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(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 November 2003

approving on behalf of the European Community amendments to the Annexes to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products

(Text with EEA relevance)

(2003/833/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 98/258/EC of 16 March 1998 on the conclusion of the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products ⁽¹⁾, and in particular Article 4, third paragraph thereof,

Whereas:

- (1) The Joint Management Committee for the Agreement (the Committee) at its meeting on 2 October 2003 issued a recommendation concerning the determination of equivalence for gelatin and collagen for human consumption. As a result of this recommendation it is appropriate to amend Annex V to the Agreement.
- (2) Those amendments should be approved on behalf of the Community.
- (3) The measure provided for in this Decision is in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS DECIDED AS FOLLOWS:

Article 1

Pursuant to the recommendations made by the Joint Management Committee established under Article 14 of the Agreement between the European Community and the United States of

America on sanitary measures to protect public and animal health in trade in live animals and animal products, the amendments to Annex V to the said Agreement are hereby approved on behalf of the European Community. The text of the Agreement in the form of an Exchange of Letters, including the amendments to Annex V to the Agreement, is attached to this Decision.

Article 2

The Director General for Health and Consumer Protection is hereby authorised to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Article 3

This Decision shall apply from the first day of the month following the month in which the United States of America notifies the Commission in writing that its internal procedures for the approval of the amendments referred to in Article 1 have been completed.

Done at Brussels, 28 November 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 118, 21.4.1998, p. 1.

ANNEX

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

on the amendments to the Annexes to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products*A. Letter from the European Community*

Brussels, 27 October 2003

Your Excellency,

With reference to the Agreement between the European Community and the United States of America on sanitary measures to protect public and animal health in trade in live animals and animal products. I have the honour to propose to you to amend the Annexes of the Agreement as follows:

Replace the text of Annex V, point 43 of the Agreement, as recommended by the Joint Management Committee established under Article 14(1) of the Agreement with the respective text of Appendix A as attached hereto.

I would be obliged if you would confirm the Agreement of the United States of America to such amendment of Annex V to the Agreement.

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

For the European Community

Jaana HUSU-KALLIO

Enclosure: Appendix A to replace Annex V, point 43 of the Agreement

B. Letter from the United States of America

Brussels, November 14, 2003

Madam,

I refer to your letter of 10/27/03 containing details of the proposed amendments to Annex V of the Agreement of July 20, 1999 between the United States of America and the European Community on the sanitary measures to protect public and animal health in trade in live animals and animal products, as set forth in Appendix A of your letter.

In this regard I have the honor to confirm the acceptability to the United States of America of the proposed amendments as recommended by the Joint Management Committee established under Article 14(1) of the Agreement, a copy of which is attached hereto. It is my understanding that these amendments shall take effect on the date on which the EC notifies the US that it has completed the necessary procedures for implementing these amendments.

Please accept, Madam, the assurances of my high consideration.

For the competent authority of the United States of America

Norval FRANCIS

Enclosure: Appendix A amending Annex V of the Agreement

APPENDIX A

'ANNEX V

Commodity	EC Exports to the United States					United States Exports to the EC				
	Trade conditions		Equivalence	Special conditions	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	US standards				US standards	EC standards			

43. Gelatin for human consumption

Animal health	92/118	9 CFR 93, 94, 95, 309, 310, 311	NE			9 CFR 93, 94, 95, 309, 310, 311	92/118	Yes (?)	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	
Public health	92/118	FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.110, 570, 573-589	NE			FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.110, 570, 573-589	92/118	Yes (?)	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	

44. Gelatin for technical use

Animal health	1774/2002	9 CFR 94	NE			9 CFR 94	1774/2002	NE		
Public health	1774/2002	FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	NE			FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	1774/2002	NE		

Commodity	EC Exports to the United States					United States Exports to the EC				
	Trade conditions		Equivalence	Special conditions	Action	Trade conditions		Equivalence	Special conditions	Action
	EC standards	US standards				US standards	EC standards			
45. Collagen for human consumption										
Animal health	92/118	9 CFR 94	NE			9 CFR 93, 94, 95, 309, 310, 311	92/118	Yes (?)	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	
Public health	92/118	FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	NE			FFDCA, FIFRA, PHSA 21 CFR 70-82, 109, 110.3-110.93, 570, 573-589	92/118	Yes (?)	(SANCO/10451/2003 Rev. 1 Draft Commission Decision on health certificates for the importation of animal products from the United States)	