medical stabilisation) from victim access to victim handover.

⁽⁴⁾ Subject to medical and veterinary licensing terms.

5. Aerial forest fire fighting module using helicopters

Tasks	— Contribute to the extinction of large forest and vegetal fires by performing aerial fire fighting.
Capacities	— Three helicopters with a capacity of 1 000 litres each. — Ability to perform continuous operations.
Main components	— Three helicopters with crew, to guarantee that at least two helicopters are operational at any time. — Technical staff. — 4 water buckets or 3 releasing kits. — 1 maintenance set. — 1 spare parts set. — 2 rescue hoists. — Communication equipment.

Self-sufficiency	— Elements (f) and (g) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 3 hours after the acceptance of the offer.

6. Aerial forest fire fighting module using airplanes

Tasks	— Contribute to the extinction of large forest and vegetal fires by performing aerial fire fighting.
Capacities	— Two airplanes with a capacity of 3 000 litres each. — Ability to perform continuous operations.
Main components	— Two planes. — Three crews. — Technical staff. — Field maintenance kit. — Communication equipment.
Self-sufficiency	— Elements (f) and (g) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 3 hours after the acceptance of the offer.

7. Advanced medical post

Tasks	— Perform patient profiling (triage) on the site of the disaster. — Stabilise the condition of and prepare the patient for transport to the most suitable health facility for final treatment.
Capacities	— Perform triage of at least 20 patients per hour. — Medical team capable of stabilising 50 patients per 24 hours of activity, working in two shifts. — Availability of supplies for the treatment of 100 patients with minor injuries per 24 hours.
Main components	— Medical team per 12 hour shift: • triage: 1 nurse and/or 1 doctor, • intensive care: 1 doctor and 1 nurse, • serious, but not life-threatening injuries: 1 doctor and 2 nurses, • evacuation: 1 nurse, • specialised support personnel: 4. — Tents: • tent(s) with interconnected areas for triage, medical care and evacuation, • tent(s) for the personnel. — Command post. — Logistic and medical supply deposit.

Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer. — Operational 1 hour after arrival on site.

8. Advanced medical post with surgery

Tasks	— Perform patient profiling (triage) on the site of the disaster. — Perform damage control surgery. — Stabilise the condition of and prepare the patients for transport to the most suitable health facility for final treatment.
Capacities	— Perform triage for at least 20 patients per hour. — Medical team capable of stabilising 50 patients per 24 hours of activity, working in two shifts. — Surgery team capable of damage control surgery for 12 patients per 24 hours of activity, working in two shifts. — Availability of supplies for the treatment of 100 patients with minor injuries per 24 hours.
Main components	— Medical team per 12 hour shift: • triage: 1 nurse and/or 1 doctor, • intensive care: 1 doctor and 1 nurse, • surgery: 3 surgeons, 2 operating nurses, 1 anaesthetist, 1 anaesthetist nurse, • serious, but not life-threatening injuries: 1 doctor and 2 nurses, • evacuation: 1 nurse, • specialist support personnel: 4. — Tents: • tent(s) with interconnected areas for triage, medical care and evacuation, • tent(s) for surgery, • tent(s) for the personnel. — Command post. — Logistic and medical supply deposit.
Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer. — Operational 1 hour after arrival on site.

9. Field hospital

Tasks	— Provide initial and/or follow-up trauma and medical care, taking into account acknowledged international guidelines for foreign field hospital use, such as World Health Organisation or Red Cross guidelines.
Capacities	— 10 beds for heavy trauma patients, possibility to expand the capacity.

Main components	— Medical team for: • triage, • intensive care, • surgery, • serious, but not life-threatening injuries, • evacuation, • specialised support personnel, • and at least covering the following: generalist, emergency doctors, orthopaedic, paediatrician, anaesthetist, pharmacist, obstetrician, health director, laboratory technician, X-ray technician. — Tents: • appropriate tents for the medical activities, • tents for personnel. — Command post. — Logistic and medical supply deposit.
Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 7 days after the request. — Operational on site 3 hours after arrival on site. — Operational for at least 15 days.

10. Medical aerial evacuation of disaster victims

Tasks	— Transport disaster victims to health facilities for medical treatment.
Capacities	— Capacity to transport 50 patients per 24 hour. — Ability to fly day and night.
Main components	— Helicopters/planes with stretchers.
Self-sufficiency	— Elements (f) and (g) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer.

11. Emergency temporary shelter

Tasks	— Provide emergency temporary shelter, including the essential services, mainly in the initial stages of a disaster in coordination with existing structures, local authorities and international organisations until handover to local authorities or humanitarian organisations, where the capacity remains necessary for longer periods. — Where a handover takes place, train the relevant personnel (local and/or international) before the pull out of the module.
Capacities	— Tent camp equipped for up to 250 persons.

Main components	— Taking into account acknowledged international guidelines, such as the SPHERE-guidelines: • tents with heating (for winter conditions) and camp beds with sleeping-bag and/or blanket, • power generators and lighting equipment, • sanitation and hygiene facilities, • distribution of drinkable water, according to the WHO standard, • shelter for basic social activities (possibility to assemble).
Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer. — Generally, the mission should last at most 4 weeks, or a handover process would have begun where necessary.

12. Chemical, biological, radiological and nuclear detection and sampling (CBRN)

Tasks	— Carry out/confirm the initial assessment, including: • the description of the dangers or the risks, • the determination of the contaminated area, • the assessment or confirmation of the protective measures already taken. — Perform qualified sampling. — Mark the contaminated area. — Prediction of the situation, monitoring, dynamic assessment of the risks, including recommendations for warning and other measures. — Provide support for immediate risk reduction.
Capacities	— Identification of chemical and detection of radiological hazards through a combination of hand held, mobile and laboratory based equipment: • ability to detect alpha, beta and gamma radiation and to identify common isotopes, • ability to identify, and if possible, perform semi-quantitative analyses on common toxic industrial chemicals and recognized warfare agents. — Ability to gather, handle and prepare biological, chemical and radiological samples for further analyses elsewhere (¹). — Ability to apply an appropriate scientific model to hazard prediction and to confirm the model by continuous monitoring. — Provide support for immediate risk reduction: • hazard containment, • hazard neutralisation, • provide technical support to other teams or modules.

Main components	— Mobile chemical and radiological field laboratory. — Hand held or mobile detection equipment. — Field sampling equipment. — Dispersion modelling systems. — Mobile meteorological station. — Marking material. — Reference documentation and access to designated sources of scientific expertise. — Secure and safe containment for the samples and waste. — Decontamination facilities for the personnel. — Appropriate personnel and protective equipment to sustain an operation in a contaminated and/or oxygen deficient environment, including gas tight suits where appropriate. — Supply of technical equipment for hazard containment and neutralisation.
Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer.

(¹) This process should, where possible, take account of the evidential requirements of the requesting state.

13. Search and rescue in CBRN conditions

Tasks	— Special search and rescue using protective suits.
Capacities	— Special search and rescue using protective suits, in accordance with the requirements of the medium and heavy urban search and rescue modules as appropriate. — Three people working simultaneously in the hot zone. — Continuous intervention during 24 hours.
Main components	— Marking material. — Secure and safe containment for the waste. — Decontamination facilities for the personnel and the rescued victims. — Appropriate personnel and protective equipment to sustain a search and rescue operation in a contaminated environment, in accordance with the requirements of the medium and heavy urban search and rescue modules as appropriate. — Supply of technical equipment for hazard containment and neutralization.
Self-sufficiency	— Elements (a) to (i) of Article 3b(1) apply.
Deployment	— Availability for departure maximum 12 hours after the acceptance of the offer.'

ANNEX II

'ANNEX III

General requirements for Technical Assistance Support Teams

Tasks	— Provide or arrange for: • office support, • telecommunication support, • subsistence support, • transport support on site.
Capacities	— Capable of assisting an assessment and/or coordination team, an on site operations coordination centre, or of being combined into a civil protection module as referred to in Article 3b 2c.
Main components	— The following support components, enabling all on site operations coordination centre functions to be fulfilled, taking into account acknowledged international guidelines such as UN guidelines: • office support, • telecommunication support equipment, • subsistence support equipment, • transport support on site.
Deployment	— Availability for departure maximum 12 hours after the request.'

CORRIGENDA**Corrigendum to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community**

(Official Journal of the European Union L 169 of 10 July 2000)

On page 60 in Annex IV, Part A, Section 1, point 46, in the first subparagraph in the left-hand column:

for: '46. Plants intended for planting, other than seeds, tubers, corms, rhizomes, originating in countries where the relevant harmful organisms are known to occur.';

read: '46. Plants intended for planting, other than seeds, bulbs, tubers, corms and rhizomes, originating in countries where the relevant harmful organisms are known to occur.'
