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Les Décisions du Conseil d'Association Turquie-Communauté Européenne (1964-1971)

**DÉCISION DU CONSEIL D'ASSOCIATION NO 1/64 portant approbation du
règlement intérieur du Conseil d'Association**

LE CONSEIL D'ASSOCIATION,

vu l'Accord d'Association et notamment son article 24, alinéa 2,

DECIDE:

Article 1er

Le Conseil d'Association se réunit au niveau ministériel au moins une fois par semestre, sauf décision contraire.

En dehors des sessions prévues au paragraphe précédent, le Conseil d'Association se réunit au niveau des représentants des membres du Conseil d'Association.

Le représentant d'un membre du Conseil d'Association exerce tous les droits du membre titulaire.

Article 2

Le Conseil d'Association se réunit au lieu habituel des sessions du Conseil de la Communauté Economique Européenne.

Le Président du Conseil d'Association fixe, après consultation des membres de celui-ci, la date des sessions.

Article 3

Les membres du Conseil d'Association peuvent se faire accompagner de fonctionnaires qui les assistent. Avant chaque session, la composition envisagée pour chaque délégation est adressée au Président.

Article 4

Sauf décision contraire, les séances du Conseil d'Association ne sont pas publiques. L'accès aux séances du Conseil est subordonné à la production d'un laissez-passer.

**Décision du Conseil d'Association
No 1/64**

Article 5

Les délibérations du Conseil d'Association relatives à une affaire urgente peuvent être acquises au moyen d'un vote par correspondance lorsque la Communauté et les Etats membres, d'une part, et la Turquie, d'autre part, acceptent une telle procédure.

Article 6

Toutes les communications du Président prévues par le présent règlement sont adressées aux Représentations Permanentes des Etats membres, au Secrétariat des Conseils et au Secrétariat Exécutif de la Commission, d'une part, et à la Délégation permanente de la Turquie auprès de la Communauté, d'autre part.

Article 7

Le Président établit l'ordre du jour provisoire de chaque session. Celui-ci est adressé aux destinataires visés à l'article précédent au moins quinze jours avant le début de la session.

L'ordre du jour provisoire comprend les points pour lesquels la demande d'inscription est parvenue au Président au moins vingt et un jours avant le début de cette session.

Seuls peuvent être inscrits à l'ordre du jour provisoire les points pour lesquels la documentation est adressée aux destinataires visés à l'article précédent, au plus tard à la date d'envoi de cet ordre du jour.

L'ordre du jour est arrêté par le Conseil d'Association au début de chaque session. L'inscription à l'ordre du jour d'un autre point que ceux qui figurent dans l'ordre du jour provisoire est acquise avec l'accord de la Communauté et des Etats membres, d'une part, de la Turquie, d'autre part.

Article 8

Il est établi un procès-verbal de chaque session comportant notamment sur la base du résumé des délibérations fait par le Président - un relevé des décisions prises par le Conseil d'Association.

Après son approbation par le Conseil d'Association, le procès-verbal est signé par le Président en exercice et par les Secrétaires du Conseil d'Association et conservé dans les archives du Conseil d'Association. Une copie du procès-verbal est adressée aux destinataires visés à l'article 6 ci-dessus.

Article 9

Les langues allemande, française, italienne, néerlandaise et turque sont les langues officielles du Conseil d'Association.

Sauf décision contraire, le Conseil d'Association délibère sur la base d'une documentation établie dans ces cinq langues.

**Décision du Conseil d'Association
No 1/64**

Chaque membre du Conseil d'Association peut s'opposer au délibéré d'un texte proposé en cours de session, si ce texte n'est pas établi dans celle des cinq langues qu'il désigne.

Article 10

Les actes pris par le Conseil d'Association sont revêtus de la signature du Président.

Article 11

Les décisions du Conseil d'Association au sens de l'article 22 de l'Accord portent le titre de "décision" suivi d'un numéro d'ordre et d'une indication de leur objet.

Les recommandations du Conseil d'Association au sens de l'article 22 de l'Accord portent le titre de "recommandation" suivi d'un numéro d'ordre et d'une indication de leur objet.

Article 12

Les décisions et recommandations au sens de l'article 22 de l'Accord sont divisées en articles.

Les actes visés à l'alinéa ci-dessus se terminent par la formule "Fait à, le", la date étant celle à laquelle ils ont été adoptés par le Conseil d'Association.

Les décisions et recommandations du Conseil d'Association sont communiquées aux destinataires visés à l'article 6 ci-dessus.

Article 13

Sauf décision contraire du Conseil d'Association, la présidence des Comités dont ce dernier peut décider la création en application des dispositions de l'article 24, alinéa 3, de l'Accord d'Association, est assurée dans les mêmes conditions et selon les mêmes règles d'alternance que celles du Conseil d'Association.

Article 14

Les tâches de secrétariat sont assurées en commun par un agent de la Communauté Economique Européenne et un agent du Gouvernement turc.

Article 15

Les Etats membres de la Communauté, d'une part, et la Turquie, d'autre part, prennent en charge les dépenses qu'ils exposent à raison de leur participation aux sessions du Conseil d'Association, tant en ce qui concerne les frais de personnel, de voyage et de séjour, qu'en ce qui concerne les dépenses de postes et de télécommunications.

Les dépenses relatives à l'interprétation en séance ainsi qu'à la traduction et à la reproduction des documents sont supportées par la Communauté, à l'exception de celles relatives à une interprétation ou une traduction vers ou à partir de la langue turque qui sont supportées par la Turquie.

**Décision du Conseil d'Association
No 1/64**

Les dépenses afférentes à l'organisation matérielle des réunions (local, fournitures, huissiers, etc...) sont supportées par la Communauté.

Article 16

Sans préjudice d'autres dispositions applicables, les délibérations du Conseil d'Association relèvent du secret professionnel, pour autant qu'il n'en décide pas autrement.

Article 17

La correspondance destinée au Conseil d'Association est adressée au Président du Conseil d'Association à l'adresse du secrétariat des Conseils des Communautés Européennes.

Fait à Bruxelles, le 1er décembre 1964

**Par le Conseil d'Association
Le Président
K.SCHMUECKER**

**Décision du Conseil d'Association
No 1/64**

**RECOMMANDATION DU CONSEIL D'ASSOCIATION NO 1/64 adressée à la
Turquie et aux Etats membres de la Communauté en vertu des articles 22 de l'Accord
d'Association et 2 du Protocole provisoire au sujet du certificat de circulation en vue du
fonctionnement du régime des échanges préférentiels de marchandises dans le cadre de
l'Association**

Dès l'entrée en vigueur de l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie, les Etats membres de la Communauté ouvrent des contingents tarifaires pour leurs importations des produits énumérés à l'article 2 du Protocole provisoire annexé à l'Accord, pour autant que ces produits soient originaires et en provenance de la Turquie. Il est de l'intérêt du fonctionnement du régime d'échanges qui découle de ces contingents, que le contrôle de l'origine et de la provenance des produits en question par les autorités des Etats membres soit effectuée de façon efficace et uniforme.

L'utilisation d'un certificat de circulation propre au trafic préférentiel de ces produits dans le cadre de l'Association et s'inspirant des pratiques suivies au sein de la Communauté, serait de nature à contribuer à la réalisation de cet objectif.

Pour ces motifs, et en vertu des articles 22 de l'Accord d'Association et 2 du Protocole provisoire, le Conseil d'Association recommande aux Gouvernements de la Turquie et des Etats membres de la Communauté de prendre les dispositions nécessaires pour que le trafic préférentiel de marchandises entre la Turquie et les Etats membres soit effectué, dès l'entrée en vigueur de l'Accord d'Association, mais sous réserve des certificats délivrés par les autorités compétentes avant cette date, sous la couverture du certificat de circulation qui est annexé à la présente recommandation et qui en fait partie intégrante.

Fait à Bruxelles, le 1er décembre 1964

**Par le Conseil d'Association
Le Président
K.SCHMUECKER**

**Décision du Conseil d'Association
No 1/64**

I. Conditions de délivrance du certificat de circulation

Peuvent donner lieu au visa d'un certificat de circulation les produits originaires de la Turquie susceptibles de bénéficier, à l'importation dans la Communauté Economique Européenne, d'un contingent tarifaire en vertu du Protocole provisoire annexé à l'Accord d'Ankara.

Les autorités douanières Turques refusent leur visa lorsqu'il n'est pas établi à leur satisfaction que les marchandises sont exportées à destination d'un Etat membre de la Communauté Economique Européenne.

II. Règles à observer pour l'établir

1. Le certificat de circulation est rédigé dans l'une des langues officielles de la Communauté Economique Européenne.
2. Le certificat de circulation est établi à la machine à écrire ou à la main; dans ce dernier cas, il doit être rempli à l'encre, en lettres majuscules. Il ne doit comporter ni grattages, ni surcharges. Les modifications qui y sont apportées doivent être effectuées en biffant les indications erronées et en ajoutant, le cas échéant, les indications voulues. Toute modification ainsi opérée doit être approuvée par son auteur et visée par les autorités douanières.
3. Les espaces non utilisés de la case destinée à la désignation des marchandises doivent être barrés, de façon à rendre impossible toute adjonction ultérieure.

Décision du Conseil d'Association
No 1/64

ASSOCIATION C.E.E.-TURQUIE

CERTIFICAT DE CIRCULATION DES MARCHANDISES

DECLARATION DE L'EXPORTATEUR				
JE SOUSSIGNE (nom et prénom, ou raison sociale, adresse complète de l'exportateur) exportateur des marchandises décrites ci-après:				
Nu mér o D'o rdre	COLIS (1)		DÉSIGNATION DES MARCHANDISES	Poids brut (kg) ou autre mesure (hl, m3, etc)
	Marques et numéros	Nombr e et nature		
1	2	3	4	5
Nombre de colis (total) (col.3)) et quantités totales (col. 5)) en toutes lettres				
<u>DECLARE</u> que ces marchandises sont originaires de la Turquie et sont exportées à destination de: (Etat membre de la C.E.E.) Fait à, le (Signature de l'exportateur)			<u>VISA DE LA DOUANE</u> Déclaration certifiée conforme: Document d'exportation no du..... Bureau de douane de Cachet du Le19... Bureau (Signature du fonctionnaire)	

(1) Pour les marchandises en vrac, mentionner, selon le cas, le nom du bateau, le numéro du wagon ou du camion.

**Décision du Conseil d'Association
No 1/64**

III. Portée du certificat

Sur présentation du certificat de circulation, les marchandises qui y sont décrites seront imputées sur le contingent tarifaire prévu à leur égard. Pour les marchandises dont le transport s'est effectué avec emprunt du territoire d'un ou de plusieurs pays tiers à l'Association, l'imputation sur le contingent tarifaire ne peut intervenir qu'à condition que la durée du séjour n'ait pas dépassé le temps nécessaire à la traversée du territoire ou, en cas de changement du moyen de transport, au transbordement.

IV. Délai de présentation

Le certificat de circulation doit être produit dans le délai de deux mois, à compter de la date de son visa, au bureau de douane de l'Etat membre d'importation où la marchandise est présentée.

**Décision du Conseil
d'Association No.2/64**

**DÉCISION DU CONSEIL D'ASSOCIATION NO 2/64 portant fixation de la durée du
premier tour de présidence du Conseil d'Association**

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la
Turquie et notamment son article 24 alinéa 1er.

DECIDE:

Article unique

Le premier tour de présidence du Conseil d'Association aura une durée de quatre mois.

Fait à Bruxelles, le 1er décembre 1964

**Par le Conseil d'Association
Le Président
K.SCHMUECKER**

**DÉCISION DU CONSEIL D'ASSOCIATION NO 3/64 instituant le Comité
d'Association**

LE CONSEIL D'ASSOCIATION,

vu l'Accord d'Association et notamment son article 24, alinéas 3 et 4

DÉCIDE:

Article 1er

Il est institué un Comité d'Association chargé d'assister le Conseil d'Association dans l'accomplissement de ses tâches, de préparer ses délibérations, d'étudier toute question dont l'examen lui aura été confié par le Conseil d'Association et, de manière générale, d'assurer la continuité de coopération nécessaire au bon fonctionnement de l'Accord.

Article 2

Le Comité d'Association est composé, d'une part, de représentants des Gouvernements des Etats membres, du Conseil et de la Commission de la Communauté et, d'autre part, de représentants du Gouvernement turc.

La présidence et le Secrétariat de ce Comité sont exercés dans les mêmes conditions que ceux du Conseil d'Association.

Fait à Bruxelles, le 1er décembre 1964

**Par le Conseil d'Association
Le Président
K.SCHMUECKER**

DÉCISION DU CONSEIL D'ASSOCIATION NO 4/64 portant détermination des volumes des contingents tarifaires à ouvrir par les Etats membres de la Communauté à la Turquie au titre de l'année 1964

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie, et notamment l'article 5 du Protocole provisoire annexé à cet Accord,

considérant que dès l'entrée en vigueur de l'Accord d'Association, les Etats membres de la Communauté ouvrent, pour leurs importations des produits énumérés à l'article 2 du Protocole provisoire (1) qui sont originaires et en provenance de la Turquie, des contingents tarifaires dont les volumes annuels sont prévus par le Protocole,

considérant que l'Accord d'Association est entré en vigueur le 1er décembre 1964 et qu'en conséquence, les volumes des contingents à ouvrir pour le restant de l'année civile en cours sont fixés par le Protocole à un douzième des volumes annuels, le Conseil d'Association pouvant néanmoins augmenter les quantités ainsi prévues pour tenir compte du caractère saisonnier des exportations des produits en cause,

considérant que, compte tenu des statistiques disponibles, il convient d'affecter les contingents tarifaires ouverts pour le mois de décembre 1964 d'un coefficient d'augmentation saisonnière,

Article unique

Les Etats membres de la Communauté ouvrent à la Turquie, au titre de l'année 1964, les contingents tarifaires ci-après:

a) 24.01-Tabacs bruts ou non fabriqués; déchets de tabac:

Union économique belgo-luxembourgeoise	795 tonnes
République fédérale d'Allemagne	2.450 tonnes
France	1.680 tonnes
Italie	500 tonnes
Pays-Bas	310 tonnes

**Décision du Conseil
d'Association No.4/64**

b) ex 08.04-Raisins secs (présentés en emballages d'un contenu de 15 kg ou moins):

Union économique belgo-luxembourgeoise	1.350 tonnes
République fédérale d'Allemagne	5.300 tonnes
France	1.100 tonnes
Italie	3.800 tonnes
Pays-Bas	3.700 tonnes

c) ex 08.04-Figues sèches (présentées en emballages d'un contenu de 15 kg ou moins):

Union économique belgo-luxembourgeoise	730 tonnes
République fédérale d'Allemagne	4.205 tonnes
France	2.500 tonnes
Pays-Bas	150 tonnes

d) ex 08.05-Fruits à coques ou secs, même sans leurs coques ou décortiqués: noisettes

Union économique belgo-luxembourgeoise	255 tonnes
République fédérale d'Allemagne	9.320 tonnes
France	835 tonnes
Pays-Bas	405 tonnes

Fait à Bruxelles, le 1er décembre 1964

**Par le Conseil d'Association
Le Président
K.SCHMUECKER**

**Décision du Conseil d'Association
No.1/65**

**DÉCISION DU CONSEIL D'ASSOCIATION NO 1/65 relative à la Commission
parlementaire d'Association C.E.E.-TURQUIE**

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie et notamment son article 27,

vu la résolution de l'Assemblée Parlementaire Européenne en date du 14 mai 1965 sur la création d'une Commission parlementaire d'Association,

vu les décisions de l'Assemblée Nationale de Turquie et du Sénat turc en date respectivement du 22 juin et du 14 juillet 1965 sur la création d'une Commission parlementaire d'Association,

considérant qu'il convient de prendre toutes mesures utiles afin de faciliter la coopération et les contacts nécessaires entre l'Assemblée Parlementaire Européenne et la Grande Assemblée Nationale de Turquie,

DECIDE:

Article 1er

Il est créé une Commission parlementaire d'Association composée de quinze membres de la Grande Assemblée Nationale de Turquie et de quinze membres de l'Assemblée Parlementaire Européenne.

Article 2

Le Conseil d'Association présentera chaque année à la Commission parlementaire d'Association un rapport d'activité en vue de faciliter les travaux de celle-ci.

Fait à Bruxelles, le 17 septembre 1965

**Par le Conseil d'Association
Le Président
O.GÖKMEN**

DÉCISION DU CONSEIL D'ASSOCIATION NO 2/65 relative à l'augmentation du volume des contingents tarifaires visé à l'article 2 du Protocole provisoire annexé à l'Accord d'Ankara

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie et notamment l'article 4 du Protocole provisoire annexé à cet Accord,

considérant qu'à partir de la deuxième année qui suit l'entrée en vigueur de l'Accord d'Ankara, le Conseil d'Association peut augmenter le volume des contingents tarifaires prévu à l'article 2 du Protocole provisoire annexé à cet Accord;

Article unique

A partir du 1er janvier 1966, le volume des contingents tarifaires prévus à l'article 2 du Protocole provisoire est, pour les Etats membres indiqués au tableau ci-dessous et en ce qui concerne le tabac, les raisins secs et les figes sèches, porté au niveau figurant audit tableau:

- 24.01- Tabacs bruts ou non fabriqués; déchets de tabac:

Union économique belgo-luxembourgeoise	1.375 tonnes
Allemagne	7.500 tonnes
Pays-Bas	690 tonnes

- ex 08.04 - Raisins secs (présentés en emballages d'un contenu de 15 kg ou moins):

Union économique belgo-luxembourgeoise	3.575 tonnes
Allemagne	10.725 tonnes
France	3.080 tonnes
Italie	8.470 tonnes
Pays-Bas	7.150 tonnes

**Décision du Conseil
d'Association No.2/65**

- **ex 08.03 - Figes sèches (présentées en emballages d'un contenu de 15 kg ou moins):**

Union économique belgo-luxembourgeoise	924 tonnes
Allemagne	5.500 tonnes
France	7.700 tonnes
Pays-Bas	176 tonnes

Fait à Bruxelles, le 20 décembre 1965

**Par le Conseil d'Association
Le Président
A. VENTURINI**

**Décision du Conseil d'Association
No1/66**

**DÉCISION DU CONSEIL D'ASSOCIATION No 1/66 relative à l'augmentation du
volume des contingents tarifaires visé à l'article 2 du protocole provisoire annexé à
l'Accord d'Ankara**

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie et notamment l'article 4 du Protocole provisoire annexé à cet Accord,

considérant qu'aux termes de l'article précité le Conseil d'Association peut augmenter le volume des contingents tarifaires prévu à l'article 2 du Protocole provisoire annexé à l'Accord d'Ankara,

considérant que le Conseil d'Association a déjà décidé une telle augmentation pour l'année 1966 et qu'il lui paraît opportun d'augmenter à nouveau le volume des contingents tarifaires prévu à l'article 2 du Protocole provisoire annexé à l'Accord d'Ankara,

DECIDE:

Article unique

A partir du 1er janvier 1967, le volume des contingents tarifaires prévu à l'article 2 du Protocole provisoire est, pour les Etats membres de la Communauté indiqués au tableau ci-dessous, porté au niveau suivant:

a) 24 .01 – Tabacs bruts ou non fabriqués ; déchets de tabac:

Union économique belgo-luxembourgeoise	2,000 tonnes
Allemagne	10,565 tonnes
Pays – Bas	1,000 tonnes

b) ex 08.04 – Raisins secs (présentés en emballages d'un contenu de 15 kg ou moins) :

Union économique belgo-luxembourgeoise	4,000 tonnes
Allemagne	11,000 tonnes
France	4,000 tonnes
Italie	8,570 tonnes
Pays-Bas	11,000 tonnes

**Décision du Conseil d'Association
No1/66****c) ex 08.03- Figues sèches (présentées en emballages d'un contenu de 15 kg ou moins)**

Union économique belgo-luxembourgeoise	1,400 tonnes
Allemagne	7,500 tonnes
France	9,500 tonnes
Pays-Bas	500 tonnes

d) ex 08.05- Fruits à coques, frais ou secs, même sans leurs coques ou décortiqués: noisettes

Union économique belgo-luxembourgeoise	594 tonnes
Allemagne	15,950 tonnes
France	1,375 tonnes
Pays-Bas	781 tonnes

Fait à Bruxelles, le 23 novembre 1966

**Par le Conseil d'Association
Le Président
L. de BLOCK**

**Décision du Conseil d'Association
No1/66**

**RECOMMANDATION DU CONSEIL D'ASSOCIATION No 1/66 adressée aux Etats
membres de la Communauté Economique Européenne et à la Turquie à la suite de
l'étude du problème de la main-d'œuvre en Turquie**

LE CONSEIL D'ASSOCIATION,

Se référant à l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie, et notamment à son article 22, paragraphe 1, ainsi qu'à l'échange de lettres intervenu le 12 septembre 1963 entre les Présidents des délégations de la Communauté et de la Turquie, relatif au problème de la main-d'œuvre en Turquie,

Prenant en considération sa décision prise lors de sa deuxième session tenue le 27 juillet 1965, de mettre à l'étude ce problème,

Ayant pris connaissance du rapport du Comité d'Association, en date du 17 novembre 1966, concernant l'étude du problème de la main-d'œuvre en Turquie,

Reconnaissant l'importance du problème de la main-d'œuvre pour le développement économique de la Turquie,

RECOMMANDE aux Etats membres de la Communauté et à la Turquie de prendre les mesures nécessaires pour donner, dans toute la mesure du possible, suite aux suggestions contenues dans la conclusion du rapport précité du Comité d'Association.

Fait à Bruxelles, le 23 novembre 1966

**Par le Conseil d'Association
Le Président
L. de BLOCK**

**Décision du Conseil d'Association
No1/67**

**DÉCISION DU CONSEIL D'ASSOCIATION No 1/67 relative à l'application de
l'article 6 du Protocole no: 1 annexé à l'Accord d'Ankara**

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une association entre la Communauté Economique Européenne et la Turquie et notamment l'article 6 du Protocole no: 1 (Protocole provisoire) annexé à cet Accord;

considérant que, en application de l'article précité, le Conseil d'Association peut au terme de la troisième année à compter de l'entrée en vigueur de l'Accord décider des mesures susceptibles de favoriser l'écoulement sur le marché de la Communauté de produits autres que ceux visés à l'article 2 du Protocole no: 1 annexé à l'Accord d'Ankara;

considérant que les mesures susceptibles de favoriser l'écoulement sur le marché de la Communauté des produits turcs peuvent comprendre soit la réduction de droits du tarif douanier commun, soit l'ouverture de contingents tarifaires soit d'autres avantages commerciaux;

considérant que, jusqu'à l'établissement de contingents tarifaires communautaires, les contingents tarifaires doivent être définis pour chacun des Etats membres de la Communauté,

DECIDE:

Article 1er

1. Les Etats membres ouvrent annuellement pour les produits originaires et en provenance de la Turquie les contingents tarifaires suivants:

I.

a) ex 03.01 B I a)- Maquereaux frais, réfrigérés ou congelés, entiers, décapités ou tronçonnés	
Union économique belgo-luxembourgeoise	20 tonnes
République fédérale d'Allemagne	110. tonnes
France	100 tonnes
Italie	50 tonnes
Pays – Bas	20 tonnes
b) ex 03.01 B I c) - Autres poissons de mer (à l'exclusion des anchois) frais, réfrigérés ou congelés, entiers, décapités ou tronçonnés	
Union économique belgo-luxembourgeoise	60 tonnes
République fédérale d'Allemagne	390 tonnes
France	50 tonnes
Italie	370 tonnes
Pays-Bas	30 tonnes

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No1/67

II.

a) ex 03.01 B I b) - Thons frais, réfrigérés ou congelés, entiers, décapités ou tronçonnés¹	
Union économique belgo-luxembourgeoise	75 tonnes
République fédérale d'Allemagne	250 tonnes
France	25 tonnes
Italie	1.150 tonnes
Pays-Bas	150 tonnes
b) 03.03 A I - Langoustes et homards	
Union économique belgo-luxembourgeoise	135 tonnes
République fédérale d'Allemagne	150 tonnes
France	325 tonnes
Italie	50 tonnes
Pays-Bas	90 tonnes
c) 03.03 A II - Crabes, crevettes et écrevisses	
Union économique belgo-luxembourgeoise	95 tonnes
République fédérale d'Allemagne	140 tonnes
France	500 tonnes
Italie	50 tonnes
Pays-Bas	65 tonnes
d) ex 03.03 B III b)– Seiches, calmars et poulpes	
France	50 tonnes

2. Le droit de douane applicable aux produits importés dans la limite de ces contingents est, dans chaque Etat membre, égal:

- a) pour les produits figurant au tableau I, à la moitié du droit du tarif douanier commun, en vigueur à la date de l'importation;
- b) pour les produits figurant au tableau II, au droit de douane applicable aux importations des mêmes produits en provenance des autres Etats membres.

¹ Cette position comprend entre autres les espèces *thynnus pelamis* ('pélamides') et *thunnus thynnus* ("toriks" et "orkinos").

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3. Les contingents sont valables du 1er janvier au 31 décembre de chaque année.

Toutefois, lors de la première application du présent article, les contingents sont valables du 1er décembre 1967 au 31 décembre 1968; pour cette période, leur montant est augmenté d'un douzième des montants prévus au paragraphe 1.

4. Le régime prévu au présent article est applicable jusqu'à l'entrée en vigueur, dans la Communauté, de la politique commune de la pêche.

Article 2

Les raisins frais de table, de la position tarifaire ex 08.04 A, originaires et en provenance de la Turquie, sont soumis, lors de leur importation dans la Communauté, pendant la période allant du 18 juin au 17 juillet de chaque année, à un droit de douane égal à la moitié du droit du tarif douanier commun en vigueur à la date de l'importation.

Article 3

1. Dans l'attente de l'application du régime général prévu au paragraphe 5, deuxième alinéa, la Communauté applique aux produits suivants, originaires et en provenance de la Turquie, les droits du tarif douanier commun en vigueur à la date de l'importation, réduits de 20 % :

ex 08.02 A oranges fraîches

ex 08.02 B mandarines et clémentines fraîches

ex 08.02 C citrons frais

2. Pendant la période d'application des prix de référence, les dispositions du paragraphe 1 sont applicables à condition que les prix des agrumes importés de Turquie soient, sur le marché intérieur de la Communauté, après dédouanement et compte tenu des coefficients d'adaptation valables pour les diverses catégories d'agrumes, supérieurs ou égaux aux prix de référence de la période concernée, majorés de l'incidence du tarif douanier commun sur ces prix de référence, d'une somme forfaitaire de 1,20 unité de compte les 100 kilogrammes ainsi que des frais de transport et autres taxes à l'importation prévus pour le calcul des prix d'entrée visés au règlement no: 23 portant établissement graduel d'une organisation commune des marchés dans le secteur des fruits et légumes¹, modifié par le règlement no: 65/65/CEE².
3. Les dispositions de l'article 11 du règlement no: 23, modifié par le règlement no: 65/65/CEE, demeurent applicables.
4. Lorsque les exportations de la Turquie vers la Communauté dépassent annuellement 10.000 tonnes pour les oranges, mandarines et clémentines fraîches et 10.000 tonnes

¹ *Journal Officiel des Communautés Européennes* no: 30 du 20 avril 1962, p.965/62.

² *Journal Officiel des Communautés Européennes* no: 86 du 20 mai 1965, p.1458/65.

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No1/67**

pour les citrons frais et pour autant que ces exportations soient susceptibles de créer des difficultés réelles pour les exportations similaires des Etats membres ou des fournisseurs traditionnels de ceux-ci, la Communauté, après consultation de la Turquie, peut prendre les mesures nécessaires.

5. Les dispositions du présent article seront mises en œuvre dès que la Communauté aura arrêté les modalités d'application nécessaires..

Elles resteront d'application jusqu'à l'entrée en vigueur dans la Communauté, pour les mêmes produits, du régime général applicable à l'égard des principaux producteurs du bassin méditerranéen, régime qui se substituera à celui défini par le présent article.

Article 4

1. Pour les vins de qualité de la position ex 22.05 B, originaires et en provenance de la Turquie, dont la liste sera fixée ultérieurement par le Conseil d'Association, répondant aux normes applicables en matière d'appellation contrôlée, qui seront également définies ultérieurement par le Conseil d'Association, et qui sont transportés directement de la Turquie dans l'Etat membre destinataire, les Etats membres ouvrent annuellement les contingents tarifaires suivants:

Union économique belgo-luxembourgeoise	1.000 hectolitres
République fédérale d'Allemagne	3.000 hectolitres
France	500 hectolitres
Italie	500 hectolitres
Pays-Bas	1.000 hectolitres

2. Le droit de douane applicable aux produits importés dans la limite de ces contingents est, dans chaque Etat membre, égal à la moitié du droit du tarif douanier commun, en vigueur à la date de l'importation.

3. Les contingents sont valables du 1er janvier au 31 décembre de chaque année.

Toutefois, lors de la première application du présent article, les contingents tarifaires sont valables, sous réserve des décisions ultérieures du Conseil d'Association prévues au paragraphe 1, du 1er décembre 1967 au 31 décembre 1968; pour cette période, leur montant est augmenté d'un douzième des montants prévus au paragraphe 1.

4. Le régime prévu au présent article est applicable jusqu'à l'entrée en vigueur, dans la Communauté, de la politique viti-vinicole commune.

Recommandation du Conseil
d'Association No1/67

Article 5

1. Pour l'importation, dans la Communauté, des produits originaires et en provenance de la Turquie, les contingents tarifaires suivants sont ouverts annuellement:

55.08	Tissus de coton bouclés du genre éponge	75 tonnes
55.09	Autres tissus de coton	105 tonnes
60.05	Vêtements de dessus, accessoires du vêtement et autres articles de bonneterie non élastique ni caoutchoutée	30 tonnes
62.02	Linge de lit, de table, de toilette, d'office ou de cuisine; rideaux, vitrages et autres articles d'ameublement	30 tonnes

Les modalités de gestion des contingents tarifaires à partir du 1er juillet 1968 seront ultérieurement définies par la Communauté.

2. Pour la période du 1er décembre 1967 au 30 juin 1968, les contingents prévus au paragraphe 1 sont ouverts par les Etats membres selon la répartition suivante:

55.08	<u>Tissus de coton bouclés du genre éponge</u>	
	République fédérale d'Allemagne	16 tonnes
	France	11 tonnes
	Italie	15 tonnes
55.09	<u>Autres tissus de coton</u>	
	République fédérale d'Allemagne	24 tonnes
	France	24 tonnes
	Italie	15 tonnes
60.05	<u>Vêtements de dessus, accessoires du vêtement et autres articles de bonneterie non élastique ni caoutchoutée</u>	
	République fédérale d'Allemagne	6 tonnes
	France	6 tonnes
	Italie	6 tonnes
62.02	<u>Linge de lit, de table, de toilette, d'office ou de cuisine ; rideaux, vitrages et autres articles d'ameublement</u>	
	République fédérale d'Allemagne	6 tonnes
	France	6 tonnes
	Italie	6 tonnes

**Recommandation du Conseil
d'Association No1/67**

3. Le droit de douane applicable aux produits importés dans la limite des contingents prévus au présent article est, dans chaque Etat membre, égal à la moitié du droit du tarif douanier commun en vigueur à la date de l'importation.

Article 6

A partir du 1er décembre 1967, les importations dans la Communauté de tapis fabriqués à la main, originaires et en provenance de la Turquie, sont soumises aux droits suivants:

ex 58.01 A	Tapis de laine ou de poils fins, fabriqués à la main	24 % avec un maximum de perc. de 4 U.C. par m2
ex 58.01 B	Tapis de soie, fabriqués à la main	20 %
ex 58.01 C	Tapis d'autres matières textiles, fabriqués à la main	12 %
ex 58.02 A	Autres tapis fabriqués à la main	20 %
ex 58.02 B	Tissus dits Kélim ou Kilim, tissés à la main	10,5 %

Article 7

La présente décision sera mise en application par la Communauté et ses Etats membres dans les plus brefs délais possibles.

Elle reste valable jusqu'à l'entrée en vigueur du Protocole additionnel prévu à l'article 1er du protocole no. 1 annexé à l'Accord d'Ankara et, au plus tard, jusqu'à la date prévue au paragraphe 3 de l'article 1er dudit Protocole.

Fait à Bruxelles, le 1er décembre 1967

**Par le Conseil d'Association
Le Président
H.G.SACHS**

**Décision du Conseil d'Association
No.1/67**

RECOMMANDATION DU CONSEIL D'ASSOCIATION No 1/67 adressé aux Etats membres de la Communauté et à la Turquie relative aux travaux préparatoires pour le passage à la phase transitoire prévue dans l'Accord d'Association

LE CONSEIL D'ASSOCIATION,

détermine à poursuivre et à développer la coopération satisfaisante pratiquée jusqu'à présent entre la Turquie et la Communauté Economique Européenne dans l'application de l'Accord d'Ankara,

reconnaissant l'intérêt que présente l'établissement de liens encore plus étroits entre les Parties Contractantes, notamment pour le développement accéléré de l'économie turque, et ce en corrélation avec les mesures adoptées dans ce but par le Gouvernement turc,

désireux de promouvoir le renforcement continu et équilibré de leurs relations mutuelles,

eu égard à la possibilité prévue par l'Accord d'Ankara d'intensifier la coopération entre la Turquie et la Communauté Economique Européenne pendant une phase transitoire consécutive à la phase préparatoire actuelle,

eu égard, en outre, au fait que, conformément aux dispositions de l'Accord d'Ankara et en particulier de l'article premier du protocole provisoire annexé à cet Accord, il incombe au Conseil d'Association d'examiner après 30 novembre 1968 s'il peut, compte tenu de la situation économique de la Turquie, arrêter les conditions, les modalités et le calendrier de la phase transitoire,

prenant en considération le fait que la mise en place progressive d'une union douanière entre la Turquie et la Communauté et le rapprochement de la politique économique de la Turquie vers celle de la Communauté sont prévus au cours de cette phase transitoire,

**Décision du Conseil d'Association
No.1/67**

RECOMMANDE:

Les deux délégations commenceront dès maintenant leurs travaux préparatoires respectifs pour l'examen des problèmes relatifs au passage à la phase transitoire, en vue de l'accomplissement des tâches qui, en la matière, incombent au Conseil d'Association en vertu de l'Accord d'Ankara.

Elles prendront en particulier toutes les mesures nécessaires pour que ces travaux préparatoires soient suffisamment avancés au moment de l'examen prévu par l'article premier du Protocole Provisoire annexé à l'Accord d'Ankara.

A cet effet, les deux délégations jugent indispensable une coopération aussi étroite et efficace que possible dès le début de ces travaux. C'est pourquoi, pendant l'exécution de ceux-ci, elles établiront entre elles des contacts étroits afin d'échanger tous renseignements utiles pour permettre, par une large information réciproque, la préparation efficace des délibérations du Conseil d'Association.

Fait à Ankara, le 9 octobre 1967

**Par le Conseil d'Association
Le Président
C. SCHMID**

**Décision du Conseil d'Association
No2/67**

DÉCISION DU CONSEIL D'ASSOCIATION No 2/67 concernant les vins de qualité

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie et notamment l'article 6 du Protocole no: 1 annexé à cet Accord,

vu l'article 4 de la décision du Conseil d'Association no: 1/67 du 1er décembre 1967 relative à l'application de l'article 6 du Protocole no: 1 annexé à l'Accord d'Ankara,

considérant que le Conseil d'Association, en vertu de cette décision, est appelé à fixer la liste des vins de qualité de la position ex 22.05 B, originaires et en provenance de la Turquie, et à définir les normes applicables à ces vins en matière d'appellation contrôlée,

DECIDE:

Article 1er

Les vins qui peuvent être importés en application de l'article 4 de la décision du Conseil d'Association no: 1/67 sont ceux qui figurent en Annexe I, pour autant qu'ils répondent aux critères de la description analytique de l'annexe II.

Les caractéristiques visées aux Annexes I et II ainsi que l'exemption de coupage des vins turcs de qualité qui pourront être exportés vers les Etats membres de la C.E.E. dans la limite du contingent tarifaire de 6.000 hl seront garanties par un certificat établi par la Direction Générale des Monopoles de Turquie, après un contrôle effectué conformément à la législation turque en la matière, qui sera communiquée à la Communauté et aux Etats membres par la Turquie.

Article 2

La présente décision reste valable jusqu'à l'entrée en vigueur dans la Communauté de la politique viti-vinicole commune et au plus tard jusqu'au 31 décembre 1968.

Fait à Bruxelles, le 19 décembre 1967

**Par le Conseil d'Association
Le Président
H.G.SACHS**

ANEXXE I
LISTE DES VINS DE QUALITE

	Cépage	Région viticole	Localités
1. Vins rouges de qualité			
A.	PAPAZKARASI	TRAKYA	ASLIHAN, KIRCASALIH, YENIKÖY, KIRKLARELI
B.	ADAKARASI	MARMARA	AVŞA ADASI
C.	KALECIKKARASI	ANKARA	KALECIK, KIRIKKALE, ÇUBUK
D.	ÖKÜZGÖZÜ, BOGAZDERE	ELAZIG	ELAZIG
2. Vins blancs de qualité			
A.	HASANDERE	ANKARA	KIRIKKALE, SUNGURLU
B.	EMIR	NEVSEHIR	ÜRGÜP, COKE, AVCILAR
C.	NARINCE	TOKAT	KAZOVA VADISI

N.B.: Les vins de qualité devront être commercialisés à l'intérieur de la C.E.E. sous le nom de cépage suivi du nom de la région viticole.

**Décision du Conseil d'Association
No2/67**

**ANEXXE II
DESCRIPTION ANALYTIQUE**

	VINS ROUGES				VINS BLANCS		
	I. A	I. B	C	I. D	A	B	C
1. Couleur	rouge	Rouge	rouge	rouge foncé	jaune verdâtre	jaune clair jusqu'à verdâtre	verdâtre
2. Limpidité	rouge limpide	Limpide	limpide	limpide	Limpide	Limpide	limpide
3. Dégustation	arôme particulier	Arôme de fruit particulier	arôme fruité particulier	arôme particulier	sec, rafraîchissant, arôme particulier	sec, arôme particulier	Demi-sec, arôme fruité particulier
4. Densité 20°/20°	0,992-0,995	0,993-0,995	0,992-0,995	0,991-0,994	0,990-0,994	0,990-0,993	0,999-1,005
5. P H	3,38-3,56	-	3,30-3,80	-	3,00-3,50	3,18-3,80	3,20-3,70
6. Degré alcoolique à 20° C en volume %	12,0-13,0	12,0-13,0	12,5-13,5	11,0-12,5	11,5-12,5	11,0-12,5	11,0-12,0
7. Sucres réducteurs, gr/lit.	max. 2,0	max. 2,0	max. 2,0	max. 2,0	max. 2,0	max. 2,5	11 – 27
8. Extrait sec sans sucre par densimétrie 20° / 20°, gr/lit	23 – 28	22 – 30	23 – 30	22 – 29	21 – 25	17 – 22	19 - 24
9. Acidité totale (en H2 SO4) gr/lit	2,9-4,1	3,0-4,2	3,0-4,5	3,4-4,5	3,5-4,5	3,0-4,0	3,0-4,0
10. Acidité tartrique (en H2 SO4) gr/lit	2,2-3,4	2,3-3,5	2,3-3,8	2,7-3,8	2,9-3,9	2,4-3,4	2,4-3,4
11. Acidité volatile (en H2 SO4) gr/lit	max. 0,7.	max. 0,7	max. 0,7	max. 0,7	max. 0,6	max. 0,6	max. 0,6
12. Anhydride sulfureux libre gr/lit	max. 0,030	max. 0,030	max. 0,030	max. 0,030	max. 0,035	max. 0,035	max. 0,035
13. Anhydride sulfureux total gr/lit	max. 0,150	max. 0,150	max. 0,150	max. 0,150	max. 0,250	max. 0,250	max. 0,250
14. Gendres gr/lit	2,20-2,80	2,00-3,00	2,30-3,00	2,00-2,80	1,90-2,50	1,50-2,00	1,82-2,50

**Décision du Conseil d'Association
No1/68**

DÉCISION DU CONSEIL D'ASSOCIATION No 1/68 concernant les vins de qualité

LE CONSEIL D'ASSOCIATION,

vu l'accord créant une association entre la Communauté Economique Européenne et la Turquie et notamment l'article 6 du protocole no : 1 annexé à cet accord,

vu l'article 4 de la décision du Conseil d'Association no 1/67 du 1er décembre 1967 relative à l'application de l'article 6 du protocole no 1 annexé à l'accord d'Ankara,

considérant que le Conseil d'Association a fixé, par sa décision no 2/67, en vue de l'application de l'article 4 de sa décision no 1/67, la liste des vins de qualité et leur description analytique pour une période allant jusqu'à l'entrée en vigueur dans la Communauté de la politique viti-vinicole commune et au plus tard jusqu'au 31 décembre 1968; que cette politique commune n'est pas encore entrée en vigueur et qu'il convient dès lors de proroger la décision no 2/67,

DECIDE:

Article unique

Le texte de l'article 2 de la décision du Conseil d'Association no 2/67 est remplacé par le texte suivant:

"La présente décision reste valable jusqu'à l'entrée en vigueur dans la Communauté de la politique viti-vinicole commune et au plus jusqu'au 31 décembre 1969."

Fait à Bruxelles, le 20 décembre 1968

**Par le Conseil d'Association
Le Président
G. BOMBASSEI de VETTOR**

**Décision du Conseil d'Association
No1/68****RECOMMANDATION DU CONSEIL D'ASSOCIATION No 1/68 adressée à la
Turquie et aux Etats membres de la Communauté, en vertu de l'article 22 de l'Accord
d'Association, au sujet du certificat de circulation en vue du fonctionnement du régime
des échanges préférentiels de marchandises dans le cadre de l'Association**

Par sa décision no:1/67 du 1er décembre 1967, le Conseil d'Association C.E.E. – Turquie a institué, en sus des contingents tarifaires pour les produits énumérés à l'article 2 du Protocole provisoire annexé à l'Accord d'Ankara, de nouvelles mesures en vue de favoriser l'écoulement de certains produits turcs sur le marché de la Communauté. L'application desdites mesures étant limitée, abstraction faite d'éventuelles conditions d'octroi supplémentaires, aux produits originaires et en provenance de la Turquie, il est souhaitable que les autorités des Etats membres aient la possibilité d'effectuer le contrôle de l'origine et de la provenance des produits en question, selon les mêmes méthodes que celles recommandées dans la recommandation no: 1/64.

Pour tenir compte de ce que, dans certains cas, le traitement préférentiel est octroyé sous une forme autre que celle d'un contingent tarifaire, il est indiqué d'apporter un nombre réduit de modifications d'ordre rédactionnel au certificat de circulation annexé à la recommandation no: 1/64.

Pour ces motifs et en vertu de l'article 22 de l'Accord d'Ankara, le Conseil d'Association recommande aux Gouvernements de la Turquie et des Etats membres de la Communauté de prendre les dispositions nécessaires pour que le trafic préférentiel des marchandises entre la Turquie et les Etats membres soit effectué à partir du 1er juillet 1968, mais sous réserve des certificats délivrés par les autorités compétentes avant cette date, sous la couverture du certificat de circulation modifié qui est annexé à la présente recommandation et qui en fait partie intégrante.

Fait à Luxembourg, le 5 avril 1968

**Par le Conseil d'Association
Le Président
I.S. ÇAGLAYANGIL**

ANNEXE

CERTICAT DE CIRCULATION DES MARCHANDISES¹

Recto : reste inchangé

Verso

I. Conditions de délivrance du certificat de circulation

Peuvent donner lieu au visa d'un certificat de circulation les produits originaires de la Turquie susceptibles de bénéficier, à l'importation dans la C.E.E., d'un traitement tarifaire préférentiel en application des articles 2 et 6 du Protocole provisoire annexé à l'Accord d'Ankara.

Les autorités douanières turques refusent leur visa lorsqu'il n'est pas établi à leur satisfaction que les marchandises sont exportées à destination d'un Etat membre de la Communauté Economique Européenne.

II. Règles à observer pour l'établir

1. Le certificat de circulation est rédigé dans l'une des langues officielles de la Communauté Economique Européenne.
2. Le certificat de circulation est établi à la machine à écrire ou à la main; dans ce dernier cas, il doit être rempli à l'encre, en lettres majuscules. Il ne doit comporter ni grattages, ni surcharges. Les modifications qui y sont apportées doivent être effectuées en biffant les indications erronées et en ajoutant, le cas échéant, les indications voulues. Toute modification ainsi opérée doit être approuvée par son auteur et visée par les autorités douanières.
3. Les espaces non utilisés de la case destinée à la désignation des marchandises doivent être barrés, de façon à rendre impossible toute adjonction ultérieure.

III. Portée du certificat

Sur présentation du certificat de circulation, les marchandises qui y sont décrites seront admises au bénéfice du traitement préférentiel prévu à leur égard pour autant que les conditions d'octroi supplémentaires requises, notamment au titre de la décision no: 1/67 du Conseil d'Association C.E.E. – Turquie, soient réunies. Pour les marchandises dont le transport s'est effectué avec emprunt du territoire d'un ou de plusieurs pays tiers à l'Association, ce bénéfice ne peut être accordé qu'à condition que la durée du séjour n'ait pas dépassé le temps nécessaire à la traversée du territoire ou, en cas de changement du moyen de transport, au transbordement.

¹ Les modifications par rapport à la recommandation no: 1/64 sont soulignées.

**Décision du Conseil d'Association
No1/68**

IV. Délai de présentation

Le certificat de circulation doit être produit dans le délai de deux mois, à compter de la date de son visa, au bureau de douane de l'Etat membre d'importation où la marchandise est présentée.

Résolution du 9 décembre 1968**RESOLUTION adoptée par le Conseil d'Association C.E.E.-Turquie lors de sa 9^{ème} session du 9 décembre 1968, relative aux questions concernant le passage de la phase préparatoire à la phase transitoire de l'Accord d'Association****LE CONSEIL D'ASSOCIATION;**

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie et notamment son article 8 ainsi que 17, article premier, paragraphe 1er, alinéa 1er de son Protocole provisoire,

considérant qu'aux termes des dispositions précitées, il appartient au Conseil d'Association d'examiner, quatre ans après l'entrée en vigueur de l'Accord, si, compte tenu de la situation économique de la Turquie, il lui est possible d'arrêter, sous forme d'un Protocole additionnel, les dispositions concernant les conditions, modalités et rythme de réalisation de la phase transitoire visée à l'article 4 de l'Accord d'Association,

Prenant en considération les résultats satisfaisants déjà atteints depuis l'entrée en vigueur de l'Accord,

convaincu que les obligations réciproques et équilibrées de la phase transitoire de l'Association seront adaptées à l'évolution générale de l'économie turque qui ne doit pas être compromise par une confrontation brusque avec les économies des pays membres des Communautés, désireux de poursuivre le renforcement des relations entre la Communauté et la Turquie en prenant en considération les problèmes du développement de la Turquie et la nécessité de continuer à lui accorder une aide économique pendant une période déterminée,

EST CONVENU:

1. d'entamer ce jour la procédure visée à l'article premier, paragraphe 1er du Protocole provisoire en vue d'arrêter le Protocole additionnel définissant les conditions, modalités et rythme de réalisation de la phase transitoire;
2. de charger le Comité d'Association de commencer sans délai les travaux nécessaires et de lui faire rapport pour la deuxième moitié du mois d'avril 1969.

Le Comité d'Association est habilité à créer tout groupe de travail qui lui apparaîtrait nécessaire pour l'assister dans l'accomplissement de sa tâche et à prendre toutes mesures pour accélérer ses travaux.

3. d'ouvrir, simultanément, entre les Etats membres et la Turquie des négociations en vue de l'établissement d'un nouveau Protocole financier.

Fait à Bruxelles, le 9 décembre 1968

**Par le Conseil d'Association
Le Président
G.MEDICI**

**Décision du Conseil d'Association
No 1/69**

DÉCISION DU CONSEIL D'ASSOCIATION No 1/69 concernant les vins de qualité

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une association entre la Communauté Economique Européenne et la Turquie et notamment l'article 6 du Protocole no: 1 annexé à cet Accord,

vu l'article 4 de la décision du Conseil d'Association no: 1/67 du 1er décembre 1967 relative à l'application de l'article 6 du Protocole no: 1 annexé à l'Accord d'Ankara,

considérant que le Conseil d'Association a, par sa décision no: 2/67 fixé, en vue de l'application de l'article 4 de sa décision no: 1/67, la liste des vins de qualité et leur description analytique pour une période allant jusqu'à l'entrée en vigueur dans la Communauté de la politique viti-vinicole commune et au plus tard jusqu'au 31 décembre 1968 ; que cette décision a été prorogée jusqu'au 31 décembre 1969 par sa décision no: 1/68; que la politique viti-vinicole commune n'est pas encore entrée en vigueur et qu'il convient dès lors de proroger à nouveau la décision no: 2/67;

DECIDE:

Article unique

Le texte de l'article 2 de la décision du Conseil d'Association no: 2/67 est remplacé par le texte suivant:

“La présente décision reste valable jusqu'à l'entrée en vigueur dans la Communauté de la politique viti-vinicole commune et au plus tard jusqu'au 31 décembre 1970.”

Fait à Bruxelles, le 15 décembre 1969

**Par le Conseil d'Association
Le Président
D.P. SPIERENBURG**

**Décision du Conseil d'Association
No 2/69**

**DECISION DU CONSEIL D'ASSOCIATION NO 2/69 portant constitution d'un
Comité de Coopération douanière**

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie et notamment son article 24,

DECIDE:

Article 1er

Il est institué un Comité de Coopération douanière fonctionnant sous l'autorité du Comité d'Association.

Article 2

Le Comité de Coopération douanière est chargé d'assurer la coopération administrative entre les parties contractantes en vue d'une application correcte et uniforme des dispositions douanières de l'Accord d'Association et d'exécuter toute autre tâche dans le domaine douanier que le Comité d'Association pourrait lui confier.

Article 3

Le Comité de Coopération douanière est composé, d'une part, d'experts douaniers des Etats membres et de fonctionnaires des services de la Commission qui ont les questions douanières dans leurs attributions et, d'autre part, d'experts douaniers de la Turquie. Il se réunit sous la présidence des services de la Commission.

**Décision du Conseil d'Association
No 2/69**

Article 4

Le Comité de Coopération douanière informe régulièrement le Comité d'Association de tous ses travaux et lui soumet au préalable l'ordre du jour de ses réunions. Ces informations et communications auront lieu par l'entremise du secrétariat du Conseil d'Association. Dans tous les cas soulevant une question de principe ou d'interprétation de l'Accord, le Comité de Coopération douanière devra saisir le Comité d'Association.

Fait à Bruxelles, le 15 décembre 1969

**Par le Conseil d'Association
Le Président
D.P. SPIERENBUR**

Résolution du 13 mai 1969

RESOLUTION adoptée par le Conseil d'Association C.E.E. –Turquie lors de sa 10ème session du 13 mai 1969, relative aux questions concernant le passage de la phase préparatoire à la phase transitoire de l'Accord d'Association

LE CONSEIL D'ASSOCIATION,

se référant à sa résolution adoptée lors de sa 9ème session le 9 décembre 1968, relative aux questions concernant le passage de la phase préparatoire à la phase transitoire de l'Accord d'Association et à l'établissement d'un nouveau Protocole financier,

tenant compte du fait qu'il serait souhaitable que la phase préparatoire prenne fin le 1er décembre 1969 et que l'entrée en vigueur du Protocole additionnel à cette date favoriserait l'évolution de l'économie turque,

ayant pris connaissance du rapport du Comité d'Association en date du 30 avril 1969 concernant les travaux relatifs au passage à la phase transitoire de l'Accord d'Association,

convaincu de la nécessité d'un rapprochement concret des positions des deux délégations afin qu'un Protocole additionnel satisfaisant puisse être élaboré,

EST CONVENU de changer le Comité d'Association

1. de continuer sans tarder, conformément à la lettre de l'Accord d'Ankara, l'élaboration d'un Protocole additionnel ayant en vue les objectifs de l'Association et du développement économique de la Turquie.
2. d'organiser et de poursuivre les travaux y relatifs, de manière à présenter un deuxième rapport sur l'état d'avancement des négociations à la prochaine session du Conseil d'Association prévue pour la fin du mois de juillet 1969.

Fait à Luxembourg, le 13 mai 1969

**Par le Conseil d'Association
Le Président
I.S.ÇAGLAYANGIL**

**Décision du Conseil d'Association
No 1/71**

DÉCISION DU CONSEIL D'ASSOCIATION No 1/71 relative à l'application de l'article 6 du Protocole no 1 annexé à l'Accord d'Ankara aux produits du secteur de la pêche

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une association entre la Communauté Economique Européenne et la Turquie et notamment l'article 6 du Protocole no 1 (Protocole provisoire) annexé à cet Accord,

considérant que, par la décision no 1/67 du 1er décembre 1967, le Conseil d'Association a fixé un régime de contingents tarifaires applicable à l'importation dans les Etats membres de la Communauté, provenance de Turquie; que ce régime est applicable jusqu'à l'entrée en vigueur, dans la Communauté, de la politique commune de la pêche;

considérant que cette politique commune a été mise en application le 1er février 1971, et qu'il convient d'adopter un régime qui garantisse à la Turquie des possibilités d'exportation vers la Communauté de produits de ce secteur, au moins aussi favorables que celles qui résultent de l'application du régime découlant de la décision no 1/67,

DECIDE:

Article 1er

Les produits dont la liste est en dessous, sont originaires de Turquie, sont admis, à l'importation dans la Communauté, à des droits de douane égaux à 50 % du tarif douanier commun.

No du tarif douanier commun	Désignation des marchandises
03.01	<p>Poissons frais (vivants ou morts), réfrigérés ou congelés</p> <p>B. de mer</p> <p>I. Entiers, décapités ou tronçonnés:</p> <p>e) Squales</p> <p>f) Rascasses du Nord ou sébastes (<i>Sébastes marinus</i>)</p> <p>g) Flétans (<i>Hippoglossus vulgaris</i>, <i>Hippoglossus reinhardtius</i>)</p> <p>h) Cabillauds (<i>Gadus morrhua</i> ou <i>Gadus callarias</i>)</p> <p>ij) Lieux noirs (<i>Pollachius virens</i> ou <i>Gadus virens</i>)</p> <p>k) Eglefins</p> <p>l) Merlans (<i>Merlangius merlangus</i>)</p> <p>m) Maquereaux</p> <p>n) Plies ou carrelets</p> <p>o) Dorades de mer des espèces <i>Dentex dentex</i> et <i>Pagellus</i></p> <p>p) autres</p>

Décision du Conseil d'Association
No 1/71

No du tarif douanier commun	Désignation des marchandises
03.03	<p>Crustacés et mollusques, y compris les coquillages (même séparés de leur carapace ou coquille), frais (vivants, sales ou en saumure, crustacés non décortiqués, simplement cuits à l'eau</p> <p>B. mollusques, y compris les coquillages</p> <p>IV. autres</p> <p>a) Congelés:</p> <p>1. Calmars:</p> <p>aa) Ommastrephes sagittatus et Loligo sp.p.</p> <p>bb) autres</p> <p>2. Seiches des espèces <i>Speia officinalis</i>, <i>Rossia macro-soma</i>, <i>Sepiola rondeleti</i></p> <p>3. Poulpes des espèces <i>octopus</i></p> <p>4. Autres</p> <p>b) Autres:</p> <p>1. Calmars (<i>Ommastrephes sagittatus</i> et <i>Loligo</i> sp. p.)</p> <p>2. Non dénommés</p>

Article 2

Les produits énumérés ci-après, originaires de Turquie, sont admis, à l'importation dans la Communauté, à des droits de douane égaux à 40 % du tarif douanier commun.

No du tarif douanier commun	Désignation des marchandises
03.01	<p>Poissons frais (vivants ou morts), réfrigérés ou congelés</p> <p>A. d'eau douce:</p> <p>II. Anguilles</p>

Décision du Conseil d'Association
No 1/71

Article 3

Les produits dont la liste suit, originaires de Turquie, sont admis à l'importation dans la Communauté en exemption de droits de douane.

No du tarif douanier commun	Désignation des marchandises
03.01	Poissons frais (vivants ou morts), réfrigérés ou congelés: B. de mer I. entiers, décapités ou tronçonnés c) Thons ¹
03.03	Crustacés et mollusques, y compris les coquillages (même séparés de leur carapace ou coquille), frais (vivants, sales ou en saumure, crustacés non décortiqués, simplement cuits à l'eau A. Crustacés: I. Langoustes II. Homards (Homaurs sp.p.) III. Crabes et écrevisses IV. Crevettes

Article 4

Les dispositions de l'article 18 du règlement no : 2142/70 du Conseil des Communautés Européennes portant organisation commune des marchés dans le secteur des produits de la pêche, demeurent applicables.

¹ Cette position comprend entre autres les espèces *thynnus pelamis* ("pelamides") et *thunnus thynnus* ("troiks" et "orkinos").

**Décision du Conseil d'Association
No 1/71**

Article 5

La présente décision sera mise en application par la Communauté le 1er juillet 1971.

Fait à Bruxelles, le 21 juin 1971

**Par le Conseil d'Association
Le Président
Z.MÜEZZINOGLU**

**Décision du Conseil d'Association
No 2/71**

DÉCISION DU CONSEIL D'ASSOCIATION No 2/71 fixant le pourcentage des droits du tarif douanier commun à prendre en considération pour la détermination du taux du prélèvement prévu à l'article 2 paragraphe 1 de l'Accord intérimaire

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une association entre la Communauté Economique Européenne et la Turquie,

vu l'Accord intérimaire, et notamment son article 2 paragraphe 1,

considérant que les marchandises obtenues en Turquie dans les circonstances visées à l'article 2 paragraphe 1 de l'Accord intérimaire, à l'exception des produits agricoles, des produits soumis à une réglementation spécifique comme conséquence de la mise en œuvre de la politique agricole commune, ainsi que de quelques autres produits, bénéficient, à l'importation dans la Communauté, de l'exemption totale des droits de douane; que les produits qui, à l'importation dans la Communauté, bénéficient d'une réduction tarifaire dont le pourcentage varie selon leur espèce, ne sont généralement pas obtenus dans les circonstances ci-dessus;

considérant que les mêmes marchandises obtenues dans la Communauté bénéficient, à l'importation de la Turquie, d'une réduction tarifaire qui s'élève à 10 ou 5 % selon qu'elles figurent ou non à l'annexe no : 3 de l'Accord intérimaire;

considérant qu'il convient de fixer à 100 le pourcentage des droits du tarif douanier commun à prendre en considération pour la détermination du prélèvement compensateur à percevoir lors de l'exportation de la Turquie; que, par contre, il n'y a pas lieu de percevoir le prélèvement compensateur lors de l'exportation de la Communauté;

considérant que, pour les produits relevant de la Communauté Européenne du Charbon et de l'Acier, il n'existe pas le tarif douanier commun,

DECIDE:

Article unique

A compter du 1er septembre 1971, le pourcentage des droits du tarif douanier commun à prendre en considération pour la détermination du prélèvement compensateur visé à l'article 2 de l'Accord intérimaire est fixé à 100 pour les marchandises obtenues en Turquie.

**Décision du Conseil d'Association
No 2/71**

Pour les marchandises dans la fabrication desquelles sont entrés des produits relevant de la Communauté Européenne du Charbon et de l'Acier, ce pourcentage s'applique au droit le plus élevé des tarifs douaniers harmonisés en vigueur dans les Etats membres de la Communauté à l'égard desdits produits.

Fait à Bruxelles, le 21 juin 1971

**Par le Conseil d'Association
Le Président
Z.MÜEZZINOGLU**

**Décision du Conseil d'Association
No 3/71**

DÉCISION DU CONSEIL D'ASSOCIATION No 3/71 fixant les modalités de perception du prélèvement compensateur prévu à l'article 2 paragraphe 1 de l'Accord intérimaire

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie,

vu l'Accord intérimaire, et notamment son article 2 paragraphe 1,

considérant que, conformément aux dispositions dudit article, les modalités de perception du prélèvement compensateur sur les marchandises obtenues dans la Communauté ou en Turquie, dans la fabrication desquelles sont entrés des produits en provenance de pays tiers qui ne se trouvaient en libre pratique ni dans la Communauté, ni en Turquie, doivent être déterminées en tenant compte des règles qui étaient en vigueur en la matière avant le 1er juillet 1968 dans les échanges entre les Etats membres;

considérant que, compte tenu de l'expérience acquise dans la Communauté en matière de perception du prélèvement compensateur sur les marchandises obtenues dans les circonstances visées ci-dessus, il est justifié de fier, pour le prélèvement applicable aux marchandises faisant l'objet d'échanges entre la Communauté et la Turquie, des modalités de perception analogues à celles que la Communauté a appliquées jusqu'à l'achèvement de l'union tarifaire.

considérant qu'il convient de prévoir des dispositions particulières pour tenir compte du fait que l'exonération des droits de douane dont bénéficient, dans certains cas, les produits entrés dans la fabrication des marchandises obtenues n'est que partielle,

DECIDE:

Article 1er

Le prélèvement compensateur à percevoir sur les marchandises obtenues dans les circonstances visées à l'article 2 de l'Accord intérimaire est calculé en fonction de l'espèce et de la valeur -ou, le cas échéant, d'une autre base d'imposition - des produits de pays tiers à l'Association entrés dans leur fabrication, telles qu'elles ont été établies par la douane lors de leur admission au régime sous lequel s'est effectuée ladite fabrication.

Article 2

La date à prendre en considération pour la détermination du taux de prélèvement compensateur est celle à laquelle l'exportation des marchandises visées ci-dessus est assurée.

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Toutefois, lorsque lesdites marchandises sont placées en entrepôt douanier dans l'Etat d'exportation avant d'être exportées, la date à prendre en considération est celle de l'entrée en entrepôt de ces marchandises.

Article 3

Dans le cas où, en vertu de régime douanier appliqué dans l'Etat d'exportation et comportant suspension ou restitution des droits de douane, l'exonération des droits dont bénéficient les produits de pays tiers à l'Association entrés dans la fabrication des marchandises obtenues n'est que partielle, le prélèvement compensateur n'est pas perçu jusqu'à concurrence du montant des droits effectivement perçus et non remboursés.

Article 4

La Communauté et la Turquie s'informent mutuellement et informent le Conseil d'Association des mesures qu'elles prennent en vue de l'application uniforme de la présente décision.

Fait à Bruxelles, le 21 juin 1971

**Par le Conseil d'Association
Le Président
Z.MÜEZZINOGLU**

**Décision du Conseil d'Association
No 4/71**

DÉCISION DU CONSEIL D'ASSOCIATION No 4/71 relative aux méthodes de coopération administrative pour l'application des articles 1er et 2 de l'Accord intérimaire

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie,

vu l'Accord intérimaire, et notamment son article 3,

considérant que, conformément aux dispositions dudit article, les méthodes de coopération administrative pour l'application des articles 1er et 2 de l'Accord intérimaire doivent être déterminées compte tenu des méthodes arrêtées à l'égard des échanges de marchandises entre les Etats membres;

considérant que, compte tenu de l'expérience acquise dans la Communauté en matière de méthodes de coopération administrative, il convient de déterminer des méthodes analogues à celles que la Communauté a appliquées jusqu'à la fin de la période de transition prévue à l'article 8 du traité instituant la Communauté Economique Européenne,

DECIDE:

TITRE I

GENERALITES

Article 1er

Les marchandises qui remplissent les conditions requises pour l'application des dispositions de l'Accord intérimaire relatives à l'élimination progressive, entre la Communauté et la Turquie, des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent, sont admises au bénéfice de ces dispositions dans les Etats membres ou en Turquie, sur présentation d'un titre justificatif délivré à la demande de l'exportateur par les autorités douanières de la Turquie ou d'un Etat membre.

Article 2

1. Lorsque les marchandises sont transportées directement d'un Etat membre en Turquie ou de la Turquie dans un Etat membre, le titre justificatif prévu à l'article 1er est constitué par le certificat de circulation des marchandises A.TR.1.

Dans les autres cas, ce titre justificatif est constitué par le certificat de circulation des marchandises A.TR.3.

2. Pour l'application des dispositions du paragraphe 1, sont considérées comme transportées directement de l'Etat membre en Turquie, ou de la Turquie dans un Etat membre:
 - (a) les marchandises dont le transport s'effectue sans emprunt de territoires autres que ceux de la Communauté ou de la Turquie;
 - (b) les marchandises dont le transport s'effectue avec emprunt de territoires autres que ceux de la Communauté ou de la Turquie ou avec transbordement dans de tels territoires pour autant que la traversée de ces territoires ou le transbordement s'effectue sous couvert d'un titre de transport unique établi dans la Communauté ou en Turquie.

Article 3

Lorsque le certificat de circulation des marchandises A.TR.1 ou A.TR.3 se rapporte à des marchandises obtenues, dans la Communauté, dans les conditions visées à l'article 2 de l'Accord intérimaire, il doit être revêtu d'une mention faisant apparaître cette particularité.

TITRE II

DISPOSITIONS PARTICULIERES AU CERTIFICAT DE CIRCULATION DES MARCHANDISES A.TR.1

Article 4

1. Le certificat de circulation des marchandises A.TR: 1 est visé lors de l'exportation des marchandises auxquelles il se rapporte par les autorités douanières de l'Etat d'exportation. Il est tenu à la disposition de l'exportateur dès que l'exportation réelle est effectuée ou assurée.

A titre exceptionnel, le certificat de circulation des marchandises A.TR.1 peut également être visé après l'exportation des marchandises auxquelles il se rapporte, lorsqu'il n'a pas été produit lors de cette exportation par suite d'une erreur ou d'une omission involontaire. Dans ce cas, le certificat est revêtu d'une mention spéciale indiquant les conditions dans lesquelles il a été visé.

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2. Le certificat de circulation des marchandises A.TR.1 ne peut être visé que dans le cas où il est susceptible de constituer le titre justificatif pour l'application du régime préférentiel prévu dans l'Accord intérimaire.

Article 5

Le certificat de circulation des marchandises A.TR.1 doit être produit dans un délai de trois mois à compter de la date du visa de la douane de l'Etat d'exportation, au bureau de douane de l'Etat d'importation où les marchandises sont présentées.

TITRE III

**DISPOSITIONS PARTICULIERES AU CERTIFICAT DE CIRCULATION DES
MARCHANDISES A.TR.3**

Article 6

Le certificat de circulation des marchandises A.TR.3 est délivré lors de l'exportation des marchandises auxquelles il se rapporte par les autorités douanières de l'Etat d'exportation. Il est tenu à la disposition de l'exportateur dès que l'exportation réelle est effectuée ou assurée.

En aucun cas, il ne peut être délivré de certificat de circulation des marchandises A.TR.3 après que l'exportation des marchandises a été effectuée.

Le certificat de circulation des marchandises A.TR.3 doit être établi de façon à permettre l'identification des marchandises auxquelles il se rapporte lors de leur importation. Les autorités douanières de l'Etat d'exportation prennent en outre toutes les mesures qu'elles estiment nécessaires pour faciliter cette identification et en font mention sur le certificat lui-même.

Article 7

Le certificat de circulation des marchandises A.TR.3 doit être produit aux autorités douanières de l'Etat d'importation dans un délai de six mois à compter du jour de sa délivrance. Il n'est valable que pour les quantités de marchandises présentées dans ledit Etat au cours de ce délai.

TITRE IV

**DISPOSITIONS COMMUNES AUX CERTIFICATS DE CIRCULATION DES
MARCHANDISES A.TR.1 ET A.TR.3**

Article 8

Les certificats de circulation des marchandises A.TR.1 et A.TR.3 doivent être établis sur des formulaires dont des modèles sont annexés à la présente décision. Ils sont établis dans une des

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langues dans lesquelles est rédigé l'Accord d'Association et en conformité avec les dispositions de droit interne de l'Etat d'exportation. Lorsque les certificats sont établis en turc, ils sont également établis dans une des langues officielles de la Communauté. Ils sont établis à la machine à écrire ou à la main; dans ce dernier cas, ils doivent être remplis à l'encre et en majuscules d'imprimerie.

Le format des certificats est de 210 x 297 mm. Le papier à utiliser est un papier de couleur blanche sans pâtes mécaniques, collé pour écriture et pesant au minimum 64 grammes au m². Il est revêtu d'une impression de fond guillochée de couleur verte rendant apparentes toutes les falsifications par moyens mécaniques ou chimiques.

Le recto de chaque certificat comporte une diagonale formée de trois bandes d'une largeur de 3 mm chacune et allant du coin inférieur gauche au coin supérieur droit. La diagonale du certificat de circulation des marchandises A.TR.1 est de couleur bleue, celle du certificat de circulation des marchandises A.TR.3, de couleur rouge.

Les Etats membres et la Turquie peuvent se réserver l'impression des certificats ou en confier le soin à des imprimeries ayant reçu leur agrément. Dans ce dernier cas, référence à cet agrément doit être faite sur chaque formulaire. Chaque certificat doit être revêtu d'une mention indiquant le nom et l'adresse de l'imprimeur ou d'un signe permettant son identification. Il porte, en outre, un numéro de série destiné à l'individualiser.

Article 9

Dans l'Etat d'importation, le certificat de circulation des marchandises est produit aux autorités douanières selon les modalités prévues par sa réglementation. Lesdites autorités ont la faculté d'en réclamer une traduction. Elles peuvent en outre exiger que la déclaration d'importation soit complétée par une mention de l'importateur attestant que les marchandises remplissent les conditions requises pour l'application des dispositions de l'Accord intérimaire.

TITRE V**DISPOSITIONS DIVERSES****Article 10**

Sont admis au bénéfice des dispositions de l'accord intérimaire relatives à l'élimination progressive, entre la Communauté et la Turquie, des droits de douane et des restrictions quantitatives, ainsi que de toutes mesures d'effet équivalent, sans qu'il y ait lieu de produire un certificat de circulation des marchandises A.TR.1 ou A.TR.3:

- (a) dès lors qu'ils sont déclarés comme répondant aux conditions requises pour l'application de ces dispositions et qu'il n'existe aucun doute quant à l'exactitude de cette déclaration, les objets passibles de droits accompagnant les voyageurs ou contenus dans leurs bagages, pour autant qu'il ne s'agisse pas d'objets destinés à des fins commerciales et que leur valeur globale ne dépasse pas 200 unités de compte;
- (b) les envois postaux (y compris les colis postaux) transportés directement de l'Etat d'exportation dans l'Etat d'importation, pour autant qu'il ne figure sur les emballages ou

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sur les documents d'accompagnement aucune indication faisant ressortir que les marchandises qu'ils contiennent ne répondent pas aux conditions visées aux articles 1er ou 2 de l'Accord intérimaire. Cette indication consiste en une étiquette jaune telle qu'elle est prévue dans le cadre du régime du transit communautaire apposée, dans tous les cas de ce genre, par les autorités compétentes de l'Etat d'exportation.

Article 11

En vue d'assurer une application correcte des dispositions de la présente décision, les Etats membres et la Turquie se prêtent mutuellement assistance, par l'entremise de leurs administrations douanières respectives, pour le contrôle de l'authenticité et de la régularité des certificats.

Article 12

La Turquie, les Etats membres et la Communauté prennent, chacun en ce qui le concerne, les mesures que comporte l'exécution des dispositions de la présente décision.

Article 13

Les modèles des certificats de circulation des marchandises A.TR.1 et A.TR.3 font partie intégrante de la présente décision.

Article 14

Les marchandises remplissant les conditions prévues à l'article 1er de l'Accord intérimaire, qui ont été exportées d'un Etat membre ou de la Turquie après la signature du Protocole additionnel visé à l'article 1er paragraphe 1 du Protocole provisoire annexé à l'Accord d'Ankara et qui, à la date d'entrée en vigueur de l'Accord intérimaire, se trouvent soit en cours de route, soit placé en Turquie ou dans un Etat membre sous le régime du dépôt provisoire, des entrepôts douaniers ou des zones franches, peuvent être admises au bénéfice des dispositions de l'Accord intérimaire sous réserve de la production -dans un délai expirant quatre mois à compter de cette date- aux services douaniers de l'Etat d'importation d'un certificat A.TR.1, visé à posteriori par les autorités compétentes de l'Etat d'exportation ainsi que des documents justifiant du transport direct.

Fait à Bruxelles, le 1er septembre 1971

**Par le Conseil d'Association
Le Président
Z.MÜEZZINOGLU**

CERTIFICAT DE CIRCULATION DES MARCHANDISES WARENVERKEHRSBESCHEINIGUNG
CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI CERTIFICAAT INZAKE GOEDERENVERKEER
MALLARIN TEDAVÛL BELGESİ

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- <http://ekutup.dpt.gov.tr/ab/okk2.pdf>

le.....
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(Signature du
fonctionnaire)

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(Signature du
fonctionnaire)

(1) Rayer la mention inutile

2. Les produits agricoles doivent en outre répondre aux conditions complémentaires prévues à leur égard.
3. Ne peuvent donner lieu au visa d'un certificat de circulation A.TR: 1 les marchandises importées primitivement de pays tiers au bénéfice d'un régime douanier particulier en raison de leur origine ou de leur provenance.

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II. CHAMP D'APPLICATION DU CERTIFICAT DE CIRCULATION A.TR.1

Il ne peut être fait usage du certificat de circulation A.TR: 1 que pour autant que les marchandises auxquelles il se rapporte soient transportées directement de l'Etat d'exportation dans l'Etat d'importation.

Sont considérées comme transportées directement de l'Etat d'exportation dans l'Etat d'importation:

- a) Les marchandises dont le transport s'effectue sans emprunt de territoires autres que ceux de la Communauté ou de la Turquie;
- b) Les marchandises dont le transport s'effectue sans emprunt de territoires

autres que ceux de la Communauté ou de la Turquie ou avec transbordement dans de tels territoires, pour autant que la traversée de ces territoires ou le transbordement s'accomplisse sous le couvert d'un titre de transport unique établi dans la Communauté ou en Turquie.

N.B. Avant de réclamer des autorités douanières de l'Etat d'exportation le visa d'un certificat de circulation A.TR: 1, il appartient à l'exportateur de s'assurer que les marchandises seront bien « transportées directement » dans l'Etat d'importation. Au cas où le transport ne serait pas effectué dans ces conditions, les marchandises ne seraient admises au bénéfice du régime préférentiel dans ce dernier Etat que sur présentation d'un certificat de circulation A.TR.3.

III. REGLES A OBSERVER POUR L'ÉTABLISSEMENT DU CERTIFICAT DE CIRCULATION A.TR.1

1. Le certificat de circulation A.TR.1 est établi dans une des langues dans lesquelles est rédigé l'Accord et en conformité avec les dispositions de droit interne de l'Etat d'exportation. Lorsque le certificat est établi en turc, il est également établi dans une des langues officielles de la Communauté.
2. Le certificat de circulation A.TR.1 est établi à la machine à écrire ou à la main; dans ce dernier cas, il doit être rempli à l'encre, en majuscules d'imprimerie. Il ne doit comporter ni grattages, ni surcharges. Les modifications qui y sont apportées doivent être effectuées en biffant les indications erronées et en ajoutant, le cas échéant, les indications voulues. Toute modification ainsi opérée doit être approuvée par celui qui a établi le certificat et visée par les autorités douanières.
3. Chaque article repris sur le certificat de circulation A.TR.1 doit être précédé d'un numéro d'ordre. Immédiatement au-dessous de la dernière inscription doit être tracée une ligne horizontale. Les espaces non utilisés doivent être bâtonnés de façon à rendre impossible toute adjonction ultérieure.
4. Les marchandises sont désignées selon les usages commerciaux avec les précisions suffisantes pour en permettre l'identification.
5. L'exportateur ou le transporteur peut compléter la partie du certificat réservée à la « déclaration de l'exportateur » par une référence au document de transport. Il est également recommandé à l'exportateur ou au transporteur de reporter sur le document de transport couvrant l'expédition des marchandises le numéro de série du certificat A.TR.1.

IV. PORTEE DU CERTIFICAT DE CIRCULATION A.TR.1

Lorsqu'il a été utilisé régulièrement, le certificat de circulation A.TR.1 permet d'obtenir, dans l'Etat d'importation, l'admission des marchandises qui y sont décrites au bénéfice de l'élimination progressive des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent. Toutefois, lorsque le certificat de circulation est revêtu de la mention « Prélèvement-Turquie » les marchandises qui y sont décrites ne peuvent être

admises au bénéfice du régime préférentiel dans les Etats membres de la CEE.

Le service des douanes de l'Etat d'importation peut, s'il l'estime nécessaire, se faire présenter tous autres documents justificatifs, notamment les documents de transport sous le couvert desquels s'est effectuée l'expédition des marchandises.

V. DÉLAI DE PRESENTATION DU CERTIFICAT DE CIRCULATION A.TR.1

Le certifi Le certificat de circulation A.TR.1 doit être produit dans le délai de trois mois, à compter de la date de son visa, au bureau de douane de l'Etat d'importation où les marchandises

sont présentées.

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A.TK..3

ASSOCIATION C.E.E.-TURQUIE
CERTIFICAT DE CIRCULATION DES MARCHANDISES
WARENVERKEHRSCHEINIGUNG
CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI
CERTIFICAAT INZAKE GOEDERENVERKEER
MALLARIN TEDAVÜL BELGESİ

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- <http://ekutup.dpt.gov.tr/ab/okk2.pdf>

Décision du Conseil d'Association No 4/71

PARTIE RESERVEE A LA DOUANE DE L'ETAT D'EXPORTATION

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CONSTATATIONS DE LA DOUANE ET INDICATION DES MOYENS D'IDENTIFICATION (1)

[illegible]

- (1) Le service des douanes du bureau d'exportation porte dans ce cadre toutes les constatations matérielles qu'il a faites et qui sont de nature à faciliter la reconnaissance de l'identité des marchandises. Il fait mention, le cas échéant, des mesures spéciales d'identification, telles que plombage, estampillage, etc., qu'il aurait pu être amené à prendre. Lorsqu'il est amené à coller certaines pièces justificatives du genre de celles prévues à la note III, paragraphe 5, deuxième alinéa, figurant au verso (photographies, plans, échantillons de tissu, etc.), le service des doines doit y apposer le cachet du bureau de telle manière que son empreinte déborde sur le document A.TR.3 lui-même.

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DEMANDE DE CONTRÔLE

Le fonctionnaire des douanes soussigné sollicite le contrôle de l'authenticité et de la régularité du présent certificat.

A..... le.....
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.....

cachet du bureau

.....
(Signature du fonctionnaire)

RESULTAT DU CONTRÔLE

Le contrôle effectué par le fonctionnaire des douanes soussigné a permis de constater que le présent certificat:

1. a bien été délivré par le bureau de douane indiqué et que les mentions qu'il contient sont exactes (1):
2. ne répond pas aux conditions d'authenticité et de régularité requises (voir les remarques ci-annexées) (1):

A..... le.....
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cachet du bureau

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(Signature du fonctionnaire)

(1) Rayer la mention inutile

I. MARCHANDISES POUVANT DONNER LIEU A LA DELIVRANCE D'UN CERTIFICAT DE CIRCULATION A.TR.3.

1. Peuvent seules donner lieu à la délivrance d'un certificat de circulation A.TR.3, les marchandises qui, dans l'Etat d'exportation, entrent dans l'une des catégories suivantes:

- a) Marchandises produites dans l'Etat d'exportation, y compris celles obtenues totalement ou partiellement à partir de produits qui ont été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables et qui n'ont pas bénéficié d'une ristourne totale ou partielle de ces droits ou taxes;
- b) Marchandises en libre pratique dans l'Etat d'exportation (marchandises en provenance de pays tiers, pour lesquelles les formalités d'importation ont été accomplies et les droits de douane et taxes d'effet équivalent ont été perçus et qui n'ont pas bénéficié d'une ristourne totale ou partielle de ces droits ou taxes);
- c) Marchandises obtenues dans l'Etat d'exportation et dans la fabrication desquelles sont entrés des produits qui n'ont pas été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables ou qui ont bénéficié d'une ristourne totale ou partielle de ces droits ou taxes, sous réserve que soit perçu, s'il y a lieu, le prélèvement prévu à leur égard;

Note: Tout certificat de circulation A.TR.3 relatif à des marchandises

Obtenues dans la Communauté au moyen de produits en provenance de pays tiers qui, ni dans la Communauté, ni en Turquie n'ont été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables, doit être revêtu de la mention « Prélèvement –Turquie ».

- d) Marchandises primitivement importées d'un Etat partie à l'Accord à l'exportation duquel elles ressortissaient à l'une des catégories a), b) ou c) ci-dessus.

Note : Lorsqu'il s'agit de marchandises primitivement importées dans l'Etat d'exportation sous le couvert d'un certificat de circulation revêtu de la mention « Prélèvement-Turquie », le ou les certificats de circulation A.TR.3 émis en remplacement de ce dernier doivent être revêtus de la même mention.

2. Les produits agricoles doivent en outre répondre aux conditions complémentaires prévues à leur égard.
3. Ne peuvent donner lieu à la délivrance d'un certificat de circulation A.TR: 3 les marchandises :
 - a) qui en vertu des dispositions prévues à leur égard doivent être transportées directement de l'Etat d'exportation dans l'Etat d'importation;
 - b) qui ont été primitivement importées de pays tiers au bénéfice d'un régime douanier particulier en raison de leur origine ou de leur provenance.

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II. CHAMP D'APPLICATION DU CERTIFICAT DE CIRCULATION A.TR.3

Il peut être fait usage du certificat de circulation A.TR.3 dans tous les cas où un certificat de circulation A.TR.1 ne peut être utilisé du fait que les marchandises ne sont pas transportées directement de l'Etat d'exportation dans l'Etat d'importation.

Sont considérées comme transportées directement de l'Etat d'exportation dans l'Etat d'importation:

- a) les marchandises dont le transport s'effectue sans emprunt de territoires autres que ceux de la Communauté ou de la Turquie;
- b) les marchandises dont le transport s'effectue avec emprunt de

territoires autres que ceux de la Communauté ou de la Turquie, ou avec transbordement dans de tels territoires, pour autant que la traversée de ces territoires ou le transbordement s'accomplisse sous le couvert d'un titre de transport unique établi dans la Communauté ou en Turquie.

Peuvent notamment faire l'objet d'un certificat de circulation A.TR.3 les marchandises exportées d'un Etat partie à l'Accord dans un pays tiers à l'Association d'où elles sont susceptibles d'être ultérieurement réexportées dans un Etat partie à l'Accord.

III. REGLES A OBSERVER POUR L'ÉTABLISSEMENT DU CERTIFICAT DE CIRCULATION A.TR.3

1. Le certificat de circulation A.TR.3 est établi dans une des langues dans lesquelles est rédigé l'Accord et en conformité avec les dispositions de droit interne de l'Etat d'exportation. Lorsque le certificat est établi en turc, il est également établi dans une des langues officielles de la Communauté.
2. Le certificat de circulation A.TR.3 est établi à la machine à écrire ou à la main; dans ce dernier cas, il doit être rempli à l'encre, en majuscules d'imprimerie. Il ne doit comporter ni grattages, ni surcharges. Les modifications qui y sont apportées doivent être effectuées en biffant les indications erronées et en ajoutant, le cas échéant, les indications voulues. Toute modification ainsi opérée doit être approuvée par celui qui a établi le certificat et visée par les autorités douanières.
3. La partie du certificat de circulation A.TR.3 figurant à la seconde page de ce document et intitulée « déclaration de l'exportateur » doit être intégralement remplie. En particulier le lieu de chargement, la date de

l'envoi et le pays de destination des marchandises au moment de l'exportation doivent être obligatoirement mentionnés.

4. Chaque article repris sur le certificat de circulation A.TR.3 doit être précédé d'un numéro d'ordre. Immédiatement au-dessous de la dernière inscription doit être tracée une ligne horizontale. Les espaces non utilisés doivent être bâtonnés de façon à rendre impossible toute adjonction ultérieure.
5. Les marchandises doivent être désignées selon les usages commerciaux et décrites d'une manière détaillée de façon à en permettre une identification aisée. Cette description est complétée par l'indication du numéro du tarif douanier afférent à chacune des marchandises. L'exportateur doit joindre au certificat de circulation A.TR.3 tous documents, tels que plans, dessins, photographies, prospectus commerciaux etc., susceptibles de faciliter l'identification des marchandises. S'il l'estime nécessaire, le service des douanes du bureau d'exportation annexe ces documents au certificat de circulation A.TR.3

IV. PORTEE DU CERTIFICAT DE CIRCULATION A.TR.3

Le certificat de circulation A.TR.3 permet d'obtenir, dans l'Etat d'importation, l'admission des marchandises qui y sont décrites au bénéfice de l'élimination progressive des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent, dans la mesure où aucun doute n'existe quant à l'identité des marchandises effectivement importées avec celles décrites sur ledit certificat de circulation A.TR.3. Toutefois, lorsque le certificat de circulation A.TR.3 est revêtu de la mention « Prélèvement – Turquie », les marchandises qui y sont décrites ne peuvent être admises au bénéfice de ce régime préférentiel dans les

Etats membres de la CEE. Les autorités douanières de l'Etat d'importation peuvent demander la présentation de toutes justifications supplémentaires si elles estiment que l'identité des marchandises n'est pas suffisamment établie, et refuser le bénéfice de l'élimination progressive des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent si des justifications reconnues valables ne peuvent leur être produites.

V. DÉLAI DE PRESENTATION DU CERTIFICAT DE CIRCULATION A.TR.3

Le certificat de circulation A.TR.3 doit être produit aux autorités douanières de l'Etat d'importation dans le délai de six mois à compter du jour de sa

délivrance. Il n'est valable que pour les quantités de marchandises présentées dans ledit Etat durant ce même délai.

**Décision du Conseil d'Association
No 5/71**

DÉCISION DU CONSEIL D'ASSOCIATION No 5/71 Relative à la définition de la notion de "produits originaires" de la Turquie pour l'application des dispositions de l'Annexe no : 5 chapitre I de l'Accord intérimaire

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie,

vu l'Accord intérimaire, et notamment l'Annexe no : 5 article 16,

considérant que, eu égard aux dispositions des articles 18 et 19 de l'Accord intérimaire, les produits agricoles ainsi que les produits soumis à l'importation dans la Communauté à une réglementation spécifique comme conséquence de la mise en œuvre de la politique agricole commune ne peuvent être admis au bénéfice du régime préférentiel prévu à l'Annexe no : 5 que lorsqu'ils remplissent les conditions visées aux articles 1er et 2 dudit Accord;

considérant que, hormis quelques produits à l'égard desquels il est requis qu'ils soient entièrement obtenus en Turquie, l'admission au bénéfice du régime préférentiel des produits visés au considérant précédent est en outre subordonnée à la condition qu'ils soient originaires de la Turquie:

considérant que, compte tenu du souci de favoriser l'écoulement des produits de l'agriculture turque, il convient d'exclure de la notion de produits originaires de la Turquie les produits obtenus par l'ouvraison ou la transformation de produits agricoles importés ; qu'il importe, par contre, afin de ne pas gêner les industries transformatrices, de prévoir que l'utilisation accessoire lors de l'ouvraison ou de la transformation de produits indigènes d'autres produits importés n'empêche pas que les marchandises obtenues soient considérées comme originaires,

DECIDE:

Article 1er

Aux fins de l'application du chapitre I de l'Annexe no : 5 de l'Accord intérimaire sont considérés comme "produits originaires" de la Turquie

- (a) les produits du règne végétal récoltés en Turquie,
- (b) les animaux vivants nés et élevés en Turquie,
- (c) les produits provenant d'animaux vivants faisant l'objet d'un élevage en Turquie,
- (d) les produits de la chasse et de la pêche pratiquées en Turquie,
- (e) les produits marins extraits de la mer par des bateaux turcs,

**Décision du Conseil d'Association
No 5/71**

- (f) les marchandises obtenues en Turquie par l'ouvraison ou la transformation les produits visés sous a) à e) même si d'autres produits sont entrés accessoirement dans leur fabrication quelle que soit l'origine de ces produits.

Article 2

Les notes explicatives font partie intégrante de la présente décision.

Fait à Bruxelles, le 21 juin 1971

**Par le Conseil d'Association
Le Président
Z.MÜEZZINOGLU**

NOTES EXPLICATIVES**Note 1**

L'expression "en Turquie" couvre également les eaux territoriales ainsi que les bateaux opérant en haute mer, y compris les "navires-usines", à bord desquels est effectuée la transformation ou l'ouvroison des produits de leur pêche, sous réserve qu'ils remplissent toutes les conditions visées à la note 4.

Note 2

Pour déterminer si une marchandise est originaire de la Turquie, il n'est pas recherché si les produits énergétiques, les installations, les machines et les outils utilisés pour l'obtention de cette marchandise sont ou non originaires d'Etats tiers.

Note 3

Pour la détermination de l'origine des produits agricoles, il n'est pas tenu compte d'éventuels emballages.

Note 4

L'expression "bateaux turcs" ne s'applique qu'à l'égard des bateaux:

- qui sont immatriculés ou enregistrés en Turquie:
- qui battent pavillon de la Turquie:
- qui appartiennent pour moitié au moins à des ressortissants de la Turquie ou à une société dont le siège principal est situé en Turquie, dont le ou les gérants, le président du Conseil d'administration ou de surveillance et la majorité des membres de ces conseils sont des ressortissants de la Turquie et dont, en outre, en ce qui concerne des sociétés de personnes ou les sociétés à responsabilité limitée, la moitié du capital au moins appartient à la Turquie, à des collectivités publiques ou à des nationaux de la Turquie:
- dont l'état-major est entièrement composé de ressortissants de la Turquie:
- et dont l'équipage est composé, dans une proportion de 75 % ou moins, de ressortissants de la Turquie.

Note 5

Sont considérés comme étant "entrés accessoirement" dans une fabrication les produits dont la quantité n'excède pas 10 % de celle des produits visés sous a) à e) de l'article 1er de la décision.

DECISION DU CONSEIL D'ASSOCIATION NO: 3/72 fixant les modalités de perception du prélèvement compensateur prévu à l'article 3 paragraphe 1 du Protocole additionnel à l'Accord d'Ankara

LE CONSEIL D'ASSOCIATION,

vu l'Accord créant une Association entre la Communauté Economique Européenne et la Turquie,

vu le Protocole additionnel visé à l'article 1er paragraphe 1 du Protocole provisoire annexé audit Accord, et notamment son article 3 paragraphe 1,

considérant que, conformément aux dispositions de ce dernier article, les modalités de perception du prélèvement compensateur sur les marchandises obtenues dans la Communauté ou en Turquie, dans la fabrication desquelles sont entrés des produits en provenance de pays tiers qui ne se trouvaient en libre pratique ni dans la Communauté, ni en Turquie, doivent être déterminées en tenant compte des règles qui étaient en vigueur en la matière avant le 1er juillet 1968 dans les échanges entre les Etats membres;

considérant que, compte tenu de l'expérience acquise dans la Communauté en matière de perception du prélèvement compensateur sur les marchandises obtenues dans les circonstances visées ci-dessus, il est justifié de fixer, pour le prélèvement applicable aux marchandises faisant l'objet d'échanges entre la Communauté et la Turquie, des modalités de perception analogues à celles que la Communauté a appliqué jusqu'à l'achèvement de l'union tarifaire;

considérant qu'il convient de prévoir des dispositions particulières pour tenir compte du fait que l'exonération des droits de douane dont bénéficient, dans certains cas, les produits entrés dans la fabrication des marchandises obtenues n'est que partielle,

DECIDE:

Article 1er

Le prélèvement compensateur à percevoir sur les marchandises obtenues dans les circonstances visées à l'article 3 du Protocole additionnel est calculé en fonction de l'espace et de la valeur – ou, le cas échéant, d'une autre base d'imposition – des produits de pays tiers à l'Association entrés dans leur fabrication, telles qu'elles ont été établies par la douane lors de leur admission au régime sous lequel s'est effectuée ladite fabrication.

Article 2

La date à prendre en considération pour la détermination du taux de prélèvement compensateur est celle à laquelle l'exportation des marchandises visées ci-dessus est assurée.

**Décision du Conseil d'Association
No 3/72**

Toutefois, lorsque lesdites marchandises sont placées en enrepôt douanier dans l'Etat d'exportation avant d'être exportées, la date à prendre en considération est celle de l'entrée en entrepôt de ces marchandises.

Article 3

Dans le cas où, en vertu du régime douanier appliqué dans l'Etat d'exportation et comportant suspension ou restitution des droits de douane, l'exonération des droits dont bénéficient les produits de pays tiers à l'Association entrés dans la fabrication des marchandises obtenues n'est que partielle, le prélèvement compensateur n'est pas perçu jusqu'à concurrence du montant des droits effectivement perçus et non remboursés.

Article 4

La Communauté et la Turquie s'informent mutuellement et informent le Conseil d'Association des mesures qu'elles prennent en vue de l'application uniforme de la présente décision.

Fait à Bruxelles, le 29 décembre 1972

**Par le Conseil d'Association
Le Président
E.M.J.A. SASSEN**

TURKEY-EUROPEAN COMMUNITY ASSOCIATION COUNCIL DECISIONS (1972-2000)

2001

**Décision du Conseil d'Association
No 1/72**

**DECISION No: 1/72 OF THE ASSOCIATION COUNCIL authorising Turkey to
derogate from the most-favoured-nation clause referred to in Article 17 of the Interim
Agreement**

THE ASSOCIATION COUNCIL,

Having regard to Article 17 of the Interim Agreement:

Having regard to Joint Declaration No 3 on the above Article;

Having regard to joint Declaration 5 on the body responsible for the administration of this Agreement;

Whereas Turkey has requested to be authorised, in the implementation of the Geneva Protocol on trade negotiations between developing countries, to derogate from the most-favoured-nation clause provided for in Article 17 of the Interim Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

Turkey shall be authorised to derogate from the most-favoured-nation clause provided for in Article 17 of the Interim Agreement in the implementation of the Geneva Protocol on trade negotiations between developing countries, for the following tariff headings:

Turkish tariff No		Description of goods
	10.06	Rice
Ex	12.07.90	Ginseng root
	13.02.21	Gum mastic
	15.07.11	Castor oil
	15.07.18	Coconut oil
	25.07.20	Bentonite
	25.07.30	Kaolin
Ex	25.10	Natural calcium phosphates
Ex	28.17	Sodium hydroxide
Ex	29.35.59	Furazolidone, nitrofurazone,
	35.06.10	Pastes, lei gum, cold glues
	40.11	rubber tyres, tyre cases, inner tubes and tyre flaps, of unhardened vulcanised rubber, for wheels of all kinds
	48.01.67	Paper in rolls for the manufacture of paper for computers
	53.05.10	Merino wool
	73.25	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables

**Décision du Conseil d'Association
No 1/72**

	73.31.10	Horse-shoe nails
Ex	82.03	Pliers, pincers, tweezers and the like, including cutting pliers; perforating punches, pipe cutters and the like, hand spanners and wrenches
	84.15.10	Domestic electric refrigerators
Ex	84.45	Automatic lathes and milling machines
	85.13.10	Telegraphic refrigerators
	85.13.20	Parts of telegraphic apparatus
	85.13.31,32 and 39	Apparatus for line telephones
	85.13.41 and 42	Automatic and non-automatic telephone exchanges
	83.13.43	Apparatus for long-distance carrier-current line systems
	85.13.91	Parts of apparatus for line telephones
	85.13.99	Other parts
	85.14.11	Microphones for line telephones
	85.14.19	Other microphones and stands therefor
	85.14.30	Audio-frequency electric amplifiers
	90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; and combination of these articles
	90.26.10	Electricity meters

Done at Brussels, 21 June 1972

**For the Association Council
The President
M.ASULA**

**Décision du Conseil d'Association
No 2/72**

DECISION No 2/72 OF THE ASSOCIATION COUNCIL fixing the percentage of the Common Customs Tariff duties to be taken into consideration when determining the rate of the levy provided for in Article 3 (1) of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey;

Having regard to the additional Protocol referred to in Article 1 (1) of the Provisional Protocol annexed to that Agreement, and in particular Article (3) 1 thereof:

Whereas goods obtained in Turkey in the circumstances referred to in Article 3 (1) of the Additional Protocol, with the exception of agricultural products, products subject to specific regulations as a consequence of implementation of the common agricultural policy, and some other products, are totally exempt from customs duty when imported into the Community; whereas the goods which, when imported into the Community, benefit from a tariff reduction the percentage of which varies according to the type of goods, are not generally obtained in the circumstances referred to above;

Whereas the same goods obtained in the Community, when imported into Turkey, benefit, for the preliminary period referred to in the Additional Protocol, from a tariff reduction which amounts to 10 or 5 % according to whether or not they are listed in Annex 3 to the Additional Protocol;

Whereas the percentage of Common Customs Tariff duties to be taken into consideration when determining the compensatory levy to be imposed when goods are exported from Turkey should be fixed at 100, whereas, on the other hand, there is no reason to impose a compensatory levy when goods are exported from the Community;

Whereas no Common Customs Tariff exists for products from the European Coal and Steel Community,

HAS DECIDED AS FOLLOWS:

Sole Article

As from 1 January 1973, the percentage of the Common Customs Tariff duties to be taken into consideration when determining the compensatory levy referred to in Article 3 of the Additional Protocol shall be fixed at 100 for goods obtained in Turkey.

**Décision du Conseil d'Association
No 2/72**

For goods which incorporate in their manufacture products from the European Coal and Steel Community, this percentage shall apply to the highest duty of the harmonised customs tariffs in force in the Member States of the Community in respect of the said products.

Done at Brussels, 29 December 1972

**For the Association Council
The President
E.M.J.A. SASSEN**

**Décision du Conseil d'Association
No 3/72**

**DECISION No 3/72 OF THE ASSOCIATION COUNCIL laying down detailed rules
for collecting the compensatory levy provided for in Article 3(1) of the Additional
Protocol to the Ankara Agreement**

(See page 75)

DECISION No 4/72 OF THE ASSOCIATION COUNCIL on the definition of the concept of 'originating products' from Turkey for implementation of Chapter I of Annex No 6 of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey;

Having regard to the Additional Protocol referred to in Article 1 (1) of the Provisional Protocol annexed to that Agreement, and in particular Article 16 of Annex 6;

Whereas in view of the provisions of Articles 31, 32 and 35 of the Additional Protocol, agricultural products and products subject to special rules on importation into the Community as a result of the implementation of the common agricultural policy can only benefit from the preferential treatment laid down in Annex No 6 if they satisfy the conditions set out in Articles 2 and 3 of that Protocol;

Whereas, with the exception of a few products that have to be wholly obtained in Turkey, the products referred to in the preceding recital may benefit from the preferential treatment only if they also originate in Turkey;

Whereas in order to promote the marketing of Turkish agricultural products, products obtained by working or processing imported agricultural products should be excluded from the concept of products originating in Turkey; whereas, on the other hand, to avoid hampering the processing industries it should be laid down that the accessory use of other imported products in the working or processing of native products, does not prevent the goods obtained from being considered as originating;

HAS DECIDED AS FOLLOWS:

Article 1

For the purposes of implementing Chapter I of Annex No 6 of the Additional Protocol, the following shall be considered as 'originating products' from Turkey:

- (a) vegetable products harvested in Turkey,
- (b) live animals born and raised in Turkey,
- (c) products from live animals raised in Turkey,
- (d) products obtained by hunting or fishing conducted in Turkey,
- (e) marine products taken from the sea by Turkish vessels,

(f) goods obtained in Turkey by working or processing the products

specified in subparagraphs (a) to (e), even if other products were incorporated on an accessory basis in their manufacture, whatever the origin of these products.

Article 2

The explanatory notes form an integral part of this Decision.

Done at Brussels, 29 December 1972.

**For the Association Council
The President
E. M. J. A. SASSEN**

EXPLANATORY NOTES**Note 1**

The term 'in Turkey' shall also cover territorial waters and vessels operating on the high seas, including factory ships, on which the fish caught is worked or processed, provided that they satisfy all the conditions set out in Explanatory Note 4.

Note 2

In order to determinate whether goods originate in Turkey, it shall not be necessary to establish whether the power and fuel, plant and equipment and machines and tools used to obtain such goods originate in third countries or not.

Note 3

In determining the origin of agricultural products, account shall not be taken of any packaging.

Note 4

The term 'Turkish vessels' shall apply only to vessels:

- which are registered or recorded in Turkey;
- which sail under the Turkish flag;
- which are at least 50% owned by nationals of Turkey or by a company with its head office in Turkey, of which the manager or managers, chairman of the board of directors or of the supervisory board and the majority of the members of such boards are nationals of Turkey and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to Turkey, or to public bodies or nationals of Turkey;
- of which the captain and officers are all nationals of Turkey;
- of which at least 75% of the crew are nationals of Turkey.

Note 5

Products in a quantity not exceeding 10% of that of the products referred to in subparagraphs (a) to (e) of Article 1 of the Decision shall be considered as being incorporated on an accessory basis in their manufacture.

DECISION No 5/72 OF THE ASSOCIATION COUNCIL on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey;

Having regard to the Additional Protocol referred to in Article 1 (1) of the Provisional Protocol annexed to that Agreement and in particular Article 4 thereof;

Whereas in accordance with Article 1, the method of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol should be determined with regard being had to the methods adopted for trade between the Member States;

Whereas in view of experience gained in the Community of methods of administrative cooperation, methods should be laid down which are similar to those applied by the Community up to the end of the transitional period referred to in Article 8 of the Treaty establishing the European Economic Community;

HAS DECIDED AS FOLLOWS:

TITLE I

GENERAL PROVISIONS

Article 1

Goods satisfying the necessary conditions for implementation of the provisions of the Additional Protocol on the gradual abolition, between the Community and Turkey, of customs duties, quantitative restrictions and all measures having equivalent effect shall benefit from these provisions in the Member States or in Turkey, upon submission of documentary evidence issued at the exporter's request by the customs authorities of Turkey or of a Member State.

Article 2

1. When the goods are transported direct from a Member State to Turkey or from Turkey to a Member State, the documentary evidence referred to in Article 1 shall be movement certificate A.TR.1.

In other cases, the documentary evidence shall be movement certificate A.TR.3.

2. For the application of paragraph 1, the following shall be considered as transported direct from the Member State to Turkey or from Turkey to a Member State:
 - a) goods that are transported without passing through territory other than that of the Community or of Turkey;
 - b) goods transported through territory other than that of the Community or of Turkey or transhipped in such territory provided that they cross such territory or are transhipped under cover of a single transport document made out in the Community or in Turkey.

Article 3

When movement certificate A.TR.1 or A.TR.3 relates to goods obtained in the Community under the conditions set out in Article 3 of the Additional Protocol, it shall bear a statement to that effect.

TITLE II

SPECIAL PROVISIONS ON MOVEMENT CERTIFICATE A.TR.1

Article 4

1. Movement certificate A.TR.1 shall be endorsed by the customs authorities of the exporting State when goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

In exceptional circumstances movement certificate A.TR.1 may also be endorsed after exportation of the goods to which it relates, if it was not produced at the time of exportation because of errors or involuntary omission. In this case, the certificate shall bear a special reference to the conditions in which it was endorsed.

2. Movement certificate A.TR.1 may be endorsed only where it can serve as the documentary evidence required for the purpose of implementing the preferential treatment provided for in the Agreement.

Article 5

Movement certificate A.TR.1 must be submitted, within three months of the date of endorsement by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

TITLE III**SPECIAL PROVISIONS ON MOVEMENT CERTIFICATE A.TR.3****Article 6**

Movement certificate A.TR.3 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or assured.

Under no circumstances may movement certificate A.TR.3 be issued after the goods have been exported.

Movement certificate A.TR.3 shall be made out so as to allow identification of the goods to which it relates when they are imported. The customs authorities of the exporting State shall also take any measures they consider necessary to facilitate such identification and shall refer to these on the certificate itself.

Article 7

Movement certificate A.TR.3 shall be submitted, within six months of the date of issue, to the customs authorities of the importing State. It shall only be valid for the quantities of goods entering the importing State during that period.

TITLE IV**PROVISIONS COMMON TO MOVEMENT CERTIFICATE A.TR.1 AND A.TR.3****Article 8**

Movement certificates A.TR.1 and A.TR.3 shall be made out on the appropriate form, specimens of which are annexed to this Decision, in one of the languages in which the Agreement of Association is drawn up and in accordance with the provisions of the domestic law of the exporting State. When certificates are made out in Turkish, they shall also be made out in one of the official languages of the Community. They shall be typed or handwritten in block letters in ink.

Each certificate shall measure 210x297 mm. The paper used must be white sized writing paper not containing mechanical pulp and weighing not less than 64 grams per square metre. It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The front of each certificate shall have three diagonal stripes, each 3 mm wide, running from the bottom left to the top right corners. The diagonal stripes on movement certificate A.TR.1 shall be blue and those on movement certificate A.TR.3 red.

The Member States and Turkey may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate shall include a reference to such approval. Each certificate shall bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number by which it can be identified.

Article 9

Movement certificates shall be submitted to customs authorities in the importing State in accordance with the procedures laid down by that State. These authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the Additional Protocol.

TITLE V

MISCELLANEOUS PROVISIONS

Article 10

The following shall benefit from the provisions of the Additional Protocol on the gradual abolition, between the Community and Turkey, of customs duties, quantitative restrictions and all measures having equivalent effect, without requiring the production of a movement certificate A.TR.1 or A.TR.3:

- (a) once they have been declared as meeting the conditions required for the application of these provisions and where there is no doubt as to the accuracy of such declaration, dutiable objects accompanying travellers or forming part of their luggage, provided they are not objects intended for commercial purposes and their total value does not exceed 200 units of account;
- (b) postal consignments (including postal packages) transported direct from the exporting State to the importing State provided there is no indication on the packing or on the accompanying documents that the goods contained therein do not comply with the conditions set out in Articles 2 or 3 of the Additional Protocol. This indication consists of a yellow label, as laid down in the Community transit system, affixed in all cases of this kind by the competent authorities of the exporting State.

Article 11

In order to ensure the proper application of the provisions of this Decision, the Member States and Turkey shall assist each other, through their respective customs administrations, in checking the authenticity and accuracy of the certificates.

Article 12

Turkey, the Member States and the Community shall each take the steps necessary to implement this Decision.

Article 13

The specimens of movement certificates A.TR.1 and A.TR.3 shall form an integral part of this Decision.

Done at Brussels, 29 December 1972

**For the Association Council
The President
E.M.J.A. SASSEN**

Decision No 5/72 of Association Council

ASSOCIATION C.E.E.-TURQUIE

CERTIFICAT DE CIRCULATION DES MARCHANDISES
CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCIWARENVERKEHRSBESCHEINIGUNG
CERTIFICAAT IHZAKE GOEDERENVERKEER

A. TR-1

A

DECLARATION DE L'EXPORTATEUR				
Je soussigne (nom et prenom ou raison sociale et adresse complete de l'exportateur) exportateur de marchandises decrites ci-apres:				
Numero d'ordre	COLIS (1)		DESIGNATION DES MARCHANDISES	Poids brut (kg) o autre mesure (hl.m ² etc.)
	Marques et numeros	Nombre et nature		
1	2	3	4	5
Nombre total de colis (col.3) Quantiles (col.5): } totales (en toutes lettres)				
Observations (2) :				
Declare que ces marchandises se trouvent en dans les conditions requises pour l'obtention du present certificat (3) Pays de destination (4): Fait (4)			VISA DE LA DOUANE Declaration certifiée conforme Document d'exportation: Modelé No: Bureau de douane de Le Cachet du Bureau (Signature du fonctionnaire)	
(Mention facultative)				
Envoi du no :				

Decision No 5/72 of Association Council

DEMANDE DE CONTROLE

Le fonctionnaire des douanes soussigné sollicite le contrôle de l'authenticité et de la régularité du présent certificat.

A.....

le.....

Cachet du bureau

(Signature du fonctionnaire)

RESULTAT DU CONTROLE

Le contrôle effectué par le fonctionnaire des douanes soussigné a permis de constater que le présent certificat:

1. a bien été visé par le bureau de douane indique et que les mentions qu'il contient sont exactes (1);
2. ne répond pas aux conditions d'authenticité et de régularité requises (voir les remarques ci-jointes) (1);

A.....

le.....

Cachet du bureau

(Signature du fonctionnaire)

(1) Rayer mention inapplicable

I. MARCHANDISES POUVANT DONNER LIEU AU VISA D'UN CERTIFICAT DE CIRCULATION A.T.R.I.

4. Peuvent seules donner lieu au visa d'un certificat de circulation A.T.R.I., les marchandises qui, dans l'Etat d'exportation, entrent dans l'une des catégories suivantes:

- e) Marchandises produites dans l'Etat d'exportation, y compris celles, obtenues totalement ou partiellement à partir de produits qui ont été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables et qui n'ont pas bénéficié d'une réduction totale ou partielle de ces droits ou taxes;
- f) Marchandises en libre pratique dans l'Etat d'exportation (marchandises en provenance de pays tiers, pour lesquelles les formalités d'importation ont été accomplies et les droits de douane et taxes d'effet équivalent ont été perçus et qui n'ont pas bénéficié d'une réduction totale ou partielle de ces droits ou taxes);
- g) Marchandises obtenues dans l'Etat d'exportation et dans la fabrication desquelles sont entrés des produits qui n'ont pas été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables ou qui ont bénéficié d'une réduction totale ou partielle de ces droits ou taxes sous réserve que soit perçu, s'il y a lieu, le prélèvement prévu à leur égard;

Note: Tout certificat de circulation A.T.R.I. relatif à des marchandises obtenues dans la Communauté au moyen de produits en

provenance de pays tiers qui, ni dans la Communauté, ni en Turquie n'ont été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables, doit être revêtu de la mention: Prélèvement Turquie.

- h) Marchandises primitivement importées d'un Etat partie à l'Accord à l'exportation duquel elles ressortissaient à l'une des catégories a), b) ou c) ci-dessus.

Note: Lorsqu'il s'agit de marchandises primitivement importées dans l'Etat d'exportation sous le couvert d'un certificat de circulation revêtu de la mention Prélèvement-Turquie ou les certificats de circulation A.T.R.I. émis en remplacement de ce dernier doivent être revêtus de la même mention.

5. Les produits agricoles doivent en outre répondre aux conditions complémentaires prévues à leur égard.
6. Ne peuvent donner lieu au visa d'un certificat de circulation A.T.R.I. les marchandises importées primitivement de pays tiers au bénéfice d'un régime douanier particulier en raison de leur origine ou de leur provenance.

II. CHAMP D'APPLICATION DU CERTIFICAT DE CIRCULATION A.TR.1

Il ne peut être fait usage du certificat de circulation A.TR.1 que pour autant que les marchandises auxquelles il se rapporte soient transportées directement de l'Etat d'exportation dans l'Etat d'importation.

Sont considérées comme transportées directement de l'Etat d'exportation dans l'Etat d'importation:

- c) les marchandises dont le transport s'effectue sans emprunt de territoires autres que ceux de la Communauté ou de la Turquie;
- d) les marchandises dont le transport s'effectue avec emprunt de territoires autres que ceux de la Communauté ou de la Turquie,

ou avec transbordement dans de tels territoires, pour autant que la traversée de ces territoires ou le transbordement s'accomplisse sous le couvert d'un titre de transport unique établi dans la Communauté ou en Turquie.

N.B. Avant de réclamer des autorités douanières de l'Etat d'exportation le visa d'un certificat de circulation A.TR.1, il appartient à l'exportateur de s'assurer que les marchandises seront bien transportées directement dans l'Etat d'importation. Au cas où le transport ne serait pas effectué dans ces conditions, les marchandises ne seraient admissibles au bénéfice du régime préférentiel dans ce dernier Etat que sur présentation d'un certificat de circulation A.TR.3.

III. REGLES A OBSERVER POUR L'ETABLISSEMENT DU CERTIFICAT DE CIRCULATION A.TR.1

6. Le certificat de circulation A.TR.1 est établi dans une des langues dans lesquelles est rédigé l'Accord et en conformité avec les dispositions de droit interne de l'Etat d'exportation. Lorsque le certificat est établi en turc, il est également établi dans une des langues officielles de la Communauté.
7. Le certificat de circulation A.TR.1 est machine à écrire ou à la main; dans ce dernier cas, il doit être rempli à l'encre, en majuscules d'imprimerie. Il ne doit comporter ni grattages, ni surcharges. Les modifications qui y sont apportées doivent être effectuées en biffant les indications erronées et en ajoutant, le cas échéant, les indications voulues. Toute modification ainsi opérée doit être approuvée par celui qui a établi le certificat et visée par les autorités douanières.

8. Chaque article repris sur le certificat de circulation A.TR.1 doit être précédé d'un numéro d'ordre. Immédiatement au-dessous de la dernière inscription doit être tracée une ligne horizontale. Les espaces non utilisés doivent être bâtonnés de façon à rendre impossible toute adjonction ultérieure.
9. Les marchandises sont désignées selon les commerciaux avec les précisions suffisantes pour en permettre l'identification.
10. L'exportateur ou le transporteur peut compléter la partie du certificat réservée à la déclaration de l'exportateur par une référence au document de transport. Il est également recommandé à l'exportateur ou au transporteur de reporter sur le document de transport couvrant l'expédition des marchandises le numéro de série du certificat A.TR.1.

IV. PORTEE DU CERTIFICAT DE CIRCULATION A.TR.1

Lorsqu'il a été utilisé régulièrement, le certificat de circulation A.TR.1 permet d'obtenir, dans l'Etat d'importation, l'admission des marchandises qui y sont décrites au bénéfice de l'élimination progressive des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent. Toutefois, lorsque le certificat de circulation est revêtu de la mention -Prélèvement

Turquie- les marchandises qui y sont décrites ne peuvent être admises au bénéfice du régime préférentiel dans les Etats membres de la CEE.

Le service des douanes de l'Etat d'importation peut, s'il l'estime nécessaire, se faire présenter tous autres documents justificatifs, notamment les documents de transport sous le couvert desquels s'est effectuée l'expédition des marchandises.

V. DELAI DE PRESENTATION DU CERTIFICAT DE CIRCULATION A.TR.1

Le certificat de circulation A.TR.1 doit être produit dans le délai de compter de la date de son visa, au bureau de douane de l'Etat

où les marchandises sont présentées.

A/TR.3

ASSOCIATION C.E.E.-TURQUE

CERTIFICATE DE CIRCULATION DES MARCHANDISES

WARENVERK...SCHEINIGUNG

CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI

CERTIFIED INLAND GOEDERENVERKEER

Decision No 5/72 of Association Council

PARTIE RESERVE A LA DOUANE D'EXPORTATION

A

CONSTATATIONS DE LA DOUANE ET INDICATION DES MOYENS D'IDENTIFICATION (1)

Declaration certifiée conforme		
Document d'exportation: modele	no	du
		Bureau de douane de ----- le -----
<div style="border: 1px solid black; width: 100px; height: 50px; margin: 0 auto;"> Cachet du bureau </div>		(Signature du fonctionnaire)

Decision No 5/72 of Association Council

DEMANDE DE CONTROLE		RESULTAT DU CONTROLE	
Le fonctionnaire des douanes soussigné sollicite le contrôle de l'authenticité et de la régularité du présent certificat.		Le contrôle effectué par le fonctionnaire des douanes soussigné a permis de constater que le présent certificat:	
		1. a bien été visé par le bureau de douane indiqué et que les mentions qu'il contient sont exactes (1); 2. ne répond pas aux conditions d'authenticité et de régularité requises (voir les remarques ci-annexées) (1):	
A.....	le.....	A.....	le.....
<div style="border: 1px solid black; padding: 5px; text-align: center;">Cachet du bureau</div> (Signature du fonctionnaire)	<div style="border: 1px solid black; padding: 5px; text-align: center;">Cachet du bureau</div> (Signature du fonctionnaire)
		(1) Bayer la mention inutile	

I. MARCHANDISES POUVANT DONNER LIEU AU VISA D'UN CERTIFICAT DE CIRCULATION A.T.R.I.

<p>4. Peuvent seules donner lieu au visa d'un certificat de circulation A.T.R.I., les marchandises qui, dans l'Etat d'exportation, entrent dans l'une des catégories suivantes:</p> <p>a) Marchandises produites dans l'Etat d'exportation, y compris celles, obtenues totalement ou partiellement à partir de produits qui ont été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables et qui n'ont pas bénéficié d'une réduction totale ou partielle de ces droits ou taxes;</p> <p>b) Marchandises en libre pratique dans l'Etat d'exportation (marchandises en provenance de pays tiers, pour lesquelles les formalités d'importation ont été perçues et qui n'ont pas bénéficié d'une réduction totale ou partielle de ces droits ou taxes);</p> <p>c) Marchandises obtenues dans l'Etat d'exportation et dans la fabrication desquelles sont entrés des produits qui n'ont pas été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables ou qui ont bénéficié d'une réduction totale ou partielle de ces droits ou taxes sous réserve que soit perçu, s'il y a lieu, le prélèvement prévu à leur égard;</p> <p>Note: Tout certificat de circulation A.T.R.I. relatif à des marchandises obtenues dans la Communauté au moyen de produits en</p>	<p>provenance de pays tiers qui, ni dans la Communauté, ni en Turquie n'ont été soumis aux droits de douane et taxes d'effet équivalent qui leur étaient applicables, doit être révisé de l'Imposition-Prélèvement Turquie-</p> <p>d) Marchandises primitivement importées d'un Etat partie à l'Accord à l'exportation duquel elles ressortissaient à l'une des catégories a), b) ou c) ci-dessus.</p> <p>5. Les produits agricoles doivent en outre répondre aux conditions complémentaires prévues à leur égard.</p> <p>6. Ne peuvent donner lieu au visa d'un certificat de circulation A.T.R.I. les marchandises importées primitivement de pays tiers au bénéfice d'un régime douanier particulier en raison de leur origine ou de leur provenance.</p> <p>c) qui en vertu des dispositions prévues à leur égard doivent être transportées directement de l'Etat d'exportation dans l'Etat d'importation;</p> <p>d) qui ont été primitivement importées de pays tiers au bénéfice d'un régime douanier particulier en raison de leur origine ou de leur provenance.</p>
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Decision No 5/72 of Association Council

II. CHAMP D'APPLICATION DU CERTIFICAT DE CIRCULATION A.TR.3

Il ne peut être fait usage du certificat de circulation A.TR.1 que pour autant que les marchandises auxquelles il se rapporte soient transportées directement de l'Etat d'exportation dans l'Etat d'importation.

Sont considérées comme transportées directement de l'Etat d'exportation dans l'Etat d'importation:

- c) les marchandises dont le transport s'effectue sans emprunt de territoires autres que ceux de la Communauté ou de la Turquie;
- d) les marchandises dont le transport s'effectue avec emprunt de territoires autres que ceux de la Communauté ou de la Turquie,

ou avec transbordement dans de tels territoires, pour autant que la traversée de ces territoires ou le transbordement s'accomplisse sous le couvert d'un titre de transport unique établi dans la Communauté ou en Turquie.

Peuvent notamment faire l'objet d'un certificat de circulation A.TR.3 les marchandises exportées d'un Etat partie à l'Accord dans un pays tiers à l'Association d'où elles sont susceptibles d'être ultérieurement réexportées dans un Etat partie à l'Accord.

III. REGLES A OBSERVER POUR L'ETABLISSEMENT DU CERTIFICAT DE CIRCULATION A.TR.3

1. Le certificat de circulation A.TR.1 est établi dans une des langues dans lesquelles est rédigé l'Accord et en conformité avec les dispositions de droit interne de l'Etat d'exportation. Lorsque le certificat est établi en turc, il est également établi dans une des langues officielles de la Communauté.
2. Le certificat de circulation A.TR.3 est machine à écrire ou à la main; dans ce dernier cas, il doit être rempli à l'encre, en majuscules d'imprimerie. Il ne doit comporter ni grattages, ni surcharges. Les modifications qui y sont apportées doivent être effectuées en biffant les indications erronées et en ajoutant, le cas échéant, les indications voulues. Toute modification ainsi opérée doit être approuvée par celui qui a établi le certificat et visée par les autorités douanières.
3. La partie du certificat de circulation A.TR.3 figurant à la seconde page de ce document et intitulée déclaration de l'exportateur doit être intégralement remplie. En particulier le lieu de chargement, la date de l'envoi et le pays de destination des marchandises au moment de l'exportation doivent être obligatoirement mentionnés.

4. Chaque article repris sur le certificat de circulation A.TR.3 doit être précédé d'un numéro d'ordre. Immédiatement au-dessous de la dernière inscription doit être tracée une ligne horizontale. Les espaces non utilisés doivent être bâtonnés de façon à rendre impossible toute adjonction ultérieure.

5. Les marchandises doivent être désignées selon les usages commerciaux et décrites d'une manière détaillée de façon à en permettre une identification aisée. Cette description est complétée par l'indication du numéro du tarif douanier afférent à chacune des marchandises. L'exportateur doit joindre au certificat de circulation A.TR.3 tous documents, tels que plans, dessins, photographies, prospectus commerciaux etc., susceptibles de faciliter l'identification des marchandises du bureau d'exportation annexe ces documents au certificat de circulation A.TR.3.

IV. PORTEE DU CERTIFICAT DE CIRCULATION A.TR.3

Le certificat de circulation A.TR.3 permet d'obtenir, dans l'Etat d'importation, l'admission des marchandises qui y sont décrites au bénéfice de l'élimination progressive des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent, dans la mesure où aucun droit n'existe quant à l'identité des marchandises effectivement importées avec celles décrites sur ledit certificat de circulation A.TR.3. Toutefois, lorsque le certificat de circulation A.TR.3 est revêtu de la mention: "Prélevement Turquie", les marchandises qui y sont décrites ne peuvent être admises au bénéfice de ce régime préférentiel dans les

Etats membres de la CEE. Les autorités douanières de l'Etat d'importation peuvent demander la présentation de toutes justifications supplémentaires si elles estiment que l'identité des marchandises n'est pas suffisamment établie, et refuser le bénéfice de l'élimination progressive des droits de douane et des restrictions quantitatives ainsi que de toutes mesures d'effet équivalent si des justifications reconnues valables ne peuvent leur être produites.

V. DELAI DE PRESENTATION DU CERTIFICAT DE CIRCULATION A.TR.3

Le certificat de circulation A.TR.3 doit être produit aux autorités douanières de l'Etat d'importation dans le délai de six mois à compter du jour de

livraison. Il n'est valable que pour les quantités de marchandises présentées dans ledit Etat dans ce même délai.

DECISION No 1/73 OF THE COUNCIL OF ASSOCIATION on new concessions on imports of Turkish agricultural products into the Community

THE COUNCIL OF ASSOCIATION,

Having regard to the Agreement establishing an Association between the European Community and Turkey;

Having regard to the Additional Protocol signed on 23 November 1970, and in particular Article 35 (3) thereof;

Having regard to the Supplementary Protocol signed on 30 June 1973, and in particular Article 10 thereof;

Having regard to the Interim Agreement signed on 30 June 1973, and in particular Article 10 thereof;

Whereas Article 35 (3) of the Additional Protocol provides that one year after the entry into force of that Protocol and every two years thereafter the Council of Association shall review the results of the preferential treatment for agricultural products and that it may decide upon improvements which prove to be necessary for progressive attainment of the objectives of the Agreement of Association;

Whereas Article 6 of the Supplementary Protocol lays down that the successive reviews provided for in Article 35 (3) of the Additional Protocol shall be brought forward by one year;

Whereas the aim of the Interim Agreement is to permit the early implementation of certain provisions of the Supplementary Protocol on trade in goods and whereas Article 10 of that Agreement lays down that the successive reviews provided for in Article 35 (3) of the Additional Protocol shall be brought forward by one year;

Whereas the Parties to the supplementary Protocol and the Interim Agreement have agreed, in the joint declarations concerning Article 6 of the supplementary Protocol and Article 10 of the interim Agreement respectively, that when the first review provided for in those Articles takes place, account will be taken of the aims and merits of the Association Agreement and of the characterisations of trade between Turkey and the new Member States,

HAS DECIDED AS FOLLOWS:

Article 1

The products listed in the Annex shall, on importation into the Community, be accorded the treatment laid down in the said Annex.

Article 2

This Decision shall enter into force on 1 January 1974.

Done at Brussels, 10 December 1973

**For the Association Council
The President
N.ERSBOLL**

Decision No 1/73 of Association Council

No	CCT heading No	Description	CCT rate	New concession
1	06.01 B	Bulbe, tubers, tuberous roots, corms, crowns and rhizomes, in growth or in flower	15 % or 10 %	7.5 % or 5% (50 % reduction)
2	07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared: A. Onions B. Other:	18 %	15 %
3		- Dried garlic	16 %	14 %
4	08.02 D	Grapefruit	6 %	3.6 % (40 % reduction)
5	08.05 ex G	Hazelnuts	4 %	Move towards tariff alignment by new Member States with the Community preferential duty (2.5 %) and not with the full CCT (4 %), under a tariff quota of up to 3,000 metric tons
6	11.07 A II (a)	Unroasted malt in the form of flour	levy: fixed component (9 UA/metric ton) +variable component	
7	12.03 ex C I	Vetch seed	6 %	3 % (50 % reduction) excluding duty applicable to certified seed
8	19.03	Macaroni, spaghetti and similar products	12 % +variable component	3 % +variable component (75 % reduction of fixed component)

Decision No 1/73 of Association Council

No	CCT heading No	Description	CCT rate	New concession
9	20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: Mixtures ("Turlu")		11 %
10	ex H 21.07	Food preparations not elsewhere specified or included	22 %	(50 % reduction)
	A	Cereals in grain or ear form, pre-cooked or otherwise prepared	13 %	6.5 %
	E	Cheese fondues	+ variable component except 21.07 F a:	and 10 % respectively + variable component (50 % reduction in fixed component)
	F	other:	20 %	
	ex I (b) 2 (cc) ex I (c) 2 (cc)	Crushed maize grains, boiled in water under pressure, with extracts of malt, of sugar and salt added, dried, intended for use as intermediate products for the production of cornflakes and similar preparations	+ variable component	
	ex H ex I (a) 2 (bb) ex I (a) 2 (cc)	Products known as "groats of Bulgarian oats", comprising grains partially husked and roughly crushed, still containing a small quantity of whole grains, such products having also been subjected to heat treatment (prior to boiling)		
	F ex I (a) 2 (aa) ex I (a) 2 (bb) ex I (b) 2 (aa) ex I (b) 2 (bb)	Sweet potatoes for human consumption, prepared or preserved other than with sugar or syrup		
	ex I (e) 1 ex I (e) 2 ex I (f)	Food preparations comprising natural honey enriched with royal bee jelly		

Decision No 1/73 of Association Council

No	CCT heading No	Description	CCT rate	New concession
11	07.01	Vegetables, fresh or chilled E. chard (or white beet) and cardoons F. Leguminous vegetables, shelled or unshelled: ex.III Other: - Broad beans (1) - from 1 July to 30 April N. Olives: I. For uses other than the production of oil O. Capers ex T. other: - Parsley		60 % tariff reduction
	07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption:		60 % tariff reduction
	08.03	A. Olives: I. for uses other than the production of oil		
	08.05	B. Capers Figs, fresh or dried: A. fresh Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: D. Pustachios E. Pecans ex F. Others: - Pine kernels		

No	CCT heading No	Description	CCT rate	New concession
	08.06	Apples, pears and quinces, fresh:		60 % tariff reduction
		C. Quinces		
	08.12	Fruit, dried (other than that falling within heading nos 08.01 to 08.05 inclusive):		
		A. Apricots		
		B. Peaches, including nectarines and free-stone peaches		60 % tariff reduction
		D. Apples and pears		
		E. Papaws		
		F. Fruit salads:		
		G. Other		
	20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard:		
		ex B. Other:		
		- prepared or preserved by vinegar or acetic acid, with or without salt, spices or mustard, but without sugar, not including gherkins		
	20.02	Vegetables, prepared or preserved otherwise than by vinegar or acetic acid:		
		F. Capers and olives		
		ex H. other, excluding carrots and mixtures		
	20.05	Jams, fruit jellies, marmalades, fruit puree and fruit pastes, being cooked preparations, whether or not containing added sugar:		
		C. Other:		
		ex III .not specified:		
		- Fig puree		
	20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:		
		A. Nuts (including groundnuts), roasted		

Decision No 1/73 of Association Council

No	CCT heading No	Description	CCT rate	New concession
12	ex 03.01	Fishery products		60 %
	ex 03.03	Fishery products covered by Article 1 of Council Regulation (EEC) No 1315/71		tariff reduction
	ex 03.01	Fishery products covered by Article 2 of Council Regulation (EEC) No 1315/71		70 % tariff reduction

DECISION No 2/73 OF THE COUNCIL OF ASSOCIATION amending Decision No 5/72 of 29 December 1972 on methods of administrative co-operation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey;

Having regard to the Additional Protocol, and in particular Article 4 thereof;

Whereas a Supplementary Protocol was signed on 30 June 1973, and an Interim Agreement, the aim of which is to permit the early implementation of certain provisions of the supplementary Protocol on trade, was signed on the same date;

Whereas Decision No 5/72 of 29 December 1972 laid down methods of administrative co-operation for implementation of articles 2 and 3 of the Additional Protocol;

Whereas pursuant to Article 1 of the Supplementary Protocol and Article 1 of the Interim Agreement these provisions also apply to trade between the new Member States and turkey;

Whereas pursuant to Article 11 of the Supplementary Protocol and Article 4 of the Interim Agreement Turkey shall, until 1 July 1977, apply to the new Member States customs duties and charges having equivalent effect which are different from those applicable under the provisions of the Additional Protocol to the Community as originally constituted; whereas, accordingly, the methods of administrative co-operation should be adapted to insure that the aforementioned provisions are correctly applied;

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 5/72 of 29 December 1972 is amended as follows:

(a) The following new Articles 14 and 15 shall be added:

“Article 14

Until 1 July 1977, the customs authorities of the exporting State shall ensure that A.TR.1 and A.TR.3 movement certificates issued by them indicate that the goods covered by the said certificates that the goods covered by the said certificates have acquired the status of products fulfilling the conditions of Articles 2 or 3 of the Additional Protocol either in the Community as originally constituted or in a new Member State in a customs.”

“Article 15

Warehouse, in temporary storage or in a free zone, may benefit from the provisions of the Interim Agreement subject to production, within four months of that date, to the customs authorities of the importing State of an A.TR.1 certificate endorsed retrospectively by the competent authorities of the exporting State, together with documentary evidence of through transit.”

- (b) The following words shall be added to the titles of the specimen A.TR.1 and A.TR.3 movement certificates annexed to Decision No 5/72:

"MOVEMENT CERTIFICATE" and "VARECERTIFIKAT".

The words "MALLARIN TEDAVÜL BELGESİ" shall be replaced.

by:

"MALLARIN DOLAŞIM BELGESİ" and the words "CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI" shall be replaced by:

"CERTIFICATO DI CIRCOLAZIONE DELLE MERCI".

Article 2

A.TR.1 and A.TR.3 movement certificates complying with the former specimens may continue to be used until existing stocks are exhausted.

Article 3

A.TR.1 and A.TR.3 movement certificates in Danish and English, as shown in the Annex to this Decision, may be used under the same conditions as the original texts.

Article 4

The provisions of this Decision shall apply as from the date of entry into force of the Interim Agreement signed on 30 June 1973.

Done at Brussels, 17 December 1973

**For the Association Council
The President
N.ERSBOLL**

Decision No 2/73 of Association Council

REQUEST FOR VERIFICATION

The undersigned customs officer requests verification of the authenticity and accuracy of the certificate.

.....
(Place and fate of signature)

.....
(Signature of customs officer)

**Official
stamp**

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate:

1. was issued by the customs office indicated and that the information contained therein is accurate(1)
2. does not meet the requirements as to authenticity and accuracy (see notes appended(1))

.....
(Place and fate of signature)

.....
(Signature of customs officer)

**Official
stamp**

(1) Delete as necessary

1. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR.1 MAY BE ENDORSED

1. A movement certificate A.TR.1 may be endorsed only for goods which, in the exporting State, fall within one of the following categories;
 - (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges;
 - (b) goods in free circulation in the exporting State, (goods coming from a third country in respect of which import formalities have been complied with and customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges;
 - (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate of the compensatory levy prescribed for them;

Note: The statement "Compensatory Levy-Turkey" must appear on all movement certificates A.TR.1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement "Compensatory Levy-Turkey" the movement certificate or certificates A.TR.1 issued in lieu of the latter must also bear the statement "Compensatory Levy-Turkey".

2. Agricultural products must also comply with the additional origin conditions laid down for them.
3. Movement certificates A.TR.1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A. TR.1

The movement certificate A.TR.1 may be used only if the goods to which it relates are transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the importing State

- (a) goods imported without passing through territories other than those of the Community or Turkey.
- a) goods transported through territories other than those of the Community or Turkey or with transhipment in such territories provided

- (b) that carriage through such territories or transhipment is covered by a single transport document made out in the Community or Turkey.

Note: Before requesting endorsement of movement certificate A.TR.1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State Goods not transported direct are eligible for preferential treatment only if a movement certificate A.TR.3 is produced.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A. TR.1

1. The movement certificate A.TR.1 must be completed in one of the languages in which the Agreement is drawn up shall comply with the internal laws of the exporting State. Where the certificate is completed to Turkish it may also be completed in one of the official languages of the Community.
2. The movement certificate A.TR.1 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure for superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities.

3. Each item listed in the movement certificate A.TR.1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.

4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified.

5. The exporter or the carrier may complete the part of the certificate reserved for the declaration by the exporter by the reference to the transport document. It also recommended that the exporter or the carrier show on the transport document covering the despatch of the goods the serial number of the movement certificate A.TR.1.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. TR.1

When properly used the movement certificate A.TR.1 enables the goods described therein to benefit in the importing State from the progressive elimination of customs duties quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate bears the statement "Compensatory Levy-Turkey" goods described therein shall not be eligible for the preferential

treatment in the Member State of the E.E.C

The customs authorities of the importing State may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A. TR.1

The movement certificate A.TR.1 must be produced at the customs office of the importing Member State where the goods are presented within a period of three months from the date of endorsement.

A/TR.3

**E.E.C-TURKEY ASSOCIATION
MOVEMENT CERTIFICATE
VARECERTIFIKAT
WARENVERKEHRSBESCHEINIGUNG
CERTIFICAT DE CIRCULATION DES MARCHANDISES
CERTIFICATO DI CIRCOLAZIONE DELLE MERCI
CERTIFICAAT INZAKE GOEDERENVERKEHR
MALLAKIN DOLAŞIM BELGESİ**

[illegible]

- <http://ekutup.dpt.gov.tr/ab/okk2.pdf>

A 000000

Decision No 2/73 of Association Council

REQUEST FOR VERIFICATION

The undersigned customs officer requests verification of the authenticity and accuracy of the certificate.

.....
(Place and fate of signature)

.....
(Signature of customs officer)

**Official
stamp**

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate:

1. was issued by the customs office indicated and that the information contained therein is accurate(1)
2. does not meet the requirements as to authenticity and accuracy (see notes appended)(1)

.....
(Place and fate of signature)

.....
(Signature of customs officer)

**Official
stamp**

(1) Delete as necessary

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A.TR.3 MAY BE ISSUED

1. A movement certificate A.TR.3 may be issued only for goods which in the exporting State fall within one of the following categories;

- (a) Goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges.
- (b) Goods in free circulation in the exporting State, (goods coming from a third country in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have not been levied and which have not benefited from a total or partial drawback of such duties or charges.
- (c) Goods obtained or produced within the exporting State and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges subject to the collection, where appropriate of the compensatory levy prescribed for them.

Note: The Statement "Compensatory Levy-Turkey" must appear on all movement certificate A.TR.3 for goods obtained or produced in the Community from products coming

from a third country and on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

Goods originally imported from a State party to the Agreement and which on the exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement "Compensatory Levy-Turkey", the movement certificate or certificates A.TR.3 issued in lieu of the latter must also bear the statement "Compensatory Levy-Turkey".

2. Agricultural products must also comply with the additional origin conditions laid down for them .
3. Movement certificates A.TR.3 may not be issued for goods.
 - (a) which, in accordance with the provisions applicable to them , must be transported direct from the exporting State to the importing State.
 - (b) Which were originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A.TR.3

A movement certificate A.TR.3 may be used in all cases where a movement certificate A.TR.1 cannot be used owing to the fact that the goods are not transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the importing State

- (a) Goods transported without passing through territories other than those of the Community or Turkey.

- (b) Goods transported through territories other than those of the Community or Turkey or with transshipment in such territories provided that carriage through such territories or transshipment is covered by a single transport document made out in the Community or Turkey.

In particular, the movement certificate A.TR.3 may be used for goods exported from a State party to the Agreement to a country not party to the Agreement, from which they are liable to be re-exported subsequently to a State party to the Agreement.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A.TR.3

1. The movement certificate A.TR.3 must be completed in one of the languages in which the agreement is drawn up and shall comply with the internal laws of the exporting State. Where the certificate is completed in Turkish. It may also be completed in one of the official languages of the Community.
2. The movement certificate A.TR.3 must be typed or handwritten: if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who compelled the certificate and endorsed by the customs authorities.
3. The "certificate by the exporter" on the second page of the movement certificate A.TR.3 must be completed in full in particular the place of loading, the date of

dispatch and the country of destination at the time of export must be stated.

4. Each item listed in the movement certificate A.TR.3 must be preceded by a serial number A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
5. Goods must be described in accordance with commercial usage and great detail so as to ensure that they can be identified easily. The description of the goods must include the number of the tariff heading applicable to each item.

The exporter must include with the movement certificate A.TR.3 all documents such as plans, drawings, photographs or commercial prospectuses, etc. which may help identification if they consider it necessary, the custom authorities of the exporting country shall annex these documents to the movement certificate A.TR.3 .

IV. EFFECT OF THE MOVEMENT CERTIFICATE A.TR.3

A movement certificate A.TR.3 enables the goods described herein to benefit from progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect, where there is no doubt that the goods actually imported are those described in that movement certificate A.TR.3. However when the movement certificate A.TR.3 bears the statement "Compensatory Levy- Turkey" goods described therein shall

not be eligible for this preferential treatment in the Member State of the E.E.C . The customs authorities of the importing State may require submission of any supporting evidence if they consider there is doubt as to the identity of the goods and may exclude the goods from the progressive elimination of customs duties, quantitative restrictions and all measures having equivalent effect if satisfactory evidence cannot be produced.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A.TR.3

The movement certificate A.TR.3 must be submitted to the customs authorities of the importing State within a period six months from the date of issue. It shall be valid only for the quantities of goods presented in that State during those six months.

~~ATTN: TR-1~~

~~A~~000000

MALLARIN DOLASIM BELGESİ

..... exporter af de nedenfor beskrevne varer

<http://ekutup.dpt.gov.tr/ab/okk2.pdf>

Decision No 2/73 of Association Council

ANMODNING OM UNDERSØGELSE

Untertegnede toldmyndighed anmoder om undersøgelse af dette certifikat med hensyn til ægtheden og rightheden

....., Den
(sted) (dato)

**Toldkamrets
stempel**

.....
(Tjenestemandens underskrift)

RESULTATET AF UNDERSØGELSEN

Toldmyndighedens undersøgelse har vist, at

1. dette certifikat er udstedt af det angivne told-kammer, og at angivelserne i det er rigtige (1);
2. dette certifikat ikke opfylder de stillede krav med hensyn til ægthed og rightheden (se vedljødte bemærkninger)(1)

....., Den
(sted) (dato)

**Toldkamrets
stempel**

.....
(Tjenestemandens underskrift)

(1) ikke gældende udstreges

I. VARER, FOR HVILKE VARECERTIFIKAT A.TR.1 KAN UDSTEDES

1. Varecertifikat A.TR.1 kan kun udstedes for varer, der i udførselsstaten er omfattet af en af følgende kategorier:

- a) Varer der er fremstillet i udførselsstaten herunder sådanne varer der er fremstillet fuldt ud eller delvis af varer for hvilke den told og de afgifter med tilsvarende virkning der finder anvendelse på disse, er opkrævet og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter.
- b) Varer der er i fri omsætning i udførselsstaten (d.v.s. varer, som hidrører fra tredjeland for hvilke inforselsformaliteterne er opfyldt, og for hvilke told og afgifter med tilsvarende virkning, er blevet opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter)
- c) Varer fremstillet i udførselsstaten, og til hvis fremstilling er medgæet varer, for hvilke den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse ikke er opkrævet, eller som har nydt godt af en hel eller delvis godtgørelse af sådanne told eller afgifter, på betingelse af at den for varerne udligningsafgift er opkrævet.

Anm.: Ethvert varecertifikat A.TR.3 vedrørende varer, fremstillet i Fælleskabet ved anvendelse af varer, som hidrører fra

II. ANVENDELSESOMRADE FOR VARECERTIFIKAT A.TR.1

Varecertifikat A.TR.1 kan kun anvendes i alle detaljerede hvor varecertifikat A.TR.1 ikke kan anvendes fordi varerne ikke forsendes direkte fra udførselsstaten til indførselsstaten.

Som direkte forsendelse fra udførselsstaten til indførselsstaten anses:

- a) Varer hvis transport foregår uden passage af andre områder end Fælleskabets eller Tyrkiets
- b) Varer hvis transport foregår med passage af andre områder end Fælleskabets eller Tyrkiets eller som omlades i sådanne

III. REGLER, SOM SKAL IAGTTAGES VED UDSTEDELSE AF VARECERTIFIKAT A.TR.1

1. Varecertifikat A.TR.3 skal udfærdiges på et af de sprog, på hvilke associeringsaftalen er affattet og i overensstemmelse med udførselsstatens interne retsregler. Udfærdiges certifikatet på tyrkisk skal der ligeledes udfærdiges på et af Fælleskabets officielle sprog.
2. Varecertifikat A.TR.1 udfærdiges med maskin-eller håndskrift. I sidstnævnte tilfælde skal der udfyldes med blæk og med blok bogstaver. Der må hverken forekomme raderinger eller overskrivninger. Ændringer skal foretages ved overstregning af de fejlagtige oplysninger. Enhver således foretaget ændring skal bekræftes af den der har certifikatet og påtegnes af toldmyndighederne.
3. Varecertifikat A.TR.3's side 2, der er benævnt "Eksporttorens erklæring" skal være udtømmende udfyldt. Oplysning om

Tredjeland og som hverken i Fælleskabet eller i Tyrkiet et belagt med den told og de afgifter med tilsvarende virkning som finder anvendelse på disse, skal varebetegnet: Udligningsafgift-Tyrkiet

- d) Varer der oprindelig er indført fra en stat der delager i aftalen og som ved udførsel kan henføres til en af de under by eller nævnte kategorier.

Anm.: For så vidt angår varer, der oprindelig er indført i udførselsstaten og for hvilke der er udtædget et varecertifikat med påtegningen Udligningsafgift-Tyrkiet skal det varecertifikat eller de varecertifikater A.TR.3 som udstedes i stedet for dette, være påført den samme påtegning.

2. Landbudsprodukter skal endvidere opfylde de supplerende betingelser, der er fastsat for sådanne produkter.

3. Varecertifikat A.TR.3 kan ikke udstedes for varer:

- a) Som i henhold til regler der er fastsatte i dene hesennesskal være forsendt direkte fra udførselsstaten til indførselsstaten
- b) Som oprindelig er importeret fra tredjeland under en told præferenceregning som følge af deres oprindelse eller afsendelsesled.

sådanne områder, såfremt transporten gennem disse områder foregår på et gennemgående transportdokument udfærdiget af Fælleskabet eller Tyrkiet

Varecertifikat A.TR.3 vil i almindelighed kunne benyttes for varer der er udført fra en stat der er aftalepartner, til et land, der ikke er aftalepartner og hvorfra de efterfølgende skal genudføres til en stat der er aftalepartner.

IV. BETYDNINGEN AF VARECERTIFIKAT A.TR.1

Varecertifikat A.TR.3 gør det muligt at de varer der er beskrevet deri, nyder godt af den gradvise afvikling af told og kvantitative restriktioner, herunder foranstaltninger med tilsvarende, virkning såfremt der ikke hersker tvivl om identiteten mellem de faktisk indførte varer og de varer, der er beskrevet i det pågældende varecertifikat a.tr.3. Indeholder varecertifikat A.TR.3 påtegningen "Udligningsafgift-Tyrkiet" kan de i certifikatet beskrevne varer ikke

Indladningssted, forsendelsesdato og varernes bestemmesland på udførselstidspunkter er obligatoriske oplysninger.

4. Foran hver i varecertifikat A.TR.3 angivet vare skal antones et lobenummer. Umiddelbart under den sidste post trækkes en vandret afslutning treg. Ikke udfyldte felter skal ved overstregning gøres uanvendelige for tilføjelser.
5. Varerne skal beskrives med deres sædvanlige handelsbetegnelser og med sådanne detaljer at de let kan identificeres. Beskrivelsen skal fuldstændig gøres ved anførsel af toldposition for hver vare. Eksportøren skal vedlægge varecertifikat A. TR. 3 alle dokumenter, såsom, tegninger, fotografier, kataloger m. v. som kan lette selstedenet skønnet det påkrævet, vedhæfter de disse dokumenter til varecertifikat A. TR.3.

Nyde godt af en præferential behandling i Fælleskabets medlemsstater. Toldmyndighederne i indførselsstaten er berettiget til at kræve frem lagt enhver yderligere dokumentation hvis de finder at identiteten at varer ikke er behørigt godtgjort og de er ligeledes berettiget til at nægte adgang til d3en gradvise afvikling af told og kvantitative restriktioner herunder foranstaltninger med tilsvarende virkning hvis der ikke fremlægges tilfredsstillende dokumentation.

V. FRISTEN FOR FORELÆGGELSE AF VARECERTIFIKAT A.TR.3

Varecertifikat A.TR.3 skal inden for en frist af seks måneder regnet fra datoen for dets udstedelse forelægges for toldmyndighederne i indførselsstaten. Det er kun gyldigt for den mængde varer, der frembydes i denne stat inden for samme frist.

**DECISION No 1/75 OF THE ASSOCIATION COUNCIL amending Decision No 4/72
on the definition of the concept of ‘originating products’ from Turkey for
implementation of Chapter I of Annex No 6 of the Additional Protocol to the Ankara
Agreement**

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol annexed to that Agreement and in particular Article 16 of Annex No 6,

Whereas Decision No 4/72 defined the concept of products originating in Turkey for the purpose of implementing Chapter I of Annex No 6 of the Additional Protocol to the Ankara Agreement;

Whereas, according to Article 1(f) of that Decision, goods obtained in Turkey by working or processing the products specified in subparagraphs (a) to (e), even if other products are incorporated on an accessory basis in their manufacture, whatever the origin of those products, are considered as ‘originating products’ from Turkey; whereas according to Explanatory Note No 5 to that Decision ‘products in a quantity not exceeding 10% of that of the products referred to in subparagraphs (a) to (e) of that Article shall be considered as being incorporated on an accessory basis in their manufacture’;

Whereas this rule has proved to be unnecessarily rigid because it prevents certain Turkish goods from acquiring the necessary origin entitling them to preferential importation into the Community, even if the products which have been used in the manufacture of the goods and which in quantity exceed 10% of the products referred to under (a) to (e), have been obtained in the Community or in Turkey and satisfy the conditions set out in Articles 2 and 3 of the Additional Protocol;

Whereas, accordingly greater flexibility of the rules of origin on this point would only be of advantage to both partners to the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

The following text shall be substituted for Article 1(f) of Decision No 4/72:

‘(f) goods obtained in Turkey by working or processing the products referred to under (a) to (e), even if other products are used in their manufacture, on condition that products obtained outside Turkey or the Community are only used on an accessory basis in the manufacture’.

Done at Brussels, 26 May 1975

**For the Association Council
The President
T. SARAÇOĞLU**

DECISION No 2/75 OF THE ASSOCIATION COUNCIL on the imbalance of the EEC-Turkey trade balance

THE ASSOCIATION COUNCIL,

Having regard to the Association Agreement, and in particular Article 24 thereof,

Having regard to Decision of the Association Council No 3/64 setting up the Association Committee, and in particular Article 1 thereof,

Whereas the Turkish Government has drawn attention to the worsening of the trade balance between the Community and Turkey and has asked that the Association Council be given a report on this problem;

Whereas the Preamble to the Association Agreement mentions, among other things, the need for harmonious expansion of trade between Turkey and the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The Association Community is instructed to draw up a report, to be submitted to the Association Council, on the problems arising for Turkey as a result of the worsening trade balance between the Community and Turkey and to suggest possible ways of overcoming the difficulties within the framework of the Association.

Article 2

In order to carry out this task the Association Committee may set up working parties which may if necessary travel to Turkey to collect the necessary information.

Done at Brussels, 16 September 1975

**For the Association Council
The President
I. S. ÇAGLAYANGİL**

DECISION NO 1/76 OF THE ASSOCIATION COUNCIL amending Decision No 5/72 on methods of administrative co-operation for the implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol, signed in Brussels on 23 November 1970, and in particular Article IV thereof,

Whereas pursuant to an Agreement concluded on 11 June 1975 between the European Economic Community and the Republic of Austria goods traded under the EEC-Turkey Association which are forwarded from Austria remain, during their stay in that country, under the continuous control of the Austrian customs authorities so that their identity and completeness are ensured; whereas the Agreement also provides for a broad exchange of information between the customs authorities of Member States and those of Austria in respect of such goods, whereas information obtained under this Agreement by the customs authorities of Member States from those of Austria will, on request, be made available to the Turkish customs authorities,

Whereas the implementation of the said Agreement will accordingly allow considerable simplification of formalities in trade between the Community and Turkey;

Whereas the methods of administrative co-operation for the implementation of Articles 2 and 3 of the Additional Protocol, which were adopted by Association Council Decision No 5/72, as amended by Decision No 2/73, should therefore be amended,

HAS DECIDED AS FOLLOWS:

Article 1

The following Title shall be added to Decision No 5/72:

“TITLE III A

SPECIAL PROVISIONS FOR THE USE OF MOVEMENT CERTIFICATE A. TR:1 FOR GOODS FORWARDED FROM AUSTRIA”

Article 7a

When goods are forwarded from Austrian territory after, as appropriate, unloading and reloading or warehousing in a bonded warehouse, the documentary evidence referred to in

Decision No 1/76 of Association Council

Article 1 shall be movement certificate A.TR.1 provided that the conditions set out in Articles 7b and 7c are fulfilled.

Article 7b

Movement certificate A.TR.1 relating to goods referred to in Article 7a shall only be valid when the certificate is endorsed to the effect that the goods have remained under the continuous control of the Austrian customs authorities so that their identity and completeness are ensured.

When the goods are forwarded without splitting the consignment, this endorsement shall appear in the 'Description of goods' section of movement certificate A. TR.1, and shall consist of the words 'Direkts Weiterleitung EWG' authenticated by the stamp of the competent Austrian customs office and the date.

When the goods are forwarded after the consignment has been split in Austria, the competent Austrian customs office is authorized to authenticate, on production of movement certificate, A.TR.1 issued in a Member State or in Turkey, a photocopy of such certificate for each part consignment. The top of each photocopy shall be endorsed 'TEILSENDUNG' in red ink. Each photocopy shall clearly indicate the goods to which it refers. These particulars shall be authenticated by the customs office stamp and the date.

Article 7c

The goods referred to in Article 7a and the relevant movement certificate A.TR.1 or, when the consignment is split, the photocopy of the said certificate authenticated by the competent Austrian customs office, must be produce to the customs authorities of the importing State within six months from the date of issue of the original movement certificate."

Article 2

This Decision shall apply from 1 January 1977.

Done at Brussels, 20 September 1976

**For the Association Council
The President
T. SARAÇOĞLU**

**DECISION No 2/76 OF THE ASSOCIATION COUNCIL on the implementation of
Article 12 of the Ankara Agreement**

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol referred to in Article 1(1) of the Provisional Protocol annexed to the said Agreement, and in particular Article 36 thereof,

Whereas the Contracting Parties agreed pursuant to Article 12 of the Ankara Agreement to be guided by Articles 48, 49 and 50 of the Treaty establishing the European Economic Community in gradually introducing freedom of movement for workers between their countries, whereas Article 36 of the Additional Protocol provides that this freedom of movement shall be secure by progressive stages between the end of the twelfth and of the twenty-second year after entry into force of the Association Agreement;

Whereas the Articles referred to above imply that the Member States of the Community and Turkey shall accord each other priority as regards access by third workers to their respective employment markets: whereas this principle must be given effect under conditions that exclude any serious danger to the standard of living and the level of employment in the various regions and branches of activity in the Member States of the Community and Turkey, and without prejudice to the application between Member States of the community of Community provisions governing the freedom of movement of workers or to any international undertakings by either Party on the subject under consideration;

Whereas the content of a first stage should be laid down, the Association Council having to decide on the content of the subsequent stages at a later date,

HAS DECIDED AS FOLLOWS:

Article 1

1. This Decision establishes for a first stage the detailed rules for the implementation of Article 36 of the Additional Protocol.
2. This first stage shall last four years, as from 1 December 1976

Article 2

1.

- (a) After three years of legal employment in a Member State of the Community a Turkish worker shall be entitled, subject to the priority to be given to workers of Member States of the Community, to respond to an offer of employment, made under normal conditions and registered with the employment services of that State, for the same occupation, branch of activity and region.
- (b) After five years of legal employment in a Member State of the Community, a Turkish worker shall enjoy free access in that country to any paid employment of his choice.
- (c) Annual holidays and short absences for reasons of sickness, maternity or an accident at work shall be treated as periods of legal employment. Periods of involuntary unemployment duly certified by the relevant authorities and long absences on account of sickness shall not be treated as periods of legal employment, but shall not affect rights acquired as the result of the preceding period of employment.

- 2. The procedures for applying paragraph 1 shall be those established under national rules.

Article 3

Turkish children who are residing legally with their parents in a Member State of the Community shall be granted access in that country to courses of general education.

They may also be entitled to enjoy in that country the advantages provided for in this connection under national laws.

Article 4

Nationals of the Member States who are in paid employment in Turkey, and their children, shall enjoy in that country rights and advantages referred to in Articles 2 and 3 if they meet the conditions laid down in these Articles.

Articles 5

Should it not be possible in the Community to meet an offer of employment by calling on the labour available in the employment market of the Member States and should the Member States, within the framework of their provisions laid down by law, regulation or administrative action, decide to authorize a call on workers who are not national of a Member State of the Community in order to meet the offer of employment, they shall endeavour in so doing to accord priority to Turkish workers.

Article 6

Where a Member State of the Community or Turkey experiences or is threatened with disturbances on its employment market which might seriously jeopardize the standard of

Decision No 2/76 of Association Council

living or level of employment in a particular region, branch of activity or occupation, the State concerned may refrain from automatically applying Article 2 (1) (a) and (b).

The State concerned shall inform the Association Council of any such temporary restriction.

Article 7

The Member States of the Community and Turkey may not introduce new restrictions on the conditions of access to employment applicable to workers legally resident and employed in their territory.

Article 8

This Decision shall not affect any rights or obligations arising from national laws or bilateral agreements existing between Turkey and the Member States of the Community where these provide for more favourable treatment for their nationals.

Article 9

The provisions of this Decision shall be applied subject to limitations justified on grounds of public policy, public security or public health.

Article 10

So as to be in a position to ensure the harmonious application of the provisions of this Decision and determine that they are applied in such a way as to exclude the danger of disturbance of the employment markets, the Association Council shall be informed of the employment situation in the Member States of the Community and in Turkey.

Article 11

One year before the end of the first stage and in the light of the results achieved during it, the Association Council shall commence discussions to determine the content of the subsequent stage and to ensure that the Decision on that stage is enforced as from the date of expiry of the first stage. The provisions of this Decision shall continue to apply until the beginning from the subsequent stage.

Article 12

The Contracting Parties shall each take the measures necessary to implement this Decision.

Article 13

This Decision shall enter into force on 20 December 1976.

Done at Brussels, 20 December 1976

**For the Association Council
The President
M. Van der STOEL**

DECISION No 1/77 OF THE ASSOCIATION COUNCIL on new concessions for imports of Turkish agricultural products into the Community

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol signed on 23 November 1970, and in particular Article 35(3) thereof,

Having regard to the Supplementary Protocol signed on 30 June 1973, and in particular Article 6 thereof,

Having regard to the Interim Agreement signed on 30 June 1973, and in particular Article 10 thereof,

Whereas under Article 35(3) of the Additional Protocol the Association Council may decide on any improvements in the preferential treatment applicable to Turkish agricultural products which prove to be necessary for progressive attachment of the objectives of the Association Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

1. The products listed in Annex I shall be imported into the Community under the arrangements laid down in that Annex.
2. Until 31 December 1977 and by way of derogation from paragraph 1, Denmark, Ireland and the United Kingdom shall be authorized to apply duties not lower than those listed in Annex II to imports of fresh oranges falling within subheading 08.02 ex A of the Common Customs Tariff and of fresh mandarins, including tangerines and satsumas, clementines, wilkings and other similar citrus hybrids falling within subheading 08.02 ex B of the Common Customs Tariff.

Article 2

1. Provided that Turkey levies a special charge on exports of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff and provided also that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that;
 - (a) the levy on imports into the Community of the said olive oil, wholly obtained in Turkey and transported direct from that country to the Community, is the import

Decision No 1/77 of Association Council

levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.5 units of account per 100 kilograms;

- (b) the amount of the levy calculated in the manner described under (a) is reduced by an amount equal to that of the special charge paid but not exceeding 9 units of account per 100 kilograms.
2. If Turkey does not levy the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, is the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, less 0.50 units of account per 100 kilograms.
 3. Each Contracting Party shall take the measures necessary for implementation of paragraph 1 and, in the event of difficulties and at the request of the other Contracting Party, shall supply the information required for the proper operation of the system.
 4. Consultations on the functioning of the system provided for in this Article may be held within the Association Council.

Article 3

Without prejudice to the collection of the variable component of the levy calculated in accordance with Article 14 of Regulation No 136/66/EEC, the fixed component of the said levy shall be reduced by 80% on imports into the Community of olive oil having undergone a refining process, falling within subheading 15.07 A I of the Common Customs Tariff, wholly obtained in Turkey and transported direct from that country to the Community

Article 4

1. For prepared and preserved sardines falling within subheading 16.04 D of the Common Customs Tariff and originating in Turkey, the customs duty on imports into the Community shall be reduced by 40% subject to observance of the minimum prices fixed in accordance with the following paragraphs.
2. Until 30 June 1978 the minimum prices referred to in paragraph 1 shall be those specified in Annex III. The prices for the period beginning 1 July 1978 shall be not lower than those specified in the said Annex as updated by exchange of letters between the Contracting Parties in order to take account of the trend of costs for the products in question.
3. From 1 July 1979 the minimum prices referred to in paragraph 1 shall be agreed by annual exchanges of letters between the Contracting Parties.
4. The reduction of customs duty referred to in paragraph 1 shall apply only from the date and for the periods determined by exchanges of letters laying down the technical rules for applying this Article.

Article 5

The contracting parties shall take the measures necessary to implement the provisions of this Decision.

Article 6

Annexes I, II, III and IV shall form an integral part of this Decision.

Article 7

This Decision shall enter into force on 1 July 1977.

Done at Brussels, 17 May 1977

**For the Council of Association
The President
T. SARAÇOĞLU**

Decision No 1/77 of Association Council

ANNEX I

Common Customs Tariff Heading No	Description	Rate of Reduction %
01.01	Live horses, asses, mules and hinnies	
	A. Horses:	
	II. For slaughter (a)	80
02.01	Meat and edible offals of the animals falling within heading no 01.01, 01.02, 01.03 or 01.04, fresh chilled or frozen:	
	A. Meat:	
	ex I. Of horses, asses, mules and hinnies	
	- of horses	80
03.01	Fish, fresh (live or dead), chilled or frozen:	
	B. Saltwater fish:	
	I. Whole, headless or in pieces:	
	e) Sharks	80 (b)
	f) Redfish (<i>Sebastes marinus</i>)	80 (b)
	g) Halibut (<i>Hippoglossus vulgaris</i> , <i>Hippoglossus reinhardtius</i>)	80 (b)
	h) Cod	80 (b)
	(<i>Gadus morrhua</i> or <i>Gadus callarias</i>)	
	i, j) Coalfish	80 (b)
	(<i>Pollachius virens</i> or <i>Gadus virens</i>)	
	k) Haddock	80 (b)
	l) Whiting (<i>Merlangia merlangus</i>)	80 (b)
	m) Mackarel	80 (b)
	o) Plaice	80 (b)
	p) Sea-bream of the species	
	<i>Dentex dentax</i> and <i>Pagellus</i>	80 (b)
	q) Other	80 (b)
03.02	Fish, dried, salted or in brins; emoked fish, whether or not cooked before or during the smoking process	60

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) Subject to compliance with the reference prices.

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Common Customs Tariff Heading No	Description	Rate of Reduction %
07.01	Vegetables, fresh or chilled: F: Leguminous Vegetables, shelled or unshelled: II. Beans (of the species Phaseolus): ex a) From 1 October to 30 June: -from 1 November to 30 April	60
	ex H. Onions, shallots and garlic: - Onions, from 15 February to 15 May	60
	ex T. Other: - Aubergines, from 15 January to 30 April	60
	- Marrow and pumpkins, from 1 December to and February	60
	- Celery in sticks, from 1 January to 30 April	50
07.05	Dried leguminous vegetables shelled, whether or not skinned or spit: A. For sowing: Ex. I. Peas (including chick peas) and beans (of the species Phaseolus): - Peas	60
	II. Lentil	80
	ex. III. Other - Broad beans and field beans	60
08.02	Citrus fruit, fresh or dried: ex A. Oranges: - Fresh	60
	ex B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids - Fresh	60

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Common Customs Tariff Heading No	Description	Rate of Reduction %
08.02 (continued)	D. Grapefruit	80
08.04	Grapes, fresh or dried: A. fresh: I. table grapes: ex a) From 1 November to 14 July: – from 15 November to 30 April	60
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not : ex G. Other: – Hazelnuts	(a)
08.07	Stone fruit, fresh: D. Plums: ex. II. From 1 October to 30 June: – From 1 May to 15 June	60
ex. 08.09	Other fruit, fresh: – Melons, from 1 November to 31 May – Water melons, from April to 15 June	50 50
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05: A. Apricots	75
12.03	Seeds, fruit and spores, of a kind used for sowing: A. Beet seeds (b)	30

(a) Preferential Duty of 2.5 % under an annual Community tariff quota of 25,000 tonnes.

(b) This concession applies only to seeds which satisfy the provisions of the Directives on the marketing of seeds and plants.

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Common Customs Tariff Heading No	Description	Rate of Reduction %
16.04	Prepared or preserved fish, including caviar and caviar substitutes: ex F Bonito (sarda sp. p.) mackerel and anchovies – Bonito (sarda sp. p.) and mackerel	16
16.05	Crustaceans and molluscs, prepared or Preserved	60
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard: ex. B. Other: – With sugar, excluding. gherkins	60
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: ex C. Tomatoes: – Peeled tomatoes – Tomato concentrates D. Asparagus F. Capers and olives G. Peas; beans in pod ex. H. Other, including mixtures: – Carrots. Excluding mixtures	30 30 (b) 20 70 20 20

(b) This tariff reduction shall be applicable only from the date and during the periods specified in exchange of letters to be concluded each year between the Community and Turkey to define the conditions and rules governing such reduction and, in particular, determine the quantities to be subject to voluntary restraint.

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Common Customs Tariff Heading No	Description	Rate of Reduction %
20.06	<p>Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit:</p> <p>B. Other:</p> <p>II. not containing added spirit:</p> <p>a) containing added sugar, in immediate packing of a net capacity of more than 1 kg:</p> <p>2. Grapefruit segments</p> <p>7. Peaches and apricots:</p> <p>ex aa) with a sugar content exceeding 13% by weight:</p> <p>–Apricots</p> <p>ex bb) Other</p> <p>–Apricots</p> <p>ex. 8. other fruits: Grapefruit</p> <p>b) Containing added sugar, in immediate packing of a net capacity of 1 kg or less:</p> <p>2. Grapefruit segments</p> <p>ex.8. other fruits:</p> <p>– Grapefruit</p> <p>c) not containing added sugar in immediate packing of a net capacity:</p> <p>1. of 4.5 kg or more.</p> <p>ex. aa) Apricots:</p> <p>– Apricot halves</p> <p>– Apricot pulp</p>	<p>80</p> <p>20</p> <p>20</p> <p>80</p> <p>80</p> <p>80</p> <p>20</p> <p>30¹</p>

¹ Under as annual Community tariff quota of 90 tonnes.

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Common Customs Tariff Heading No	Description	Rate of Reduction %
20.06 (continued)	ex dd) other fruits:	
	– Grapefruit	80
	2. of less than 4.5 kg:	
	ex bb) Other fruits and mixtures of fruit:	
	– Grapefruit	80
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:	
	A. of a specific gravity exceeding 1.33 at 15°C:	
	III. other:	
	ex a) of a value exceeding 30 UA per 100 kg net weight:	
	– Grapefruit	70
	ex b) of a value not exceeding 30 UA Per 100 kg net weight:	
	– Grapefruit	70
	B. of a specific gravity of 1.33 or less at 15°C:	
	II. Other :	
	a) of a value exceeding 30 UA per 100 kg net weight:	
	2. Grapefruit	70
	b) of a value of 30 UA or less per 100 kg net weight:	
	2. Grapefruit	70

Minimum residual duties which may be applied under the term of Article 1(2)

Danish Common Customs Tariff Heading No	Description	Rate of duty
		1.1.1977
1 08.02	2 Citrus fruit, fresh or dried: A. Oranges: 1. Sweet oranges, fresh: a) From 1 April to 30 April b) From 1 May to 15 May c) From 16 May to 15 October: d) From 16 October to 31 March II. Other: ex a) From 1 April to 15 October: — Fresh ex b) October to 31 March: — Fresh exB) Mandarins (including tangerines and satsumas): clementines, wilkings and other similar citrus hybrids: — Fresh	 2-6 % -2 % 0-1/2 % 4 % 1 % 4% 4 %

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II. IRELAND

Irish Customs Tariff Heading No	Description	Rate of duty
		1.1.1977
1		
08.02	<p>Citrus fruit, fresh or dried</p> <p>A. Oranges:</p> <p>1. Sweet oranges, fresh:</p> <p>a) From 1 April to 30 April 2-6 %</p> <p>b) From 1 May to 15 May 1-2 %</p> <p>c) From 16 May to 15 October 0-8 %</p> <p>d) From 16 October to 31 March 4 %</p> <p>II. Other:</p> <p>ex a) From 1 April to 15 October:</p> <p>– Fresh 1 %</p> <p>ex b) October to 31 March:</p> <p>– Fresh 3%</p> <p>B. Mandarins (including tangerines and satsumas):</p> <p>Clementines, wilkings and other similar citrus hybrids:</p> <p>1. Fresh 4 %</p>	

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III. UNITED KINGDOM

United Kingdom Customs Tariff Heading No	Description	Rate of duty
		1.1.1977
1	2	
08.02	<p>Citrus fruit, fresh or dried</p> <p>A. Oranges:</p> <p>I. Sweet oranges, fresh:</p> <p>a) From 1 April to 30 April</p> <p>b) From 1 May to 15 May</p> <p>c) From 16 May to 15 October</p> <p>d) From 16 October to 31 March</p> <p>1. From 16 October to 30 November</p> <p>2. From 1 December to 31 March</p> <p>II. Other:</p> <p>a) From 1 April to 15 October</p> <p>1. Fresh</p> <p>b) From 16 October to 31 March:</p> <p>1. Fresh</p> <p>aa) From 16 October to 30 November</p> <p>bb) From 1 December to 31 March</p> <p>B. Mandarins (including tangerines and satsumas): clementines ... and other similar citrus hybrids:</p> <p>1. Fresh:</p> <p>a) From 1 April to 30 November</p> <p>b) From 1 December to 31 March</p>	<p>2-6 % with minimum charge of , £0 688/100g</p> <p>1-2 % with minimum charge of , £0 688/100g</p> <p>0-8% with minimum charge of , £0 688/100g</p> <p>4 % with minimum charge of , £0 688/100g</p> <p>4.4 %</p> <p>3 % with minimum charge of , £0 688/100g</p> <p>4 % with minimum charge of , £0 688/100g</p> <p>4 % with minimum charge of , £0 688/100g</p> <p>4-4 %</p>

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ANNEX III

until 30. 6.1978

Size		Net weight		Seal- gross weight	Capacity	Coefficients	Minimum prices customs duties included .. per carton of 100 tins	
Trade specification	Total height Cm	Ounces	g	g	Cubic cm		Community	
							In olive oil	other
Rectangular bottom								
1/10 club	20	2	55	95	53	0.60	11.70	10.80
1/8 club	25	2-3/4	80	120	75	0.70	13.65	12.60
¼ reduced	18	2-5/8	74	130	73	0.77	15.02	13.85
1/3 club	30	3-1/4	90	140	93	0.80	15.60	14.40
¼ special	25	3-1/8	90	140	90	0.85	15.58	15.30
1/8 low plat	24	3-3/8	95	145	95	0.90	17.55	16.20
¼ club	30	4-3/8	125	190	125			
1/...P 25				176	125			
¼ usual	22	3-3/4	105	180	...	1.00	19.50	18.00
1/8 (club 30)				188	130			
¼ usual	24	4-3/8	125	195	125	1.10	21.45	19.00
¼ usual	30	5-1/4	150	240	169			
¼ club	40	6-1/4	175	250	178	1.30	25.35	23.40
¼ P 30				250	187			
¼ American	30	7	200	300	207	1.50	31.20	28.80
¼ usual	40	9-1/4	250	325	250			
1/3 P				337	250	1.80	35.10	32.40
¼ club long	40	8-3/4	248	320	241			
½ low	30	9-1/4	250	370	245	2.20	42.90	39.60
¼ usual long	40	11-1/2	325	423	313	2.50	40.75	45.00
¼ usual	48	11	310	390	297	2.60	50.70	46.00
½ large	40	11-1/2	325	450	320	2.70	52.85	48.00
½ P				476	375			
1/1				902	750			
						4.65	90.33	83.70
¼	80	27-1/2	780	950	771			
Oval bottom								
½ oval	40	15	425	555	452	3.40	66.30	81.20

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from 1.7.1978 to 30.6.1979

Size		Net weight		Seal-gross weight	Capacity	Coefficients	Minimum prices customs duties included per carton of 100 tins	
Trade specification	Total height Cm	Ounces	g	g	Cubic cm		Community	
							In olive oil	other
Rectangular bottom								
1/10 club	20	2	55	95	53	0.50	12.30	11.48
1/8 club	25	2-3/4	80	120	75	0.70	14.35	13.30
¼ reduced	18	2-5/8	74	130	73	0.77	15.79	14.83
1/3 club	30	3-1/4	90	140	93	0.80	16.40	15.20
¼ special	25	3-1/8	90	140	90	0.85	15.58	16.15
1/8 low plat	24	3-3/8	95	145	95	0.90	17.55	17.10
¼ club	30	4-3/8	125	190	125			
1/...P 25				176	125			
¼ usual	22	3-3/4	105	180	...	1.00	19.50	19.00
1/8 (club 30)				188	130			
¼ usual	24	4-3/8	125	195	125	1.10	21.45	
¼ usual	30	5-1/4	150	240	169			20.30
¼ club	40	6-1/4	175	250	178	1.30	25.35	24.70
¼ P 30				250	187			
¼ American	30	7	200	300	207	1.50	31.20	30.40
¼ usual	40	9-1/4	250	325	250			
1/3 P				337	250	1.80	35.10	34.20
¼ club long	40	8-3/4	248	320	241			
½ low	30	9-1/4	250	370	245	2.20	42.90	41.80
¼ usual long	40	11-1/2	325	423	313	2.50	59.70	47.50
¼ usual	48	11	310	390	297	2.60	53.30	49.40
½ large	40	11-1/2	325	450	330			
½ P				476	375	2.70	55.35	91.30
1/1				902	750	4.65		
							90.33	38.35
¼	80	27-1/2	780	950	771			
Oval bottom								
½ oval	40	15	425	555	452	3.40	59.70	84.80

ANNEX IV

Concerning olive oil, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the CCT

1. In order to take account of :

- the importance of olive oil for the Turkish economy;
- The traditional trade flows in this product between Turkey and the European Economic Community.

The amount to be deducted from the amount of the levy in accordance with Article 2 (1) (b) of the Decision concerning olive, other than olive oil having undergone a refining process, falling within subheading 15.07 A II of the Common Customs Tariff, may be increased by an additional amount

under the same conditions and arrangements as laid down for the application of Article 2 (1) (b) of the Decision.

- 2.** The additional amount provided for in paragraph 1, if any, shall be fixed for each year of application by an exchange of letters between the Community and Turkey in the light of conditions on the olive oil market.
- 3.** In view of the exceptional conditions currently affecting the olive oil market, the additional amount shall be fixed at 9 unit of account for the period ending on 31 October 1977.

DECISION No 1/78 OF THE ASSOCIATION COUNCIL amending Decision No 5/72 on methods of administrative co-operation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to the said Agreement, and in particular Article 4 thereof,

Whereas most of the documents used in international trade have been aligned at Community level on the outline form prepared by the Economic Commission for Europe; whereas, therefore, the specimens aligned on this outline form should replace the specimen movement certificates A. TR 1 and A. TR 3 annexed to Decision No 5/72 of the Association Council of 29 December 1972 on methods of administrative co-operation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

1. The specimen movement certificates A. TR 1 and A. TR 3 annexed to Decision No 5/72 shall be replaced by the specimens annexed to this Decision.

The third paragraph of Article 8 of Decision No 5/72 shall be deleted.

2. Movement certificates complying with the former specimens may continue to be used until 31 December 1979.

Article 2

This Decision shall apply with effect from 1 October 1978.

Done at Brussels, 18 July 1978

**For the Association Council
The President
T. SARAÇOĞLU**

Decision No 1/78 of Association Council

ANNEX
MOVEMENT CERTIFICATE

(1) Insert the member State or Turkey (2) Insert where appropriate Compensatory levy Turkey	1. Exporter (name, full address, country)		A.TR.1 No A 000000		
			See notes overleaf before completing this form		
	3. Consignee (name, full address, country) (optional)		2. Transport document (optional) No _____ Date _____		
			ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY		
			5. Country of exportation	6. Country of destination (1)	
	7. Transport details (Optional)		8. Remarks (2)		
9. Item Number	10. Marks and numbers; Number and kind of packages (for goods in bulks indicate the name of the ship or the number of the railway wagon or road vehicle); description of goods				11. Gross weight (kg) or other measure (hl, m, etc.)
(3) Complete only where the exporting country requires.	12. CUSTOMS ENDORSEMENT		13. DECLARATION BY THE EXPORTER		
	Declaration certified _____ Stamp _____ Export document (3) _____ No _____ Form _____ Customs office: _____ Issuing country: _____ Date _____ (Signature) _____		I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date _____ (Signature) _____		
14. REQUEST FOR VERIFICATION, to		15. RESULT OF VERIFICATION			
Verification of the authenticity and accuracy of this certificate is requested.		Verification carried out shows that this certificate (1)			
_____ (Place and date) Stamp _____ (Signature)		<input type="checkbox"/> was issued by the Customs Office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended.) _____ (Place and date) Stamp _____ (Signature)			
Full address of office making the request		(1) Insert X in the appropriate box.			

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR.1 MAY BE ENDORSED

1. A movement certificates A. TR. 1 may be endorsed only for goods which, in the exporting States, fell within one of the following categories:
 - a. goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges;
 - b. goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been comply with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
 - c. goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;
4. circulation within in the meaning of the Agreement.

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. TR.1

The movement certificate A. TR.1 may be used only if the goods to which relate are transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the imported State:

- a. goods transported without passing through territories other than those of the Community or Turkey.
- b. goods transported through territories other than those of the Community or Turkey or with transshipment is

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. TR.1

1. The movement certificate A. TR. 1 must be completed in one of the language in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Turkish, it shall also be completed in one of the official language of the Community.
2. The movement certificate A. TR. 1 must be typed or handwritten; if the latter it must be completed in ink in block letters. it must not contain any eraser superimposed correction. Any alteration must be made by deleting the incorrect particular or adding any necessary corrections. Any each alteration must be initiated by the person who completed the certificate and be endorsed by the customs authorities.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. TR. 1

When property used movement certificate A. TR. 1 enables the goods described there in to benefit in the importing State from the progressive elimination of the customs duties quantitative restrictions and all other measures having equivalent effect. However when the movement certificate bears the statement 'Compensatory Levy Turkey' the goods describe therein shall not

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. TR.1

The movement certificate A. TR.1 must be produced at the customs office of the importing State where the goods are

Note: The statement 'Compensatory Levy Turkey' must appear on all movement certificates A. TR. 1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- d. goods originally imported a State party to the Agreement and which on exportation fell within one of the categories (a), (b) or (c) above

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'Compensatory Levy Turkey', the movement certificate or certificates A. TR. 1 issued in line of the latter must also bear the statement 'Compensatory Levy Turkey'

2. Agricultural products must also comply with the additional conditions laid down in respect thereof.
3. Movement certifies A. TR. 1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or of consignment and which accordingly may not be regarded as in free

covered by a single transport document made out in the Community or Turkey.

Note: Before requesting endorsement of movement certificate A. TR. 1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A. TR.3 is produced.

3. Each item listed in the movement certificate A. TR.1 must be preceded by an item number A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
4. Goods must be described in accordance with commercial usage and a sufficient detail to enable them to be unidentified.
5. The exporter or the carrier may enter in box No. 2 of the certificate a reference to the transport document. It is also recommended that the exporter or the carrier should show on the transport document covering the dispatch of the goods the serial number of the movement certificate A. TR. 1.

be eligible for this preferential treatment in the Member States of the E.E.C.

The customs authorities of the importing State may, if they consider will be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

presented within a period of three months from the date of endorsement.

Decision No 1/78 of Association Council

MOVEMENT CERTIFICATE

	1. Exporter (name, full address, country)	A.TR.3 No A 000000		
		See notes overleaf before completing this form		
	2. Transport document (optional)	No Date		
	3. Consignee (name, full address, country) (optional)	ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY		
(1) Insert the member State or Turkey (2) Insert where appropriate Compensatory levy Turkey		5. Country of exportation	6. Country of destination (1)	
	7. Transport details (Optional)	8. Remarks (2)		
9. Item Number	10. Marks and numbers; Number and kind of packages (for goods in bulks indicate the name of the ship or the number of the railway wagon or road vehicle); description of goods	11. CCT Heading No	12. Gross Weight (kg)	13. net weight (kg) or other measures (hl, m, etc.)
(3) Complete only where the exporting country requires.	14. CUSTOMS ENDORSEMENT	15. DECLARATION BY THE EXPORTER		
	<p>Stamp</p> <p>Declaration certified</p> <p>Export document (3) No</p> <p>Form</p> <p>Customs office:</p> <p>Issuing country:</p> <p>Date</p> <p>(Signature)</p>	<p>1. the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate.</p> <p>Place and date</p> <p>(Signature)</p>		
16. REQUEST FOR VERIFICATION, to		17. RESULT OF VERIFICATION		
Verification of the authenticity and accuracy of this certificate is requested.		<p>Verification carried out shows that this certificate (1)</p> <p><input type="checkbox"/> was issued by the Customs Office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended.)</p>		
<p>(Place and date) Stamp</p> <p>(Signature)</p>		<p>(Place and date) Stamp</p> <p>(Signature)</p>		
Full address of office making the request		(1) Insert X in the appropriate box.		

Decision No 1/78 of Association Council**I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR.1 MAY BE ISSUED**

1. A movement certificates A. TR. 3 may be endorsed only for goods which, in the exporting States, fell within one of the following categories:

- a. goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges;
- b. goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been comply with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
- c. goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;

Note: The statement 'Compensatory Levy Turkey' must appear on all movement certificates A.TR.3 for goods

obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- d. goods originally imported a State party to the Agreement and which on exportation fell within one of the categories (a), (b) or (c) above

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'Compensatory Levy Turkey', the movement certificate or certificates A. TR. 3 issued in line of the latter must also bear the statement 'Compensatory Levy Turkey'.

2. Agricultural products must also comply with the additional conditions laid down in respect thereof.
3. Movement certifies A. TR. 3 may not be issued for goods:
 - a. which, in accordance with the provisions applicable to them must be applicable to them, must be transported direct from the exporting State to the importing State;
 - b. which were originally imported from a third country under a preferential customs system because of their country of origin or of consignment and which accordingly may not be regarded as in free circulation within the meaning of the Agreement.

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. TR.3

A movement certificate A. TR.3 may be used in all cases where a movement certificate A.TR.1 cannot be used owing to the fact that the goods are not transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the imported State:

- a. goods transported without passing through territories other than those of the Community or Turkey.

- b. goods transported through territories other than those of the Community or Turkey or with transhipment is covered by a single transport document
- c. made out in the Community or Turkey. In particular, the movement certificate A.TR.3 may be used for goods exported from a State party to the Agreement to a country not party to the Agreement, from which they are liable to be re-exported subsequently to a State party to the Agreement.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. TR.3

1. The movement certificate A. TR. 3 must be completed in one of the language in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Turkish, it shall also be completed in one of the official language of the Community.
2. The movement certificate A. TR. 3 must be typed or handwritten; if the latter it must be completed in ink in block letters. it must not contain any eraser superimposed correction. Any alteration must be made by deleting the incorrect particular or adding any necessary corrections. Any each alteration must be initiated by the person who completed the certificate and be endorsed by the customs authorities.
3. The movement certificate A. TR.3 must be completed in full in particular, the place of loading, the date of

- dispatch and the country of destination at the time of export must be stated.
4. Cash items listed in the movement certificate A.TR.3 must be preceded by an item number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
5. Goods must be described in accordance with commercial usage and a great detail so as to ensure that they can be identified easily. The description of the goods must include the number of the tariff heading applicable to each item. The exporter must include with the movement certificate A. TR.3 all documents such as plans, drawings, photographs or commercial prospectuses etc. which may help identification. If they consider it necessary the customs authorities of the exporting country shall annex these documents to the movement certificate A.TR.3.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. TR. 3

A movement certificate A. TR. 3 enables the goods described therein to benefit from the progressive elimination of the customs duties quantitative restrictions and all other measures having equivalent effect where there is no doubt that the goods actually imported are those described in that movement certificate A.TR.3. However when the movement certificate A.TR.3 bears the statement 'Compensatory Levy Turkey' the goods described

therein shall not be eligible for this preferential treatment in the Member States of the E.E.C. The customs authorities of the importing State may require the submission of any supporting evidence, if they consider it necessary the customs authorities of the exporting country shall annex these documents to the movement certificate A.TR.3.

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. TR.1

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The movement certificates A.TR.3 must be submitted to the customs authorities of the importing State within a period of six months from the date of issue. It shall be valid only for the Footnote 2, front page: In this space the customs authorities of the place of exportation should give the result of their examination with any details which may facilitate identification of the goods. They must also indicate any special identification measures such as sealing, stamping, etc., which they have ..stamp ..in such a way that apart of the official stamp is imprinted on the actual certificate A.TR.3.

Spaces not used must be struck through in order to prevent later additions.

quantities of goods presented in that State during those six months.

DECISION No 2/78 OF THE ASSOCIATION COUNCIL relating to proof of origin for certain textile products exported by Turkey

THE COUNCIL OF ASSOCIATION,

Having regard to the Association Agreement, and the additional Protocol thereto,

Whereas deflections of trade and abuses in respect of the textile products falling within Chapter 51 and Chapters 53 to 62 of the Common customs Tariff should be prevented by appropriate verification measures; whereas the introduction, to that end, of a system of verification of origin under the Agreement appears necessary for a limited period;

Whereas, moreover, the establishment and application of such a system will not constitute a measure equivalent to a quantitative restriction forbidden by the Association Agreement as regards the importation of Turkish textile products into the Community;

Whereas it is necessary to have the power to apply the import arrangements applicable to the country of origin, if this is not Turkey,

HAS DECIDED AS FOLLOWS:

Article 1

On entering the Community, textile products listed in the Annex and originating in Turkey or in free circulation in Turkey must be accompanied by evidence of their origin according to the following rules;

1. For products originating in Turkey, movement certificates A.TR.1 or A.TR.3, issued in Turkey, shall contain a certification of origin. This certification shall consist of the words 'Turkish origin' in the 'Remarks' box on these certificates, validated by the stamp and signature of the competent authority. The origin thus certified must comply with the criteria for the determination of origin laid down by the Community.
2. As regards the import of textile products in free circulation in Turkey or not originating in Turkey, evidence of origin shall be subjected to the rules in force in the Community.

Article 2

The Community may submit the products referred to in Article 1(2) to the import arrangements applicable in respect of their country of origin, without prejudice to the application of the tariff arrangements of the Association Agreement.

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Article 3

The verification procedure laid down in Article 11 of Decision No 5/72 of the Council of Association shall apply to the certification mentioned in Article 1(1).

Article 4

This Decision shall enter into force on 1 November 1978.

Textile products exported from Turkey before that date shall not be affected by the provisions of this Decision.

This Decision shall be applicable for a period of one year. It shall be renewed by tacit agreement for periods of one year unless this is opposed by either party one month before its expiry.

Done at Brussels, 30 October 1978

**For the council of Association
The President
H. SIGRIST**

ANNEX

The textile products falling within the following headings of the CCT are those referred to in Article 1

Heading	Heading
51.01	59.01
030	02
04	03
Heading	04
53.05	05
06	06
07	07
08	08
10	10
11	11
Heading	12
54.03	13
04	14
05	15
Heading	16
55.04	17
05	Heading
06	60.01
07	02
08	03
09	04
Heading	05
56.04	06
05	Heading
06	61.01
07	02
Heading	03
58.01	04
02	05
03	06
04	07
05	09
06	10
07	11
08	Heading
09	62.01
10	02
	03
	04
	05

DECISION No 1/80 OF THE ASSOCIATION COUNCIL of 19 September 1980 on the development of the Association

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Whereas the revitalization and development of the Association must, as agreed on 5 February 1980, cover the entire range of current Association problems; whereas the search for solutions to these problems must take account of the specific nature of the Association links between the Community and Turkey;

Whereas in the agricultural sector, the elimination of customs duties applicable to Turkish products imported into the Community will make for the achievement of the desired result and for the alleviation of Turkey's concern as to the effects of the enlargement of the Community; whereas, moreover, Article 33 of the Additional Protocol should be implemented as a prior condition for the introduction of free movement of agricultural products; whereas the arrangements provided for must be implemented with due regard for the principles and mechanisms of the common agricultural policy;

Whereas, in the social field, and within the framework of the international commitments of each of the Parties, the above considerations make it necessary to improve the treatment accorded workers and members of their families in relation to the arrangements introduced by Decision No 2/76 of the Association Council; whereas, furthermore, the provisions relating to social security should be implemented as should those relating to the exchange of young workers;

Whereas development of the Association justifies the establishment of such economic, technical and financial co-operation as will help to attain the objectives of the Association Agreement, in particular by means of a Community contribution to the economic development of Turkey in various sectors,

HAS DECIDED AS FOLLOWS:

Article 1

The measures for the revitalization and development of the Association between the Community and Turkey in each of the areas referred to by the Association Council on 5 February 1980 are specified in the following Chapters.

CHAPTER I

AGRICULTURE

Article 2

1. The Community shall adopt the necessary measures to eliminate gradually over a period of six years the customs duties applicable to imports into its territory of products covered by the common agricultural policy, originating in Turkey.
2. The timetable, arrangements and conditions for the elimination of the said duties are laid down in Articles 3 and 4.

Article 3

1. For products on which the duties applicable:
 - (a) are 2% or less, the said duties shall be eliminated on 1 January 1981;
 - (b) are greater than 2%, elimination shall be effected in four stages in accordance with the following timetable:

Timetable	Rate of Reduction
as from 1 January 1981	% 30
as from 1 January 1983	% 60
as from 1 January 1985	% 80
as from 1 January 1987	% 100

- (c) reach a level of 2% or less at any stage during the process of tariff dismantling, such duties shall be eliminated.
2. For products in respect of which the Community rules provide for observance of an import price, application of the preferential tariff shall be subject to observance of the price in question.
3. For the products listed in the Annex, the reduction of customs duties shall be accompanied by conditions concerning quantities or seasonal timetables established with due regard to the interests of both Parties,

The arrangements for the application of this paragraph shall be fixed by exchange of letters between the Community and Turkey.

Consultations on the functioning of these provisions shall be held at the request of either Contracting Party within the Association Council.

Decision No 1/80 of Association Council

4. The gradual elimination of the customs duties actually applied by the Community to imports from Turkey shall not prejudice the principles and mechanism of the common agricultural policy.

Article 4

1. The elimination by the Community of the customs duties as provided for in Articles 2 and 3 shall be subject to Turkey's observance of normal conditions of competition, as specified in Articles 43 to 47 of the Additional Protocol; where dumping, aids or measures incompatible with the principles set out in the above Articles are found to exist in respect of a given product, the Community may, without prejudice to the other measures provided for in the said Articles, re-establish the full duty on the importation into its territory of the product in question until such dumping, aids or other measures cease.
2. In the event of actual or threatened disturbance of the Community market as a result of either the quantities or the prices of Turkish exports of products on which customs duties are being eliminated, consultations shall be held as soon as possible within the Association Council; this shall not preclude the application in an emergency, of measures provided for under Community rules.

Article 5

1. In order to facilitate the implementation of Article 33 of the Additional Protocol the Community and Turkey shall:
 - a) jointly draw up a programme for the examination of Community agricultural rules;
 - b) undertake a thorough analysis of Turkey's agricultural economy and legislation and its market and price system and compare these with the Community system in operation;
 - c) pinpoint those agricultural sectors in which Turkey considers it is ready to bring its system into line with the Community system so as to arrive progressively at the application of the latter;
 - d) take note, as adjustment progresses, of the conditions –notably application of the Community system and price equality– which would permit free movement of agricultural products in the sector concerned.
2. During the establishment or subsequent development of its agricultural policy, the Community shall take account of Turkey's agricultural interests. Appropriate consultations may be established between both Parties, which shall communicate to each other any information which may be useful for this purpose.
3. The Association Committee shall be authorized to call on the assistance of an *ad hoc* working party in order to implement paragraph 1.

CHAPTER II

SOCIAL PROVISIONS

SECTION 1

Questions relating to employment and the free movement of workers

Article 6

1. Subject to Article 7 on free access to employment for members of his family, a Turkish worker duly registered as belonging to the labour force of a Member State:
 - shall be entitled in that Member State, after one year's legal employment, to the renewal of his permit to work for the same employer, if a job is available;
 - shall be entitled in that Member State, after three years of legal employment and subject to the priority to be given to workers of Member States of the Community, to respond to another offer of employment, with an employer of his choice, made under normal conditions and registered with the employment services of that State, for the same occupation;
 - shall enjoy free access in that Member State to any paid employment of his choice, after four years of legal employment.
2. Annual holidays and absences for reasons of maternity or an accident at work or short periods of sickness shall be treated as periods of legal employment. Periods of involuntary unemployment duly certified by the relevant authorities and long absences on account of sickness shall not be treated as periods of legal employment, but shall not affect rights acquired as the result of the preceding period of employment.
3. The procedures for applying paragraphs 1 and 2 shall be those established under national rules.

Article 7

The members of the family of a Turkish worker duly registered as belonging to the labour force of a Member State, who have been authorized to join him:

- shall be entitled – subject to the priority to be given to workers of Member States of the Community – to respond to any offer of employment after they have been legally resident for at least three years in that Member State;
- shall enjoy free access to any paid employment of their choice provided they have been legally resident there for at least five years.

Children of Turkish workers who have completed a course of vocational training in the host country may respond to any offer of employment there, irrespective of the length of time they

have been resident in that Member State, provided one of their parents has been legally employed in the Member State concerned for at least three years.

Article 8

1. Should it not be possible in the Community to meet an offer of employment by calling on the labour available on the employment market of the Member States and should the Member States, within the framework of their provisions laid down by law, regulation or administrative action, decide to authorize a call on workers who are not nationals of a Member State of the Community in order to meet the offer of employment, they shall endeavour in so doing to accord priority to Turkish workers.
2. The employment services of the Member State shall endeavour to fill vacant positions which they have registered and which the duly registered Community labour force has not been able to fill with Turkish workers who are registered as unemployed and legally resident in the territory of that Member State.

Article 9

Turkish children residing legally in a Member State of the Community with their parents who are or have been legally employed in that Member State, shall be admitted to courses of general education, apprenticeship and vocational training under the same educational entry qualifications as the children of nationals of that Member State. They may in that Member State be eligible to benefit from the advantages provided for under the national legislation in this area.

Article 10

1. The Member States of the Community shall as regards remuneration and other conditions of work grant Turkish workers duly registered as belonging to their labour forces treatment involving no discrimination on the basis of nationality between them and Community workers.
2. Subject to the application of Articles 6 and 7, the Turkish workers referred to in paragraph 1 and members of their families shall be entitled, on the same footing as Community workers, to assistance from the employment services in their search for employment.

Article 11

Nationals of the Member States duly registered as belonging to the labour force in Turkey, and members of their families who have been authorized to join them, shall enjoy in that country the rights and advantages referred to in Articles 6, 7, 9 and 10 if they meet the conditions laid down in those Articles.

Article 12

Where a Member State of the Community or Turkey experiences or is threatened with disturbances on its employment market which might seriously jeopardize the standard of

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living or level of employment in a particular region, branch of activity or occupation, the State concerned may refrain from automatically applying Articles 6 and 7. The State concerned shall inform the Association Council of any such temporary restriction.

Article 13

The Member States of the Community and Turkey may not introduce new restrictions on the conditions of access to employment applicable to workers and members of their families legally resident and employed in their respective territories.

Article 14

1. The provisions of this section shall be applied subject to limitations justified on grounds of public policy, public security or public health.
2. They shall not prejudice the rights and obligations arising from national legislation or bilateral agreements between Turkey and the Member States of the Community where such legislation or agreements provide for more favourable treatment for their nationals.

Article 15

1. So as to be in a position to ensure the harmonious application of the provisions of this section and determine that they are applied in such a way as to exclude the danger of disturbance of the employment markets, the Association Committee shall periodically exchange information in order to improve mutual knowledge of the economic and social situation, including the state of and outlook for the labour market in the Community and in Turkey.

It shall each year present a report on its activities to the Association Council.

2. The Association Committee shall be authorized to enlist the assistance of an *ad hoc* Working Party in order to implement paragraph 1.

Article 16

1. The provisions of this section shall apply from 1 December 1980.
2. From 1 June 1983, the Association Council shall, particularly in the light of the reports on activities referred to in Article 15, examine the results of application of the provisions of this section with a view to preparing solutions which might apply as from 1 December 1983.

SECTION 2

Social and cultural advancement and the exchange of young workers

Article 17

The Member States and Turkey shall co-operate, in accordance with their domestic situations and their legal systems, in appropriate schemes to promote the social and cultural advancement of Turkish workers and the members of their family, in particular literacy campaigns and courses in the language of the host country, activities to maintain links with Turkish culture and access to vocational training.

Article 18

The Association Committee shall prepare a recommendation to be forwarded by the Association Council to the Member States of the Community and Turkey with a view to the implementation of any action that may enable young workers who have received their basic training in their own country to complement their vocational training by participating in in-service training, under the conditions set out in Article 40 of the Additional Protocol.

It shall monitor the actual implementation of this provision.

CHAPTER III

ECONOMIC AND TECHNICAL CO-OPERATION

Article 19

Co-operation shall be established between the Contracting Parties in order to contribute to the development of Turkey by complementing the country's own efforts to strengthen the economic ties between Turkey and the Community on as broad a basis as possible and to the mutual benefit of the Parties.

Article 20

1. The co-operation shall cover, in particular, activities preparatory and complementary to investment projects devised by Turkey, especially operations under the Financial Protocol.
2. Co-operation shall relate to the fields of industry, energy, agriculture and training in particular. It shall also cover technical assistance in the preparation of investment projects in Turkey.
3. The Association Council may specify other fields for co-operation.

Article 21

In implementing co-operation particular regard shall be had to the aims and priorities set out in Turkey's development plans and programmes.

Article 22

The Contracting Parties shall encourage the proper performance of co-operation and investment contracts which are in their mutual interest and in line with the objectives of this Chapter.

Article 23

Account being taken of the mutual interests of the two Parties, cooperation in the industrial field shall have the aim of encouraging in particular:

- Community participation in Turkey's efforts to develop its production and economic infrastructure so as to diversify the structure of its economy;
- the marketing and sales promotion of the products exported by Turkey;
- the organisation of contacts and meetings between Turkish and Community industrial policy-makers, promoters and firms with the aim of establishing new links (in particular in the form of joint ventures between Turkish firms and firms in the Member States of the Community) which are in conformity with the objectives of the Association Agreement;
- encouragement of the transfer of technology through appropriate arrangements between existing firms and institutions in the Community and in Turkey;
- the development of small and medium-sized undertakings in Turkey through technical assistance with surveys, the setting up and siting of such undertakings and with the creation of the necessary structures and training schemes.

Article 24

The aim of cooperation in the energy field shall in particular be:

- to promote projects to develop Turkey's natural resources and energy resource exploration and processing;
- to encourage the participation of Community firms in Turkey's programmes and all activities conducive to local exploitation of Turkey's resources.

Article 25

1. Account being taken of the complementary nature of the Parties' agricultural production, cooperation between Turkey and the Community in agriculture shall in particular be aimed at:
 - developing production by improving productive capacity and techniques;
 - exploiting water resources and using modern methods of irrigation;

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- promoting grafting techniques and the development of certain crops to improve local consumption;
 - encouraging rural development and improving agricultural structures and the methods for the marketing and sale of products.
2. The Association Committee shall seek appropriate ways and means of achieving this end, in particular:
- encouraging the exchange of information in sectors of mutual interest through the exchange of experts and fact-finding teams and the organisation of symposia or one-day seminars on subjects in areas of mutual interest;
 - devising methods of organising advisory services in liaison with the agricultural research and training services;
 - implementing projects relating to methods for integrating agricultural development into regional development, standardisation and the organisation of producers.

Article 26

Cooperation between Turkey and the Community in the labour field shall in particular be aimed at:

- promoting training schemes in Turkey in those sectors which are most important to the Turkish economy, account being taken of the guidelines and priorities set out in Turkey's development plans, especially through the establishment of a pilot multi-disciplinary training center;
- providing highly specialised training for Turkish researchers in the Community's scientific establishments;
- promoting all activities conducive to the exchange and training of young workers.

Article 27

1. In order to attain the objectives of co-operation the Association Committee shall periodically examine the results achieved. It shall report to the Association Council, which shall define the general direction of co-operation.
2. The Association Committee shall seek ways and means of implementing co-operation in the fields defined by the above Articles.

Article 28

1. The Community shall participate in the financing of projects contributing to the development of Turkey which are in line with the objectives set out in this Chapter.
2. Once the 4th Financial Protocol has entered into force, participation in the financing referred to in the previous paragraph shall be effected in the framework of, and under the conditions indicated in, the said Protocol.

Article 29

The Contracting Parties shall, each for its own part, take any measures required for the purposes of implementing the provisions of this Decision.

Article 30

This Decision shall enter into force on 1 July 1980.

Done at Brussels, 19 September 1980

**For the Association Council
The President
C. KESKIN**

Decision No 1/80 of Association Council

List of products referred to in Article 3 (3)

Common Customs Tariff heading Number	Description
07.01	Vegetables, fresh or chilled: A. Potatoes: II. New potatoes F. Leguminous vegetables, shelled or unshelled: II. Beans (of the species Phaselous) Ex III. Other: - Broad beans (<i>Vicia faba major</i> L.) ex H. Onions, shallots and garlic: - Onions ex T. Other: - Aubergines - Celery - Marrow - Pumpkins
08.04	Grapes, fresh or dried: A. Fresh: I. Table grapes
08.05	Nuts other than those falling within heading No 08.01, fresh or dried, shelled or not: ex G. Other: - Hazelnuts
08.07	Stone fruit, fresh: D. Plums
Ex 08.09	Other fruit, fresh: - Melons - Water melons
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid: C. Tomatoes
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: II. Not containing added spirit: c) Not containing added sugar, in immediate packing of a net capacity: 1. of 4.5 kg or more: aa) Apricots - Pulp

DECISION No 2/80 of THE ASSOCIATION COUNCIL of 19 September 1980 on exceptional aid totalling 75 million European units of account for Turkey

THE ASSOCIATION COUNCIL,

Having regard to the Agreement creating an Association between the European Economic Community and Turkey,

Having noted the Community offer to grant Turkey exceptional aid totalling 75 million European units of account,

Whereas the conditions governing the implementation of this offer should be determined,

HAS DECIDED AS FOLLOWS:

1. Turkey and the Community shall co-operate within the Association Committee with regard to the implementation of the exceptional aid totalling 75 million European units of account made available to Turkey by the Community.
2. Turkey shall refer direct to the Commission with regard to the submission of specific projects. The Commission shall examine such projects in the light of the criteria for the use of exceptional aid indicated to the Association Council by the Community delegation.
3. The Community shall inform Turkey of the action taken on its requests.
4. The Association Committee shall monitor the implementation of the aid. It shall meet to this effect at the request of either Party.
5. This Decision shall enter into force on 1 July 1980.

Done at Brussels, 19 September 1980

**For the Association Council
The President
C. KESKIN**

DECISION No 3/80 THE ASSOCIATION COUNCIL of 19 September 1980 on the application of the social security schemes of the Member States of the European Communities to Turkish workers and members of their families

THE COUNCIL OF ASSOCIATION,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol, and in particular Article 39 thereof,

HAS DECIDED AS FOLLOWS:

TITLE I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Decision:

- a) the terms "frontier worker", "seasonal worker", "member of the family", "survivor", "residence", "stay", "competent State", "insurance periods", "periods of employment", "periods of residence", "benefits", "pensions", "family benefits", "family allowances" and "death grants" have the meanings assigned to them in Article 1 of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community¹, hereinafter referred to as "Regulation (EEC) No 1408/71";
- b) "worker" means:
 - (i) subject to the restrictions set out in Annex V, A. BELGIUM (1), of Regulation (EEC) No 1408 /71, any person who is insured, compulsorily or on an optional continued basis, against one or more of the contingencies covered by the branches of a social security scheme for employed persons;
 - (ii) any person who is compulsorily, insured against one or more of the contingencies covered by the branches of social security dealt with in this Decision, under a

¹ OJ L 149, 5.7.1971, p. 2.

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social security scheme for all residents or for the whole working population, if such a person:

- can be identified as an employed person by virtue of the manner in which that scheme is administered or financed, or,
- failing such criteria, is insured against some other contingency specified in the Annex under a scheme for employed persons, either compulsorily or on an optional continued basis;

- c) "legislation" means all the laws, regulations and other statutory provisions and all other implementing measures, present or future, of each Member State relating to the branches and schemes of social security covered by Article 4 (1) and (2).

This term excludes the provisions of existing or future industrial agreements, whether or not the public authorities have taken a decision rendering them compulsory or extending their scope;

- d) "social security convention" means any bilateral or multilateral instrument which binds or will bind either two or more Member States exclusively, or one Member State and Turkey in the field of social security, for all or part of the branches and schemes set out in Article (1) and (2), together with agreement, of whatever kind, concluded pursuant to the said instruments;

- e) "competent authority" means in respect of each Member State and of Turkey, the Minister, Ministers or other equivalent authority responsible for social security schemes throughout, or in any part of, the territory of the State in question;

- f) "institution" means, in respect of each Member State or of Turkey, the Minister, the body or authority responsible for administering all or part of the legislation;

- g) "competent institution" means:

- (i) the institution of the Member State with which the person concerned is insured at the time of the application for benefits, or
- (ii) the institution from which the person concerned is entitled to receive benefits if he or a member or members of his family were resident in the territory of the Member State in which the institution is situated, or
- (iii) the institution designated by the competent authority of the Member State concerned, or
- (iv) in the case of a scheme relating to an employer's liability in respect of the benefits set out in Article 4 (1), either the employer or the insurer involved or, failing these, a body or authority designated by the competent authority of the Member State concerned;

- h) 'institution of the place of residence' and 'institution of the place of stay' mean respectively the institution which is competent to provide benefits in the place where the person concerned resides and the institution which is competent to provide benefits in the place where the person concerned is staying, under the legislation administered by

that institution or, where no such institution exists, the institution designated by the competent authority of the State in question.

Article 2

Persons covered

This Decision shall apply:

- to workers who are, or have been, subject to the legislation of one or more Member States and who are Turkish nationals,
- to the members of the families of these workers, resident in the territory of one of the Member States,
- to the survivors of these workers.

Article 3

Equality of treatment

1. Subject to the special provisions of this Decision, persons resident in the territory of one of the Member States to whom this Decision applies shall be subject to the same obligations and enjoy the same benefits under the legislation of any Member state as the nationals of that state.
2. The provisions of paragraph 1 shall apply to the right to elect members of the organs of social security institutions or to participate in their nomination, but shall not affect the legislative provisions of any Member State relating to eligibility or methods of nomination of persons concerned to those organs.

Article 4

Matters covered

1. This Decision shall apply to all legislation concerning the following branches of social security:
 - a) sickness and maternity benefits;
 - b) invalidity benefits, including those intended for the maintenance or improvement of earning capacity;
 - c) old-age benefits;
 - d) survivors' benefits;
 - e) benefits in respect of accidents at work and occupational diseases;
 - f) death grants;

- g) unemployment benefits;
 - h) family benefits.
2. This Decision shall apply to all general and special social security schemes, whether contributory or non-contributory, and to schemes concerning the liability of an employer or ship owner in respect of the benefits referred to in paragraph 1.
 3. The provisions of Title III shall not, however, affect the legislative provisions of any Member State concerning a ship owner's liability.
 4. This Decision shall not apply to social and medical assistance or to benefit schemes for victims of war and its consequences.

Article 5

Relationship between this Decision and social security conventions binding two or more Member States exclusively

This Decision shall, as regards the persons and matters which it covers, replace the provisions of any social security convention, exclusively binding two or more Member States, save for such provisions of Part A of Annex II to Regulation (EEC) No 1408/71 as are not laid down in Part B of that Annex.

Article 6

Waiving of residence clause - Effect of compulsory insurance on reimbursement of contributions

1. Save as otherwise provided in this Decision, invalidity, old-age or survivors' cash benefits and pensions for accidents at work or occupational diseases, acquired under the legislation of one or more Member States, shall not be subject to any reduction, modification, suspension, withdrawal or confiscation by reason of the fact that the recipient resides in Turkey or in the territory of a Member State other than that in which the institution responsible for payment is situated.

The provisions of the first subparagraph shall also apply to lump-sum benefits granted in the case of the remarriage of a surviving spouse who was entitled to a survivor's pension.

2. Where under the legislation of a Member State reimbursement of contributions is conditional upon the person concerned having ceased to be subject to compulsory insurance, this condition shall not be considered satisfied as long as the person concerned is subject as a worker to compulsory insurance under the legislation of another Member State.

Article 7**Revalorization of benefits**

Rules for revalorization provided by the legislation of a Member State shall apply to benefits due under that legislation subject to the provisions of this Decision.

Article 8**Prevention of overlapping of benefits**

1. This Decision can neither confer nor maintain the right to several benefits of the same kind for one and the same period of compulsory insurance. However, this provision shall not apply to benefits in respect of invalidity, old age, or death (pensions) which are awarded by the institutions of two or more Member States, in accordance with the provisions of Title III.
2. The provisions of the legislation of a Member State for reduction, suspension or withdrawal of benefit in cases of overlapping with other social security benefits or other income may be invoked against the beneficiary, even if the right to such benefits was acquired under the legislation of another Member State or of Turkey or the income was obtained in the territory of another Member State or of Turkey. However, this provision shall not apply when the person concerned receives benefits of the same kind in respect of invalidity, old age or death (pensions) which are awarded by the institutions of two or more Member States in accordance with Title III or by a Turkish institution pursuant to the provisions of a bilateral social security convention.
3. The provisions of the legislation of a Member State for reduction, suspension or withdrawal of benefits in the case of a person in receipt of invalidity benefits or anticipatory old-age benefits pursuing a professional or trade activity may be invoked against such person even though he is pursuing his activity in the territory of another Member State or of Turkey.
4. For the purposes of paragraphs 2 and 3, the institutions concerned shall, on request, exchange all appropriate information.

TITLE II**DETERMINATION OF THE LEGISLATION APPLICABLE****Article 9**

The legislation applicable to Turkish workers employed in the Community shall be determined in accordance with the rules laid down by Article 13 (1) and (2) (a) and (b), Articles 14, 15 and 17 of Regulation (EEC) No 1408/71.

TITLE III

SPECIAL PROVISIONS RELATING TO THE VARIOUS CATEGORIES OF BENEFITS

CHAPTER 1

SICKNESS AND MATERNITY

Article 10

For the purposes of acquisition, retention or recovery of the right to benefits, Article 18 of Regulation (EEC) No 1408/71 shall apply.

Article 11

For the purposes of the granting of benefits and reimbursements between institutions of the Member States, Articles 19 to 24, Article 25 (3) and Articles 26 to 36 of Regulation (EEC) No 1408/71 shall apply.

Moreover, Article 19 of Regulation (EEC) No 1408/71 shall apply to wholly unemployed frontier workers who satisfy the conditions specified by the legislation of the competent State for entitlement to sickness benefits.

CHAPTER 2

INVALIDITY

Article 12

The rights to benefits of a worker who has successively or alternately been subject to the legislation of two or more Member States shall be established in accordance with Article 37 (1), first sentence, and (2), Articles 38 to 40, Article 41 (1) (a), (b), (c) and (e) and (2), and Articles 42 and 43 of Regulation (EEC) No 1408/71.

However:

- a) for the purpose of applying Article 39 (4) of Regulation (EEC) No 1408/71, all the members of the family, including children, residing in the Community or in Turkey, shall be taken into account;
- b) the reference in Article 40 (1) of this Regulation to the provisions of Title III, Chapter 3 of Regulation (EEC) No 1408/71 shall be replaced by a reference to the provisions of Title III, Chapter 3 of this Decision.

CHAPTER 3**OLD AGE AND DEATH (PENSIONS)****Article 13**

The rights to benefits of a worker who has been subject to the legislation of two or more Member States, or of his survivors, shall be established in accordance with Article 44 (2), first sentence, Article 45, 46 (2), Articles 47, 48, 49 and 51 of Regulation (EEC) No 1408/71.

However:

- a) Article 46 (2) of Regulation (EEC) No 1408/71 shall apply even if the conditions for acquiring entitlement to benefits are satisfied without the need to have recourse to Article 45 of the said Regulation;
- b) for the purpose of applying Article 47 (3) of Regulation (EEC) No 1408/71, all the members of the family, including children, residing in the Community or in Turkey, shall be taken into account;
- c) for the purposes of applying Article 49 (1) (a) and (2) and Article 51 of Regulation (EEC) No 1408/71, the reference to Article 46 shall be replaced by a reference to Article 46 (2).

Article 14

1. The benefit due under the legislation of a Member State, which is bound to Turkey by a bilateral social security convention shall be awarded in accordance with the provisions of that convention.

Where a worker has been subject to the legislation of two or more Member States, a supplement shall be added, where appropriate, equal to the difference between the amount of the said benefit and the amount of the benefit obtained pursuant to Article 12 or Article 13, as the case may be.

2. Where a supplement is due pursuant to the second subparagraph of paragraph 1, Article 51 of Regulation (EEC) No 1408/71 shall apply to the whole amount of the benefit owed by the Member State concerned.

CHAPTER 4

ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

Article 15

For the granting of benefits and for reimbursements between Member States institutions, Articles 52 to 63 inclusive of Regulation (EEC) No 1408/71 shall apply.

CHAPTER 5

DEATH GRANTS

Article 16

For the acquisition, retention or recovery of the right to benefits, the provisions of Article 64 of Regulation (EEC) No 1408/71 shall apply.

Article 17

Where the death occurs in the territory of a Member State other than the competent State, or the person entitled resides in such State, the death grants shall be awarded in accordance with Article 65 and Article 66 of Regulation (EEC) No 1408/71.

CHAPTER 6

FAMILY BENEFITS AND FAMILY ALLOWANCES

Article 18

For the acquisition of the right to benefits, Article 72 of Regulation (EEC) No 1408/71 shall apply.

Article 19

1. Pensioners and their dependent children residing in the territory of a Member State shall be entitled to family allowances in accordance with Article 77 (2) and Article 79 (1) (a), (2) and (3) of Regulation (EEC) No 1408/71
2. The natural or legal person responsible for an orphan and residing with him in the territory of a Member State shall be entitled to family allowances and, where appropriate, to supplementary or special allowances for orphans under the rules laid

down in Article 78 (2) and Article 79 (1) (a), (2) and (3) of Regulation (EEC) No 1408/71.

TITLE IV

MISCELLANEOUS PROVISIONS

Article 20

1. The competent authorities of the Member States and of Turkey shall communicate to each other all information regarding measures taken to implement this Decision.
2. For the purposes of implementing this Decision, the authorities and institutions of the Member States and of Turkey shall lend their good offices and act as though implementing their own legislation. The administrative assistance furnished by the said authorities and institutions shall, as a rule, be free of charge. However, the competent authorities of these States may agree to certain expenses being reimbursed.
3. The authorities and institutions of the Member States and of Turkey may, for the purposes of implementing this Decision, communicate directly with one another and with the persons concerned or their representatives.
4. The authorities, institutions and courts or tribunals of a Member State may not reject claims or other documents submitted to them on the grounds that they are written in an official language of another Member State or in the Turkish language.

Article 21

1. Any exemption from or reduction of taxes, stamp duty, notarial or registration fees provided for in the legislation of a Member State or of Turkey in respect of certificates or documents required to be produced for the purposes of the legislation of that State shall be extended to similar documents required to be produced for the purposes of the legislation of another Member State or of Turkey, or of this Decision.
2. All statements, documents and certificates of any kind whatsoever required to be produced for the purposes of this Decision shall be exempt from authentication by diplomatic and consular authorities.

Article 22

Any claim, declaration or appeal which, in order to comply with the legislation of a Member State, should have been submitted within a specified period to an authority, institution or court or tribunal of that State shall be admissible if it is submitted within the same period to a corresponding authority, institution or court or tribunal of another Member State or of Turkey. In such a case the authority, institution or court or tribunal receiving the claim, declaration or appeal shall forward it without delay to the competent authority, institution or court or tribunal of the former State either directly or through the competent authorities of the States

concerned. The date on which such claims, declarations or appeals were submitted to the authority, institution or court or tribunal of another Member State or of Turkey shall be considered as the date of their submission to the competent authority, institution or court or tribunal.

Article 23

1. Medical examinations provided for by the legislation of one Member State may be carried out, at the request of the competent institution, in the territory of another Member State or of Turkey, by the institution of the place of stay or residence of the person entitled to benefits, under conditions agreed between the competent authorities of the States concerned.
2. Medical examinations carried out under the conditions laid down in paragraph 1 shall be considered as having been carried out in the territory of the competent State.

Article 24

1. Money transfers effected in accordance with this Decision shall be made in accordance with the relevant agreements in force at the time of the transfer between the Member States concerned.

In the case where no such agreements are in force between two States, the competent authorities in those States or the authorities responsible for international payment shall, by common accord, adopt the measures required to make these transfers.

2. Money transfers effected in accordance with this Decision shall be made in accordance with the relevant agreements in force at the time of the transfer between the Member State concerned and Turkey. In the case where no such agreements are in force between Turkey and a Member State, the competent authorities in both States, or the authorities responsible for international payment shall, by common accord, adopt the measures required to make these transfers.

Article 25

1. For the purposes of implementing this Decision, Annexes I, III and IV to Regulation (EEC) No 1408/71 shall be applicable.
2. For the purposes of implementing this Decision, Annex II to Regulation (EEC) No 1408/71 shall be applicable to the extent laid down in Article 5.
3. For the purposes of implementing this Decision, Annex V to Regulation (EEC) No 1408/71 shall be applicable to the extent laid down in Part I of the Annex .

Other special procedures for applying the laws of certain Member States are laid down in Part II of the Annex.

Article 26

1. The competent authorities may designate liaison bodies which may communicate directly with each other.
2. Any institution of a Member State or of Turkey, and any person residing or staying in the territory of a Member State or of Turkey, may make application to the institution of another Member State or of Turkey, either directly or of through the liaison bodies.

Article 27

- a) Claims for invalidity, old-age and survivors benefits (including orphans pensions) shall be submitted in accordance with Articles 35 (1) and (2), 36 (1), (2) and (4), first clause, 37 (a), (b) and (c) and 38 of Council Regulation (EEC) No 574/72 of 21 March 1972, fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community ⁽¹⁾, hereinafter called 'Regulation (EEC) No 574/72'.
- b) However:
 - (i) if the person concerned resides in Turkey, he shall submit his claim to the competent institution of that Member State to whose legislation the worker was subject, where appropriate through the institution of the place of residence,
 - (ii) Article 38 of Regulation (EEC) No 574/72 shall apply to all members of the family of the claimant who reside in the territory of the Community or in Turkey.

Article 28

Administrative checks and medical examinations shall be effected in accordance with the provisions of Articles 51 and 52 of Regulation (EEC) No 574/72. These provisions shall apply if the recipient is resident in Turkey.

Article 29

1. In order to draw a pension or supplementary allowance in respect of an accident at work or an occupational disease under the legislation of a member State, a worker or his survivors residing in Turkey shall make a claim either to the competent institution, or to the institution of the place of residence, which shall forward such claim to the competent institution. The submission of the claim shall be subject to the following rules:
 - a) the claim must be accompanied by the required supporting documents and made out on the forms provided for by the legislation administered by the competent institution;

⁽¹⁾ OJ L 74, 27.3.1972, p.1.

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- b) the accuracy of the information given by the claimant must be established by official documents attached to the claim form, or confirmed by the competent bodies of Turkey.
2. The competent institution shall notify the claimant of its decision directly or through the liaison body of the competent State; it shall send a copy of that decision to the liaison body of Turkey.
3. Administrative checks and medical examinations provided for in the event of pensions being reviewed shall be carried out at the request of the competent institution by the Turkish institution in accordance with the procedure laid down by the legislation administered by the latter institution. The competent institution shall, however, retain the right to have the person entitled to benefits examined by a doctor of its own choice.
4. Any person drawing a pension for himself or for an orphan shall inform the institution responsible for payment of any change in his situation or in that of the orphan which is likely to modify the pension.
5. Pensions due from the institution of a Member State to claimants resident in Turkey shall be made in accordance with the procedure laid down in Article 30.

Article 30

Benefits shall be paid in accordance with Articles 53 to 59 of Regulation (EEC) No 574/72. Where the recipient is resident in Turkey, payment shall be direct save as otherwise provided in the convention binding the Member State concerned and Turkey.

TITLE V

FINAL PROVISIONS

Article 31

Two or more Member States, or Turkey and one or more Member States, or the competent authorities of those States may, where necessary, conclude agreements designed to supplement the administrative procedures for implementing this Decision.

Article 32

Turkey and the Community shall, each to the extent to which they are concerned, take the necessary steps to implement this Decision.

Done at Brussels, 19 September 1980

**For the Association Council
The President
C.KESKIN**

ANNEX**Special procedures for applying the laws of certain Member States referred to in Article 25 (3) of this Decision**

- I.** Special procedures for applying the laws of certain Member States provided for in Annex V of Regulation (EEC) No 1408/71 and applicable for the purposes of this Decision

Annex V to Regulation (EEC) No 1408/71 shall apply for the purposes of this Decision except for the following provisions:

1. Point B. DENMARK
Paragraphs 1, 2, 3, 4, 5, 7, 8 and 11.
2. Point C. GERMANY
Paragraphs 1, 4, 8 and 9.
3. Point D. FRANCE
Paragraphs 1 (a), (b) and paragraph 3.
4. Point E. IRELAND
Paragraphs 1, 2, 3, 4, 6, 7 and 9.
5. Point H. NETHERLANDS
Paragraphs 1 (a).
6. Point I. UNITED KINGDOM
Paragraphs 1, 4, 6, 7, 8, and 11.

II. Other special procedures for applying the laws of certain Member States

A. BELGIUM

This Decision shall not apply to the guaranteed income for retired people, nor to the allowances paid to handicapped persons.

B. DENMARK

1. Any person who, by pursuing an activity as an employed person, is subject to legislation on accidents at work and occupational diseases shall be considered a worker within the meaning of Article 1 (b) (ii) of the Decision.
2. Workers and pensioners and members of their families referred to in Articles 19, 22(1) and (3), 25 (3), 26 (1) and Articles 28a, 29 and 31 of Regulation (EEC) No 1408/71,

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resident or staying in Denmark, shall be entitled to benefits in kind on the same terms as those laid down by Danish legislation for persons whose income does not exceed the level indicated in Article 3 of Law No 311 of 9 June 1971 concerning the Public Health Service, where the cost of the said benefits is payable by the institution of a Member State other than Denmark.

3. Article 1 (1), No 2, of the Law on old-age pensions, Article 1 (1), No 2, of the Law on disability pensions and Article 2 (1), No 2, of the Law on widows' pensions and allowances shall not be applicable to workers or their survivors whose residence is in the territory of a Member State other than Denmark or in Turkey.
4. The terms of this Decision shall be without prejudice to the transitional rules under the Danish Laws of 7 June 1972 on the pension rights of Danish nationals having their effective residence in Denmark for a specified period immediately preceding the date of the application.
5. The periods during which a frontier worker, residing within the territory of a Member State other than Denmark, has worked in Denmark are to be considered as periods of residence for the purposes of Danish legislation. The same shall apply to those periods during which such a worker is posted to the territory of a Member State other than Denmark.
6. For the purposes of applying Article 8 (2) of this Decision to Danish legislation, disability, old-age and widows' pensions shall be considered as benefits of the same kind.
7. When a Turkish worker to whom this Decision applies has been subject to Danish legislation and to the legislation of one or more other Member States, and fulfils the requirements for a disability pension under Danish legislation, his entitlement to such pension shall be subject to the condition that he has been resident in Denmark for a period of at least one year and during that period has been capable, physically and mentally, of carrying out a normal occupation.
8. The following provisions shall apply until the entry into force of a bilateral social security convention between Denmark and Turkey:

When a Turkish worker to whom this Decision applies has been subject to Danish legislation and not to the legislation of another Member State, his entitlement and that of his survivors to old-age, disability and death benefits (pensions) shall be determined in accordance with the following provisions:

- a) Turkish nationals resident in Denmark shall be entitled to an old-age pension granted in accordance with Danish legislation if, between the age of 18 and the minimum age for entitlement to an old-age pension, they have been resident in Denmark for at least fifteen years, at least five of which immediately preceded the date of the application for a pension;
- b) Turkish nationals resident in Denmark shall be entitled to a disability pension granted in accordance with Danish legislation if they have been resident in Denmark for at least five years immediately preceding the date of the application

for a pension and during that period have been capable, physically and mentally, of carrying out a normal occupation;

- c) Turkish nationals resident in Denmark shall be entitled to a widow's pension granted in accordance with Danish legislation;
 - if the deceased spouse had been resident in Denmark after the age of 18 for at least five years immediately preceding the date of death,
 - or if the widow had been resident in Denmark for at least five years immediately preceding the date of the application for a pension.

C. GERMANY

1. Article 6 of this Decision shall not affect the provisions under which accidents (and occupational diseases) occurring outside the territory of the Federal Republic of Germany, and periods completed outside that territory, do not give rise to payment of benefits, or only give rise to payment of benefits under certain conditions, when those entitled to them reside outside the territory of the Federal Republic of Germany.
2. Article 1233 of the insurance code (RVO) and Article 10 of the Clerical staff insurance law (AVG), as amended by the pension reform law of 16 October 1972, which govern voluntary insurance under German pension insurance schemes, shall apply to Turkish nationals who fulfil the general conditions:
 - (a) if the person concerned has his permanent address or residence in the territory of the Federal Republic of Germany;
 - (b) if the person concerned has his permanent address or residence in the territory of another Member State and at any time previously contributed compulsorily or voluntarily to a German pension insurance scheme.

D. FRANCE

The Decision shall not apply to the supplementary allowance of the National Mutual Aid Fund.

E. IRELAND

1. Any person who is compulsorily or voluntarily insured pursuant to the provisions of Section 4 of the Social Welfare Act 1952 shall be considered a worker within the meaning of Article 1 (b) (ii) of this Decision.
2. Workers and pensioners, together with members of their families referred to in Articles 19, 22 (1) and (3), 25 (3), 26 (1) and Articles 28 a, 29 and 31 of Regulation (EEC) No 1408/71, resident or staying in Ireland, shall be entitled, free of charge, to any such form of medical treatment as is provided for by Irish legislation, where the cost of this treatment is payable by the institution of a Member State other than Ireland.
3. For the purposes of applying Article 8 (2) of this Decision to Irish legislation, invalidity, old-age and widows' pensions shall be considered as benefits of the same kind.

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4. For the purpose of calculating earnings for the award of earnings-related benefit payable with sickness and maternity benefits under Irish legislation, a worker shall, in derogation from Article 23 (1) of Regulation (EEC) No 1408/71, be credited for each week of employment completed under the legislation of another Member State during the relevant income-tax year with an amount equivalent to the average weekly earnings in that year of male and female workers, respectively.

F. ITALY

None.

G. LUXEMBOURG

The supplement to make up the minimum pension, as well as the children's supplement in Luxembourg pensions, shall be granted in the same proportion as the fixed part.

H. NETHERLANDS

A person receiving an old-age pension under Netherlands legislation and a pension under the legislation of another Member State shall, for the purposes of Article 27 and/or Article 28 of Regulation (EEC) No 1408/71, be considered to be entitled to benefits in kind if he satisfies the conditions required for entitlement to voluntary sickness insurance for elderly persons.

I. UNITED KINGDOM

1. All person who are "employed earners" within the meaning of the legislation of Great Britain or of the legislation of Northern Ireland, and all persons in respect of whom contributions are payable as "employed persons" in accordance with the legislation of Gibraltar, shall be regarded as "workers" for the purposes of Article 1 (b) (ii) of this Decision.
2. This Decision shall not apply to those provisions of United Kingdom legislation implementing a social security agreement between the United Kingdom and a third State other than Turkey.
3. Wherever required by United Kingdom legislation for the purposes of determining entitlement to benefits, Turkish nationals born in a State other than a Member State or Turkey are to be treated as nationals of the United Kingdom born in such other State.
4. For the purposes of applying Article 8 (2) of this Decision to the legislation of the United Kingdom, disability, old-age and widows' pensions shall be considered as benefits of the same kind.

**STATEMENT BY THE MEMBER STATES OF THE COMMUNITY annexed to
Decision No 3/80 of the Association Council**

The Member States of the Community,

Whereas, pursuant to Article 39 (2) of the Additional Protocol, the provisions to be adopted by the Association Council concerning social security for workers of Turkish nationality moving within the Community and for their families residing within the Community may not create an obligation on Member States of the Community to take into account periods of insurance or employment completed in Turkey;

Whereas, moreover, the bilateral agreements concluded between Turkey and most Member States contain provisions which state that these Member States shall take into account periods completed in Turkey;

Considering the special nature of the Association relations between the Community and Turkey,

THEREBY STATE:

The Member States undertake to devise the legal means and arrangements necessary for taking into account periods completed in Turkey as regards the acquisition, maintenance or recovery of entitlement to benefits and the calculation of benefits.

DECISION No 1/83 OF THE EEC-TURKEY ASSOCIATION COUNCIL of 25 April 1983 replacing the unit of account by the ECU in Decision No 5/72 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to the said Agreement, and in particular Article 4 thereof,

Whereas the unit of account used in Article 10 (a) of Decision No 5/72 of the Association Council on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement¹, as last amended by Decision No 1/78², is no longer suited to the present international monetary situation; whereas it is therefore necessary to adopt a new value for the purpose of determining the amount below which it is not necessary to produce a movement certificate A.TR.1 or A.TR.3 in respect of dutiable objects accompanying travellers or forming part of their luggage, provided they are not objects intended for commercial purposes;

Whereas the European Communities introduced the ECU as from 1 January 1981³;

Whereas the ECU should be used as a common basic unit;

Whereas, for reasons of administrative simplification, that unit of account must remain unchanged for periods of at least two years;

Whereas the provisions of Article 10 (a) of Decision No 5/72 must be amended accordingly,

HAS DECIDED AS FOLLOWS:

¹ OJ No L 59, 5.3.1973, p. 74.

² OJ No L 253, 15.9.1978, p. 2.

³ The ECU is composed of a sum of amounts of the currencies of the Member States as specified by Regulation (EEC) No 3180/78. On the entry into force of this Decision such amounts are as follows:

0,828 German mark

0,0885 pound sterling

1,15 French francs

109 Italian lire

0,286 Dutch guilder

3,66 Belgian francs

0,14 Luxembourg franc

0,217 Danish Krone

0,00759 Irish pound

Article 1

In Article 10 (a) of Decision No 5/72:

1. the amount '200 units of account' shall be replaced by '325 ECU';
2. the following shall be added:

'Up to and including 30 April 1985, the value of the ECU in national currency in a given country shall be the value calculated as at 1 October 1982.

For each successive period of two years thereafter it shall be the equivalent in that national currency of the ECU as at the first working day in October in the year immediately preceding that two-year period.

The amount in the national currency of the exporting country equivalent to the amount expressed in this Article shall be fixed by the exporting country and communicated to the Customs Cooperation Committee no later than one month prior to its entry into force.

When this amount is more than the corresponding amount fixed by the importing country, the importing country shall accept it if the goods are invoiced in the currency of the exporting country.

If the goods are invoiced in the currency of another Member State of the Community, the importing country shall recognize the amount notified by the State concerned.'

Article 2

This Decision shall enter into force on 1 May 1983.

Done at Brussels, 25 April 1983.

**For the Association Council
The President
C. KESKIN**

DECISION No 1/93 OF THE EEC-TURKEY ASSOCIATION COUNCIL of 8 November 1993 amending Decision No 5/72 on methods of administrative cooperation for the implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement (93/599/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey and in particular to Article 4 of the Additional Protocol,

Having regard to Decision No 5/72 of the Association Council on methods of administrative cooperation for the implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement¹,

Whereas, the issue of duplicate ATR 1 and ATR 3 forms should be allowed in certain cases;

Whereas there is no need to produce a movement certificate ATR 1 or ATR 3 in respect of dutiable objects accompanying travellers or forming part of their luggage, provided they are not objects intended for commercial purposes and their overall value does not exceed a certain ceiling;

Whereas this ceiling was last amended by Decision No 1/83; whereas a new amount should be set so as to adapt it to the current international monetary situation and to bring it into line with the amount specified in the Mediterranean Agreements;

Whereas the provisions of Article 9 and Article 10 (a) of Decision No 5/72 should be amended accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

The following paragraph shall be added to Article 9 of Decision No 5/72:

'In the event of the theft, loss or destruction of a certificate ATR 1 and ATR 3, the exporter may apply to the appropriate governmental authority which issued it for a duplicate to be made on the basis of the export documents in their possession. The duplicate ATR 1 or ATR 3 form issued in this way must be endorsed in box 12, with one of the following words: "Duplicata" or "Duplicate" together with the date of issue and serial number of the original certificate.'

¹ OJ No L 59, 5. 3. 1973, P.74. Decision as last amended by Decision No 1/83 (OJ No L 112, 28. 4. 1983, p.1).

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Article 2

In Article 10 (a) of Decision No 5/72 the amount 'ECU 325' shall be replaced by 'ECU 600'.

Article 3

This Decision shall enter into force on 1 January 1994.

Done at Brussels, 8 November 1993.

**For the Association Council
The President
W. CLAES**

**DECISION No 1/94 OF THE EC-TURKEY ASSOCIATION COUNCIL of 19
December 1994 concerning the application of Article 3 of the Additional Protocol to the
Ankara Agreement to goods obtained in the Member States of the Community
(94/905/EC)**

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the agreement creating an association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to the above mentioned agreement, and in particular Article 3 thereof,

Whereas the admission of goods obtained in the European Community under the conditions referred to in Article 3, paragraph 1 of the Additional Protocol to the benefit of the provisions of Title I, Chapter I, Section I and of Chapter II of the aforementioned Protocol, is subject to the collection, in the exporting State, of a compensatory levy the rate of which is a function of the tariff reduction granted to these goods in Turkey;

Whereas, at its 34th meeting on 8 November 1993, the EC-Turkey Association Council, in a resolution concerning the customs union, reiterated the determination of both parties to take the implementing decisions in sufficient time to enable customs union to be operative in 1995;

Whereas, on 1 January 1994, Turkey carried out a new reduction of the customs duties for the goods subject to the arrangements provided for in Article 10 of the Additional Protocol, which has raised the total rate of the reductions which Turkey has carried out to 90 % on the 12-year list and to 80 % on the 22-year list; whereas, consequently, the percentage of common customs tariff duties to be taken into account for the determination of the compensatory levy to be collected at time of export from the Community to Turkey should be fixed at 90 for the 12-year list and 80 for the 22-year list;

Whereas, for the products covered by the Treaty establishing the European Coal and Steel Community, it should be specified that the above percentages apply to the duties of the ECSC unified tariff,

HAS DECIDED AS FOLLOWS:

Article 1

1. As from the date of entry into force of this Decision, the percentage of Common Customs Tariff duties to be taken into consideration for the determination of the compensatory levy referred to in Article 3 of the Additional Protocol shall be fixed, for goods obtained in the Community Member States, at 90 for those on the 12-year list and at 80 for those on the 22-year list.

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2. The percentages referred to in paragraph 1 will be increased in line with the successive reductions made by Turkey. The Association Council must be informed of the dates of application of the new percentages.

Article 2

In respect of goods in the manufacture of which products covered by the European Coal and Steel Community have been incorporated, the percentages referred to in Article 1 shall apply to the customs duties of the unified tariff of the ECSC in respect of those products.

Article 3

This Decision shall enter into force three months after the date of its adoption.

Done at Brussels, 19 December 1994.

**For the Association Council
The President
K. KINKEL**

DECISION No 2/94 OF THE EC-TURKEY ASSOCIATION COUNCIL of 19 December 1994 amending Decision No 5/72 relating to methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement (94/906/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the agreement creating an association between the European Economic Community and Turkey, and in particular to Article 4 of the Additional Protocol thereto,

Whereas Decision No 5/72¹ of the Association Council laid down methods of administrative cooperation for the implementation of Articles 2 and 3 of the Additional Protocol;

Whereas it is appropriate to provide for the possibility of issuing A.TR. 1 certificates by a simplified procedure;

Whereas it is appropriate to provide for the possibility of the division of the A.TR. 1 or A.TR. 3 certificates where the goods are sold to several consignees;

Whereas it is necessary to provide for the possibility of suspending the validity of the A.TR. 1 or A.TR. 3 certificates if goods remain in a free zone, customs warehouse or a free warehouse;

Whereas it is appropriate to amend Decision No 5/72 accordingly,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 5/72 is hereby amended as follows:

1. the following Articles shall be inserted:

“Article 9a

Simplified procedures for the issue of certificates

1. By derogation from Article 4, the customs authorities may authorise any person, hereinafter referred to as "approved exporter", who satisfies the conditions laid down in paragraph 2 of this Article, to issue movement certificates A.TR. 1 without having to present them for endorsement to the relevant customs authorities at the time of exportation.

¹ OJ no L 59, 5. 3. 1973, p.74. Decision as last amended by decision No 1/93 (OJ No L 285, 20. 11.1993, p.34).

2. The authorisation provided for in paragraph 1 shall be granted only to persons:
 - a) who frequently consign goods;
 - b) whose records enable the customs authorities to check their operations;
 - c) who have not made serious or repeated offences against customs or tax legislation;
 - d) who offer to the satisfaction of the customs authorities all guarantees necessary to verify the status of the goods.
3. The customs authorities may revoke the authorisation where the approved exporter no longer fulfils the conditions provided for in this Article or in the authorisation.
4. Authorisation to be issued by the customs authorities shall specify in particular:
 - a) the offices responsible for pre-endorsement of the certificates;
 - b) the manner in which the approved exporter must prove that those certificates have been used.

The relevant customs authorities shall specify the period and manner in which the approved exporter is to inform the competent office so that such office may carry out any necessary controls before the departure of the goods.

5. The authorisation shall stipulate that the box reserved for endorsement by the customs must:
 - a) be stamped in advance with the stamp of the office responsible for the pre-endorsement and be signed by an official of that office;
 - b) or (b) be stamped by the approved exporter with a special metal stamp approved by the customs authorities, conforming to the specimen in Annex II. This imprint may be pre-printed on the certificates if the printing is entrusted to a printer approved for that purpose.
6. Not later than on exportation of the goods, the approved exporter shall complete and sign the certificate and shall enter in the "Remarks" box one of the following phrases:

"Procedimiento simplificado"

"Forenklet fremgangsmåde"

"Vereinfachtes Verfahren"

"Απλουστευμένη διαδικασία "

"Simplified procedure"

"Procédure simplifiée"

"Procedura simplificata"

"Vereenvoudigde regeling"

"Procedimento simplificado"

"Basitleştirilmiş prosedür".

7. The completed certificate, bearing the phrase specified in paragraph 6 and signed by the approved exporter, shall be equivalent to a document certifying that the conditions specified at Article 1 have been fulfilled."

"Article 9b

Division of certificates

1. The competent authorities of the Member States of the Community or Turkey shall permit a consignment of goods and the A.TR. 1 or A.TR. 3 certificate to be divided.
2. The office at which the division shall take place shall issue an extract of the A.TR. certificate for each part of the divided consignment, using for this purpose an A.TR. certificate.

The "Customs Endorsement" box of the extract shall show the registration number, date, office and country of issue of the original certificate, using one of the following forms of wording:

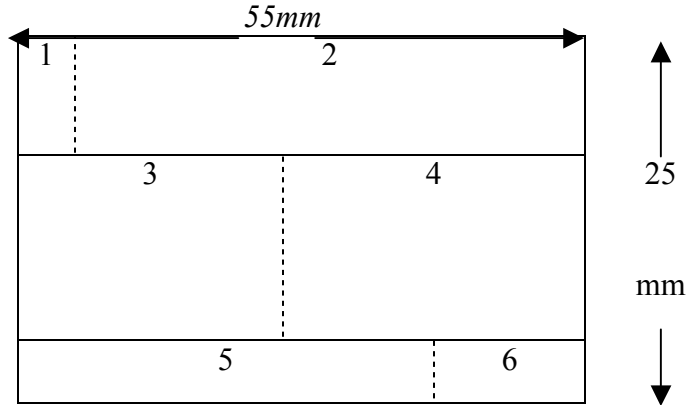
- Extracto del certificado A.TR
(numero, fecha, oficina y pais de expedicion)
- Udskrift af A.TR. varecertifikat
(nummer, dato, udstedelsessted og land)
- Auszug aus der A.TR. Warenverkehrsbescheinigung
(Nummer, Datum, ausstellende Stelle und Ausstellungsland)
- Απόσπασμα του πιστοποιητικού A.TR.
(αριθμός, ημερομηνία, γραφείο και χώρα εκδόσως)
- Extract of A.TR. certificate
(Number, date, office and country of issue)
- Extrait du certificate A.TR.
(numero, date, bureau et pays de delivrance)

- Estratto del certificato A.TR.
.....
(numero, data, ufficio e paese di emissione)
 - Uittreksel uit A.TR. certificaat
(nummer, datum, kantoor en land van afgifte)
 - Extracto do certificado A.TR
.....
(numero, data, estfncia, país de emissao)
 - Müfrez A.TR. dolasim belgesi
.....
(Numarası, tarih, düzenleyen, gümrük idaresi ve ülkesi)
3. The office where the division takes place shall state on the initial A.TR. certificate that the form has been divided. It shall do this by entering one of the following in the "Customs Endorsement" box of the A.TR. certificate:
- ...(número) extractos expedidos – copias adjuntas
- ...(antal) udstedte udskrifter – kopier vedføjet
- ...(Anzahl) Auszüge ausgestellt – Durchschriften liegen bei
- ...(αριθμός) εκδοθέντα αποσπάσματα – συνημμένα αντίγραφα
- ...(number) extracts issued – copies attached
- ...(nombre) extraits délivrés – copies ci-jointes
- ...(numero) estratti rilasciati – copie allegate
- ...(aantal) uittreksets atgegeven – kopieën bijgevoegd
- ...(quantidade) extractos emitidos – cópias juntas
- ...(adet) müfrez olarak düzenlenmiştir – suretleri ekilidir
4. The office where the division takes place shall keep the original of the A.TR. certificate and a copy of each extract used.
5. The period of validity of divided certificates shall be the same as that of the original A.TR. 1 or A.TR. 3 movement certificates.”

“Article 9c

Duration of the validity of the certificate where the goods are stored in a free zone, customs warehouse or free warehouse

1. Where goods covered by a movement certificate A.TR. 1 or A.TR. 3 remain in a free zone, customs warehouse or free warehouse, the validity period of the certificate is suspended during their stay.
 2. To this end, the customs authorities must certify the date of entry and exit of the goods into and out of the free zone, customs warehouse or free warehouse on the certificate.
 3. The same conditions shall apply to A.TR. 1 or A.TR. 3 movement certificates which had been issued and submitted to the customs authorities before 19 March 1994.”
2. The present Annex shall become Annex I and the following Annex shall be added:

ANNEX II**Special stamp referred to at Article 9a (5)**

1. Coat of arms or other sign or letter characterizing the exporting State
2. Customs office
3. Number of document
4. Date
5. Approved exporter
6. Authorisation’.

Article 2

This Decision shall enter into force three months after the date of its adoption.

Done at Brussels, 19 December 1994.

**For the Association Council
The President
K. KINKEL**

**DECISION No 1/95 OF THE EC-TURKEY ASSOCIATION COUNCIL of 22
December 1995 on implementing the final phase of the Customs Union (96/142/EC)**

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey, hereinafter referred to as the 'Ankara Agreement',

Considering that the objectives set out by the Ankara Agreement, and in particular by its Article 28, which established the Association between Turkey and the Community maintain their significance at this time of great political and economic transformation on the European scene;

Recalling its resolution of 8 November 1993 in which it reaffirmed the will of the Parties to enter into the Customs Union according to the calendar and modalities set out in the Ankara Agreement and its Additional Protocol;

Considering that the Association relations as provided for in Article 5 of the Ankara Agreement are entering into their final phase based on the Customs Union, which will complete the transitional phase through the fulfilment by the two parties of their reciprocal obligations and which leads to the elaboration of the modalities for the effective functioning of the Customs Union within the framework of the Ankara Agreement and Additional Protocol;

Considering that the Customs Union represents an important qualitative step, in political and economic terms, within the Association relations between the Parties;

Having met in Brussels on 6 March 1995

HAS DECIDED AS FOLLOWS:

Article 1

Without prejudice to the provisions of the Ankara Agreement, its Additional and Supplementary Protocols, the Association Council hereby lays down the rules for implementing the final phase of the Customs Union, laid down in Articles 2 and 5 of the above mentioned Agreement.

CHAPTER I**FREE MOVEMENT OF GOODS AND COMMERCIAL POLICY****Article 2**

This Chapter shall apply to products other than agricultural products as defined in Article 11 of the Association Agreement. The special provisions relating to agricultural products are set out in Chapter II of this Decision.

Article 3

1. This Chapter shall apply to goods:
 - produced in the Community or Turkey, including those wholly or partially obtained or produced from products coming from third countries which are in free circulation in the Community or in Turkey,
 - coming from third countries and in free circulation in the Community or in Turkey.
2. Products from third countries shall be considered to be in free circulation in the Community or in Turkey if the import formalities have been complied with and any customs duties or charges having equivalent effect which are payable have been levied in the Community or in Turkey, and if they have not benefited from a total or partial reimbursement of such duties or charges.
3. The customs territory of the Customs Union shall comprise:
 - the customs territory of the Community as defined in Article 3 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ¹,
 - the customs territory of Turkey.
4. This Chapter shall also apply to goods obtained or produced in the Community or in Turkey, in the manufacture of which products coming from third countries and not in free circulation either in the Community or in Turkey were used.

These provisions shall, however, apply to those goods only if the import formalities have been complied with and any customs duties or charges having equivalent effect payable on third-country products used in their manufacture have been levied in the exporting State.
5. If the exporting State does not apply the provisions of the second subparagraph of paragraph 4, the goods referred to in the first subparagraph of paragraph 4 shall not be considered to be in free circulation and the importing State shall therefore apply the customs legislation applying to goods from third countries.

¹ OJ No L 302, 19.10.1992, p.1 Regulations as amended by the 1994 Act of Accession.

6. The Customs Cooperation Committee set up by Decision No 2/69 of the Association Council shall determine the methods of administrative cooperation to be used in implementing paragraphs 1, 2 and 4.

SECTION I

Elimination of Customs Duties and Charges Having Equivalent Effect

Article 4

Import or export customs duties and charges having equivalent effect shall be wholly abolished between the Community and Turkey on the date of entry into force of this Decision. The Community and Turkey shall refrain from introducing any new customs duties on imports or exports or any charges having equivalent effect from that date. These provisions shall also apply to customs duties of a fiscal nature.

SECTION II

Elimination of quantitative restrictions or measures having equivalent effect

Article 5

Quantitative restrictions on imports and all measures having equivalent effect shall be prohibited between the Parties.

Article 6

Quantitative restrictions on exports and all measures having equivalent effect shall be prohibited between the Parties.

Article 7

The provisions of Articles 5 and 6 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between the Parties.

Article 8

1. Within five years from the date of entry into force of this Decision, Turkey shall incorporate into its internal legal order the Community instruments relating to the removal of technical barriers to trade.
2. The list of these instruments and the conditions and detailed arrangements governing their implementation by Turkey shall be laid down by decision of the Association Council within a period of one year from the date of entry into force of this Decision.
3. This provision shall not preclude the application by Turkey, with effect from the date of entry into force of this Decision, of Community instruments deemed to be of particular importance.
4. The Parties stress the importance of effective cooperation between them in the fields of standardisation, metrology and calibration, quality, accreditation, testing and certification.

Article 9

When Turkey has put into force the provisions of the Community instrument or instruments necessary for the elimination of technical barriers to trade in a particular product, trade in that product between the Parties shall take place in accordance with the conditions laid down by those instruments, without prejudice to the application of the provisions of this Decision.

Article 10

1. With effect from the date of entry into force of this Decision, and during the period required for the application by Turkey of the instruments referred to in Article 9, Turkey shall refrain from impeding the placing on the market or taking into service on its territory of products from the Community the conformity of which with the Community Directives defining the requirements to be met by such products has been attested to, in accordance with the conditions and the procedures laid down in those Directives.
2. By way of derogation from paragraph 1, if Turkey finds that a product, the conformity of which with the Community Directives has been attested to in accordance with paragraph 1, and which is used in accordance with its intended purpose, fails to satisfy one of the requirements referred to in Article 7, it may take all appropriate measures, in accordance with the conditions and procedures provided for in paragraph 3, to withdraw the product in question from the market, or to prohibit or restrict its being placed on the market or taken into service.
3.
 - (a) If Turkey is considering taking a measure under paragraph 2, it shall, forthwith, notify the Community through the Customs Union Joint Committee and shall provide all relevant information.
 - (b) The Parties shall immediately enter into consultations within the Customs Union Joint Committee to find a mutually acceptable solution.
 - (c) Turkey may not take a measure mentioned in paragraph 2 until one month has

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elapsed after the date of notification provided for in paragraph 3 (a) unless the consultation procedure under paragraph 3 (b) has been concluded before the expiry of the time limit. When exceptional circumstances requiring immediate action render prior examination impossible, Turkey may apply forthwith the measure strictly necessary to remedy the situation.

- (d) Turkey shall forthwith inform the Customs Union Joint Committee of the measure it has taken and shall provide all relevant information.
- (e) The Community may at any time request the Customs Union Joint Committee to review such measure.

4. The provisions of paragraphs 1 and 2 shall apply, mutatis mutandis, to foodstuffs.

Article 11

During the period required for the application by Turkey of the instruments referred to in Article 9, the Community will accept the results of the procedures applied in Turkey for assessing the conformity of industrial products with the requirements of Community law, provided that those procedures are in conformity with the requirements in force in the Community, and on the understanding that, in the motor vehicles sector, Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers² shall apply in Turkey.

SECTION III**Commercial Policy****Article 12**

1. From the date of entry into force of this Decision, Turkey shall, in relation to countries which are not members of the Community, apply provisions and implementing measures which are substantially similar to those of the Community's commercial policy set out in the following Regulations:
 - Council Regulation (EC) No 3285/94³ (common rules for imports),
 - Council Regulation (EC) No 519/94⁴ (common rules for imports from certain third countries),

² OJ No L 42, 23.2.1970, p.1 Directive as last amended by Directive 92/53/EEC (OJ No L 225, 18.8.1992, p.1).

³ OJ No L 349, 31.12.1994, . 53

⁴ OJ No L 67, 10.3.1994, p. 89, Regulation as last amended by Regulation (EC) No 839/95 (OJ No L 85, 19.4.1995, p.9).

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- Council Regulation (EC) No 520/94 ⁵ (Community procedure for administering quantitative quotas (implementing provisions: Commission Regulation (EC) No 738/94 ⁶,
 - Council Regulations (EC) No 3283/94 ⁷ and (EC) No 3284/94⁸ (protection against dumped and subsidised imports),
 - Council Regulation (EC) No 3286/94⁹ (Community procedures in the field of the common commercial policy),
 - Council Regulation (EEC) No 2603/69 ¹⁰ (establishing common rules for exports),
 - Council Decision 93/112/EEC ¹¹ (officially supported export credits),
 - Council Regulation (EC) No 3036/94 ¹² (outward processing arrangements for textiles and clothing),
 - Council Regulation (EC) No 3030/93 ¹³ (textile imports under common rules),
 - Council Regulation (EC) No 517/94¹⁴ (textile imports under autonomous arrangements),
 - Council Regulation (EC) No 3951/92 ¹⁵ (textile imports from Taiwan).
2. In conformity with the requirements of Article XXIV of the GATT Turkey will apply as from the entry into force of this Decision, substantially the same commercial policy as the Community in the textile sector including the agreements or arrangements on trade in textile and clothing. The Community will make available to Turkey the cooperation necessary for this objective to be reached.
3. Until Turkey has concluded these arrangements, the present system of certificates of origin for the exports of textile and clothing from Turkey into the Community will remain in force and such products not originating from Turkey will remain subject to

⁵ OJ No L 66, 10.3.1994, p. 1.

⁶ OJ No L 87, 31.3.1994, p. 47, Regulation as last amended by Regulation (EC) No 1150/95 (OJ No L 116, 23.5.1995, p. 3).

⁷ OJ No L 349, 31.12.1994, p 1. Regulation as last amended by Regulation (EC) No 1251/95 (OJ No L 122, 2.6.1995, p. 1).

⁸ OJ No L 349, 31.12.1994, p 22. Regulation as last amended by Regulation (EC) No 1252/95 (OJ No L 122, 2.6.1995, p. 2).

⁹ OJ No L 349, 31.12.1994, p 71. Regulation as last amended by Regulation (EC) No 356/95 (OJ No L 41, 23.2.1995, p. 3).

¹⁰ OJ No L 324, 27.12.1969, p 25. Regulation as last amended by Regulation (EC) No 3+918/91 (OJ No L 372, 31.12.1991, p. 31).

¹¹ OJ No L 44, 22.2.1993, p. 1.

¹² OJ No L 322, 15.12.1994, p. 1.

¹³ OJ No L 275, 8.11.1993, p 1. Regulation as last amended by Regulation (EC) No 1616/95 (OJ No L 154, 5.7.1995, p. 3).

¹⁴ OJ No L 67, 10.3.1994, p 1. Regulation as last amended by Regulation (EC) No 1325/95 (OJ No L 128, 13.6.1995, p. 1).

¹⁵ OJ No L 405, 31.12.1992, p 6. Regulation as last amended by Regulation (EC) No 3312/94 (OJ No L 3501, 21.12.1994, p. 3).

the application of the Communities commercial policy in relation to the third countries in question.

4. The provisions of this Decision shall not constitute a hindrance to the implementation by the Community and Japan of their Arrangement relating to trade in motor vehicles, mentioned in the Annex to the Agreement on safeguards attached to the Agreement setting up the World Trade Organization.

Before the entry into force of this Decision, Turkey and the Community will define the modalities of cooperation in order to prevent the circumvention of the said Arrangement.

In the absence of such modalities, the Community reserves the right to take, in respect of imports into its territory, any measure rendered necessary by the application of the said Arrangement.

SECTION IV

Common Customs Tariff and Preferential Tariff Policies

Article 13

1. Upon the date of entry into force of this Decision, Turkey shall, in relation to countries which are not members of the Community, align itself on the Common Customs Tariff.
2. Turkey shall adjust its customs tariff whenever necessary to take account of changes in the Common Customs Tariff.
3. The Customs Cooperation Committee shall determine what measures are appropriate to implement paragraphs 1 and 2.

Article 14

1. Turkey shall be informed of any decisions taken by the Community to amend the Common Customs Tariff, to suspend or reintroduce duties and any decision concerning tariff quotas or ceilings in sufficient time for it simultaneously to align the Turkish customs tariff on the Common Customs Tariff. Prior consultations shall be held within the Customs Union Joint Committee for this purpose.
2. Where the Turkish customs tariff cannot be aligned simultaneously on the Common Customs Tariff, the Customs Union Joint Committee may decide to grant a period of time for this to be undertaken. Under no circumstances may the Customs Union Joint Committee authorize Turkey to apply a customs tariff which is lower than the Common Customs Tariff for any product.
3. If Turkey wishes to suspend on temporary basis or resume duties other than as envisaged in paragraph 1, Turkey will make a prompt notification to the Community.

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Consultations on the above mentioned decisions will be held in the Joint Customs Union Committee.

Article 15

By way of derogation from Article 13 and in accordance with Article 19 of the Additional Protocol, Turkey may retain until 1 January 2001 customs duties higher than the Common Customs Tariff in respect of third countries for products agreed by the Association Council.

Article 16

1. With a view to harmonizing its commercial policy with that of the Community, Turkey shall align itself progressively with the preferential customs regime of the Community within five years as from the date of entry into force of this Decision. This alignment will concern both the autonomous regimes and preferential agreements with third countries. To this end, Turkey will take the necessary measures and negotiate agreements on mutually advantageous basis with the countries concerned. The Association Council shall periodically review the progress made.
2. In each of the cases referred to in paragraph 1 the granting of these tariff preferences shall be conditional on compliance with provisions relating to the origin of products identical to those governing the granting of such preferences by the Community.
3. (a) Where, during the period referred to in paragraph 1, Turkey maintains a tariff policy different from that of the Community, goods imported from third countries into the Community and released for free circulation with preferential treatment by reason of their country of origin or of exportation shall be subject to the payment of a compensatory levy if they are imported into Turkey, in the following circumstances:
 - they have been imported from countries to which the same preferential tariff treatment is not granted by Turkey, and
 - they can be identified as imported from these countries, and
 - the duty to be paid in Turkey is at least five percentage points higher than that applicable in the Community, and
 - an important distortion of traffic related to these goods has been observed.
- (b) The Customs Union Joint Committee shall establish the list of the goods to which the compensatory levy applies, as well as the amount of this levy.

SECTION V**Processed Agricultural Products Not Covered by Annex II to the Treaty Establishing the European Community****Article 17**

The provisions of this Section apply to goods listed in Annex 1.

Article 18

Notwithstanding Article 13, Turkey may apply on imports from third countries of goods listed in Annex 1 an agricultural component. The agricultural component shall be established in accordance with Article 19.

Article 19

1. The agricultural component applicable to goods imported into Turkey shall be obtained by adding together the quantities of basic agricultural products considered to have been used for the manufacture of the goods in question multiplied by the basic amount corresponding to each of these basic agricultural products as defined in paragraph 3.
2.
 - (a) The basic agricultural products to be taken into account are listed in Annex 2.
 - (b) The quantities of basic agricultural products to be taken into account are set out in Annex 3.
 - (c) In the case of goods classified under the nomenclature codes for which reference is made in Annex 3 to Annex 4, the amounts of the agricultural component to be taken into account are set out in Annex 4.
3. The basic amount corresponding to each basic agricultural product is the amount of the charge applicable on import into Turkey of the agricultural product originating in a non-preferential third country during the reference period applicable to agricultural products. The basic amounts are set out in Annex 5.

Article 20

1. Notwithstanding Article 4, Turkey and the Community may apply agricultural components established in accordance with the provisions below in trade with each other.
2. Such agricultural components, reduced in accordance with Article 22 where applicable, shall only apply to goods listed in Annex 1.
3. The Community shall apply to Turkey the same specific duties that represent the agricultural component applicable to third countries.

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4. Turkey shall apply to imports from the Community the agricultural component applied in accordance with Article 19.

Article 21

Notwithstanding the modalities set out in this Decision a derogation regime is foreseen for the goods listed in the Annex 6/Table 1 and Annex 6/Table 2 in which the import charges in Turkey will be reduced in three steps over a period of three years for the former and one year for the latter. The level of those import charges is set in Annex 6/Table 1 and Annex 6/Table 2.

At the end of the relevant periods the provisions of this Section shall apply fully.

Article 22

1. Where, in trade between the Community and Turkey, the duty applicable to a basic agricultural product is reduced, the agricultural component determined in accordance with Article 20 (4) for imports into Turkey or that referred to in Article 20 (3), for imports into the Community, shall be reduced proportionately.
2. Where the reductions referred to in paragraph 1 are effected within the limits of a quota, a list of goods and quantities to which the reduced agricultural component is applicable shall be drawn up by the Association Council.
3. The provisions of paragraphs 1 and 2 above apply to the import charges referred to in Article 21.

Article 23

If imports of one or more of the products covered by the derogation regime cause or threaten to cause in Turkey serious disturbances which may endanger the objectives of the Customs Union for processed agricultural products, consultations between the Parties shall be held within the Customs Union Joint Committee, with a view to finding a mutually acceptable solution.

If such a solution cannot be found, the Customs Union Joint Committee may recommend appropriate ways of maintaining the proper functioning of the Customs Union without prejudice to the provisions of Article 63.

CHAPTER II

AGRICULTURAL PRODUCTS

Article 24

1. The Association Council hereby reaffirms the Parties' common objective to move towards the free movement of agricultural products between themselves as provided for in Articles 32 to 35 of the Additional Protocol.
2. The Association Council notes that an additional period is required to put in place the conditions necessary to achieve free movement of these products.

Article 25

1. Turkey shall adjust its policy in such a way as to adopt the common agricultural policy measures required to establish freedom of movement of agricultural products. It shall communicate to the Community the decisions taken in that respect.
2. The Community shall take account as far as possible of Turkish agriculture's interests when developing its agricultural policy and shall notify Turkey of the relevant Commission proposals and the decisions taken on the basis of these proposals.
3. Consultations may be held within the Association Council on the proposals and decisions referred to in paragraph 2 and on the measures which Turkey intends to take in the agricultural field pursuant to paragraph 1.

Article 26

The Community and Turkey shall progressively improve, on a mutually advantageous basis, the preferential arrangements which they grant each other for their trade in agricultural products. The Association Council shall regularly examine the improvements made to these preferential arrangements.

Article 27

The Association Council shall adopt the provisions necessary to achieve the free movement of agricultural products between the Community and Turkey once it has established that Turkey has adopted the common agricultural policy measures referred to in Article 25 ¹⁶.

¹⁶ OJ No L 253, 11.10.1993, p.1.

CHAPTER III**CUSTOMS PROVISIONS****Article 28**

1. On the date of entry into force of this Decision, Turkey shall adopt provisions in the following fields, based on Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code and Commission Regulation (EEC) No 2454/93 of 2 July 1993 (16) laying down the implementing provisions thereof:
 - (a) origin of goods;
 - (b) customs value of goods;
 - (c) introduction of goods into the territory of the Customs Union;
 - (d) customs declaration;
 - (e) release for free circulation;
 - (f) suspensive arrangements and customs procedures with economic impact;
 - (g) movement of goods;
 - (h) customs debt;
 - (i) right of appeal.
2. Turkey shall take the measures necessary to implement, on the date of entry into force of this Decision, provisions based on:
 - (a) Council Regulation (EEC) No 3842/86 of 1 December 1986 laying down measures to prohibit the release for free circulation of counterfeit goods (17) and Commission Regulation (EEC) No 3077/87 of 14 October 1987 laying down the implementing measures thereof (18);
 - (b) Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duties (19) and Commission Regulations (EEC) No 2287/83, (EEC) No 2288/83, (EEC) No 2289/83 and (EEC) No 2290/83 of 29 July 1983 laying down the implementing measures thereof (20);
 - (c) Council Regulation (EEC) No 616/78 on proof of origin for certain textile products falling within Chapter 51 or Chapters 53 to 62 of the Common Customs Tariff and imported into the Community, and on conditions for the acceptance of such proof (21).
3. The Customs Cooperation Committee shall lay down the appropriate measures to implement paragraphs 1 and 2.

Article 29

Mutual assistance on customs matters between the administrative authorities of the Parties shall be governed by the provisions of Annex 7, which on the Community side, covers those matters falling under the Community competence.

Article 30

The Customs Cooperation Committee shall elaborate the appropriate provisions on mutual assistance on the recovery of debts, before the entry into force of this Decision.

CHAPTER IV

APPROXIMATION OF LAWS

SECTION I

Protection of Intellectual, Industrial and Commercial Property

Article 31

1. The Parties confirm the importance they attach to ensuring adequate and effective protection and enforcement of intellectual, industrial and commercial property rights.
2. The Parties recognize that the Customs Union can function properly only if equivalent levels of effective protection of intellectual property rights are provided in both constituent parts of the Customs Union. Accordingly, they undertake to meet the obligations set out in Annex 8.

SECTION II

Competition

A. Competition rules of the Customs Union

Article 32

1. The following shall be prohibited as incompatible with the proper functioning of the Customs Union, in so far as they may affect trade between the Community and Turkey: all agreements between undertakings, decisions by associations of undertakings and concerted practices which have as their object or effect the prevention, restriction or distortion of competition, and in particular those which:

- (a) directly or indirectly fix purchase or selling prices or any other trading conditions;
 - (b) limit or control production, markets, technical development or investment;
 - (c) share markets or sources of supply;
 - (d) apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage;
 - (e) make the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.
2. Any agreements or decisions prohibited pursuant to this Article shall automatically be void.
3. The provisions of paragraph 1 may, however, be declared inapplicable in the case of:
- any agreement or category of agreements between undertakings,
 - any decision or category of decisions by associations of undertakings,
 - any concerted practice or category of concerted practices
- which contributes to improving the production or distribution of goods or to promoting technical or economic progress, which allowing consumers a fair share of the resulting benefit, and which does not:
- (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment to these objectives;
 - (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question.

Article 33

1. Any abuse by one or more undertakings of a dominant position in the territories of the Community and/or of Turkey as a whole or in a substantial part thereof shall be prohibited as incompatible with the proper functioning of the Customs Union, in so far as it may affect trade between the Community and Turkey.
2. Such abuse may, in particular, consist in:
- (a) directly or indirectly imposing unfair purchase or selling prices or other unfair trading conditions;
 - (b) limiting production, markets or technical development to the prejudice of consumers;
 - (c) applying dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage;

- (d) making the conclusion of contracts subject to acceptance by the other parties of supplementary obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.

Article 34

1. Any aid granted by Member States of the Community or by Turkey through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between the Community and Turkey, be incompatible with the proper functioning of the Customs Union.
2. The following shall be compatible with the functioning of the Customs Union:
 - (a) aid having a social character, granted to individual consumers, provided that such aid is granted without discrimination related to the origin of the products concerned;
 - (b) aid to make good the damage caused by natural disasters or exceptional occurrences;
 - (c) aid granted to the economy of certain areas of the Federal Republic of Germany affected by the division of Germany, in so far as such aid is required in order to compensate for the economic disadvantages caused by that division;
 - (d) for a period of five years from the entry into force of this Decision, aid to promote economic development of Turkey's less developed regions, provided that such aid does not adversely affect trading conditions between the Community and Turkey to an extent contrary to the common interest.
3. The following may be considered to be compatible with the functioning of the Customs Union:
 - (a) in conformity with Article 43 (2) of the Additional Protocol, aid to promote the economic development of areas where the standard of living is abnormally low or where there is serious underemployment;
 - (b) aid to promote the execution of an important project of common European interest or to remedy a serious disturbance in the economy of a Member State of the Community or of Turkey;
 - (c) for a period of five years after the entry into force of this Decision, in conformity with Article 43 (2) of the Additional Protocol, aids aiming at accomplishing structural adjustment necessitated by the establishment of the Customs Union. The Association Council shall review the application of that clause after the aforesaid period.
 - (d) aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions between the Community and Turkey to an extent contrary to the common interest;

- (e) aid to promote culture and heritage conservation where such aid does not adversely affect trading conditions between the Community and Turkey to an extent contrary to the common interest;
- (f) such other categories of aid as may be specified by the Association Council.

Article 35

Any practices contrary to Articles 32, 33 and 34 shall be assessed on the basis of criteria arising from the application of the rules of Articles 85, 86 and 92 of the Treaty establishing the European Community and its secondary legislation.

Article 36

The Parties shall exchange information, taking into account the limitations imposed by the requirements of professional and business secrecy.

Article 37

1. The Association Council shall, within two years following the entry into force of the Customs Union, adopt by Decision the necessary rules for the implementation of Articles 32, 33 and 34 and related parts of Article 35. These rules shall be based upon those already existing in the Community and shall inter alia specify the role of each competition authority.
2. Until these rules are adopted,
 - (a) the authorities of the Community or Turkey shall rule on the admissibility of agreements, decisions and concerted practices and on abuse of a dominant position in accordance with Articles 32 and 33;
 - (b) the provisions of the GATT Subsidies Code shall be applied as the rules for the implementation of Article 34.

Article 38

1. If the Community or Turkey considers that a particular practice is incompatible with the terms of Articles 32, 33 or 34, and
 - is not adequately dealt with under the implementing rules referred to in Article 37, or
 - in the absence of such rules, and if such practice causes or threatens to cause serious prejudice to the interest of the other Party or material injury to its domestic industry, it may take appropriate measures after consultation within the Joint Customs Union Committee or after 45 working days following referral for such consultation. Priority shall be given to such measures that will least disturb the functioning of the Customs Union.

2. In the case of practices incompatible with Article 34, such appropriate measures may, where the General Agreement on Tariffs and Trade applies thereto, only be adopted in conformity with the procedures and under the conditions laid down by the General Agreement on Tariffs and Trade and any other relevant instrument negotiated under its auspices which are applicable between the Parties.

B. Approximation of Legislation

Article 39

1. With a view to achieving the economic integration sought by the Customs Union, Turkey shall ensure that its legislation in the field of competition rules is made compatible with that of the European Community, and is applied effectively.
2. To comply with the obligations of paragraph 1, Turkey shall
 - (a) before the entry into force of the Customs Union, adopt a law which shall prohibit behaviours of undertakings under the conditions laid down in Articles 85 and 86 of the EC Treaty. It shall also ensure that, within one year after the entry into force of the Customs Union, the principles contained in block exemption Regulations in force in the Community, as well as in the case-law developed by EC authorities, shall be applied in Turkey. The Community shall inform Turkey as soon as possible of any procedure related to the adoption, abolition, or modification of block exemption Regulations by the EC after the entry into force of the Customs Union. After such information has been given, Turkey shall have one year to adapt its legislation, if necessary;
 - (b) before the entry into force of the Customs Union, establish a competition authority which shall apply these rules and principles effectively;
 - (c) before the entry into force of this Decision, adapt all its aids granted to the textile and clothing sector to the rules laid down in the relevant Community frameworks and guidelines under Articles 92 and 93 of the EC Treaty. Turkey shall inform the Community of all its aid schemes to this sector as adapted in accordance with these frameworks and guidelines. The Community shall inform Turkey as soon as possible of any procedure related to the adoption, abolition or modification of such frameworks and guidelines by the Community after the entry into force of the Customs Union. After such information as been given, Turkey shall have one year to adopt its legislation;
 - (d) within two years after the entry into force of this Decision, adapt all aid schemes other than those granted to the textile and clothing sector to the rules laid down in Community frameworks and guidelines under Articles 92 and 93 of the EC Treaty. The Community shall inform Turkey as soon as possible of any procedure related to the adoption, abolition or modification of such frameworks and guidelines by the Community. After such information has been given, Turkey shall have one year to adapt its legislation;
 - (e) within two years after the entry into force of the Customs Union, inform the Community of all aid schemes in force in Turkey as adapted in accordance with

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point (d). If a new scheme is to be adopted, Turkey shall inform the Community as soon as possible of the content of such scheme;

- (f) notify the Community in advance of any individual aid to be granted to an enterprise or a group of enterprises that would be notifiable under Community frameworks or guidelines had it been granted by a Member State, or of individual aid awards outside of Community frameworks or guidelines above an amount of ECU 12 million and which would have been notified under EC law had it been granted by a Member State.

Regarding individual aids granted by Member States and subject to the analysis by the Commission, on the basis of Article 93 of the EC Treaty, Turkey will be informed on the same basis as the Member States.

3. The Community and Turkey shall communicate to each other all amendments to their laws concerning restrictive practices by undertakings. They shall also inform each other of the cases when these laws have been applied.
4. In relation to information supplied under paragraph 2, points (c), (e) and (f), the Community shall have the right to raise objections against an aid granted by Turkey which it would have deemed unlawful under EC law had it been granted by a Member State. If Turkey does not agree with the Community's opinion, and if the case is not resolved within 30 days, the Community and Turkey shall each have the right to refer the case to arbitration.
5. Turkey shall have the right to raise objections and seize the Association Council against an aid granted by a Member State which it deems to be unlawful under EC law. If the case is not resolved by the Association Council within three months, the Association Council may decide to refer the case to the Court of Justice of the European Communities.

Article 40

1. The Community shall inform Turkey as soon as possible of the adoption of any Decision under Articles 85, 86 and 92 of the EC Treaty which might affect Turkey's interests.
2. Turkey shall be entitled to ask information about any specific case decided by the Community under Articles 85, 86 and 92 of the EC Treaty.

Article 41

With regard to public undertakings and undertakings to which special or exclusive rights have been granted, Turkey shall ensure that, by the end of the first year following the entry into force of the Customs Union, the principles of the Treaty establishing the European Economic Community, notably Article 90, as well as the principles contained in the secondary legislation and the case-law developed on this basis, are upheld.

Article 42

Turkey shall progressively adjust, in accordance with the conditions and the time-table laid down by the Association Council any State monopolies of a commercial character so as to ensure that, by the end of the second year following the entry into force of this Decision, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States and of Turkey.

Article 43

1. If the Community or Turkey believes that anti-competitive activities carried out on the territory of the other Party are adversely affecting its interests or the interests of its undertakings, the first Party may notify the other Party and may request that the other Party's competition authority initiate appropriate enforcement action. The notification shall be as specific as possible about the nature of the anti-competitive activities and their effects on the interests of the notifying Party, and shall include an offer for such further information and other cooperation as the notifying Party is able to provide.
2. Upon receipt of a notification under paragraph 1 and after such other discussion between the Parties as may be appropriate and useful in the circumstances, the competition authority of the notified Party will consider whether or not to initiate enforcement action, with respect to the anti-competitive activities identified in the notification. The notified Party will advise the notifying Party of its decision. If enforcement action is initiated, the notified Party will advise the notifying Party of its outcome and, to the extent possible, of significant interim developments.
3. Nothing in this Article limits the discretion of the notified Party under its competition laws and enforcement policies as to whether or not to undertake enforcement action with respect to the notified anti-competitive activities, or precludes the notifying Party from undertaking enforcement action with respect to such anti-competitive activities.

SECTION III**Trade Defence Instruments****Article 44**

1. The Association Council shall review upon the request of either Party the principle of application of trade defence instruments other than safeguard by one Party in its relations with the other. During any such review, the Association Council may decide to suspend the application of these instruments provided that Turkey has implemented competition, State aid control and other relevant parts of the *acquis communautaire* which are related to the internal market and ensured their effective enforcement, so providing a guarantee against unfair competition comparable to that existing inside the internal market.

2. The modalities of implementation of anti-dumping measures set out in Article 47 of the Additional Protocol remain in force.

Article 45

By derogation from the provisions of Section II of Chapter V, the consultation and decision-making procedures referred to in that section shall not apply to trade defence measures taken by either Party.

In the framework of the application of trade policy measures towards third countries, the Parties shall endeavour, through exchange of information and consultation, to seek possibilities for coordinating their action when the circumstances and international obligations of both Parties allow.

Article 46

By derogation from the principle of the free movement of goods laid down in Chapter I where one Party has taken or is taking anti-dumping measures or other measures pursuant to trade policy instruments as referred to in Article 44 in its relations with the other Party or with third countries, that Party may make imports of the products concerned from the territory of the other Party subject to the application of those measures. In such cases it shall inform the Customs Union Joint Committee accordingly.

Article 47

When completing the formalities involved in importing products of a type covered by trade policy measures, provided for in the preceding Articles, the authorities of the importing State shall ask the importer to indicate the origin of the products concerned on the customs declaration.

Additional supporting evidence may be requested where absolutely necessary because of serious and well-founded doubts in order to verify the true origin of the product in question.

SECTION IV

Government Procurement

Article 48

As soon as possible after the date of entry into force of this Decision, the Association Council will set a date for the initiation of negotiations aiming at the mutual opening of the Parties' respective government procurement markets.

The Association Council will review progress in this area annually.

SECTION V

Direct Taxation

Article 49

No provision of this Decision shall have the effect:

- of extending the fiscal advantages granted by either Party in any international agreement or arrangement by which it is bound,
- of preventing the adoption or application by either Party of any measure aimed at preventing the avoidance or evasion of taxes,
- of opposing the right of either Party to apply the relevant provisions of its tax legislation to taxpayers whose position as regards place of residence is not identical.

Indirect Taxation

Article 50

1. Neither Party shall, directly or indirectly, impose on the products of the other Party any internal taxation of any kind in excess of that imposed directly or indirectly on similar domestic products.

Neither Party shall impose on the products of the other Party any internal taxation of such a nature as to afford indirect protection to other products.

2. Products exported to the territory of either of the parties shall not qualify for refunds of internal indirect taxation which exceed the indirect taxation directly or indirectly imposed on those products.
3. The Parties shall repeal any provisions existing at the date of the entry into force of this Decision which conflict with the above rules.

Article 51

The Association Council may recommend the Parties to take measures to approximate laws, regulations or administrative provisions in respect of fields which are not covered by this Decision but have a direct bearing on the functioning of the Association, and of fields covered by this Decision but for which no specific procedure is laid down therein.

CHAPTER V

INSTITUTIONAL PROVISIONS

SECTION I

The EC-Turkey Customs Union Joint Committee

Article 52

1. In accordance with Article 24 of the Association Agreement, an EC-Turkey Customs Union Joint Committee is hereby established. The Committee shall carry out exchange of views and information, formulate recommendations to the Association Council and deliver opinions with a view to ensuring the proper functioning of the Customs Union.
2. The Parties shall consult within the Committee on any point relating to the implementation of this Decision which gives rise to a difficulty for either of them.
3. The Customs Union Joint Committee shall adopt its rules of procedure.

Article 53

1. The Customs Union Joint Committee shall consist of representatives of the Parties.
2. The office of Chairman of the Customs Union Joint Committee shall be held alternately, for a period of six months, by the representative of the Community, i.e. the European Commission, and the representative of Turkey.
3. In order to carry out its duties, the Customs Union Joint Committee shall meet, as a general rule, at least once a month. It shall also meet on the initiative of its Chairman or at the request of one of the Parties in accordance with its rules of procedure.
4. The Customs Union Joint Committee may decide to establish any subcommittee or working party to assist it in carrying out its duties. The Customs Union Joint Committee shall lay down the composition and rules of operation of such subcommittees or working parties in its rules of procedure. Their duties shall be determined by the Customs Union Joint Committee in each individual case.

SECTION II

Consultation and Decision Procedures

Article 54

1. In areas of direct relevance to the operations of the Customs Union, and without prejudice to the other obligations deriving from Chapters I to IV Turkish legislation shall be harmonized as far as possible with Community legislation.
2. Areas of direct relevance to the operation of the Customs Union shall be commercial policy and agreements with third countries comprising a commercial dimension for industrial products, legislation on the abolition of technical barriers to trade in industrial products, competition and industrial and intellectual property law and customs legislation.

The Association Council may decide to extend the list of areas where harmonization is to be achieved in the light of the Association's progress.

3. The procedural rules provided for the Articles 55 to 60 shall apply for the purposes of this Article.

Article 55

1. Wherever new legislation is drawn up by the Commission of the European Communities in an area of direct relevance to the operation of the Customs Union and the Commission of the European Communities consults experts from Member States of the Community, it shall also informally consult Turkish experts.
2. When transmitting its proposal to the Council of the European Union, the Commission of the European Communities shall send copies thereof to Turkey.
3. During the phase preceding the decision of the Council of the European Union, the Parties shall, at the request of either of them, consult each other again within the Customs Union Joint Committee.
4. The Parties shall cooperate in good faith during the information and consultation phase with a view to facilitating, at the end of the process, the decision most appropriate for the proper functioning of the Customs Union.

Article 56

1. Where it adopts legislation in an area of direct relevance to the functioning of the Customs Union as defined in Article 54 (2), the Community shall immediately inform Turkey thereof within the Customs Union Joint Committee to allow Turkey to adopt corresponding legislation which will ensure the proper functioning of the Customs Union.

2. Where there is a problem for Turkey in adopting the corresponding legislation, the Customs Union Joint Committee shall make every effort to find a mutually acceptable solution maintaining the proper functioning of the Customs Union.

Article 57

1. The principle of harmonization defined in Article 54 shall not affect Turkey's right, without prejudice to its obligations deriving from Chapters I to IV to amend legislation in areas of direct relevance to the functioning of the Customs Union provided the Customs Union Joint Committee has concluded that the amended legislation does not affect the proper functioning of the Customs Union or that the procedures referred to in the paragraphs 2 to 4 of this Article have been accomplished.
2. Where Turkey is contemplating new legislation in an area of direct relevance to the functioning of the Customs Union, it shall informally seek the views of the Commission of the European Communities on the proposed legislation in question so that the Turkish legislator may take his decision in full knowledge of the consequences for the functioning of the Customs Union.

The Parties shall cooperate in good faith with a view to facilitating, at the end of the process, the decision most appropriate for the proper functioning of the Customs Union.

3. Once the proposed legislation has reached a sufficiently advanced stage of drafting, consultations shall be held within the Customs Union Joint Committee.
4. Where Turkey adopts legislation in an area of direct relevance to the functioning of the Customs Union, it shall forthwith inform the Community within the Customs Union Joint Committee.

If Turkey's adoption of such legislation is likely to disrupt the proper functioning of the Customs Union, the Customs Union Joint Committee shall endeavour to find a mutually acceptable solution.

Article 58

1. If, at the end of the consultations undertaken under the procedure provided for in Article 56 (2) or Article 57 (4), a mutually acceptable solution cannot be found by the Customs Union Joint Committee and if either Party considers that discrepancies in the legislation in question may affect the free movement of goods, deflect trade or create economic problems on its territory, it may refer the matter to the Customs Union Joint Committee which, if necessary, shall recommend appropriate ways of avoiding any injury which may result.

The same procedure will be followed if differences in the implementation of legislation in an area of direct relevance to the functioning of the Customs Union, cause or threaten to cause impairment of the free movement of goods, deflections of trade or economic problems.

2. If discrepancies between Community and Turkish legislation or differences in their implementation in an area of direct relevance to the functioning of the Customs Union, cause or threaten to cause impairment of the free movement of goods or deflections of

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trade and the affected Party considers that immediate action is required, it may itself take the necessary protection measures and notify the Customs Union Joint Committee thereof; the latter may decide whether to amend or abolish these measures. Priority should be given to measures which least disturb the functioning of the Customs Union.

Article 59

In areas of direct relevance to the proper functioning of the Customs Union, the Commission of the European Communities shall ensure Turkish experts are involved as far as possible in the preparation of draft measures to be submitted subsequently to the committees which assist the Commission of the European Communities in the exercise of its executive powers. In this regard, when drafting proposals, the Commission of the European Communities shall consult experts from Turkey on the same basis as it consults experts from the Member States of the Community. Where the matter referred to the Council of the European Union is in accordance with the procedure applying to the type of committee concerned, the Commission of the European Communities shall transmit to the Council of the European Union the views of the Turkish experts.

Article 60

Turkish experts shall be involved in the work of a number of technical committees which assist the Commission of the European Communities in the exercise of its executive powers in areas of direct relevance to the functioning of the Customs Union where this is required to ensure the proper functioning of the Customs Union. The procedure for such participation shall be decided by the Association Council before the entry into force of this Decision. The list of Committees is contained in Annex 9. If it appears to the Parties that such an involvement should be extended to other Committees, the Customs Union Joint Committee may address the necessary recommendations to the Association Council for decisions.

SECTION III**Settlement of Disputes****Article 61**

Without prejudice to paragraphs 1 to 3 of Article 25 of the Ankara Agreement, if the Association Council fails to settle a dispute relating to the scope or duration of protection measures taken in accordance with Article 58 (2), safeguard measures taken in accordance with Article 63 or rebalancing measures taken in accordance with Article 64, within six months of the date on which this procedure was initiated, either Party may refer the dispute to arbitration under the procedures laid down in Article 62. The arbitration award shall be binding on the Parties to the dispute.

Article 62

1. If a dispute has been referred to arbitration there shall be three arbitrators.

2. The two parties to the dispute shall each appoint one arbitrator within 30 days.
3. The two arbitrators so designated shall nominate by common agreement one umpire who shall not be a national of either Party. If they cannot agree within two months of their appointment, the umpire shall be chosen by them from seven persons on a list established by the Association Council. The Association Council shall establish and review this list in accordance with its rules of procedure.
4. The arbitration tribunal shall sit in Brussels. Unless the Parties decide otherwise, it shall adopt its rules of procedure. It shall take its decisions by majority.

SECTION IV

Safeguard Measures

Article 63

The Parties confirm that the mechanism and modalities of safeguard measures provided for in Article 60 of the Additional Protocol remain valid.

Article 64

1. If a safeguard or protection measure taken by a Party creates an imbalance between the rights and obligations under this Decision, the other Party may take rebalancing measures in respect of that Party. Priority shall be given to such measures as will least disturb the functioning of the Customs Union.
2. The procedures provided for in Article 63 shall apply.

CHAPTER VI

GENERAL AND FINAL PROVISIONS

Entry into Force

Article 65

1. This Decision shall enter into force on 31 December 1995.
2. During the year 1995, progress in the implementation of this Decision shall be examined regularly within the Association Committee, which will report to the Association Council.

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3. Before the end of October 1995 the two Parties shall consider within the Association Council whether the provisions of this Decision for the proper functioning of the Customs Union are fulfilled.
4. On the basis of the report(s) of the Association Committee, if Turkey on one side or the Community and its Member States on the other side considers that the provisions referred to in paragraph 3 have not been met, this Party can notify to the Association Council its decision to ask for a postponement of the date referred to in paragraph 1. In such a case this date is deferred to 1 July 1996.
5. In this case paragraphs 2 to 4 shall apply mutates mutandis.
6. The Association Council may take other appropriate decisions.

Interpretation

Article 66

The provisions of this Decision, in so far as they are identical in substance to the corresponding provisions of the Treaty establishing the European Community shall be interpreted for the purposes of their implementation and application to products covered by the Customs Union, in conformity with the relevant decisions of the Court of Justice of the European Communities.

Done at Brussels, 22 December 1995

**For the EC-Turkey Association Council
The President
L. ATIENZA SERNA**

STATEMENTS

Statement by Turkey on Article 3 (4):

Turkey undertakes to ensure that customs duties or charges having equivalent effect levied pursuant to the second subparagraph of Article 3 (4) are not allocated to any specific purpose but accrue to its national budget in the same way as other customs revenue.

Statement by the Community on Article 3 (3):

The Community would recall the special status accorded to Mount Athos in accordance with the joint declaration annexed to the Act of Accession of the Hellenic Republic to the European Communities.'

Statement by Turkey on Article 5:

Without prejudice to Article 5 of this Decision, Turkey intends to retain the provisions of its import regime decree (Turkish Official Journal No 22158bis, 31. 12. 1994) on used motor vehicles whereby subjecting the importation of such products to prior permission; for a certain period following the entry into force of this Decision.'

Statement by the Community on textile and clothing on Article 6:

1. Arrangements for trade in textile and clothing products will expire as soon as it is determined that Turkey has effectively implemented the measures for which the adoption is required under this decision, regarding intellectual, industrial and commercial property (Articles 2, 3, 4 and 5 of Annex 8), competition, including the measures regarding public aid (Chapter IV, Section II, Article 39 (1) and (2) (a), (b) and (c)), and that Turkey has put into operation, according to the multilateral rules presently in force, the measures necessary for the alignment of its commercial policy with that of the Community in the textile sector, in particular the arrangements and agreements referred to in Section III Article 12 (2).
2. The Community will apply the safeguard measures foreseen in Article 60 of the Additional Protocol if, though Turkey does not fulfil the conditions mentioned in paragraph 1, the present arrangements for trade in textile and clothing products are not extended.
3. The Community insists on effective reciprocity in market access in that sector.'

Statement by Turkey on textiles and clothing on Article 6:

1. If despite the fulfilment by Turkey of the measures referred to in the first paragraph of the Community's Statement on the expiration of arrangements for trade in textile and clothing products, an end has not been put to the said arrangements, Turkey will take appropriate rebalancing measures.
2. In reference to paragraph 1 of the Community Statement on textiles and clothing on Article 6, Turkey understands that the measures related to the conclusion by Turkey of agreements or arrangements with third countries in the textile sector signifies that

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Turkey has taken the necessary steps referred to in Article 12 (2) for such a conclusion, and that, in the meantime, the measures referred to in Article 12 (3) remain applicable.

3. Turkey insists on full market access in that sector.

Statement by Turkey on Article 6:

'Turkey deems it necessary to be associated with the work of the Textile Committee.

Statement by Turkey on Article 8:

'Turkey deems it necessary to be associated with the work of the Standards and Technical Regulations Committee with a view to ensuring a level of cooperation commensurate with the aim of harmonization.

Statement by Turkey on Article 8:

'Turkey wishes to stress the importance of a comprehensive, quick and as unburdensome as possible assessment of the instruments, procedures and infrastructures concerning the fulfilment by Turkey of the requirements foreseen in the instruments included in the list referred to in Article 8 (2).

Turkey further stresses the need for the Community to proceed to the technical adaptations necessitated by Turkey's fulfilment of the requirements referred to above.

Joint statement on Article 11:

The Parties agree to engage immediately in discussions at the level of experts on the transposition by Turkey of the *acquis communautaire* concerning the abolition of technical barriers to trade.

Statement by Turkey on Article 16:

Turkey may seek consultation within the Association Council regarding the obligations that may arise for it as the result of its membership of the Economic Cooperation Organization (ECO).

Statement by Turkey on Article 16:

In relation to Article 16, Turkey states that priority will be given to the following preferential agreements: Bulgaria, Hungary, Poland, Romania, Slovakia, Czech Republic, Israel, Estonia, Latvia and Lithuania, Morocco, Tunisia, Egypt.

Statement by the Community on Annex 8:

For the effective implementation and application of the provisions mentioned in this Annex, the Community is prepared to provide adequate technical assistance to Turkey both before and after entry into force of the Customs Union.

Statement by Turkey on Annex 8, Article 1:

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This commitment does not prejudice Turkey's status as a developing country in the World Trade Organization.

Statement by the Community on Article 44:

In relation to Article 44 (2), the Community states that the Commission of the European Communities, without prejudice to the position of the Council of the European Union, in the exercise of its responsibilities for anti-dumping and safeguard measures, will offer information to Turkey before the initiation of proceedings. To this effect, appropriate modalities of application of Article 49 will be set out jointly before the entry into force of this Decision. Furthermore the Community will give, on a case by case basis, where appropriate, a clear preference to price undertakings rather than duties in order to conclude anti-dumping cases where injury is found.

Statement by Turkey on Article 48:

Turkey states its intention to enter into negotiations with a view to acceding to the GATT Government Procurement Agreement.

Statement by Turkey on Article 60:

During the year 1995, and as Turkey harmonizes its legislation with that of the Community it will seek from the Association Council a decision to extend its involvement to other committees.

Joint statement on Article 65:

1. 1. Any joint decision by the Community and its Member States to request that the entry into force of the Customs Union be postponed pursuant to Article 65 (4) of this Decision will be taken on the basis of a proposal from the Commission of the European Communities and using the same decision-making procedure as for the adoption of this Decision.
2. Furthermore, postponement of the entry into force of this Decision shall not affect the contractual obligations entered into by the parties under the terms of the Additional Protocol.

ANNEXES

Annex No 1	List of goods referred to in ARTICLE 17
Annex No 2	referred to in Article 19 (2) (a)
Annex No 3	referred to in Article 19 (2) (b)
Annex No 4	referred to in Article 19 (2) (c)
Annex No 5	referred to in Article 19 (3)
Annex No 6	Table 1 and Table 2 referred to in Article 21
Annex No 7	on mutual assistance between administrative authorities in customs matters
Annex No 8	on protection of intellectual, industrial and commercial property
Annex No 9	List of committees referred to in Article 60
Annex No 10	on the autonomous regimes and preferential agreements referred to in Article 16

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ANNEX 1

CN-code	Description
Ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa;
0403 10 51 to 0403 10 99	- Yoghurt, flavoured or containing added fruit or cocoa
0403 90 71 to 0403 90 99	- Other, flavoured or containing added fruit or cocoa
0710 40 00	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen
0711 90 30	Sweet corn provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption;
Ex 1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading No 1516;
1517 10 10	- Margarine, excluding liquid margarine containing more than 10% but not more than 15% by weight of milk fats
1517 90 10	- Other, containing more than 10% but not more than 15% by weight of milk fats
1702 50 00	Chemically pure fructose
Ex 1704	Sugar confectionery (including white chocolate), not containing cocoa; excluding liquorice extract containing more than 10% by weight of sucrose but not containing other added substances, falling within CN code 1704 90 10
1806	Chocolate and other food preparations containing cocoa
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50%, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10%, not elsewhere specified or included
Ex 1902	Pasta, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty sachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
2001 90 30	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>), prepared or preserved by vinegar or acetic acid
2001 90 40	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid
2004 10 91	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, frozen

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CN-code	Description
2004 90 10	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, frozen
2005 20 10	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid, not frozen
2005 80 00	Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) prepared or preserved otherwise than by vinegar or acetic acid, not frozen
2008 92 45	Preparation of the muesli type based on unroasted cereal flakes
2008 99 85	Maize (corn), other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) otherwise prepared or preserved, not containing added spirit or added sugar
2008 99 91	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, otherwise prepared or preserved, not containing added spirit or added sugar
2101 10 99	Preparations with a basis of extracts, essences and concentrates of coffee or with a basis of coffee, other than those of CN code 2101 10 91
2101 20 90	Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, or with a basis of tea or maté, other than those of CN code 2101 20 10
2191 30 19	Roasted coffee substitutes excluding roasted chicory
2101 30 99	Extracts, essences and concentrates or roasted coffee substitutes excluding those of roasted chicory
2102 10 31	Bakers' yeast
2102 10 39	
2105	Ice cream and other edible ice, whether or not containing cocoa
Ex 2106	Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 10 and 2106 90 91 and other than flavoured or coloured sugar syrups
2202 90 91	Non-alcoholic beverages, not including fruit or vegetable juices of CN code 2609,
2202 90 95	containing products of CN codes 0401 to 0404 or fat obtained from products of CN heading
2202 90 99	Nos 0401 to 0404
2905 43 00	Mannitol
2905 44	D-Glucitol (sorbitol)
Ex 3501	Caseins, caseinates and other casein derivatives
Ex 3505 10	Dextrins and other modified starches, excluding esterified or etherified starches of CN code 3505 10 50
3505 20	Glues based on starches or on dextrins or other modified starches
3809 10	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the paper, leather or like industries, with a basis of amylaceous substances, not elsewhere specified or included
3823 60	Sorbitol other than of CN code 2905 44

ANNEX 2

List of basic products

common wheat falling within CN code 1001 90 99

durum wheat falling within CN code 1001 10

rye falling within CN code 1002 00 00

barley falling within CN code 1003 00 90

maize falling within CN code 1005 90 00

husked rice falling within CN code 1006 20

white sugar falling within CN code 1701 99 10

isoglucose falling within CN code ex 1702 40 10

molasses falling within CN code 1703

skimmed milk powder (PG2) falling within CN code ex 0402 10 19

whole milk powder (PG3) falling within CN code ex 0402 21 19

butter (PG6) falling within CN code ex 0405 00

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ANNEX 3

(per 100 kg of goods)

CN Code	Description	Common Wheat	Drum Wheat	Rye	Barley	Rice	Maize	White Sugar	Molasses	Skimmed Milk Powder	Skimmed Milk Powder (PG 2)	Butter (PG 6)
		kg	kg	kg	kg	kg	kg	kg	kg	kg	kg	kg
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa:											
0403 10	- Yoghurt											
	- - Flavoured or containing added fruit or cocoa:											
	- - - In powder, granules or other solid forms of a milk fat content by weight:											
51	---- Not exceeding 1,5 %									100		
53	- - - - Exceeding 1,5 % but not exceeding 27 %										100	
59	---- Exceeding 27 %									42		68
	- - - Other, of a milk fat content by weight:											
91	---- Not Exceeding 3 %									12,5		2
93	- - - - Exceeding 3 % but not exceeding 6 %									12,5		5
99	---- Exceeding 6 %									12,5		10
0403 90	- Other:											
	- - Flavoured or containing added fruit or cocoa:											
	- - - In powder, granules or other solid forms of a milk fat content by weight:											
71	---- Not exceeding 1,5 %									100		
73	- - - - Exceeding 1,5 % but not exceeding 27 %										100	
79	---- Exceeding 27 %									42		68
	--- Other, of a milk fat content by weight:											
91	---- Not Exceeding 3 %									12,5		2
93	---- Exceeding 3 % but not exceeding 6 %									12,5		5
99	---- Exceeding 6 %									12,5		10
0710	Vegetables (uncooked or cooked by steaming or by boiling in water), frozen:											
071040	- Sweet corn					100 (a)						

(a) Per 100 kilogram of drained sweet potatoes etc. or maize.

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:											
071190	- Other vegetables; mixtures of vegetables:											
30	- - Sweet corn					100 (a)						
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516:											
1517 10	- Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516:											
10	- - Containing more than 10 % but not more than 15 % by weight of milk fats											-
1517 90	- Other:											15
10	- - Containing more than 10 % but not more than 15 % by weight of milk fats											15
1702 50	Chemically pure fructose							(b)				
1704	Sugar confectionery (including white chocolate), not containing cocoa:											
1704 10	- Chewing gum, whether or not sugar-coated:											
	- - Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose):											
11	- - - Gum in strips					30		58				
19	- - - Other					30		58				
	- - Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose):											
91	- - - Gum in strips					16		70				
99	- - - Other					16		70				
1704 90	- Other											
30	- - White Chocolate							45			20	
1704 90 31								70				
1704 90 71								47				

(a) Per 100 kilogram of drained sweet potatoes etc. or maize.

(b) See Article 4 of Regulation (EC) No 1294/94

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1704 90 72 1704 90 73 1704 90 73 1704 90 81	Lokum					17	10	47 85 85				5
51 to 99	- Other:						See Annex 4	97				
1806	Chocolate and other food preparations containing cocoa:											
1806 10	- Cocoa powder, containing added sugar or other sweetening matter:											
10	- - Containing no sucrose or containing less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) and/or isoglucose expressed as sucrose							60 ©				
30	- - Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) and/or isoglucose expressed as sucrose							75				
90	- - Containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) and/or isoglucose expressed as sucrose							100				
1806 20	- Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packing of a content exceeding 2 kg:											
	- - Other, in blocks, slabs or beers:						See Annex 4					
1806 31	- - - Filled											
							See Annex 4					
ex 1806 31	- - - Not filled:								44		10	
1806 32	- - - - With added cereal, fruit or nuts											
10												
							See Annex 4					

- (c) *The agricultural component is not chargeable on the importation of products not containing or containing less than 5 % by weight of sucrose (including invert sugar calculated as sucrose) and/or isoglucose, calculated as sucrose.*

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
ex 1806 32 10 90	--- Other: --- - Containing by weight 3 % or more but less than 6 % of milk fat --- - Other						10	45				
								50			20	
1806 90	- Other:						See Annex 4	50		11		
11 to 90 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder, in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 % not elsewhere specified or included: - Preparations for infant use, put up for retail sale						See Annex 4					
1901 10							See Annex 4					
1901 20	- Mixes and dough for the preparation of bakers' of heading No 1905											
1901 90	- Other:						See Annex 4					
11	- - Malt extract:											
19	--- With a dry extract content of 90 % or more by weight				195							
90	--- Other				159							
	- - Other						See Annex 4					
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or other wise prepared such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni, couscous, whether or not prepared: - Uncooked pasta not stuffed or otherwise prepared:											
1902 11	- - Containing eggs		167									
1902 19	- - Other:											
	- - - durum wheat, pasta, not containing or containing by weight not more than 3 % of other cereals		167									
	--- other	67	100									

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1902 20	- Stuffed pasta whether or not cooked or otherwise prepared:											
	- Other:											
91	- - - Cooked		41									
99	- - - Other		116									
1902 30	- Other pasta:											
10	- - Dried		167									
90	- - Other		66									
1902 40	- Couscous:											
10	- - Unprepared		167									
90	- - Other		66									
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains pearls siftings or similar forms					161						
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:											
1904 10	- Prepared foods obtained by the swelling or roasting of cereal or cereal products:											
10	- - Obtained from maize					213						
30	- - Obtained from rice						174					
90	- - Other		53		53	53	53					
1904 90	- Other:											
10	- - Rice						174					
90	- - Other		174									
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:											
1905 10	- Crisp bread			140								
1905 20	- Gingerbread and the like:											
10	- - Containing by weight of sucrose less than 30 % (including invert sugar expressed as sucrose)	44		40				25				
30	- - Containing by weight of sucrose 30 % or more but less than 50 (including invert sugar expressed as sucrose)	33		30				45				
90	- - Containing by weight of sucrose 50 % (including invert sugar expressed as sucrose)	22		20				65				

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1905 30 11 to 99	- Sweet biscuits: waffles and wafers											
1905 40	- Rusks, toasted bread and similar toasted products						See Annex 4					
1905 90	- Other:						See Annex 4					
10	- - Matzos	168										
20	- - Communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products					644						
30 to 90	- - Other						See Annex 4					
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:											
2001 90	- Other:											
30	- - Sweet corn (<i>Zea mays var saccharata</i>)					100 (a)						
40	- - Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch					40 (a)						
2004	Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid; frozen:											
2004 10	- Potatoes:											
91	- - In the form of flour, meal or flakes						See Annex 4					
2004 90	- Other vegetables and mixtures of vegetables:											
10	- - Sweet corn (<i>Zea mays var. saccharata</i>)					100 (a)						
2005	Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid; frozen:											
2005 20	- Potatoes:											
10	- - In the form of flour, meal or flakes						See Annex 4					
2005 80	- - Sweet corn (<i>Zea mays var. saccharata</i>)					100 (a)						
2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:											

(a) Per 100 kilogram of drained sweet potatoes etc. or maize.

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
2008 92 45	- Muesli-type preparations with a basis of unroasted cereal flakes											
2008 99 85	- Other:						See Annex 4					
	- - Maize (corn) other than sweet corn (<i>Zea mays var. saccharata</i>)					100 (a)						
91	- - Yams, sweet potatoes and similar edible parts of plants containing 5% or more by weight of starch					40 (a)						
2101	Extracts, essences and concentrates of coffee, tea or mate and preparations with a basis of these products or with a basis of coffee, tea or mate; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:											
2101 10	- Extracts, essences and concentrates of coffee, tea or mate and preparations with a basis of these products or with a basis of coffee:											
	- - Extracts, essences or concentrates:											
99	- - Preparations:											
2101 30	- - Other						See Annex 4					
	- Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:											
19	- - - Other					137						
	- - Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:											
99	Other					245						
2102	Yeast (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading No 3002); prepared baking powders:											
2102 10	- Active pests:											
	- - Bakers yeast:											
31	- - - Dried								425			
39	- - - Other								125			

(a) Per 100 kilogram of drained sweet potatoes etc. or maize.

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
2105 00	Ice cream and other edible ice, whether or not containing cocoa:											
10	- Containing no milk fats or containing less than 3 % by weight of such fats											
91	- Containing by weight of milk fats:							25		10		
99	-- 3 % or more but less than 7 %							20			23	
2106	-- 7 % or more							20			35	
2106 10	Food preparations not elsewhere specified or included:											
90	- Protein concentrates and textured protein substances:											
2106 90	-- Other						See Annex 4					
10	- Other:											
99	-- Cheese fondues										60	
2202	-- Other						See Annex 4					
2202 90	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009:											
91	- Other:											
95	-- Other, containing by weight of fat obtained from the products of heading Nos 0401 to 0404:											
99	--- Less than 0.2 %							10		8		
	--- 0.2 % or more but less than 2 %							10			6	
	--- 2 % or more							10			13	
2905	II. ALCOHOL AND THEIR HALOGENATED, SULPHONATED, NITRATED OR NITROSATED DERIVATIVES:											
2905 43	Acyclic alcohol and their halogenated, sulphonated, nitrated or nitrosated derivatives:											
2905 44	- Other polyhydric alcohol:											
11	-- Mannitol							300				
	-- D.Glucitol (sorbitol):											
	--- In aqueous solution:											
	--- - Containing 2 % or less by weight of mannitol, calculated on the D-glucitol content					172						
	--- - Other						90					
	--- - Other											

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
91	- - - - Containing 2 % or less by weight of mannitol, calculated on the D-Glucitol content					245						
99	- - - - Other							128				
3505	Dextrins and other modified starches (for example, pregelatinized or esterified starches): glues based on starches, or on dextrins or other modified starches:											
3505 10	- Dextrins and other modified starches:											
10	- - Dextrins:					189						
90	- - Other modified starches:											
3505 20	- - - Other					189						
10	- Gules:											
	- - Containing, by weight less than 25 % of starches of dextrins or other modified starches					48						
30	- - Containing, by weight 25 % or more but less than 55 % of starches or dextrins or other modified starches					95						
50	- - Containing, by weight 55 % or more but less than 80 % of starches or dextrins or other modified starches					151						
90	- - Containing, by weight 80 % or more of starches or dextrins or other modified starches					189						
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:											
3809 10	- With a basis of anylaceous substances:											
10	- - Containing by weight of such substances less than 55 %					95						
30	- - Containing by weight of such substances 55 % or more but less than 70 %					132						
50	- - Containing by weight of such substances 70 % or more but less than 83 %					161						
90	- - Containing by weight of such substances 83 or more					189						

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:											
3824 60	- Sorbitol other than of subheading 2905 44:											
11	- - In aqueous solution:					172						
19	- - - Containing 2 % or less by weight of mannitol, calculated on the D-glucitol content							90				
91	- - - Other					245						
99	- - - Containing 2 % or less by weight of mannitol, calculated on the D-glucitol content							128				
	- - - Other											

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ANNEX 4

Milkfat Content		Milk Protein Content		Starch/glucose (% by weight) (*)																			
				≥0<5					≥5<25					≥25<50					≥50<75			≥75	
				Starch/glucose (% by weight) (**)																			
(weight %) (***)		≥0 <5	≥5 <30	≥30 <50	≥50 <70	≥70	≥0 <5	≥5 <30	≥30 <50	≥50 <70	≥70	≥0 <5	≥5 <30	≥30 <50	≥50	≥0 <5	≥5 <30	≥30	≥0 <5	≥5			
≥0 <1,5	≥0 <2,5	0,00	8,80	16,51	23,84	34,11	2,28	11,08	18,78	26,12	36,39	4,86	13,67	21,37	28,71	7,66	16,46	24,17	10,45	19,26			
	≥2,5 <6	19,73	28,53	36,23	43,57	53,84	22,00	30,81	38,51	45,85	56,12	24,59	33,39	41,10	48,43	27,39	36,19	43,89	30,18	38,98			
	≥6 <18	59,18	67,98	75,68	83,02	93,29	61,46	70,26	77,96	85,30	95,57	64,04	72,85	80,55	87,88	66,84	75,64	83,34	69,63	78,43			
	≥18 <30	105,68	114,48	122,18	129,52	139,79	107,95	116,76	124,46	131,79	142,06	110,54	119,34	127,05	134,38	113,33	122,14	129,84	116,13	124,93			
	≥30 <60	205,71	214,52	222,22	229,56	293,83	207,99	216,79	224,50	231,83	xxx	210,58	219,38	227,08	xxx	213,37	222,18	xxx	xxx	xxx			
	≥60	293,07	301,88	309,58	xxx	xxx	295,35	304,15	311,86	xxx	xxx	297,94	306,74	311,86	xxx	xxx	xxx	xxx	xxx	xxx			
	≥0 <2,5	5,17	13,97	21,67	29,01	39,28	7,44	16,25	23,95	31,28	41,55	10,03	18,83	26,54	33,87	12,82	21,63	29,33	15,62	24,42			
	≥2,5 <6	24,89	33,69	41,40	48,73	59,00	27,17	35,97	43,67	51,01	61,28	29,76	38,56	46,26	53,60	32,55	41,35	49,06	35,34	44,15			
	≥6 <18	64,34	73,15	80,85	88,19	98,46	66,62	75,42	83,13	90,46	100,73	69,21	78,01	85,71	93,05	72,00	80,81	88,51	74,80	83,60			
	≥18 <30	110,84	119,64	127,35	134,68	144,95	113,12	121,92	129,62	136,96	147,23	115,70	124,51	132,21	139,55	118,50	127,30	135,01	121,29	130,10			
	≥30 <60	210,88	219,68	227,39	234,72	244,99	213,16	221,96	229,66	237,00	xxx	215,74	224,55	232,25	xxx	218,54	227,34	xxx	xxx	xxx			
	≥60	298,24	307,04	314,74	xxx	xxx	300,51	309,32	317,02	xxx	xxx	303,10	311,90	xxx	xxx	xxx	xxx	xxx	xxx	xxx			
≥3 <6	≥0 <2,5	10,33	19,13	26,84	34,17	44,44	12,61	21,41	29,11	36,45	46,72	15,19	24,00	31,70	39,04	17,99	26,79	34,50	20,78	29,59			
	≥2,5 <12	45,37	54,17	61,88	69,21	79,48	47,65	56,45	64,15	71,49	81,76	50,23	59,04	66,74	74,08	53,03	61,83	69,54	55,82	64,63			
	≥12	110,37	119,17	126,88	134,21	144,48	112,65	121,45	129,15	136,49	146,76	115,23	124,04	131,74	139,08	118,03	126,83	xxx	120,82	Xxx			
≥6 <9	≥0 <4	17,22	26,02	33,72	41,06	51,33	19,49	28,30	36,00	43,34	53,61	22,08	30,88	38,59	45,92	24,88	33,68	41,38	27,67	36,47			
	≥4 <15	59,63	68,43	76,14	83,47	93,74	61,91	70,71	78,41	85,75	96,02	64,49	73,30	81,00	88,34	67,29	76,09	83,79	70,08	78,89			
	≥15	117,26	126,06	133,76	141,10	151,37	119,53	128,34	136,04	143,38	153,65	122,12	130,92	138,63	145,96	124,92	133,72	xxx	127,71	xxx			
≥9 <12	≥0 <6	24,10	32,91	40,61	47,95	58,22	26,38	35,18	42,89	50,22	60,49	28,97	37,77	45,47	52,81	31,76	40,57	48,27	34,56	43,36			
	≥6 <18	73,87	82,68	90,38	97,72	107,99	76,15	84,95	92,66	99,99	110,26	78,74	87,54	95,24	102,58	81,53	90,34	98,04	84,33	93,13			
	≥18	122,73	131,54	139,24	146,58	156,85	125,01	133,81	141,52	148,85	xxx	127,60	136,40	144,10	xxx	130,39	139,20	xxx	xxx	xxx			
≥12 <18	≥0 <6	34,43	43,24	50,94	58,28	68,55	36,71	45,51	53,22	60,55	70,82	39,30	48,10	55,80	63,14	42,09	50,90	58,60	44,89	53,69			
	≥6 <18	83,14	91,94	99,64	106,98	117,25	85,41	94,22	101,92	109,26	119,53	88,00	96,80	104,51	111,84	90,80	99,60	107,30	93,59	102,39			
	≥18	126,02	134,82	142,53	149,86	160,13	128,30	137,10	144,80	152,14	xxx	130,88	139,69	147,39	xxx	133,68	142,48	xxx	xxx	xxx			
≥18 <26	≥0 <6	49,93	58,73	66,44	73,77	84,04	52,21	61,01	68,71	76,05	86,32	54,79	63,60	71,30	78,64	57,59	66,39	74,09	60,38	69,19			
	≥6	120,38	129,18	136,89	144,22	154,49	122,66	131,46	139,69	146,50	156,77	125,24	134,05	141,75	149,09	128,04	136,84	xxx	130,83	xxx			
≥26 <40	≥0 <6	77,48	86,28	93,98	101,32	111,59	79,75	88,56	96,26	103,60	xxx	82,34	91,14	98,85	xxx	85,14	93,94	xxx	xxx	xxx			
	≥6	131,02	139,82	147,52	154,86	xxx	133,30	142,10	149,80	157,14	xxx	135,88	144,69	152,39	xxx	138,68	147,48	xxx	xxx	xxx			

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Milkfat Content	Milk Protein Content	Starch/glucose (% by weight) (*)																			
		≥0<5					≥5<25					≥25<50					≥50<75			≥75	
		Starch/glucose (% by weight) (**)																			
(weight %) (***)		≥0 <5	≥5 <30	≥30 <50	≥50 <70	≥70	≥0 <5	≥5 <30	≥30 <50	≥50 <70	≥70	≥0 <5	≥5 <30	≥30 <50	≥50	≥0 <5	≥5 <30	≥30	≥0 <5	≥5	
≥40 <55		108,47	117,27	124,97	132,31	xxx	110,74	119,55	127,25	134,59	xxx	113,33	122,13	129,84	xxx	116,13	124,93	xxx	xxx	xxx	
≥55 <70		139,46	148,26	155,96	xxx	xxx	141,73	150,54	158,24	xxx	xxx	144,32	153,13	xxx	xxx	xxx	xxx	xxx	xxx	xxx	
≥70 <85		170,45	179,25	186,95	xxx	xxx	172,73	181,53	xxx	xxx	xxx	175,31	184,12	Xxx	xxx	xxx	xxx	xxx	xxx	xxx	
≥85		201,44	210,24	xxx	xxx	xxx	203,72	212,52	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	xxx	

(*) Starch/glucose

The content of the goods (as presented) in starch, its degradation products, i.e. all the polymers of glucose, and the glucose, determined as glucose and expressed as starch (on a dry matter basis, 100 % purity, factor for conversion of glucose to starch: 0,9)

However, where a mixture of glucose and fructose is declared (in whatever form) and/or is found to be present in the goods, the amount of glucose to be included in the above calculation is that which is in excess of the structure content of the goods.

(**) Sucrose/invert sugar/isoglucose

The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing a sucrose any mixture of glucose (the arithmetical sum of the amounts of these two sugars multiplied by 0,95) which is declared (in whatever form) and/or found in the present in the goods.

(***) Milk proteins

Caseins and/or caseinates forming part of goods shall not be regarded as milk protein if the goods do not have any other constituent of lactic origin. Milkfat contained in the goods at less than 1 %, by weight, are not considered as constituents of lactic origin. When custom formalities are completed, the person concerned must include in the appropriate declarations : 'only milk ingredient: casein/caseinate', if such is the case.

ANNEX 5

Basic amounts for basic agricultural products (ECU/100 kg) applicable in 1996 by Turkey to imports originating from third countries other than the EC.

Basic Products

common wheat	7,44
durum wheat	6,39
rye	2,33
barley	2,95
maize	2,91
white sugar	36,68
skimmed milk powder	140,90
whole milk powder	142,31
molasses	15,14
butter	172,17
rice	25,41
isoglucose	23,51

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ANNEX 6

TABLE I

The list of the goods for which the target agricultural component will be achieved on 1 January 1999

CN code	HS Code	1 January 1996	1 January 1997	1 January 1998	1 January 1999
		Agri. Comp.	Agri. Comp.	Agri. Comp.	Target Agri. Comp.
		ECU/100 kg	ECU/100 kg	ECU/100 kg	ECU/100 kg
1704 10 11	1704 10 11	72,74	52,50	37,32	22,14
1704 10 19	1704 10 19	94,30	65,44	43,79	22,14
1704 10 91	1704 10 21	79,81	58,34	42,23	26,13
1704 10 99	1704 10 29	72,99	54,25	40,19	26,13
1704 90 99	1704 90 71	65,51	46,20	31,71	17,23
	1704 90 72	65,51	46,20	31,71	17,23
	1704 90 73 (**)	79,94	60,63	46,14	31,66
	1704 90 73 (***)	88,35	69,04	54,55	40,07
1902 20 91	1902 20 31	50,89	31,58	17,09	2,61
1902 20 99	1902 20 39	48,89	32,30	19,85	7,41
1902 30 10	1902 30 10	40,27	28,43	19,55	10,67
1902 30 90	1902 30 90	39,01	25,09	14,65	4,21
1902 40 90	1902 40 90	30,21	19,81	12,01	4,21
1903 00 00	1903 00 00	18,88	13,20	8,94	4,68
1904 10 10	1904 10 11	55,63	35,85	21,02	6,19
	1904 10 19	55,63	35,85	21,02	6,19
1904 10 90	1904 10 31	62,62	45,55	32,74	19,94
	1904 10 39	62,62	45,55	32,74	19,94
1904 90 10	1904 90 11	59,00	53,08	48,65	44,21
	1904 90 19	53,90	50,02	47,12	44,21
1904 90 90	1904 90 21	22,33	17,84	14,48	11,11
	1904 90 29	22,33	17,84	14,48	11,11
1905 10 00	1905 10 00	37,91	24,05	13,66	3,26
1905 20 10	1905 20 10	85,45	56,62	34,99	13,37
1905 20 30	1905 20 20	79,82	55,75	37,69	19,64
1905 20 90	1905 20 30	93,89	66,69	46,29	25,89
1905 30 11	1905 30 11 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 30 19	1905 30 19 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 30 30	1905 30 21 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 30 51	1905 30 31 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 30 59	1905 30 39 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 30 91	1905 30 41 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 30 99	1905 30 49 (*)	61,51(*)	46,28(*)	34,85(*)	23,43(*)
1905 40 10	1905 40 10 (*)	48,34(*)	32,28(*)	20,23(*)	8,18(*)
1905 40 90	1905 40 90 (*)	48,34(*)	32,28(*)	20,23(*)	8,18(*)
1905 90 10	1905 90 10	62,17	42,30	27,39	12,49
1905 90 20	1905 90 21	49,10	36,96	27,85	18,74
	1905 90 22	49,10	36,96	27,85	18,74
	1905 90 23	49,10	36,96	27,85	18,74
	1905 90 24	49,10	36,96	27,85	18,74
	1905 90 29	49,10	36,96	27,85	18,74
1905 90 30	1905 90 31 (*)	26,54(*)	19,37(*)	14,00(*)	8,62(*)
1905 90 40	1905 90 32 (*)	63,87(*)	41,77(*)	25,20(*)	8,62(*)
1905 90 45	1905 90 33 (*)	63,87(*)	41,77(*)	25,20(*)	8,62(*)
1905 90 55	1905 90 34 (*)	55,54(*)	36,77(*)	22,70(*)	8,62(*)
1905 90 60	1905 90 41 (*)	44,15(*)	29,94(*)	19,28(*)	8,62(*)
	1905 90 42 (*)	44,15(*)	29,94(*)	19,28(*)	8,62(*)
	1905 90 43 (*)	44,15(*)	29,94(*)	19,28(*)	8,62(*)

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CN code	HS Code	1 January 1996	1 January 1997	1 January 1998	1 January 1999
		Agri. Comp.	Agri. Comp.	Agri. Comp.	Target Agri. Comp.
		ECU/100 kg	ECU/100 kg	ECU/100 kg	ECU/100 kg
1905 90 90	1905 90 44 (*)	44,15(*)	29,94(*)	19,28(*)	8,62(*)
	1905 90 49 (*)	44,15(*)	29,94(*)	19,28(*)	8,62(*)
	1905 90 51 (*)	41,26(*)	28,20(*)	18,41(*)	8,62(*)
	1905 90 59 (*)	41,26(*)	28,20(*)	18,41(*)	8,62(*)
2001 90 30	2001 90 30	28,43	18,22	10,57	2,91
2001 90 40	2001 90 40	16,46	10,34	5,75	1,16
2004 10 91	2004 10 21 (*)	25,71(*)	18,64(*)	13,34(*)	8,04(*)
	2004 10 29 (*)	25,71(*)	18,64(*)	13,34(*)	8,04(*)
2004 90 10	2004 90 10	24,69	15,98	9,44	2,91
2005 20 10	2005 20 11 (*)	30,65(*)	21,61(*)	14,82(*)	8,04(*)
	2005 20 21 (*)	30,65(*)	21,61(*)	14,82(*)	8,04(*)
	2005 20 29 (*)	30,65(*)	21,61(*)	14,82(*)	8,04(*)
2005 80 00	2005 80 00	22,90	14,90	8,91	2,91
2008 92 45	2008 92 31 (*)	48,86(*)	33,51(*)	21,99(*)	10,48(*)
2008 99 85	2008 99 81	49,77	31,03	16,97	2,91
2008 99 91	2008 99 82	37,37	22,89	12,02	1,16
2101 30 19	2101 30 19	108,32	66,61	35,32	4,04
2101 30 99	2101 30 29	92,50	58,39	32,80	7,22
2105 00 10	2105 00 11	64,30	47,88	35,57	23,26
	2105 00 19	64,30	47,88	35,57	23,26
2105 00 91	2105 00 21	90,46	70,30	55,18	40,06
	2105 00 29	90,46	70,30	55,18	40,06
2202 90 91	2202 90 21	51,23	36,49	25,44	14,39
2202 90 95	2202 90 22	40,79	29,35	20,77	12,19
2202 90 99	2202 90 23	47,68	37,47	29,82	22,16

(*) (*) For those goods, for which reference is made in Annex 3 to Annex 4, the agricultural component will be calculated according to dispositions of Article 19. The actual agricultural components will be computed in four different tables. The final table (Annex 4 to be used from 1 January 1999) computes the target agricultural component. The first table (to be used from 1 January 1996 to 31 December 1996), the second table (to be used from 1 January 1997 to 31 December 1997), and the third table (to be used from 1 January 1998 to 31 December 1998) are fixed as increasing the agricultural component by 17 %, 10 %, and 5 % respectively.

(**) Turkish delight in solid form

(***) Turkish delight with cream.

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TABLE II

The list of the goods for which the target agricultural component will be achieved on 1 January 1997

CN code	HS Code	1 January 1996	1 January 1997	1 January 1998	1 January 1999
		Agri. Comp.	Agri. Comp.	Agri. Comp.	Target Agri. Comp.
		ECU/100 kg	ECU/100 kg	ECU/100 kg	ECU/100 kg
1704 90 30	1704 90 20	89,67	71,79	58,38	44,96
1704 90 51	1704 90 31	73,95	54,64	40,16	25,67 (*)
1704 90 55	1704 90 32	89,96	63,44	43,55	23,66 (*)
1704 90 61	1704 90 34	71,94	52,63	38,15	23,66 (*)
1704 90 61	1704 90 39	71,94	52,63	38,15	23,66 (*)
1704 90 65	1704 90 41	71,94	52,63	38,15	23,66 (*)
1704 90 65	1704 90 42	71,94	52,63	38,15	23,66 (*)
1704 90 65	1704 90 49	71,94	52,63	38,15	23,66 (*)
1704 90 71	1704 90 51	71,94	52,63	38,15	23,66 (*)
1704 90 75	1704 90 52	71,94	52,63	38,15	23,66 (*)
1704 90 81	1704 90 61	71,94	52,63	38,15	23,66 (*)
1704 90 99	1704 90 81	83,85	64,54	50,06	35,57 (*)
1704 90 99	1704 90 82	71,94	52,63	38,15	23,66 (*)
1704 90 99	1704 90 89	71,94	52,63	38,15	23,66 (*)
1806 10 20	1806 10 10	68,40	49,84	35,92	22,00
1806 10 30	1806 10 20	71,71	54,03	40,77	27,51
1806 10 90	1806 10 30	106,68	78,68	57,68	36,68
1806 20 10	1806 20 10	66,80	53,63	43,75	33,86 (*)
1806 20 30	1806 20 20	66,80	53,63	43,75	33,86 (*)
1806 20 50	1806 20 31	66,80	53,63	43,75	33,86 (*)
1806 20 70	1806 20 32	53,90	45,94	39,93	33,86 (*)
1806 20 80	1806 20 33	66,80	53,63	43,75	33,86 (*)
1806 20 95	1806 20 39	66,80	53,63	43,75	33,86 (*)
1806 31 00	1806 31 10	101,36	74,36	54,11	33,86 (*)
1806 31 00	1806 31 90	97,72	70,72	50,48	30,22 (*)
1806 32 10	1806 32 10	92,54	69,07	51,47	33,86 (*)
1806 32 90	1806 32 90	82,81	57,83	39,09	20,35 (*)
1806 90 11	1806 90 11	113,24	81,49	57,68	33,86 (*)
1806 90 19	1806 90 19	113,24	81,49	57,68	33,86 (*)
1806 90 31	1806 90 21	113,24	81,49	57,68	33,86 (*)
1806 90 39	1806 90 22	113,24	81,49	57,68	33,86 (*)
1806 90 50	1806 90 30	113,24	81,49	57,68	33,86 (*)
1806 90 60	1806 90 40	113,24	81,49	57,68	33,86 (*)
1806 90 70	1806 90 50	113,24	81,49	57,68	33,86 (*)
1806 90 90	1806 90 90	113,24	81,49	57,68	33,86 (*)
1901 10 00	1901 10 19	139,12	108,50	85,53	62,55 (*)
1901 10 00	1901 10 20	139,12	108,50	85,53	62,55 (*)
1901 10 00	1901 10 90	139,12	108,50	85,53	62,55 (*)
1901 20 00	1901 20 10	37,85	26,76	18,44	10,11 (*)
1901 20 00	1901 20 20	37,85	26,76	18,44	10,11 (*)
1901 20 00	1901 20 90	37,85	26,76	18,44	10,11 (*)
1901 90 11	1901 90 11	35,45	23,57	14,66	5,75
1901 90 19	1901 90 19	21,85	14,99	9,85	4,69
2106 90 98	2106 90 51	117,74	84,49	59,55	34,61 (*)
2106 90 98	2106 90 52	117,74	84,49	59,55	34,61 (*)
2106 90 98	2106 90 53	117,74	84,49	59,55	34,61 (*)
2106 90 98	2106 90 54	117,74	84,49	59,55	34,61 (*)
2106 90 98	2106 90 55	117,74	84,49	59,55	34,61 (*)
2106 90 98	2106 90 56	117,74	84,49	59,55	34,61 (*)
2106 90 98	2106 90 59	117,74	84,49	57,68	33,86 (*)

(*) This agricultural component is based on average composition of goods. For those goods, from 1 January 1997, without any alignment procedure, the agricultural component will be calculated using Annex 4.

ANNEX 7

on mutual assistance between administrative authorities in customs matters

Article 1

Definitions

For the purposes of this Annex:

- (a) 'customs legislation' shall mean provisions adopted by the European Community and Turkey governing the import, export, transit of goods and their placing under any customs procedure, including measures of prohibition, restriction and control;
- (b) 'customs duties' shall mean all duties, taxes, fees or other charges which are levied and collected in the territories of the Parties, in application of customs legislation, but not including fees and charges which are limited in amount to the approximate costs of services rendered;
- (c) 'applicant authority' shall mean a competent administrative authority which has been appointed by a Party for this purpose and which makes a request for assistance in customs matters;
- (d) 'requested authority' shall mean a competent administrative authority which has been appointed by a Party for this purpose and which receives a request for assistance in customs matters;
- (e) 'personal data' shall mean all information relating to an identified or identifiable individual.

Article 2

Scope

1. The Parties shall assist each other, within their competence, in the manner and under the conditions laid down in this Annex, in ensuring that customs legislation is correctly applied, in particular by the prevention, detection and investigation of operations in breach of that legislation.
2. Assistance in customs matters, as provided for in this Annex, shall apply to any administrative authority of the Parties which is competent for the application of this Annex. It shall not prejudice the rules governing mutual assistance in criminal matters. Nor shall it cover information obtained under powers exercised at the request of the judicial authorities unless those authorities so agree.

Article 3

Assistance on request

1. At the request of the applicant authority, the requested authority shall furnish it with any information which may enable it to ensure that customs legislation is correctly applied, including information regarding operations noted or planned which are or could be in breach of such legislation.
2. At the request of the applicant authority, the requested authority shall inform it whether goods exported from the territory of one of the Parties have been properly imported into the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.
3. At the request of the applicant authority, the requested authority shall inform it whether goods imported into the territory of one of the Parties have been properly exported from the territory of the other Party, specifying, where appropriate, the customs procedure applied to the goods.
4. At the request of the applicant authority, the requested authority shall take the necessary steps to ensure that a special watch is kept on:
 - (a) natural or legal persons of whom there are reasonable grounds for believing that they are breaching or have breached customs legislation;
 - (b) places where goods are stored in a way that gives grounds for suspecting that they are intended to supply operations contrary to customs legislation;
 - (c) movements of goods notified as possibly giving rise to breaches of customs legislation;
 - (d) means of transport for which there are reasonable grounds for believing that they have been, are or may be used in operations in breach of customs legislation.

Article 4

Spontaneous assistance

The Parties shall provide each other, in accordance with their laws, rules and other legal instruments, with assistance if they consider that to be necessary for the correct application of customs legislation, particularly when they obtain information pertaining to:

- operations which constitute, or appear to them to constitute, breaches of such legislation and which may be of interest to the other Party,
- new means or methods employed in realizing such operations,
- goods known to be subject to breaches of customs legislation.

Article 5

Delivery/notification

At the request of the applicant authority, the requested authority shall, in accordance with its legislation, take all necessary measures in order to:

- deliver all documents,
- notify all decisions

falling within the scope of this Annex to an addressee residing or established in its territory. In such a case, Article 6 (3) shall apply.

Article 6

Form and substance of requests for assistance

1. Requests pursuant to this Annex shall be made in writing. Documents necessary for the execution of such requests shall accompany the request. When required because of the urgency of the situation, oral requests may be accepted, but must be confirmed in writing immediately.
2. Requests pursuant to paragraph 1 shall include the following information:
 - (a) the applicant authority making the request;
 - (b) the measure requested;
 - (c) the object of and the reason for the request;
 - (d) the laws, rules and other legal elements involved;
 - (e) indications as exact and comprehensive as possible on the natural or legal persons who are the target of the investigations;
 - (f) a summary of the relevant facts and of the inquiries already carried out, except in cases provided for in Article 5.
3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to such authority.
4. If a request does not meet the formal requirements, its correction or completion may be requested; the ordering of precautionary measures may, however, take place.

Article 7

Execution of requests

1. In order to comply with a request for assistance, the requested authority or, when the latter cannot act on its own, the administrative department to which the request has been addressed by this authority, shall proceed, within its competence and available resources, as though it were acting on its own account or at the request of other authorities of that same Party, by supplying information already possessed, by carrying out appropriate inquiries or by arranging for them to be carried out.
2. Requests for assistance shall be executed in accordance with the law, rules and other legal instruments of the requested Party.
3. Duly authorized officials of a Party may, with the agreement of the other Party involved and within the conditions laid down by the latter, obtain from the offices of the requested authority or other authority for which the requested authority is responsible, information relating to the breaches of customs legislation which the applicant authority needs for the purposes of this Annex.
4. Officials of a Party may, with the agreement of the other Party involved and within the conditions laid down by the latter, be present at inquiries carried out in the latter's territory.

Article 8

Form in which information is to be communicated

1. The requested authority shall communicate results of inquiries to the applicant authority in the form of documents, certified copies of documents, reports and the like.
2. The documents provided for in paragraph 1 may be replaced by computerized information produced in any form for the same purpose.

Article 9

Exceptions to the obligation to provide assistance

1. The Parties may refuse to give assistance as provided for in this Annex, where to do so would:
 - (a) be likely to prejudice the sovereignty of Turkey or of a Member State of the Community which has been asked for assistance under this Annex; or
 - (b) be likely to prejudice public policy, security or other essential interests; or
 - (c) involve currency or tax regulations other than regulations concerning customs duties; or

- (d) violate an industrial, commercial or professional secret.
2. Where the applicant authority requests assistance which it would itself be unable to provide if so asked, it shall draw attention to that fact in its request. It shall then be for the requested authority to decide how to respond to such a request.
 3. If assistance is withheld or denied, the decision and the reasons therefor must be notified to the applicant authority without delay.

Article 10

Obligation to observe confidentiality

1. Any information communicated in whatsoever form pursuant to this Annex shall be of a confidential nature. It shall be covered by the obligation of official secrecy and shall enjoy the protection extended to like information under the relevant laws of the Party which received it and the corresponding provisions applying to the Community authorities.
2. Personal data may only be transmitted if the level of personal protection afforded by the legislation of the Parties is equivalent. The Parties shall ensure at least a level of protection based on the principles of Council of Europe Convention No 108 of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data.

Article 11

Use of information

1. Information obtained shall be used solely for the purposes of this Annex and may be used within each Party for other purposes only with the prior written consent of the administrative authority which furnished the information and shall be subject to any restrictions laid down by that authority.
2. Paragraph 1 shall not impede the use of information in any judicial or administrative proceedings subsequently instituted for failure to comply with customs legislation.

The competent authority which supplied that information shall be notified of such use forthwith.

3. The Parties may, in their records of evidence, reports and testimonies and in proceedings and charges brought before the courts, use as evidence information obtained and documents consulted in accordance with the provisions of this Annex.

Article 12**Experts and witnesses**

An official of a requested authority may be authorized to appear, within the limitations of the authorization granted, as expert or witness in judicial or administrative proceedings regarding the matters covered by this Annex in the jurisdiction of another Party, and produce such objects, documents or authenticated copies thereof as may be needed for the proceedings. The request for an appearance must indicate specifically on what matters and by virtue of what title or qualification of official is to be questioned.

Article 13**Assistance expenses**

The Parties shall waive all claims on each other for the reimbursement of expenses incurred pursuant to this Annex, except, as appropriate, for expenses to experts and witnesses and to interpreters and translators who are not public service employees.

Article 14**Implementation**

1. The application of this Annex shall be entrusted to the central customs authorities of Turkey on the one hand and the competent services of the Commission of the European Communities and, where appropriate, to the customs authorities of the EC Member States on the other.

They shall decide on all practical measures and arrangements necessary for its application, taking into consideration rules in the field of data protection.

2. The Parties shall consult each other and subsequently keep each other informed of the detailed rules of implementation which are adopted in accordance with the provisions of this Annex.

Article 15**Complementarity**

1. This Annex shall complement and not impede application of any agreements on mutual assistance which have been concluded between one or more Member States of the European Community and Turkey. Nor shall it preclude more extensive mutual assistance granted under such agreements.
2. Without prejudice to Article 11, these agreements do not prejudice Community provisions governing the communication between the competent services of the Commission and the customs authorities of the Member States of any information obtained in customs matters which could be of Community interest.

ANNEX 8

on protection of intellectual, industrial and commercial property

Article 1

1. The Parties confirm the importance they attach to the obligations arising from the Agreement on Trade-related aspects of intellectual property rights concluded in the Uruguay Round of Multilateral Trade Negotiations.

In that respect, Turkey undertakes to implement the TRIPS Agreement no later than three years after the entry into force of this Decision.

2. As regards the scope, level of protection and the enforcement of intellectual, industrial and commercial property rights between the two Parties, the provisions of the TRIPS Agreement will apply after its entry into force for both Parties to the extent to which there are no rules laid down in this Decision.

Article 2

Turkey shall continue to improve the effective protection of intellectual, industrial and commercial property rights in order to secure a level of protection equivalent to that existing in the European Community and shall take appropriate measures to ensure that these rights are respected. To this end the following Articles shall apply.

Article 3

Before the entry into force of this decision, Turkey shall accede to the following multilateral Conventions on intellectual, industrial and commercial property rights:

- Paris Act (1971) of the Bern Convention for the protection of literary and artistic works,
- Rome Convention (1961) for the protection of performers, producers of phonograms and broadcasting organizations,
- Stockholm Act (1967) of the Paris Convention for the protection of industrial property (as amended in 1979),
- Nice Agreement concerning the international classification of goods and services for the purposes of the registration of marks (Geneva Act, 1977, as amended in 1979), and
- Patent Cooperation Treaty (PCT, 1970, as amended in 1979 and modified in 1984).

Article 4

Before the entry into force of this Decision, Turkey shall adopt domestic legislation in the following areas which is equivalent to the legislation adopted in the Community or its Member States:

1. Copyright and neighbouring rights legislation which provides for:
 - the terms of protection in line with Council Directive 93/98/EEC (OJ No L 290 of 24 November 1993),
 - protection of neighbouring rights in line with Council Directive 92/100/EEC (OJ No L 346 of 27 November 1992),
 - rental and lending rights in line with Council Directive 92/100/EEC (OJ No L 346 of 27 November 1992),
 - the protection of computer programmes as literary works in line with Council Directive 91/250/EEC (OJ No L 122 of 17 May 1991).
2. Patent legislation which notably provides for:
 - rules on compulsory licensing meeting at least the TRIPS standards,
 - patentability of all inventions, other than pharmaceutical products and processes for human and animal health but including agrochemical products and processes¹,
 - a patent term of 20 years from the filing date.
3. Trade and service marks legislation in line with Council Directive 89/104/EEC (OJ No L 40 of 11 February 1989).
4. Industrial designs legislation, notably including the protection of designs in textile products².
5. Protection of geographical indications, including appellations of origin in line with EC legislation³.
6. Legislation on border enforcement against IPR infringements (including at least trademarks, copyrights and neighbouring rights and design rights) in line with Council Regulation (EEC) No 3842/86 (OJ No L 357 of 18 December 1986)⁴.

¹ See proposal for a Council Directive on the legal protection of databases (OJ No C 156, 23. 6. 1992).

² For the record also: proposal for a Council Directive on the protection of biotechnological inventions (OJ No C 44, 16. 2. 1993).

³ For the record: proposal for a Council Directive on the Community design.

⁴ The list of Regulations in question will be transmitted by the Commission.

Article 5

Notwithstanding Article 1 (1) second indent, for the effective administration and enforcement of intellectual property rights, Turkey undertakes before the entry into force of this decision to take all necessary measures for the fulfilment of its obligations under Part III of the TRIPS Agreement.

Notwithstanding Article 1 (1) second indent, Turkey also undertakes before the entry into force of this decision to take all necessary measures for the fulfilment of its obligations under Part II, Section 4 (Articles 25 and 26) of the TRIPS Agreement.

Article 6

No later than two years after the entry into force of this Decision, Turkey will adopt a legislation, or revise the existing one, in order to secure before 1 January 1999 the patentability of pharmaceutical products and processes.

Article 7

Not later than three years after the entry into force of this Decision Turkey shall:

1. accede to the following conventions on intellectual, industrial and commercial property, provided that the EC or all its Member States are Parties to them:
 - Protocol to the Madrid Agreement concerning the international registration of marks (1989),
 - Budapest Treaty on the international recognition of the deposit of micro-organisms for the purposes of patent procedure (1977, and amended in 1980), and
 - International Convention for the protection of new varieties of plants (UPOV, Geneva 1991 Act);
2. adopt domestic legislation in the following areas, in order to reach alignment with legislation in the EC:
 - In the copyright and neighbouring rights area:
 - legislation on copyright and neighbouring rights applicable to works transmitted by cable or satellite in line with Council Directive 93/83/EEC (OJ No L 248 of 6 October 1993),
 - protection of databases ⁵,
 - In the industrial property area:

⁵ For the record: proposal for Regulation amending the abovementioned Regulation (OJ No C 238, 29. 9. 1993).

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- protection of topographies of semiconductors in line with Council Directive 87/54/EEC (OJ No L 24 of 27 January 1987),
- protection of know-how information and trade secrets legislation in line with Member States' legislation,
- protection of plant variety rights ⁶.

Article 8

The Association Council may decide that Articles 3 to 7 may also apply to other multilateral conventions or areas of IPR legislation.

Article 9

The Joint Customs Union Committee shall monitor the implementation and application of the IPR provisions of this Decision and perform other tasks which the Association Council may assign to it. The Committee shall make recommendations to the Association Council which may include the establishment of a subcommittee on IPR.

Article 10

1. The Parties agree that for the purpose of this Decision, intellectual, industrial and commercial property includes in particular copyright, including the copyright in computer programmes, and neighbouring rights, patents, industrial designs, geographical indications including appellations of origin, trade marks and service marks, topographies of integrated circuits as well as protection against unfair competition as referred to in Article 10a of the Paris Convention for the protection of industrial property and protection of undisclosed information on know-how.
2. This decision does not imply exhaustion of intellectual, industrial and commercial property rights applied in the trade relations between the two Parties under this Decision.

⁶ See amended proposal for a Council Regulation (EEC) on Community plant variety rights (OJ No C 113, 23. 4. 1993).

ANNEX 9

List of committees referred to in Article 60

Committee on Nomenclature

Customs Code Committee

Committee on External Trade Statistics

ANNEX 10

on the autonomous regimes and preferential agreements referred to in Article 16

1. The autonomous regimes referred to in Article 16 are:
 - the Generalized System of Preferences,
 - the regime for goods originating in the Occupied Territories,
 - the regime for goods originating in Ceuta or Melilla,
 - the regime for goods originating in the Republics of Bosnia-Herzegovina, Croatia and Slovenia and the territory of the former Yugoslav Republic of Macedonia.
2. The preferential agreements referred to in Article 16 are:
 - the Europe Agreements with Bulgaria, Hungary, Poland, Romania, Slovakia and the Czech Republic,
 - the Free Trade Agreement with the Faroe Islands,
 - the Association Agreements with Cyprus and Malta,
 - the Free Trade Agreements with Estonia, Latvia and Lithuania,
 - the Agreement with Israel,
 - the Agreements with Algeria, Morocco and Tunisia,
 - the Agreements with Egypt, Jordan, Lebanon and Syria,
 - the Convention with the ACP States,
 - the Free Trade Agreement with Switzerland and Liechtenstein,
 - the Agreement on the European Economic Area.

DECISION No 2/95 of THE EC-TURKEY ASSOCIATION COUNCIL on temporary exceptions to Turkey's application of the Common Customs Tariff in respect of third countries

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey and the Additional protocol thereto,

Having regard to Decision No 1/95 of the EC- Turkey Association Council and in particular Article 15 thereof,

HAS DECIDED AS FOLLOWS:

Article 1

1. Pursuant to Article 15 of Decision No 1/95 of the EC-Turkey Association Council of 6 March 1995 Turkey shall apply in 1996, with effect from the date of entry into force of Decision No 1/95, as regards third countries the tariffs indicated in respect of the products listed in the Annex to this Decision.
2. Turkey shall align its customs tariff in regular stages over a period of five years with the Common Customs Tariff.

Article 2

1. This Decision shall enter into force on the same date as Decision No 1/95.
2. This Decision shall be recorded in the minutes of the EC-Turkey Association Council of 6 March 1995. It shall not be published in the Official Journal.

Done at Brussels, 21 December 1995

**For the EC-Turkey Association Council
The President
L. ATIENZA SERNA**

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ANNEX

C.N. CODE ¹	H.S. CODE	PRODUCT	BASIC DUTY % 1.1.1995
4202	4202	Trunks, suitcases, vanity cases, executive cases, briefcases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters, and similar containers, traveling bags, toilet bags, rucksacks, handbags, shopping bags, wallets, purses, map-cases, cigarette-cases, tobacco-pouches, tool-bags, sport bags, bottle-cases, jewelry boxes, powder-boxes, cutlery cases, and similar containers of leather or composition leather, of sheeting of plastics of textile materials of vulcanized fibre or of paper board or wholly or mainly covered with such materials or with paper (excluding 4202.19.23; 4202.39.99)	22
4202.19.90	(ex) 4202.19.23	Of copper	20.3
4202.39	4202.39	Other	20.03
4202.99	4202.99	Other	21.1
4819.40.00	(ex) 4819.40.11	Sack and bags for cement and fertilizers	26
6403	6403	Footwear with other soles of rubber, plastics, leather, or composition leather and uppers of leather	29.2
6405	6405	Other footwear (excluding 6405.90.11-13)	26
6405.90.10	6405.90.11-13	With outer soles of rubber, plastics or composition leather	32
6406	6406	Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and articles, and parts thereof (excluding 6406.99.41,49,62)	26
6406.99.50 6406.99.80	(ex) 6406.99.41-49 6406.99.62	Of copper	21.9
6911	6911	Tableware, kitchenware, other household articles and toilet articles of porcelain and china	37
6912	6912	Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain and china	38
7312	7312	Stranded wire, ropes, cables, plated bands, slings and like, of iron or steel, not electrically insulated.	17.8
7312.10.51 7312.10.59	7312.10.31	Plated or coated with copper-zinc alloys (brass)	14.2
7312.10.79	7312.10.59	Other	15.4
7312.90.90	(ex) 7312.90.21	Other	15.5
8701.90.11	8701.90.11	NEW-Agricultural tractors of an engine powers not exceeding 18 kW	29.5
8701.90.15	8701.90.12	Of any engine powers exceeding 18 kW but not exceeding 25 kW	29.5
8701.90.21	8701.90.13	Of an engine powers exceeding 25 kW but not exceeding 37 kW	29.5
8701.90.25	8701.90.14	Of an engine powers exceeding 37 kW but not exceeding 59 kW	29.5

¹ CN codes have only an indicative value and are not legally binding for Turkey.

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8701.90.31	8701.90.15	Of an engine powers exceeding 59 kW but not exceeding 75 kW	29.5
8701.90.50	8701.90.21	USED-Agricultural tractors	29.5
8702.10.11-19 8702.90.11-19	(ex) 8702.10.12-22 (ex) 8702.90.12-22	Midibus	27.9
8702.10.91.99 8702.90.31.39	(ex) 8702.10.32.42 (ex) 8702.90.32. 42	Midibus	27.2
8702.10.11.19 8702.90.11.19	(ex) 8702.10.13.23 (ex) 8702.90.13.23	Minibus	27.9
8702.10.91.99 8702.90.31.39	(ex) 8702.10.33.43 (ex) 8702.90.33.49	Minibus	27.2
8703.21.10	(ex) 8703.21.11.21	NEW-Motor cars and other motor vehicles principally designed for the transport of persons (other than those of the heading No 8702) including station wagons and racing cars of a cylinder capacity not exceeding 1000 cm ³	26.8
8703.21.90	(ex) 8703.21.11.21	USED- of a cylinder capacity not exceeding 1000 cm ³	26.8
8703.22.19.90 8703.31.10.90	(ex) 8703.22.21.31 (ex) 8703.31.11.21	Motorcars for the transport of persons	32
8703.23.19.90 8703.32.19.90	(ex) 8703.23.21.41 8703.32.21.41	Of a cylinder capacity exceeding 1500 cm ³ but not exceeding 1600 cm ³	33
8703.23.19.90 8703.32.19.90	(ex) 8703.23.22.42 8703.32.22.42	Of a cylinder capacity exceeding 1600 cm ³ but not exceeding 2000 cm ³	33
8704.21.31 8704.22.91 8704.23.91 8704.31.31 8704.32.91	8704.21.21 8704.22.21 8704.23.21 8704.31.21 8704.32.21	NEW-Motorvehicles for the transport of goods (lorry) with of a cylinder capacity is exceeding 2500 cm ³ -2800 cm ³	30.3
8704.21.39 8704.22.99 8704.23.99 8704.31.39 8704.32.99	8704.21.22 8704.22.22 8704.23.22 8704.31.22 8704.32.22	USED- Motorvehicles for the transport of goods (lorry) with of a cylinder capacity is exceeding 2500 cm ³ -2800 cm ³	30.3
8704.21.91 8704.31.91	8704.21.31 8704.31.31	NEW-(lorry) with engines of a cylinder capacity is not exceeding 2500 cm ³ -2800 cm ³	27.2
8704.21.99 8704.31.99	8704.21.32 8704.31.32	USED-(lorry) with engines of a cylinder capacity is not exceeding 2500 cm ³ -2800 cm ³	27.2
8711.10	8711.10	Motor cycles with reciprocating internal combustion piston engine of a cylinder capacity not exceeding 50 cm ³	21
8711.20	8711.20	Motor cycles with reciprocating internal combustion piston engine of a cylinder capacity exceeding 50 cm ³ but not exceeding 250 cm ³	21
8712	8712	Bicycles and other cycles (including delivery tricycles), not motorized	24.8
9401	9401	Seats (other than those of heading no 9402), whether or not convertible into beds, and parts thereof	20
9403	9403	Other furniture and parts thereof	21

P.S: HS codes preceded by “ex” indicate that the HS code concerned corresponds to only one of the subheadings of the relevant CN code.

**DECISION No 3/95 OF THE EC-TURKEY ASSOCIATION COUNCIL of 24 July 1995
amending Decision No 1/94 concerning the application of Article 3 of the Additional
Protocol to the Ankara Agreement to goods obtained in the Member States of the
Community (95/318/EC)**

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement creating an association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to the above mentioned Agreement, and in particular Article 3 thereof,

Whereas the eligibility of goods obtained in the European Community in the circumstances referred to in Article 3, paragraph 1 of the Additional Protocol to benefit from the provisions of Title I, Chapter I, section I and of Chapter II of the aforementioned Protocol, is subject to the collection, in the exporting State, of a compensatory levy the rate of which is based on the tariff reduction granted to these goods in Turkey;

Whereas Decision No 1/94 concerning the application of Article 3 of the Additional Protocol to the Ankara Agreement to goods obtained in the Member States of the Community¹ fixes this rate at 90 % in respect of goods on the 12-year list and 80 % in respect of goods on the 22-year list;

Whereas, on 31 December 1994, Turkey carried out a new reduction of the customs duties for the goods subject to Article 10 of the Additional Protocol, which raised the total rate of the reductions which Turkey has carried out to 95 % on the 12-year list and to 90 % on the 22-year list; whereas, consequently, in accordance with Article 1 (2) of Decision No 1/94, the percentage of common customs tariff duties to be taken into account for the determination of the compensatory levy to be collected at the time of export from the Community to Turkey should be amended accordingly;

Whereas the identification of the goods as to whether they belong to one or the other of the said lists proves particularly difficult due to the presence of numerous 'ex' subheadings; whereas, in view of simplification, a single rate of 90 % should therefore be fixed whatever the nature of the goods; whereas the fiscal and economic impact of this simplification is negligible,

HAS DECIDED AS FOLLOWS:

¹ OJ No 356, 31.12.1994, p. 23

Decision No 3/95 of Association Council

Article 1

In Article 1 (1) of Decision No 1/94, the words 'for those on the 12-year list and at 80 for those on the 22-year list' shall be deleted.

Article 2

This Decision shall enter into force one month following its adoption.

Done at Brussels, 24 July 1995.

**For the Council of the Association
The President
U. ÖZÜLKER**

**DECISION No 4/95 OF THE EC-TURKEY ASSOCIATION COUNCIL of 22
December 1995 amending decision No 5/72 on methods of administrative cooperation
for the implementation of Articles 2 and 3 of the Additional Protocol to the Ankara
Agreement (96/144/EC)**

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement creating an association between the European Economic Community and Turkey, and in particular to Article 4 of the additional Protocol thereto,

Whereas decision No 5/72¹ of the Association Council laid down methods of administrative cooperation for the implementation of articles 2 and 3 of the additional Protocol;

Whereas decision No 2/94² of the Association Council amended Decision No 5/72. To provide, *inter alia*, for the possibility of issuing A. TR. 1 certificates by a simplified procedure as well as for a special stamp, to be used by approved exporters;

Whereas decision No 2/94 provides for agreed phrases or forms of wording to be used on the movement certificates, as well as for a special stamp, to be used by approved exporters;

Whereas it is necessary, as a result of the enlargement of the European Union, to supplement these agreed phrases or forms of wording to be used on the movement certificates by the Finnish and Swedish translations thereof;

Whereas it is appropriate to adapt the form of the special stamp, to be used by approved exporters, to the size of the box on the movement certificates A.TR. 1 reserved for the endorsement by the customs;

Whereas it is appropriate to amend once again Decision No 5/72 accordingly,

HAS DECIDED AS FOLLOWS :

Article 1

Decision No 5/72 is hereby amended as follows :

1. under article 9a, paragraph 6, the following text shall be inserted :

“yksinkertaistettu menettely”

“Förenklat förfarande”;

¹ OJ No L 59, 5.3.1973, p. 74

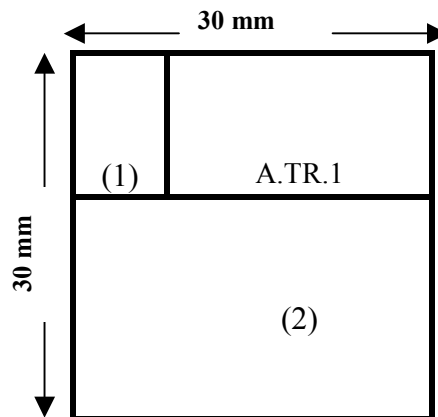
² OJ No 356, 31.12.1994, p. 24

2. under article 9b, paragraph 2, the following text shall be inserted ;
 ----- A.TR—todistuksen ... ote (numero, paivamaara, antanut toimisto ja maa)
 ----- Utdrag ur certifikat A.TR. (nummer, datum, tullkontor och utfärdandeland”;
3. under article 9b, paragraph 3, the following text shall be inserted :
annettujen otteiden lukumaara ----- kopiot liiteina
(Antal) utdrag som utfärdats ---- kopior bifogas”;
4. Annex II, shall be replaced by the following :

ANNEX II

Specimen impression of the stamp mentioned in

Article 9a (5)



- (1) Initials or coat of arms of exporting State.
- (2) Such information as is necessary for the identification of the approved exporter.”

Article 2

This Decision shall enter into force one month after the date of its adoption.

Done at Brussels, 22 December 1995.

**For the EC-Turkey Association Council
The President
L.ATIENZA SERNA**

**DECISION No 5/95 OF THE EC-TURKEY ASSOCIATION COUNCIL of 22
December 1995 on the arrangements for involving Turkish experts in the work of
certain technical committees (96/145/EC)**

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to Decision No 1/95 of the EC-Turkey Association Council implementing the final phase of the Customs Union, and in particular Article 60 thereof,

Whereas Decision No 1/95 provides that Turkish experts may be involved in the work of the committees referred to in Annex 9 to that Decision where this is required to ensure the proper functioning of the Customs Union; whereas arrangements should be made for their participation in these committees,

HAS DECIDED AS FOLLOWS:

Article 1

Turkey shall appoint an expert to represent it in meetings of each of the committees referred to in Annex 9 to Decision No 1/95. The expert, who must be a member of the Turkish government services, shall be involved in the work of the said committees when it concerns the functioning of the Customs Union. He shall express Turkey's position. The expert shall not be entitled to vote. The expert's opinion shall be put on record separately, in accordance with the provisions of Chapter V of Decision No 1/95.

Article 2

The Commission of the European Communities shall, in good time, inform the expert referred to in Article 1 of the dates of the meetings, and of the items on the agenda, of each committee on which he represents Turkey. The Commission shall forward relevant information to the expert.

Article 3

On the initiative of its chairman, each committee may meet without the expert representing Turkey being present. In that case Turkey shall be informed.

Article 4

This Decision shall enter into force on the date on which Decision No 1/95 enters into force.

Done at Brussels, 22 December 1995.

**For the EC-Turkey Association Council
The President
L. ATIENZA SERNA**

Decision No 6/95 of Association Council

DECISION No 6/95 OF THE EC-TURKEY ASSOCIATION COUNCIL of 22 December 1995 on extending the list of committees referred to in Annex 9 to Decision No 1/95 of the EC-Turkey Association Council (96/146/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to decision no 1/95 of the EC-Turkey association Council implementing the final phase of the Customs union, and in particular article 60 thereof,

Whereas Article 60 Decision No 1/95 provides for the extension of the list of committees contained in Annex 9 to the Decision; whereas that list should be extended to include the Textiles Committee set up by Regulations (EEC) No 3030/93 and (EC) No 517/94,

HAS DECIDED AS FOLLOWS :

Article 1

The list of committees contained in Annex 9 to decision No 1/95 shall be extended to include the Textiles Committee set up by Regulations (EEC) no 3030/93 and (EC) No 517/94.

Article 2

This Decision shall enter into force on the date on which Decision No/1/92 enters into force.

Done at Brussels, 22 December 1995.

**For the EC-Turkey Association Council
The President
L.ATIENZA SERNA**

Resolution of the Association Council of 6 March 1995**RESOLUTION OF THE EC-TURKEY ASSOCIATION COUNCIL of 6 March 1995**

“Considering the political agreement reached to date on the substance of a decision establishing operating rules for the final phase of the Customs Union;

Whereas it is particularly important to supplement the agreements concluded within the framework of the Decision by implementing other aspects of the Association;

Whereas the European Council has many times underlined Turkey’s important role in the current political situation and called for the intensification of cooperation and development of relations with Turkey and for the establishment of a political dialogue at the highest level, in accordance with the prospect outlined in the Association Agreement.

HEREBY ADOPTS THIS RESOLUTION**1. ECSC PRODUCTS**

The Association Council expresses its satisfaction with the negotiations for achieving free movement of ECSC products within a time frame as close as possible to the entry into force of the Customs Union. The Association Council wishes to conclude these negotiations in 1995.

2. AGRICULTURAL PRODUCTS

The Association Council deems it necessary to open, in 1995, in order to finish them before the entry into force of the Decision on Customs Union, negotiations concerning an exchange of reciprocal concessions on agricultural products.

3. MACRO-ECONOMIC DIALOGUE

The Association Council deems it necessary to start an appropriate dialogue between the two sides on the conduct of macro-economic policy in order to ensure the best macro-economic environment possible for the functioning of the Customs Union.

4. BROADENING OF COOPERATION

The Association Council deems it essential to broaden the scope of cooperation between the European Union and Turkey and looks forward to seeing initiatives being taken in the fields listed below:

- Industrial cooperation: this cooperation should extend Community instruments to Turkey to create contact between undertakings, encourage Turkish firms to participate in Euro-partnership events in Europe, promote the creation of Euro-Turkish joint ventures, including the development of SMEs and vocational training, and create, in industrial sectors where the need is most acute, contact groups for consultation on the situation and prospects for the sectors in question

Resolution of the Association Council of 6 March 1995

- Trans-European networks: the Commission will enter into a dialogue with Turkey on trans-European infrastructure projects in fields such as energy, transport, and telecommunications with a view to examining the possible mutual interest of Turkish participation in such projects.
- Cooperation on energy: this cooperation must fit into the context of the principals of the European Energy Charter and cover the drawing-up and programming of energy policies. Sectoral cooperation and exchange of views should be continued and intensified in view in particular of the important role played by Turkey as a hydroelectric producer and a transit country for the transport of oil to Europe.
- Cooperation on transport: this cooperation should be initiated or stepped up and could provide in particular for regular exchange of views on respective developments in the transport sector, with the aim of improving links between the two parties in the following areas:
 - exploration of the possibilities for technical assistance for the railway and civil engineering authorities with a view to increasing the quality and productivity of services and harmonizing technical standards as far as possible;
 - promotion of combined transport;
 - examination of means of participating in the extension and improvement of transport links. In addition, agreements should be concluded with Turkey in fields such as transit and market access resulting from the Community's implementation of its common transport policy or its extension to new areas (air and sea transport).
- Cooperation on telecommunications: this cooperation will concern the modernization of the Turkish network and its integration into European networks and the standardisation and management of telecommunications, the harmonization of legal and complementary aspects being an essential element of this; harmonization of laws will be actively solved in order to promote network interconnection, the speeding up of Turkey's development and the contribution of European firms to that development.
- Cooperation on agriculture: regular consultations will be held between the two parties on both sides' agricultural policies in order to achieve a maximum of convergence, in accordance with the contractual arrangements in force. The Commission will investigate the possibility of providing technical aid to Turkey to enable it to harmonize its policies more closely with the CAP, taking into account the special circumstances of Turkish agriculture.
- Cooperation on the environment: the objective will be to develop and step up the campaign to prevent deterioration: exchange of information and experts, training, and approximation of laws. It will also be necessary to examine the arrangements for Turkey's participation in the European Environment Agency.
- Scientific cooperation: it will cover research and technological development: exchanges of information on S&T policy, information, possible participation in

Resolution of the Association Council of 6 March 1995

the activities of the fourth European Community framework programme for R&D in accordance with the Council Decision 21 November 1994 (94/763/EC) and intensification of efforts to create scientific cooperation networks between Turkish universities research centers and their Community counterparts.

- Cooperation on statistics: cooperation under the Protocol concluded by the Turkish State Statistical Institute and Eurostat on 21 September 1993 will aim to set up a statistical system which will provide reliable statistics with the particular aim of harmonization with Community and international methods, standards and classifications.
- Matters relating to justice and home affairs: closer dialogue between the EU and Turkey could be considered on certain matters relating to justice and home affairs. This dialogue will be implemented in particular through exchanges of information.
- Consumer protection: cooperation will be designed to ensure compatibility between consumer protection systems in Turkey and in the Community. To that end and in the common interest of both parties, harmonization on laws and the alignment of Turkey's consumer protection on that of the Community will be sought.
- Cultural cooperation: with the aim of strengthening of links between Turkey and the EU and improving mutual understanding, the parties will define by common agreement the precise areas to be covered by such cooperation. Particular efforts should be made to increase knowledge of the cultural heritage of each of the partners.
- Information and communication: appropriate measures will be taken by the Community and Turkey to encourage the exchange of information. Priority will be given to programmes providing basic information on the Community for the general public and specialised information for professional circles in Turkey, including access where possible to Community databases. In this regard, cooperation in the audiovisual sector, particularly through technical support by the EU for Turkish radio and television networks, picture banks

5. COOPERATION ON SOCIAL MATTERS

A regular dialogue will be set up on the situation of Turkish workers in regular employment in the Community and vice versa. The two parties will explore all possibilities for a better integration of such workers.

6. POLITICAL DIALOGUE

The Association Council considers it necessary for political dialogue between the European Union and Turkey on all topics of common interest to be intensified:

- in principle, the President of the European Council and the President of the Commission will meet with the Turkish head of State or head of Government once a year;

Resolution of the Association Council of 6 March 1995

- the Ministers of Foreign Affairs will meet twice a year, once in the framework of the Association Council and once in Troika formation;
- the Senior Officials (including Political Directors) will meet in Troika formation twice a year;
- consultation between Turkish and EU experts will be organized in certain CSFP Working Parties;
- Turkey will be regularly informed of the outcome of the meetings of the European Council, the Council and the Political Committee by the Presidency or the Council Secretariat;
- Turkey will receive on an ad hoc basis documents of a fundamental nature regarding the Common Foreign and Security Policy.

7. INSTITUTIONAL COOPERATION

The Association Council calls for a strengthening of the Association's institutional framework through the organisational consultation links between Turkey and the institutions of the European Union with priority being given to trans-European issues. The Association Council will at its next meeting be looking at ways and means of increasing cooperation in this area.

- 8.** The Association Council requests the Association Committee to supply for its next meeting, at least in September 1995, proposals making it possible to achieve the objectives indicated above for the development of the Association.

Community Declaration of 30 October 1995

COMMUNITY DECLARATION concerning financial cooperation of 30 October 1995

In order to adapt its industrial sector to the new competitive situation created by the Customs Union and improve its infrastructure linkage with the European Union (road transport, ports, airports, railways, telecommunications and electricity), as well as to reduce the difference between its economy and that of the Community, Turkey will need substantial resources, in particular long term loans and technical assistance.

To this end, the Community will resume its financial cooperation with Turkey before the entry into force of the Customs Union and decide in the first half of 1995 on detailed arrangements for it.

Financial cooperation will be based on the following elements:

- substantial budgetary resources¹ made available for cooperation with Turkey over a five-year period starting in 1996;
- continued access to funds (EIB loans) available under the 1992-1996 new Mediterranean policy for the financing of infrastructure projects in the fields of environment, energy, transport and telecommunications (expected amount ECU 300 to 400 million, depending on the quality of the projects presented by Turkey);
- additional EIB loans over a five-year period starting in 1996, in order to improve the competitiveness of the Turkish economy following the entry into force of the Customs Union;
- funding facilities (budgetary resources as well as EIB loans) which the Community will make available as from 1996, for all Mediterranean countries;
- at Turkey's request and in cases of special need, the Community, in accordance with international financial institutions and in the light of all the funds available, could examine the possibility of granting exceptional additional medium-term macro-economic financial assistance linked to the execution of IMF-approved programmes.

¹ For the record: the total sum involved is ECU 375 million.

DECISION No 1/96 OF THE EC-TURKEY ASSOCIATION COUNCIL of 2 September 1996 repealing Decision 5/72 relating to methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement (96/541/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the agreement establishing an association between the European Economic Community and Turkey, hereinafter referred to as the 'Ankara Agreement', and in particular Article 22 thereof and Article 4 of the Additional Protocol thereto,

Whereas, by application of Article 3 of Decision 1/95 of the Association Council on implementing the final phase of the Customs Union¹, the Customs Cooperation Committee has determined the methods of administrative cooperation necessary for the free movement of goods;

Whereas Decision 5/72 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement² is rendered nugatory by the decision of the Customs Cooperation Committee; whereas it should therefore be repealed,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 5/72 is hereby repealed.

¹ OJ No L 35, 13.2.1996, p. 1

² OJ No L59, 05.3. 1973, p. 73, Decision as last amended by Decision 4/95 (OJ No L 35, 13.2.1996, p. 48)

Article 2

This Decision shall enter into force on 1 July 1996.

Done at Brussels, 2 September 1996.

**For the Association Council
The President
T. ÇILLER**

DECISION (EC) No 1/97 OF THE EC-TURKEY ASSOCIATION COUNCIL of 29 April 1997 on the arrangements applicable to certain processed agricultural products (97/303/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an association between the European Economic Community and Turkey¹, and in particular Article 22 (3) thereof,

Whereas Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union², sets out the arrangements applicable to processed agricultural products;

Whereas in order to encourage the development of trade in accordance with the objectives of the Customs Union, annual quotas in terms of value should be established in respect of certain pasta products for the Community and certain processed agricultural products covered by Chapter 19 of the combined nomenclature for Turkey,

HAS DECIDED AS FOLLOWS:

Article 1

The Community shall apply, within the limits of an annual quota of ECU 2,5 million, to the goods listed in the table in Annex 1 the specific duty specified in that Annex.

Article 2

Turkey shall apply, within the limits of an annual quota of ECU 2,5 million, to the goods listed in Annex 2 the agricultural components specified in that Annex. The amounts given in the table in that Annex shall replace the amounts specified for the corresponding goods, within the limits of this quota, by Annex 6, Table 1 of Decision 1/95.

¹ OJ No L 293, 29. 12. 1972, p. 68.

² OJ No L 35, 13. 2. 1996, p. 1.

Article 3

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

It shall apply from 1 November 1996.

Done at Luxembourg, 29 April 1997.

**For the EC-Turkey Association Council
The President
T. ÇILLER**

Decision No 1/97 of Association Council**ANNEX 1**

Tariff quotas and duties on imports into the Community of goods originating from Turkey

CN code	Quota (ECU)	Duty applicable (ECU/100 kg)
1902 11 00	2 500 000	10,67
1902 19		10,67

ANNEX 2

The tariff quotas and duties on imports into Turkey of goods originating from the Community

CN code	Quota (ECU)	Duty applicable (ECU/100 kg)
1902 20 91	2 500 000	2,61
1902 20 99		7,41
1902 30 10		10,67
1902 30 90		4,21
1902 40 90		4,21
1904 10 10		6,19
1904 10 90		19,94
1904 20 10		(*)
1904 90 10		44,21
1904 90 90		11,11
1905 90 20		18,74
1905 90 60		(*)
1905 90 90		(*)

- * The amount is set out in Annex 4 to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union (OJ No L 35, 13. 2. 1996, p. 1).

DECISION No 2/97 OF THE EC-TURKEY ASSOCIATION COUNCIL of 4 June 1997 establishing the list of Community instruments relating to the removal of technical barriers to trade and the conditions and arrangements governing their implementation by Turkey (97/438/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union¹, and in particular Article 8 (2) thereof,

Whereas, in accordance with Article 8 (1) and (2) of Decision No 1/95 a list of Community instruments relating to the removal of technical barriers to trade should be incorporated by Turkey into its internal legal order and the conditions and detailed arrangements governing their implementation should be laid down,

HAS DECIDED AS FOLLOWS:

Article 1

1. Annex II to this Decision contains the list of Community instruments relating to the removal of technical barriers to trade.
2. The instruments referred to in the said Annex II shall be incorporated into the internal legal order of Turkey as follows:
 - a) an instrument corresponding to an EEC or EC Regulation shall as such be made part of the internal legal order;
 - b) an instrument corresponding to an EEC or EC Directive shall leave to the Turkish authorities the choice of form and methods of implementation. The instruments referred to in Annex II shall be subject to the horizontal adaptations set out in Annex I, save for any provisions to the contrary set out in Annex II.

The instruments referred to in Annex II shall be subject to the horizontal adaptations set out in Annex I, save for any provisions to the contrary set out in Annex II.

Article 2

This Decision shall enter into force on the day of its adoption. It shall take effect as from 1 January 1997.

It shall take effect as from 1 January 1997.

Done at Brussels, 4 June 1997.

For the EC-Turkey Association Council

The President

T.ÇİLLER

¹ OJ No L 35, 13. 2. 1996, p. 1.

ANNEX I

INTRODUCTION

The provisions of the instruments referred to in Annex II shall be applicable in accordance with Decision No 1/95 and this Annex, unless otherwise provided for in Annex II. The specific adaptations necessary for individual instruments are set out where the instrument concerned is listed.

As the instruments referred to in Annex II contain notions or make references to procedures specific to the Community legal order, such as:

- the preambles,
- the addressees of Community instruments,
- the references to the territories and languages of the EC,
- the references to the reciprocal rights and obligations of the EC Member States, their public entities, undertakings or individuals, and
- the references to information procedures and notification,

the following horizontal adaptations shall apply unless otherwise provided for in Annex II:

1. INTRODUCTORY PARTS OF THE INSTRUMENTS

The preambles of the instruments referred to are not adapted for the purposes of Decision No 1/95. They are relevant to the extent necessary for the proper interpretation and application, within the framework of that Decision, of the provisions contained in such instruments.

2. PROVISIONS ON EC COMMITTEES

Procedures, institutional arrangements or other provisions concerning EC committees contained in the instruments referred to are dealt with in Article 60 of Decision No 1/95.

3. PROVISIONS SETTING UP PROCEDURES FOR ADAPTING/AMENDING COMMUNITY INSTRUMENTS

Where an instrument referred to provides for EC procedures on its adaptation, extension or amendment the relevant consultation and decision-making procedures provided for in Decision No 1/95 shall apply.

4. EXCHANGE OF INFORMATION AND NOTIFICATION PROCEDURES

- a) Where an EC Member State is to submit information to the EC Commission, Turkey shall also submit the corresponding information to the EC Commission;
- b) Where an EC Member State is to submit information to one or more other EC Member States, it shall also submit that information to the EC Commission. Turkey shall submit the corresponding information to the EC Commission for distribution to the EC Member States;
- c) The EC Commission shall forward the information it has received from the EC Member States to Turkey. Where an instrument set out in Annex II contains provisions which do not provide for information to be forwarded to all EC Member States, these provisions shall be applicable *mutatis mutandis* to Turkey;
- d) In areas where, for reasons of urgency, rapid transfer of information is called for, appropriate sectoral solutions providing for direct exchange of information shall apply;
- e) Functions of the EC Commission in the context of procedures for verification or approval, information, notification and similar matters shall also include Turkey. The EC Commission and Turkey shall exchange all information regarding these matters. This is without prejudice to paragraphs 2, 3 and 7. Any issue arising in this context may be referred to the EC-Turkey Customs Union Joint Committee.

5. REVIEW AND REPORTING PROCEDURES

Where, according to an instrument referred to, the EC Commission or another EC body is to prepare a report or an assessment or the like, it shall also include Turkey. The EC Commission and Turkey shall consult each other and exchange information during the preparation of these reports, copies of which shall be sent to the EC-Turkey Customs Union Joint Committee.

6. PUBLICATION OF INFORMATION

- a) Where, according to an instrument referred to, an EC Member State is to publish certain information on facts, procedures and the like, Turkey shall also, under Decision No 1/95, publish the relevant information in a corresponding manner;
- b) Where, according to an instrument referred to, facts, procedures, reports and the like are to be published in the *Official Journal of the European Communities*, the corresponding information regarding Turkey shall also be published in the Official Journal.

7. RIGHTS AND OBLIGATIONS

Rights conferred and obligations imposed upon the EC Member States or their public entities, undertakings or individuals in relation to each other shall be understood also to be conferred or imposed upon Turkey, the latter also being understood, as the case may be, as its competent authorities, public entities, undertakings or individuals.

8. REFERENCES TO TERRITORIES

Whenever the instruments referred to contain references to the territory of the 'Community' or of 'the common market' the references shall for the purposes of Decision No 1/95 be understood to include the territory of the Turkish Republic.

9. REFERENCES TO NATIONALS OF EC MEMBER STATES

Whenever instruments referred to contain references to nationals of EC Member States, the references shall for the purposes of Decision No 1/95 be understood to be references also to nationals from the Republic of Turkey.

10. REFERENCES TO LANGUAGES

Where an instrument referred to confers upon the EC Member States or their public entities, undertakings or individuals rights or imposes obligations regarding the use of any of the official languages of the European Communities, the corresponding rights and obligations regarding the use of any of the official languages of the Contracting Parties shall be understood to be conferred or imposed upon Contracting Parties, their competent authorities, public entities, undertakings or individuals.

11. ENTRY INTO FORCE AND IMPLEMENTATION OF INSTRUMENTS

Provisions on the entry into force or implementation of the instruments referred to in the list are not relevant for the purposes of Decision No 1/95. The time limits and dates for Turkey for bringing into force and implementing instruments referred to follow from Article 8 (1) of that Decision.

12. ADDRESSEES OF COMMUNITY INSTRUMENTS

Provisions indicating that a Community instrument is addressed to the Member States of the Community are not relevant for the purposes of Decision No 1/95.

ANNEX II**SECTORAL ADAPTATIONS**

References to Articles 30 and 36 or 30 to 36 of the Treaty establishing the European Economic Community shall be replaced with references to Articles 5 and 7 or 5 to 7 of Decision No 1/95.

I. MOTOR VEHICLES**ACTS REFERRED TO:**

1. 370 L 0156: Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type approval of motor vehicles and their trailers (OJ No L 42, 23. 2. 1970, p. 1), as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 115),
 - 378 L 0315: Council Directive 78/315/EEC of 21 December 1977 (OJ No L 81, 28. 3. 1978, p. 1),
 - 378 L 0547: Council Directive 78/547/EEC of 12 June 1978 (OJ No L168, 26. 6. 1978, p. 39),
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 108),
 - 380 L 1267: Council Directive 80/1267/EEC of 16 December 1980 (OJ No L 375, 31. 12. 1980, p. 34), as corrected by OJ No L 265, 19. 9.1981, p. 28,
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 211),
 - 387 L 0358: Council Directive 87/358/EEC of 25 June 1987 (OJ No L 192, 11. 7. 1987, p. 51),
 - 387 L 0403: Council Directive 87/403/EEC of 25 June 1987 supplementing Annex I to Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (OJ No L 220, 8. 8. 1987, p. 44),
 - 392 L 0053: Council Directive 92/53/EEC of 18 June 1992 (OJ No L 225, 10. 8. 1992, p. 1),
 - 393 L 0081: Commission Directive 93/81/EEC of 29 September 1993 (OJ No L 264, 23. 10. 1993, p. 49),

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- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 200).

The provisions of the Directive shall, for the purposes of Decision No 1/95, be read with the following adaptation:

- (a) In Article 2 (a), the following indents shall be added: "'Tip onayı" in Turkish law`;
- (b) In Annex VII, the following shall be added to point 1.1: '37 for Turkey`;
- (c) In Annex IX, the following shall be added to points 37 of parts I and II: ', Turkey:...`.

2. 370 L 0157: Council Directive 70/157/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles (OJ No L 42, 23. 2. 1970, p. 16), as amended by:

- 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 115),
- 373 L 0350: Commission Directive 73/350/EEC of 7 November 1973 (OJ No L 321, 22. 11. 1973, p. 33),
- 377 L 0212: Council Directive 77/212/EEC of 8 March 1977 (OJ No L 66, 12. 3. 1977, p. 33),
- 381 L 0334: Commission Directive 81/334/EEC of 13 April 1981 (OJ No L 131, 18. 5. 1981, p. 6),
- 384 L 0372: Commission Directive 84/372/EEC of 3 July 1984 (OJ No L 196, 26. 7. 1984, p. 47),
- 384 L 0424: Council Directive 84/424/EEC of 3 September 1984 (OJ No L 238, 6. 9. 1984, p. 31),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 211),
- 389 L 0491: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15. 8. 1989, p. 43),
- 392 L 0097: Council Directive 92/97/EEC of 10 November 1992 (OJ No L 371, 19. 12. 1992, p. 1),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 200).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptations:

(a) in Annex II, the following shall be added to the footnote relating to point 3.1.3: 'TR = Turkey';

(b) in Annex IV, the following shall be added to the footnote concerning the distinctive letter(s) of the country granting type-approval: 'TR = Turkey'.

3. 370 L 0220: Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles (OJ No L 76, 6. 4. 1970, p. 1), as amended by:
- 172 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 115),
 - 374 L 0290: Council Directive 74/290/EEC of 28 May 1974 (OJ No L 159, 15. 6. 1974, p. 61),
 - 377 L 0102: Commission Directive 77/102/EEC of 30 November 1976 (OJ No L 32, 3. 2. 1977, p. 32),
 - 378 L 0665: Commission Directive 78/665/EEC of 14 July 1978 (OJ No L 223, 14. 8. 1978, p. 48),
 - 383 L 0351: Council Directive 83/351/EEC of 16 June 1983 (OJ No L 197, 20. 7. 1983, p. 1),
 - 388 L 0076: Council Directive 88/76/EEC of 3 December 1987 (OJ No L 36, 9. 2. 1988, p. 1),
 - 388 L 0436: Council Directive 88/436/EEC of 16 June 1988 (OJ No L 214, 6. 8. 1988, p. 1), as corrected by OJ No L 303, 8. 11. 1988, p. 36,
 - 389 L 0458: Council Directive 89/458/EEC of 18 July 1989 (OJ No L 226, 3. 8. 1989, p. 1),
 - 389 L 0491: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15. 8. 1989, p. 43),
 - 391 L 0441: Council Directive 91/441/EEC of 26 June 1991 (OJ No L 242, 30. 8. 1991, p. 1),
 - 393 L 0059: Council Directive 93/59/EEC of 28 June 1993 (OJ No L 186, 28. 7. 1993, p. 21),
 - 394 L 0012: Directive 94/12/EC of the European Parliament and of the Council of 23 March 1994 (OJ No L 100, 19. 4. 1994, p. 42).

4. 370 L 0221: Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers (OJ No L 76, 6. 4. 1970, p. 23), as corrected by OJ No L 65, 15. 3. 1979, p. 42, as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 116),
 - 379 L 0490: Commission Directive 79/490/EEC of 18 April 1979 (OJ No L 128, 26. 5. 1979, p. 22), as corrected by OJ No L 188, 26. 7. 1979, p. 54, as amended by Commission Directive 81/333/EEC of 13 April 1981,
 - 381 L 0333: Commission Directive 81/333/EEC of 13 April 1981 (OJ No L 131, 18. 5. 1981, p. 4).
5. 370 L 0222: Council Directive 70/222/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to the space for mounting and the fixing of rear registration plates on motor vehicles and their trailers (OJ No L 76, 6. 4. 1970, p. 25), as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 116).
6. 370 L 0311: Council Directive 70/311/EEC of 8 June 1970 on the approximation of the laws of the Member States relating to the steering equipment for motor vehicles and their trailers (OJ No L 133, 18. 6. 1970, p. 10), as corrected by OJ No L 196, 3. 9. 1970, p. 14, as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 116),
 - 392 L 0062: Council Directive 92/62/EEC of 2 July 1992 (OJ No L 199, 18. 7. 1992, p. 33).
7. 370 L 0387: Council Directive 70/387/EEC of 27 July 1970 on the approximation of the laws of the Member States relating to the doors of motor vehicles and their trailers (OJ No L 176, 10. 8. 1970, p. 5), as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 116).
8. 370 L 0388: Council Directive 70/388/EEC of 27 July 1970 on the approximation of the laws of the Member States relating to audible warning devices for motor vehicles (OJ

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No L 176, 10. 8. 1970, p. 12), as corrected by OJ No L 329, 25. 11. 1982, p. 31, as amended by:

- 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 116),
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 108),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 212),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 201).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex I, the following shall be added to the text in brackets in point 1.4.1: '37 for Turkey`.

9. 371 L 0127: Council Directive 71/127/EEC of 1 March 1971 on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles (OJ No L 68, 22. 3. 1971, p. 1), as amended by:

- 1 72 B: Act concerning the Conditions of Accession and Adjustment the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 116),
- 379 L 0795: Commission Directive 79/795/EEC of 20 July 1979 (OJ No L 239, 22. 9. 1979, p. 1),
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
- 385 L 0205: Commission Directive 85/205/EEC of 18 February 1985(OJ No L 90, 29. 3. 1985, p. 1),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p.212),
- 386 L 0562: Commission Directive 86/562/EEC of 6 November 1986 (OJ No L 327, 22. 11. 1986, p. 49),

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- 388 L 0321: Commission Directive 88/321/EEC of 16 May 1988 (OJ No L 147, 14. 6. 1988, p. 77),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 201).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Appendix 2 to Annex II, the following shall be added to the enumeration of distinguishing numbers in point 4.2: '37 for Turkey'.

10. 371 L 0320: Council Directive 71/320/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and their trailers (OJ No L 202, 6. 9. 1971, p. 37), as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27. 3. 1972, p. 118),
 - 374 L 0132: Commission Directive 74/132/EEC of 11 February 1974(OJ No L 74, 19. 3. 1974, p. 7),
 - 375 L 0524: Commission Directive 75/524/EEC of 25 July 1975 (OJ No L 236, 8. 9. 1975, p. 3), as corrected by OJ No L 247, 23. 9. 1975, p.36,
 - 379 L 0489: Commission Directive 79/489/EEC of 18 April 1979 (OJ No L 128, 26. 5. 1979, p. 12), as corrected by OJ No L 188, 26. 7.1979, p. 54,
 - 385 L 0647: Commission Directive 85/647/EEC of 23 December 1985(OJ No L 380, 31. 12. 1985, p. 1),
 - 388 L 0194: Commission Directive 88/194/EEC of 24 March 1988 (OJ No L 92, 9. 4. 1988, p. 47),
 - 391 L 0422: Commission Directive 91/422/EEC of 15 July 1991 (OJ No L 233, 22. 8. 1991, p. 21).
11. 372 L 0245: Council Directive 72/245/EEC of 20 June 1972 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to motor vehicles (OJ No L 152, 6. 7. 1972, p. 15), as amended by:
 - 389 L 0491: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15. 8. 1989, p. 43),
 - 395 L 0054: Commission Directive 95/54/EC of 31 October 1995 (OJ No L 266, 8. 11. 1995, p. 1).

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12. 372 L 0306: Council Directive 72/306/EEC of 2 August 1972 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in vehicles (OJ No L 190, 20. 8. 1972, p. 1), as corrected by OJ No L 215, 6. 8. 1974, p. 20, as amended by:
 - 389 L 0491: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15. 8. 1989, p. 43).
13. 374 L 0060: Council Directive 74/60/EEC of 17 December 1973 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (interior parts of the passenger compartment other than the interior rear-view mirrors, layout of controls, the roof or sliding roof, the backrest and rear part of the seats) (OJ No L 38, 11. 2. 1974, p. 2), as corrected by OJ No L 215, 6. 8. 1974, p. 20, and by OJ No L 53, 25. 2. 1977, p. 30, as amended by:
 - 378 L 0632: Commission Directive 78/632/EEC of 19 May 1978 (OJ No L 206, 29. 7. 1978, p. 26).
14. 374 L 0061: Council Directive 74/61/EEC of 17 December 1973 on the approximation of the laws of the Member States relating to devices to prevent the unauthorised use of motor vehicles (OJ No L 38, 11. 2. 1974, p. 22), as corrected by OJ No L 215, 6. 8. 1974, p. 20, as amended by:
 - 395 L 0056: Commission Directive 95/56/EC of 8 November 1995 (OJ No L 286, 29. 11. 1995, p. 1).
15. 374 L 0297: Council Directive 74/297/EEC of 4 June 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (the behaviour of the steering mechanism in the event of an impact) (OJ No L 165, 20. 6. 1974, p. 16), as amended by:
 - 391 L 0662: Commission Directive 91/662/EEC of 6 December 1991 (OJ No L 366, 31. 12. 1991, p. 1).
16. 374 L 0408: Council Directive 74/408/EEC of 22 July 1974 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (strength of seat and their anchorage) (OJ No L 221, 12. 8. 1974, p. 1), as amended by:
 - 381 L 0577: Council Directive 81/577/EEC of 20 July 1981 (OJ No L 209, 29. 7. 1981, p. 34).
17. 374 L 0483: Council Directive 74/483/EEC of 17 September 1974 on the approximation of the laws of the Member States relating to the external projections of motor vehicles (OJ No L 266, 2. 10. 1974, p. 4), as amended by:
 - 379 L 0488: Commission Directive 79/488/EEC of 18 April 1979 (OJ No L 128, 26. 5. 1979, p. 1),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 212),

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- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 201).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Annex I, the following shall be added to the footnote relating to point 3.2.2.2: '37 for Turkey`.

18. 375 L 0443: Council Directive 75/443/EEC of 26 June 1975 on the approximation of the laws of the Member States relating to the reverse and speedometer equipment of motor vehicles (OJ No L 196, 26. 7. 1975, p. 1).
19. 376 L 0114: Council Directive 76/114/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment (OJ No L 24, 30.1. 1976, p. 1), as corrected by OJ No L 56, 4. 3. 1976, p. 38, and OJ No L 329, 25. 11. 1982, p. 31, as amended by:
 - 378 L 0507: Commission Directive 78/507/EEC of 19 May 1978 (OJ No L 155, 13. 6. 1978, p. 31),
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 202).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In the Annex, the following shall be added to the text in brackets in point 2.1.2: '37 for Turkey`.

20. 376 L 0115: Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorage for motor-vehicle safety-belts (OJ No L 24, 30. 1. 1976, p. 6), as amended by:
 - 381 L 0575: Council Directive 81/575/EEC of 20 July 1981 (OJ No L 209, 29. 7. 1981, p. 30),
 - 382 L 0318: Commission Directive 82/318/EEC of 2 April 1982 (OJ No L 139, 19. 5. 1982, p. 9),

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- 390 L 0629: Commission Directive 90/629/EEC of 30 October 1990 (OJ No L 341, 6. 12. 1990, p. 14).
- 21.** 376 L 0756: Council Directive 76/756/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (OJ No L 262, 27. 9. 1976, p. 1), as amended by:
- 380 L 0233: Commission Directive 80/233/EEC of 21 November 1979 (OJ No L 51, 25. 2. 1980, p. 8), as corrected by OJ No L 111, 30. 4. 1980, p. 22,
 - 382 L 0244: Commission Directive 82/244/EEC of 17 March 1982 (OJ No L 109, 22. 4. 1982, p. 31),
 - 383 L 0276: Commission Directive 83/276/EEC of 26 May 1983 (OJ No L 151, 9. 6. 1983, p. 47),
 - 384 L 0008: Commission Directive 84/8/EEC of 14 December 1983 (OJ No L 9, 12. 1. 1984, p. 24), as corrected by OJ No L 131, 17. 5. 1984, p. 50, and OJ No L 135, 22. 5. 1984, p. 27,
 - 389 L 0278: Commission Directive 89/278/EEC of 28 March 1989 (OJ No L 109, 20. 4. 1989, p. 38), as corrected by OJ No L 114, 27. 4. 1989, p. 52,
 - 391 L 0663: Commission Directive 91/663/EEC of 10 December 1991 (OJ No L 366, 31. 12. 1991, p. 17).
- 22.** 376 L 0757: Council Directive 76/757/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to reflex reflectors for motor vehicles and their trailers (OJ No L 262, 27. 9. 1976, p. 32), as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 202).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex III, the following shall be added to point 4.2: '37 for Turkey'.

- 23.** 376 L 0758: Commission Directive 76/758/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to end outline marker lamps, front position

(side) lamps, rear position (side) lamps and stop lamps for motor vehicles and their trailers (OJ No L 262, 27. 9. 1976, p. 54), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 389 L 0516: Commission Directive 89/516/EEC of 1 August 1989 (OJ No L 265, 12. 9. 1989, p. 1),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 202).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex III, the following shall be added to point 4.2: '37 for Turkey'.

- 24.** 376 L 0759: Council Directive 76/759/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers (OJ No L 262, 27. 9. 1976, p. 71), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 389 L 0277: Commission Directive 89/277/EEC of 28 March 1989 (OJ No L 109, 20. 4. 1989, p. 25), as corrected by OJ No L 114, 27. 4. 1989, p. 52,
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 202).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex III, the following shall be added to point 4.2: '37 for Turkey'.

- 25.** 376 L 0760: Council Directive 76/760/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to the rear registration plate lamps for motor vehicles and their trailers (OJ No L 262, 27. 9. 1976, p. 85), as amended by:

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- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden (OJ No C 241, 29. 8. 1994, p. 202).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex I, the following shall be added to point 4.2: '37 for Turkey'.

- 26.** 376 L 0761: Council Directive 76/761/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to motor-vehicle headlamp which function as main beam and/or dipped-beam headlamp and to incandescent electric filament lamps for such headlamp (OJ No L 262, 27. 9. 1976, p. 96), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 389 L 0517: Commission Directive 89/517/EEC of 1 August 1989 (OJ No L 265, 12. 9. 1989, p. 15),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 203).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex VI, the following shall be added to point 4.2: '37 for Turkey'.

- 27.** 376 L 0762: Council Directive 76/762/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to front fog lamps for motor vehicles and filament lamps for such lamps (OJ No L 262, 27. 9. 1976, p. 122), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 109),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 203).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex II, the following shall be added to point 4.2: '37 for Turkey'.

- 28.** 377 L 0389: Council Directive 77/389/EEC of 17 May 1977 on the approximation of the laws of the Member States relating to motor-vehicle towing-devices (OJ No L 145, 13. 6. 1977, p. 41).
- 29.** 377 L 0538: Council Directive 77/538/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to rear fog lamps for motor vehicles and their trailers (OJ No L 220, 29. 8. 1977, p. 60), as corrected by OJ No L 284, 10. 10. 1978, p. 11, as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
 - 389 L 0518: Commission Directive 89/518/EEC of 1 August 1989 (OJ No L 265, 12. 9. 1989, p. 24),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 203).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex II, the following shall be added to point 4.2: '37 for Turkey'.

- 30.** 377 L 0539: Council Directive 77/539/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to reversing lamps for motor vehicles and their trailers (OJ No L 220, 29. 8. 1977, p. 72), as corrected by OJ No L 284, 10. 10. 1978, p. 11, as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 203).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex II, the following shall be added to point 4.2: '37 for Turkey'.

- 31.** 377 L 0540: Council Directive 77/540/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to parking lamps for motor vehicles (OJ No L 220, 29. 8. 1977, p. 83), as corrected by OJ No L 284, 10. 10. 1978, p. 11, as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 204).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex IV, the following shall be added to point 4.2: '37 for Turkey'.

- 32.** 377 L 0541: Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety-belts and restraint systems of motor vehicles (OJ No L 220, 29. 8. 1977, p. 95), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
- 381 L 0576: Council Directive 81/576/EEC of 20 July 1981 (OJ No L 209, 29. 7. 1981, p. 32),
- 382 L 0319: Commission Directive 82/319/EEC of 2 April 1982 (OJ No L 139, 19. 5. 1982, p. 17),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
- 390 L 0628: Commission Directive 90/628/EEC of 30 October 1990 (OJ No L 341, 6. 12. 1990, p. 1),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 204).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex III, the following shall be added to point 1.1.1: '37 for Turkey'.

33. 377 L 0649: Council Directive 77/649/EEC of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor-vehicle drivers (OJ No L 267, 19. 10. 1977, p. 1), as corrected by OJ No L 150, 6. 6. 1978, p. 6, as amended by:
 - 381 L 0643: Commission Directive 81/643/EEC of 29 July 1981 (OJ No L 231, 15. 8. 1981, p. 41),
 - 388 L 0366: Commission Directive 88/366/EEC of 17 May 1988 (OJ No L 181, 12. 7. 1988, p. 40),
 - 390 L 0630: Commission Directive 90/630/EEC of 30 October 1990 (OJ No L 341, 6. 12. 1990, p. 20).
34. 378 L 0316: Council Directive 78/316/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators) (OJ No L 81, 28. 3. 1978, p. 3), as amended by:
 - 393 L 0091: Commission Directive 93/91/EEC of 29 October 1993 (OJ No L 284, 19. 11. 1993, p. 25).
35. 378 L 0317: Council Directive 78/317/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the defrosting and demising systems of glazed surfaces of motor vehicles (OJ No L 81, 28. 3. 1978, p. 27), as corrected by OJ No L 194, 19. 7. 1978, p. 29.
36. 378 L 0318: Council Directive 78/318/EEC of 21 December 1977 on the approximation of the laws of the Member States relating to the wiper and washer systems of motor vehicles (OJ No L 81, 28. 3. 1978, p. 49), as corrected by OJ No L 194, 19. 7. 1978, p. 30, as amended by:
 - 394 L 0068: Commission Directive 94/68/EC of 16 December 1994 (OJ No L 354, 31. 12. 1994, p. 1).

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37. 378 L 0548: Council Directive 78/548/EEC of 12 June 1978 on the approximation of the laws of the Member States relating to heating systems for the passenger compartments of motor vehicles (OJ No L 168, 26. 6. 1978, p. 40).
38. 378 L 0549: Council Directive 78/549/EEC of 12 June 1978 on the approximation of the laws of the Member States relating to the wheel guards of motor vehicles (OJ No L 168, 26. 6. 1978, p. 45), as amended by:
- 394 L 0078: Commission Directive 94/78/EC of 21 December 1994 (OJ No L 354, 31. 12. 1994, p. 10).
39. 378 L 0932: Council Directive 78/932/EEC of 16 October 1978 on the approximation of the laws of the Member States relating to head restraints of seats of motor vehicles (OJ No L 325, 20. 11. 1978, p. 1), as corrected by OJ No L 329, 25. 11. 1982, p. 31, as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 204).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex VI, the following shall be added to point 1.1.1: '37 for Turkey'.

40. 378 L 1015: Council Directive 78/1015/EEC of 23 November 1978 on the approximation of the laws of the Member States on the permissible sound level and exhaust system of motorcycles (OJ No L 349, 13. 12. 1978, p. 21), as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
 - 387 L 0056: Council Directive 87/56/EEC of 18 December 1986 (OJ No L 24, 27. 1. 1987, p. 42),
 - 389 L 0235: Council Directive 89/235/EEC of 13 March 1989 (OJ No L 98, 11. 4. 1989, p. 1),

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- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 204).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

(a) In Article 2, the following indents shall be added: ' "Tip onayı" in Turkish law' ;

(b) In Annex II, the following shall be added to point 3.1.3: '37 for Turkey`.

41. 380 L 0780: Council Directive 80/780/EEC of 22 July 1980 on the approximation of the laws of the Member States relating to rear-view mirrors for two-wheeled motor vehicles with or without a side-car and to their fitting on such vehicles (OJ No L 229, 30. 8. 1980, p. 49), as amended by:

- 380 L 1272: Council Directive 80/1272/EEC of 22 December 1980 (OJ No L 375, 31. 12. 1980, p. 73),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Article 8, the following indents shall be added: "'Tip onayı" in Turkish law`.

42. 380 L 1268: Council Directive 80/1268/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the fuel consumption of motor vehicles (OJ No L 375, 31. 12. 1980, p. 36), as amended by:

- 389 L 0491: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15. 8. 1989, p. 43),
- 393 L 0116: Commission Directive 93/116/EEC of 17 December 1993 (OJ No L 329, 30. 12. 1993, p. 39).

43. 380 L 1269: Council Directive 80/1269/EEC of 16 December 1980 on the approximation of the laws of the Member States relating to the engine power of motor vehicles (OJ No L 375, 31. 12. 1980, p. 46), as amended by:

- 388 L 0195: Commission Directive 88/195/EEC of 24 March 1988 (OJ No L 92, 9. 4. 1988, p. 50), as corrected by OJ No L 105, 26. 4. 1988, p. 34,
- 389 L 0491: Commission Directive 89/491/EEC of 17 July 1989 (OJ No L 238, 15. 8. 1989, p. 43).

44. 388 L 0077: Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (OJ No L 36, 9. 2. 1988, p. 33), as amended by:

- 391 L 0542: Council Directive 91/542/EEC of 1 October 1991 (OJ No L 295, 25. 10. 1991, p. 1),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex I, the following shall be added to point 5.1.3: '37 for Turkey'.

45. 389 L 0297: Council Directive 89/297/EEC of 13 April 1989 on the approximation of the laws of the Member States relating to the lateral protection (side guards) of certain motor vehicles and their trailers (OJ No L 124, 5. 5. 1989, p. 1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

45a. 391 L 0226: Council Directive 91/226/EEC of 27 March 1991 on the approximation of the laws of the Member States relating to the spray-suppression systems of certain categories of motor vehicles and their trailers (OJ No L 103, 23. 4. 1991, p. 5), as amended by:

- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex II, the following shall be added to point 3.4.1: '37 for Turkey'.

45b. 392 L 0021: Council Directive and 92/21/EEC of 31 March 1992 on the masses and dimensions of motor vehicles and their trailers of category M1 (OJ No L 129, 14. 5. 1992, p. 1), as amended by:

- 395 L 0048: Commission Directive 95/48/EC of 20 September 1995 (OJ No L 233, 3. 9. 1995, p. 73).

45c. 392 L 0022: Council Directive 92/22/EEC of 31 March 1992 on safety glazing and glazing materials on motor vehicles and their trailers (OJ No L 129, 14. 5. 1992, p. 11), as amended by:

- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria,

the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex II, the following shall be added to point 4.4.1, footnote 1: '37 for Turkey'.

- 45d.** 392 L 0023: Council Directive 92/23/EEC of 31 March 1992 relating to tyres for motor vehicles and their trailers and to their fitting (OJ No L 129, 14. 5. 1992, p. 95), as amended by:
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex I, the following shall be added at the end of the first sentence of point 4.2: '37 for Turkey'.

- 45e** 392 L 0024: Council Directive 92/24/EEC of 31 March 1992 relating to speed limitation devices or similar speed limitation on-board systems of certain categories of motor vehicles (OJ No L 129, 14. 5. 1992, p. 154).
- 45f** 392 L 0061: Council Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two or three-wheel motor vehicles (OJ No L 225, 10. 8. 1992, p. 72), as amended by:
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex V, the following shall be added to point 1.1: '37 for Turkey'.

- 45g** 392 L 0114: Council Directive 92/114/EEC of 17 December relating to the external projections forward of the cab's rear panel of motor vehicles of category N (OJ No L 409, 31. 12. 1992, p. 17).
- 45h** 393 L 0014: Council Directive 93/14/EEC of 5 April 1993 on the braking of two or three-wheel motor vehicles (OJ No L 121, 15. 5. 1993, p. 1).
- 45i** 393 L 0029: Council Directive 93/29/EEC of 14 June 1993 on the identification of controls, tell-tales and indicators for two or three-wheel motor vehicles (OJ No L 188, 29. 7. 1993, p. 1).

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- 45j** 393 L 0030: Council Directive 93/30/EEC of 14 June 1993 on audible warning devices for two or three-wheel motor vehicles (OJ No L 188, 29. 7. 1993, p. 11).
- 45k** 393 L 0031: Council Directive 93/31/EEC of 14 June 1993 on stands for two-wheel motor vehicles (OJ No L 188, 29. 7. 1993, p. 19). 45l. 393 L 0032: Council Directive 93/32/EEC of 14 June 1993 on passenger hand-holds on two-wheel motor vehicles (OJ No L 188, 29. 7.1993, p. 28).
- 45l** 393 L 0032: Council Directive 93/32/EEC of 14 June 1993 on Passenger hand-holds on two-wheel motor vehicles(OJ No L 188, 29.7.1993, p.28)
- 45m** 393 L 0033: Council Directive 93/33/EEC of 14 June 1993 on protective devices intended to prevent the unauthorised use of two or three-wheel motor vehicles (OJ No L 188, 29. 7. 1993, p. 32).
- 45n** 393 L 0034: Council Directive 93/34/EEC of 14 June 1993 on statutory markings for two or three-wheel vehicles (OJ No L 188, 29. 7. 1993, p. 38).
- 45o** 393 L 0092: Council Directive 93/92/EEC of 29 October 1993 on the installation of lighting and light-signalling devices on two or three-wheel motor vehicles (OJ No L 311, 14. 12. 1993, p. 1).
- 45p** 393 L 0093: Council Directive 93/93/EEC of 29 October 1993 on the masses and dimensions of two or three-wheel motor vehicles (OJ No L 311, 14. 12. 1993, p. 76).
- 45q** 393 L 0094: Council Directive 93/94/EEC of 29 October 1993 relating to the space for mounting the rear registration plate of two or three-wheel motor vehicles (OJ No L 311, 14. 12. 1993, p. 83).
- 45r** 394 L 0020: Directive 94/20/EC of the European Parliament and of the Council of 30 May 1994 relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles (OJ No L 195, 29. 7. 1994, p. 1).

The provisions of this Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex I, the following shall be added to point 3.3.4: '37 for Turkey'.

- 45s** 395 L 001: Directive 95/1/EC of the European Parliament and of the Council of 2 February 1995 on the maximum design speed, maximum torque and maximum net engine power of two or three-wheel motor vehicles (OJ No L 52, 8. 3. 1995, p. 1).
- 45t** 395 L 0028: Directive 95/28/EC of the European Parliament and the Council of 24 October 1995 on burning behaviour of materials used in interior construction of certain categories of motor vehicles (OJ No L 281, 23. 11. 1995, p. 1).
- 46.** 377 Y 0726(01): Council Resolution of 29 June 1977 on EEC whole vehicle type-approval for passenger cars (OJ No C 177, 26. 7. 1977, p. 1).

47. C/281/88/p. 9: Commission notice on procedures for the type-approval and registration of vehicles previously registered in another Member State (OJ No C 281, 4. 11. 1988, p. 9).

II. AGRICULTURAL AND FORESTRY TRACTORS

ACTS REFERRED TO:

1. 374 L 0150: Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors (OJ No L 84, 28. 3. 1974, p. 10), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 379 L 0694: Council Directive 79/694/EEC of 24 July 1979 (OJ No L 205, 13. 8. 1979, p. 17),
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 17),
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 212),
 - 388 L 0297: Council Directive 88/297/EEC of 3 May 1988 (OJ No L 126, 20. 5. 1988, p. 52),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 205).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Article 2 (a), the following indents shall be added: "'Tip onay'" in Turkish law'.

2. 374 L 0151: Council Directive 74/151/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors (OJ No L 84, 28. 3. 1974, p. 25), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),
 - 388 L 0410: Commission Directive 88/410/EEC of 21 June 1988 (OJ No L 200, 26. 7. 1988, p. 27).

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3. 374 L 0152: Council Directive 74/152/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the maximum design speed of and load platforms for wheeled agricultural or forestry tractors (OJ No L 84, 28. 3. 1974, p. 33), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),
 - 388 L 0412: Commission Directive 88/412/EEC of 22 June 1988 (OJ No L 200, 26. 7. 1988, p. 31).
4. 374 L 0346: Council Directive 74/346/EEC of 25 June 1974 on the approximation of the laws of the Member States relating to rear-view mirrors for wheeled agricultural or forestry tractors (OJ No L 191, 15. 7. 1974, p. 1), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
5. 374 L 0347: Council Directive 74/347/EEC of 25 June 1974 on the approximation of the laws of the Member States relating to the field of vision and windscreen wipers for wheeled agricultural or forestry tractors (OJ No L 191, 15. 7. 1974, p. 5), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 379 L 1073: Commission Directive 79/1073/EEC of 22 November 1979 (OJ No L 331, 27. 12. 1979, p. 20),
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
6. 375 L 0321: Council Directive 75/321/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors (OJ No L 147, 9. 6. 1975, p. 24), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),
 - 388 L 0411: Commission Directive 88/411/EEC of 21 June 1988 (OJ No L 200, 26. 7. 1988, p. 30).
7. 375 L 0322: Council Directive 75/322/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to the suppression of radio interference produced by spark-ignition engines fitted to wheeled agricultural or forestry tractors (OJ No L 147, 9. 6. 1975, p. 28), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
8. 376 L 0432: Council Directive 76/432/EEC of 6 April 1976 on the approximation of the laws of the Member States relating to the braking devices of wheeled agricultural or

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forestry tractors (OJ No L 122, 8. 5. 1976, p. 1), as corrected by OJ No L 226, 18. 8. 1976, p. 16, as amended by:

- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).

9. 376 L 0763: Council Directive 76/763/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to passenger seats for wheeled agricultural or forestry tractors (OJ No L 262, 27. 9. 1976, p. 135), as amended by:

- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).

10. 377 L 0311: Council Directive 77/311/EEC of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors (OJ No L 105, 28. 4. 1977, p. 1), as amended by:

- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).

11. 377 L 0536: Council Directive 77/536/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (OJ No L 220, 29. 8. 1977, p. 1), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 213),
- 389 L 0680: Council Directive 89/680/EEC of 21 December 1989 (OJ No L 398, 30. 12. 1989, p. 26),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 206).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex VI, the following shall be added: '37 for Turkey'.

12. 377 L 0537: Council Directive 77/537/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of pollutants from diesel engines for use in wheeled agricultural or forestry tractors (OJ No L 220, 29. 8. 1977, p. 38), as amended by:

- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).

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13. 378 L 0764: Council Directive 78/764/EEC of 25 July 1978 on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors (OJ No L 255, 18. 9. 1978, p. 1), as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19. 11. 1979, p. 110),
 - 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),
 - 383 L 0190: Commission Directive 83/190/EEC of 28 March 1983 (OJ No L 109, 26. 4. 1983, p. 13),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
 - 388 L 0465: Commission Directive 88/465/EEC of 30 June 1988 (OJ No L 228, 17. 8. 1988, p. 31),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 206).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex II, the following shall be added to point 3.5.2.1: '37 for Turkey'.

14. 378 L 0933: Council Directive 78/933/EEC of 17 October 1978 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors (OJ No L 325, 20. 11. 1978, p. 16), as amended by:
- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
15. 379 L 0532: Council Directive 79/532/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of lighting and light-signalling devices on wheeled agricultural or forestry tractors (OJ No L 145, 13. 6. 1979, p. 16), as amended by:
- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
16. 379 L 0533: Council Directive 79/533/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors (OJ No L 145, 13. 6. 1979, p. 20), as amended by:

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- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45).
- 17.** 379 0622: Council Directive 79/622/EEC of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (OJ No L 179, 17. 7. 1979, p. 1), as amended by:
- 382 L 0953: Commission Directive 82/953/EEC of 15 December 1982 (OJ No L 386, 31. 12. 1982, p. 31),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
 - 388 L 0413: Commission Directive 88/413/EEC of 22 June 1988 (OJ No L 200, 26. 7. 1988, p. 32),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 206).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex VI, the following shall be added: '37 for Turkey'.

- 18.** 380 L 0720: Council Directive 80/720/EEC of 24 June 1980 on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors (OJ No L 194, 28. 7. 1980, p. 1), as amended by:
- 382 L 0890: Council Directive 82/890/EEC of 17 December 1982 (OJ No L 378, 31. 12. 1982, p. 45),
 - 388 L 0414: Commission Directive 88/414/EEC of 22 June 1988 (OJ No L 200, 26. 7. 1988, p. 34).
- 19.** 386 L 0297: Council Directive 86/297/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to the power take-offs of wheeled agricultural and forestry tractors and their protection (OJ No L 186, 8. 7. 1986, p. 19).
- 20.** 386 L 0298: Council Directive 86/298/EEC of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors (OJ No L 186, 8. 7. 1986, p. 26), as amended by:
- 389 L 0682: Council Directive 89/682/EEC of 21 December 1989 (OJ No L 398, 30. 12. 1989, p. 29),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the

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Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 206).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex VI, the following shall be added: '37 for Turkey'.

21. 386 L 0415: Council Directive 86/415/EEC of 24 July 1986 on the installation, location, operation and identification of the controls of wheeled agricultural or forestry tractors (OJ No L 240, 26. 8. 1986, p. 1).
22. 387 L 0402: Council Directive 87/402/EEC of 25 June 1987 on roll-over protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors (OJ No L 220, 8. 8. 1987, p. 1), as amended by:
 - 389 L 0681: Council Directive 89/681/EEC of 21 December 1989 (OJ No L 398, 30. 12. 1989, p. 27),
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 207).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex VII, the following shall be added: '37 for Turkey'.

23. 389 L 0173: Council Directive 89/173/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors (OJ No L 67, 10. 3. 1989, p. 1), as amended by:
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 207).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

- (a) in Annex III A, the following shall be added to footnote 1 of point 5.4.1: '37 for Turkey';
- (b) in Annex V, the following shall be added to the text in brackets of point 2.1.3: 'TR for Turkey'.

III. LIFTING AND MECHANICAL HANDLING APPLIANCES

ACTS REFERRED TO:

1. 373 L 0361: Council Directive 73/361/EEC of 19 November 1973 on the approximation of the laws, regulations and administrative provisions of the Member States relating to

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the certification and marking of wire-ropes, chains and hooks (OJ No L 335, 5. 12. 1973, p. 51), as amended by:

- 376 L 0434: Commission Directive 76/434/EEC of 13 April 1976 (OJ No L 122, 8. 5. 1976, p. 20).

2. 384 L 0528: Council Directive 84/528/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for lifting and mechanical handling appliances (OJ No L 300, 19. 11. 1984, p. 72), as amended by:

- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15. 11. 1985, p. 214),
- 388 L 0665: Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31. 12. 1988, p. 42),
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29. 8. 1994, p. 207).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex I, the following shall be added to the text in brackets in point 3: 'TR for Turkey'.

3. 384 L 0529: Council Directive 84/529/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electrically operated lifts (OJ No L 300, 19. 11. 1984, p. 86), as amended by:

- 386 L 0312: Commission Directive 86/312/EEC of 18 June 1986 (OJ No L 196, 18. 7. 1986, p. 56),
- 390 L 0486: Council Directive 90/486/EEC of 17 September 1990 (OJ No L 270, 2. 10. 1990, p. 21).

4. 386 L 0663: Council Directive 86/663/EEC of 22 December 1986 on the approximation of the laws of the Member States relating to self-propelled industrial trucks (OJ No L 384, 31. 12. 1986, p. 12), as amended by:

- 389 L 0240: Commission Directive 89/240/EEC of 16 December 1988 (OJ No L 100, 12. 4. 1989, p. 1).

5. 395 L 0016: Directive 95/16/EC of the European Parliament and the Council of 29 June 1995 on the approximation of the laws of the Member States on lifts (OJ No L 213, 7. 9. 1995, p. 95).

IV. HOUSEHOLD APPLIANCES**ACTS REFERRED TO:**

1. Repealed.
2. 379 L 0531: Council Directive 79/531/EEC of 14 May 1979 applying to electric ovens Directive 79/530/EEC on the indication by labelling of the energy consumption of household appliances (OJ No L 145, 13.6.1979, p. 7), as amended by:
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 227).
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29.08.1994, p. 207).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

- (a) in Annex I, the following shall be added to point 3.1.1: ‘elektrikli fırın’, in Turkish;
- (b) in Annex I, the following shall be added to point 3.1.3: ‘Kullanılabilir hacim’, in Turkish (TR);
- (c) in Annex I, the following shall be added to point 3.1.5.1: 200°C’ye kadar ön ısıtma tüketimi’ in Turkish (TR)

‘Sabit durum tüketimi 200°C’de bir saat’ in Turkish (TR)

TOPLAM, in Turkish (TR);
- (d) in Annex I, the following shall be added to point 3.1.5.3: ‘Temizleme devri tüketimi’, in Turkish (TR);
- (e) the following Annexes shall be added:

Annex ii(h)

Annex ii (i)

(drawings with the adaptations in Turkish).

3. 386 L 0594: Council Directive 86/594/EEC of 1 December 1986 on airborne noise emitted by household appliances (OJ No L 344, 6.12.1986, p. 24).
4. 392 L 0075: Council Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances (OJ No L 297, 13.10.1992, p.16)., as amended by,

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- 394 L 0002: Commission Directive 94/2/EC of 21 January 1994 (OJ No L 45, 17.2.1994, p.1).
- 395 L 0012 : Commission Directive 95/12/EC of 12 May 1995 (OJ No L 136, 21.6.1995, p. 1)
- 395 L 0013 : Commission Directive 95/13/EC of 23 May 1995 (OJ No L 136, 21.6.1995, p. 28)

V. GAS APPLIANCES**ACTS REFERRED TO:**

1. 378 L 0170: Council Directive 78/170/EEC of 13 February 1978 on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings (OJ No L 52, 23.2.1978, p. 32)².
2. 390 L 0396: Council Directive 90/396/EEC of 29 June 1990 on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (OJ No L 196, 26.7.1990, p. 15), as amended by:
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).
3. 392 L 0042: Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels (OJ No L 167, 22.6.1992, p. 17), as amended by:
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).

VI. CONSTRUCTION PLANT AND EQUIPMENT**ACTS REFERRED TO:**

1. 379 L 0113: Council Directive 79/113/EEC of 19 December 1978 on the approximation of the laws of the Member States relating to the determination of the noise emission of construction plant and equipment (OJ No L 33, 8.2.1979, p. 15), as amended by:
 - 381 L 1051: Council Directive 81/1051/EEC of 7 December 1981 (OJ No L 376, 30.12.1981, p. 49), (1) Listed here for information purposes only; for application see Annex IV on energy.
 - 385 L 0405: Commission Directive 85/405/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 9).
2. 384 L 0532: Council Directive 84/532/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for construction plant

² Listed here for information purposes only; for application see Annex IV on energy.

and equipment (OJ No L 300, 19.11.1984, p. 111), as corrected by OJ No L 41, 12.2.1985, p. 15, as amended by:

- 388 L 0665: Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).
3. 384 L 0533: Council Directive 84/533/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of compressors (OJ No L 300, 19.11.1984, p. 123), as amended by:
- 385 L 0406: Commission Directive 85/406/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 11).
4. 384 L 0534: Council Directive 84/534/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes (OJ No L 300, 19.11.1984, p. 130), as corrected by OJ No L 41, 12.2.1985, p. 15, as amended by:
- 387 L 0405: Council Directive 87/405/EEC of 25 June 1987 (OJ No L 220, 8.8.1987, p. 60).
5. 384 L 0535: Council Directive 84/535/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators (OJ No L 300, 19.11.1984, p. 142), as amended by:
- 385 L 0407: Commission Directive 85/407/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 16).
6. 384 L 0536: Council Directive 84/536/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of power generators (OJ No L 300, 19.11.1984, p. 149), as corrected by OJ No L 41, 12.2.1985, p. 17, as amended by:
- 385 L 0408: Commission Directive 85/408/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 18).
7. 384 L 0537: Council Directive 84/537/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of powered hand-held concrete-breakers and picks (OJ No L 300, 19.11.1984, p. 156), as corrected by OJ No L 41, 12.2.1985, p. 17, as amended by:
- 385 L 0409: Commission Directive 85/409/EEC of 11 July 1985 (OJ No L 233, 30.8.1985, p. 20).
8. 386 L 0295: Council Directive 86/295/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to roll-over protective structures (ROPS) for certain construction plant (OJ No L 186, 8.7.1986, p. 1). as amended by:
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 211).

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The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex IV, the following shall be added to the text in brackets: ‘TR for Turkey’.

9. 386 L 0296: Council Directive 86/296/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to falling-object protective structures (FOPS) for certain construction plant (OJ No L 186, 8.7.1986, p. 10).), as amended by:

- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 211).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Annex IV, the following shall be added to the text in brackets: ‘TR for Turkey’.

10. 386 L 0662: Council Directive 86/662/EEC of 22 December 1986 on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dossiers, loaders and excavator-loaders (OJ No L 384, 31.12.1986, p. 1), as amended by:

- 389 L 0514: Commission Directive 89/514/EEC of 2 August 1989 (OJ No L 253, 30.8.1989, p. 35).
- 395 L 0027 : Directive 95/27/EC of the European Parliament and the Council of 29 June 1995 (OJ No L 168, 18.7.1995, p. 14) A

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following acts:

11. Commission Communication relating to harmonized noise measurement methods for construction plant. (Adopted 3 January 1981.)
12. 386 X 0666: Council Recommendation 86/666/EEC of 22 December 1986 on fire safety in existing hotels (OJ No L 384, 31.12.1986, p. 60).

VII. OTHER MACHINES

ACTS REFERRED TO:

1. 384 L 0538: Council Directive 84/538/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers (OJ No L 300, 19.11.1984, p. 171), as amended by:
- 387 L 0252: Commission Directive 87/252/EEC of 7 April 1987 (OJ No L 117, 5.5.1987, p. 22), as corrected by OJ No L 158, 18.6.1987, p. 31,
 - 388 L 0180: Council Directive 88/180/EEC of March 1988 (OJ No L 81, 26.3.1988, p. 69),

- 388 L 0181: Council Directive 88/181/EEC of 22 March 1988 (OJ No L 81, 26.3.1988, p. 71).

VIII. PRESSURE VESSELS

ACTS REFERRED TO:

1. 375 L 0324: Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers (OJ No L 147, 9.6.1975, p. 40), as amended by:
 - 394 L 0001: Commission Directive 94/1/EC of 6 January 1994 (OJ No L 23, 28.1.1994, p.28).
2. 376 L 0767: Council Directive 76/767/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods of inspecting them (OJ No L 262, 27.9.1976, p. 153), as amended by:
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 213),
 - 388 L 0665: Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 211).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

The following shall be added to the text in brackets in the first indent of point 3.1 of Annex I and in the first indent of point 3.1.1.1.1 of Annex II: ‘TR for Turkey’.

3. 384 L 0525: Council Directive 84/525/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders (OJ No L 300, 19.11.1984, p. 1).
4. 384 L 0526: Council Directive 84/526/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders (OJ No L 300, 19.11.1984, p. 20).
5. 384 L 0527: Council Directive 84/527/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders (OJ No L 300, 19.11.1984, p. 48).

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6. 387 L 0404: Council Directive 87/404/EEC of 25 June 1987 on the harmonization of the laws of the Member States relating to simple pressure vessels (OJ No L 220, 8.8.1987, p. 48), as amended by:
- 390 L 0488: Council Directive 90/488/EEC of 17 September 1990 (OJ No L 270, 2.10.1990, p. 25).
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1992, p.1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following act:

7. 389 X 0349: Commission Recommendation 89/349/EEC of 13 April 1989 on the reduction of chlorofluorocarbons by the aerosol industry (OJ No L 144, 27.5.1989, p. 56).
8. C/328/92/p.3: Commission Communication in the framework of the implementation of Council Directive 87/404/EEC of 25 June 1987, on simple pressure vessels, modified by Directive 90/488/EEC of 17 September 1991 (OJ No L 328, 12.12.1992, p. 3).

IX. MEASURING INSTRUMENTS**ACTS REFERRED TO:**

1. 371 L 0316: Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (OJ No L 202, 6.9.1971, p. 1), as amended by:
- 1 72 B: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 118),
 - 372 L 0427: Council Directive 72/427/EEC of 19 December 1972 (OJ No L 291, 28.12.1972, p. 156),
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - 383 L 0575: Council Directive 83/575/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 43),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212),
 - 387 L 0355: Council Directive 87/355/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 46),

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- 388 L 0665: Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 211).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

- (a) To the first indent of point 3.1 of Annex I and to the first indent of point 3.1.1.1 (a) of Annex II, the following shall be added to the text in brackets: ‘TR for Turkey’,
 - (b) The drawings to which Annex II point 3.2.1 refers, shall be supplemented by the letters necessary for the signs TR
2. 371 L 0317: Council Directive 71/317/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to 5 to 50 kilogram medium accuracy rectangular bar weights and 1 gram to 10 kilogram medium accuracy cylindrical weights (OJ No L 202, 6.9.1971, p. 14).
 3. 371 L 0318: Council Directive 71/318/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to gas volume meters (OJ No L 202, 6.9.1971, p. 21), as amended by:
 - 374 L 0331: Commission Directive 74/331/EEC of 12 June 1974 (OJ No L 189, 12.7.1974, p. 9),
 - 378 L 0365: Commission Directive 78/365/EEC of 31 March 1978 (OJ No L 104, 18.4.1978, p. 26),
 - 382 L 0623: Commission Directive 82/623/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 5).
 4. 371 L 0319: Council Directive 71/319/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to meters for liquids other than water (OJ No L 202, 6.9.1971, p. 32).
 5. 371 L 0347: Council Directive 71/347/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to the measuring of the standard mass per storage volume of grain (OJ No L 239, 25.10.1971, p. 1), as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 119),
 - 1 79 H: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ NO L 302, 15.11.1985, p. 212).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 211).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

To Article 1(a) the following is added between the brackets:

‘AB’nin standart dökme yoğunluğu [(Unit: kg/hl-kilogram/hectolitre)] (in Turkish)’.

6. 371 L 0348: Council Directive 71/348/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to ancillary equipment for meters for liquids other than water (OJ No L 239, 25.10.1971, p. 9), as amended by:
- 1 72 B: Act concerning the Conditions of Accession and Adjustments to the Treaties-Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 119),
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties
 - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 212).
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 212).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

In Chapter IV of the Annex the following shall be added at the end of section 4.8.1:

‘1 Lira (Turkey)’.

7. 371 L 0349: Council Directive 71/349/EEC of 12 October 1971 concerning the approximation of the laws of the Member States relating to the calibration of the tanks of vessels (OJ No L 239, 25.10.1971, p. 15).

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8. 373 L 0360: Council Directive 73/360/EEC of 19 November 1973 on the approximation of the laws of the Member States relating to non-automatic weighing machines (OJ No L 335, 5.12.1973, p. 1), as amended by:
- 376 L 0696: Commission Directive 76/696/EEC of 27 July 1976 (OJ No L 236, 27.8.1976, p. 26),
 - 382 L 0622: Commission Directive 82/622/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 2),
 - 390 L 0384: Council Directive 90/384/EEC of 20 June 1990 on the harmonization of the laws of the Member States relating to non-automatic weighing instruments (OJ L No 189, 20.7.1990, p. 1), as corrected by OJ No L 258, 22.9.1990, p. 35.
9. 373 L 0362: Council Directive 73/362/EEC of 19 November 1973 on the approximation of the laws of the Member States relating to material measures of length (OJ No L 335, 5.12.1973, p. 56), as amended by:
- 378 L 0629: Council Directive 78/629/EEC of 19 June 1978 (OJ No L 206, 29.7.1978, p. 8),
 - 385 L 0146: Commission Directive 85/146/EEC of 31 January 1985 (OJ No L 54, 23.2.1985, p. 29).
10. 374 L 0148: Council Directive 74/148/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to weights of from 1 mg to 50 kg of above medium accuracy (OJ No L 84, 28.3.1974, p. 3).
11. 375 L 0033: Council Directive 75/33/EEC of 17 December 1974 on the approximation of the laws of the Member States relating to cold-water meters (OJ No L 14, 20.1.1975, p. 1).
12. 375 L 0106: Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids (OJ No L 42, 15.2.1975, p. 1), as corrected by OJ No L 324, 16.12.1975, p. 31, as amended by:
- 378 L 0891: Commission Directive 78/891/EEC of 28 September 1978 (OJ No L 311, 4.11.1978, p. 21),
 - 379 L 1005: Council Directive 79/1005/EEC of 23 November 1979 (OJ No L 308, 4.12.1979, p. 25),
 - 385 L 0010: Council Directive 85/10/EEC of 18 December 1984 (OJ No L 4, 5.1.1985, p. 20),
 - 388 L 0316: Council Directive 88/316/EEC of 7 June 1988 (OJ No L 143, 10.6.1988, p. 26), as corrected by OJ No L 189, 20.7.1988, p. 28,
 - 389 L 0676: Council Directive 89/676/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 18).

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13. 375 L 0107: Council Directive 75/107/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to bottles used as measuring containers (OJ No L 42, 15.2.1975, p. 14).
14. 375 L 0410: Council Directive 75/410/EEC of 24 June 1975 on the approximation of the laws of the Member States relating to continuous totalling weighing machines (OJ No L 183, 14.7.1975, p. 25).
15. 376 L 0211: Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain pre-packaged products (OJ No L 46, 21.2.1976, p. 1), as amended by:
 - 378 L 0891: Commission Directive 78/891/EEC of 28 September 1978 (OJ No L 311, 4.11.1978, p. 21).
16. Repealed
17. 376 L 0765: Council Directive 76/765/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers (OJ No L 262, 27.9.1976, p. 143), as corrected by OJ No L 60, 5.3.1977, p. 26, as amended by:
 - 382 L 0624: Commission Directive 82/624/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 8).
18. 376 L 0766: Council Directive 76/766/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables (OJ No L 262, 27.9.1976, p. 149).
19. 376 L 0891: Council Directive 76/891/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to electrical energy meters (OJ No L 336, 4.12.1976, p. 30), as amended by:
 - 382 L 0621: Commission Directive 82/621/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 1).
20. 377 L 0095: Council Directive 77/95/EEC of 21 December 1976 on the approximation of the laws of the Member States relating to taximeters (OJ No L 26, 31.1.1977, p. 59).
21. 377 L 0313: Council Directive 77/313/EEC of 7 April 1977 on the approximation of the laws of the Member States relating to measuring systems for liquids other than water (OJ L No 105, 28.4.1977, p. 18), as amended by:
 - 382 L 0625: Commission Directive 82/625/EEC of 1 July 1982 (OJ No L 252, 27.8.1982, p. 10).
22. 378 L 1031: Council Directive 78/1031/EEC of 5 December 1978 on the approximation of the laws of the Member States relating to automatic check weighing and weight grading machines (OJ No L 364, 27.12.1978, p. 1).
23. 379 L 0830: Council Directive 79/830/EEC of 11 September 1979 on the approximation of the laws of the Member States relating to hot-water meters (OJ No L 259, 15.10.1979, p. 1).

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24. 380 L 0181: Council Directive 80/181/EEC of 20 December 1979 on the approximation of the laws of the Member States relating to units of measurement and on the repeal of Directive 71/354/EEC (OJ No L 39, 15.2.1980, p. 40), as corrected by OJ No L 296, 15.10.1981, p. 52, as amended by:
- 385 L 0001: Council Directive 85/1/EEC of 18 December 1984 (OJ No L 2, 3.1.1985, p. 11),
 - 387 L 0355: Council Directive 87/355/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 46),
 - 389 L 0617: Council Directive 89/617/EEC of 27 November 1989 (OJ No L 357, 7.12.1989, p. 28).
25. 380 L 0232: Council Directive 80/232/EEC of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products (OJ No L 51, 25.2.1980, p. 1), as amended by:
- 386 L 0096: Council Directive 86/96/EEC of 18 March 1986 (OJ No L 80, 25.3.1986, p. 55),
 - 387 L 0356: Council Directive 87/356/EEC of 25 June 1987 (OJ No L 192, 11.7.1987, p. 48).
26. 386 L 0217: Council Directive 86/217/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to tyre pressure gauges for motor vehicles (OJ No L 152, 6.6.1986, p. 48).
27. 390 L 0384: Council Directive 90/384/EEC of 20 June 1990 on the harmonization of the laws of the Member States relating to non-automatic weighing instruments (OJ No L 189, 20.7.1990, p. 1), as corrected by OJ No L 258, 22.9.1990, p. 35, as amended by:
- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).
- 27a. 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ No L 169, 12.7.1993, p.1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

28. 376 X 0223: Commission Recommendation 76/223/EEC of 5 February 1976 to the Member States concerning units of measurement referred to in patent conventions (OJ No L 43, 19.2.1976, p. 22).
29. C/64/73/p. 26: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 64, 6.8.1973, p. 26).
30. C/29/74/p. 33: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 29, 18.3.1974, p. 33).

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31. C/108/74/p. 8: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 108, 18.9.1974, p. 8).
32. C/50/75/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 50, 3.3.1975, p. 1).
33. C/66/76/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 66, 22.3.1976, p. 1).
34. C/247/76/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 247, 20.10.1976, p. 1).
35. C/298/76/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 298, 17.12.1976, p. 1).
36. C/9/77/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 9, 13.1.1977, p. 1).
37. C/53/77/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 53, 3.3.1977, p. 1).
38. C/176/77/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 176, 25.7.1977, p. 1).
39. C/79/78/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 79, 3.4.1978, p. 1).
40. C/221/78/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 221, 18.9.1978, p. 1).
41. C/47/79/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 47, 21.2.1979, p. 1).
42. C/194/79/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 194, 31.7.1979, p. 1).
43. C/40/80/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 40, 18.2.1980, p. 1).
44. C/349/80/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 349, 31.12.1980, p. 1).
45. C/297/81/p. 1: Communication from the Commission in application of Council Directive 71/316/EEC (OJ No C 297, 16.11.1981, p. 1).
46. C/104/93/p.9: Commission Communication pursuant to Article 5(2) of Council Directive 90/384/EEC of 20 June 1990 on non-automatic weighing instruments (OJ No L 104, 15.4.1993, p.9).

X. ELECTRICAL MATERIAL**ACTS REFERRED TO:**

1. 373 L 0023: Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No L 77, 26.3.1973, p. 29), as amended by :
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).
2. 376 L 0117: Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No L 24, 30.1.1976, p. 45).
3. 379 L 0196: Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (OJ No L 43, 20.2.1979, p. 20), as amended by:
 - 384 L 0047: Commission Directive 84/47/EEC of 16 January 1984 (OJ No L 31, 2.2.1984, p. 19),
 - 388 L 0571: Commission Directive 88/571/EEC of 10 November 1988 (OJ No L 311, 17.11.1988, p. 46),
 - 388 L 0665: Council Directive 88/665/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 42),
 - 390 L 0487: Council Directive 90/487/EEC of 17 September 1990 (OJ No L 270, 2.10.1990, p. 23).
4. 382 L 0130: Council Directive 82/130/EEC of 15 February 1982 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp (OJ No L 59, 2.3.1982, p. 10), as amended by:
 - 388 L 0035: Commission Directive 88/35/EEC of 2 December 1987 (OJ No L 20, 26.1.1988, p. 28),
 - 391 L 0269: Commission Directive 91/269/EEC of 30 April 1991 (OJ No L 134, 29.5.1991, p. 51).
 - 394 L 0044: Commission Directive 94/44/EC of 19 September 1994 (OJ No L 248, 23.9.1994, p.22).
5. 384 L 0539: Council Directive 84/539/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electro-medical equipment used in human or veterinary medicine (OJ No L 300, 19.11.1984, p. 179), as amended by :

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- 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 (OJ No L 169, 12.7.1993, p.1).
- 6. 389 L 0336: Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (OJ No L 139, 23.5.1989, p. 19), as amended by:
 - 392 L 0031: Council Directive 92/31/EEC of 28 April 1992 (OJ No L 126, 12.5.1992, p.11),
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).
- 7. 390 L 0385: Council Directive 90/385/EEC of 20 June 1990 on the approximation of the laws of the Member States relating to active implantable medical devices (OJ No L 189, 20.7.1990, p. 17), as amended by:
 - 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 (OJ No L 169, 12.7.1993, p.1),
 - 393 L 0068: Council Directive 93/68 of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).
- 7a 394 L 0009: Directive 94/9/EC of the European Parliament and the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (OJ No L 100, 19.4.1994, p.1).
- 7b 394 L 0026: Commission Directive 94/26/EC of 15 June 1994 adapting to technical progress Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (OJ No L 157, 24.6.1994, 33).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

- 8. C/184/79/p. 1: Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 184, 23.7.1979, p. 1), as amended by:
 - C/26/80/p. 2: Amendment to the Communication of the Commission (OJ No C 26, 2.2.1980, p. 2).
- 9. C/107/80/p. 2: Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 107, 30.4.1980, p. 2).

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10. C/199/80/p. 2: Third Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 199, 5.8.1980, p. 2).
11. C/59/82/p. 2: Commission Communication of 15 December 1981 concerning the operation of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits - the 'low voltage Directive' (OJ No C 59, 9.3.1982, p. 2).
12. C/235/84/p. 2: Fourth Communication of the Commission within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 235, 5.9.1984, p. 2).
13. C/166/85/p. 7: Fifth Commission Communication in the context of the implementation of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 166, 5.7.1985, p. 7).
14. C/168/88/p. 5: Commission Communication within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 168, 27.6.1988, p. 5), as corrected by OJ No C 238, 13.9.1988, p. 4.
15. C/46/81/p. 3: Communication of the Commission within the framework of Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No C 46, 5.3.1981, p. 3).
16. C/149/81/p. 1: Communication from the Commission in application of Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No C 149, 18.6.1981, p. 1).
17. 382 X 0490: Commission Recommendation 82/490/EEC of 6 July 1982 relating to the certificates of conformity provided for in Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No L 218, 27.7.1982, p. 27).
18. C/328/82/p. 2: First Commission Communication pursuant to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (OJ No C 328, 14.12.1982, p. 2) and Annex (OJ No C 328A, 14.12.1982, p. 1).
19. C/356/83/p. 20: Second Commission Communication pursuant to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing

certain types of protection (OJ No C 356, 31.12.1983, p. 20) and Annex (OJ No C 356A, 31.12.1983, p. 1).

20. C/194/86/p. 3: Commission Communication within the framework of Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres (OJ No C 194, 1.8.1986, p. 3).
21. C/311/87/p. 3: Commission Communication pursuant to Council Directive 82/130/EEC of 15 February 1982 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres in mines susceptible to firedamp (OJ No C311, 21.11.1987, p. 3).
22. C/44/92/p. 12: Commission Communication in the framework of the implementation of the "New Approach" Directives, "Electromagnetic Compatibility" Council Directive 89/336/EEC of 3 May 1989 (OJ No L C44, 19.2.1992, p.2).
23. C/90/92/p.2: Commission Communication in the framework of the implementation of Council Directive 89/336/EEC of 3 May 1989, in relation to electromagnetic compatibility (OJ No L 90, 10.4.1992, p.2).
24. C/210/92/p.1: Commission Communication within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 90, 10.4.1992, p.1).
25. C/18/93/p.4: Commission Communication within the framework of Council Directive 73/23/EEC of 19 February 1973 on the harmonization of the laws of the Member States relating to electrical equipment designed for use within certain voltage limits (OJ No C 18, 23.1.1993, p.4).

XI. TEXTILES

ACTS REFERRED TO:

1. 371 L 0307: Council Directive 71/307/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to textile names (OJ No L 185, 16.8.1971, p. 16), as amended by:
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 118),
 - 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties. Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 109),
 - 383 L 0623: Council Directive 83/623/EEC of 25 November 1983 (OJ No L 353, 15.12.1983, p. 8),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 219),
- 387 L 0140: Commission Directive 87/140/EEC of 6 February 1987 (OJ No L 56, 26.2.1987, p. 24).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 212).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

The following shall be added to Article 5.1:

‘Yün Elyafı(hayvanın sırt bölgesinden elde edilen) or Yün Elyafı (hayvanın karın bölgesinden elde edilen)’ in Turkish.

2. 372 L 0276: Council Directive 72/276/EEC of 17 July 1972 on the approximation of the laws of the Member States relating to certain methods for the quantitative analysis of binary textile fibre mixtures (OJ No L 173, 31.7.1972, p. 1), as amended by:
 - 379 L 0076: Commission Directive 79/76/EEC of 21 December 1978 (OJ No L 17, 24.1.1979, p. 17),
 - 381 L 0075: Council Directive 81/75/EEC of 17 February 1981 (OJ No L 57, 4.3.1981, p. 23),
 - 387 L 0184: Commission Directive 87/184/EEC of 6 February 1987 (OJ No L 75, 17.3.1987, p. 21).
3. 373 L 0044: Council Directive 73/44/EEC of 26 February 1973 on the approximation of the laws of the Member States relating to the quantitative analysis of ternary fibre mixtures (OJ No L 83, 30.3.1973, p. 1).
4. 375 L 0036: Council Directive 75/36/EEC of 17 December 1974 supplementing Directive 71/307/EEC on the approximation of the laws of the Member States relating to textile names (OJ No L 14, 20.1.1975, p. 15).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

5. 387 X 0142: Commission Recommendation 87/142/EEC of 6 February 1987 on certain methods for the removal of non-fibrous matter prior to quantitative analysis of fibre mixtures (OJ No L 57, 27.2.1987, p. 52).
6. 387 X 0185: Commission Recommendation 87/185/EEC of 6 February 1987 on quantitative methods of analysis for the identification of acrylic and modacrylic fibres, chlorofibres and trivinyll fibres (OJ No L 75, 17.3.1987, p. 28).

XII. FOODSTUFFS**ACTS REFERRED TO:**

1. 362 L 2645: Council Directive of 23 October 1962 on the approximation of the rules of the Member States concerning the colouring matters authorized for use in foodstuffs intended for human consumption (OJ No L 115, 11.11.1962, p. 2645/62), as amended by:
 - 365 L 0469: Council Directive 65/469/EEC of 25 October 1965 (OJ No 178, 26.10.1965, p. 2793/65),
 - 367 L 0653: Council Directive 67/753/EEC of 24 October 1967 (OJ No 263, 30.10.1967, p. 4),
 - 368 L 0419: Council Directive 68/419/EEC of 20 December 1968 (OJ No L 309, 24.12.1968, p. 24),
 - 370 L 0358: Council Directive 70/358/EEC of 13 July 1970 (OJ No L 157, 18.7.1970, p. 36),
 - 1 72 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972, p. 120),
 - 376 L 0399: Council Directive 76/399/EEC of 6 April 1976 (OJ No L 108, 26.4.1976, p. 19),
 - 378 L 0144: Council Directive 78/144/EEC of 30 January 1978 (OJ No L 44, 15.2.1978, p. 20),
 - 1 79 H: Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - 381 L 0020: Council Directive 81/20/EEC of 20 January 1981 (OJ No L 43, 14.2.1981, p. 11),
 - 385 L 0007: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214).
 - 395 L 0045 : Commission Directive 95/45/EC of 26 July 1995 (OJ No L 226, 22.9.1995, p. 1)
2. Repealed

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3. 365 L 0066: Council Directive 65/66/EEC of 26 January 1965 laying down specific criteria of purity for preservatives authorized for use in foodstuffs intended for human consumption (OJ No 22, 9.2.1965, p. 373/65), as amended by:
 - 367 L 0428: Council Directive 67/428/EEC of 27 June 1967 (OJ No 148, 11.7.1967, p. 10),
 - 376 L 0463: Council Directive 76/463/EEC of 4 May 1976 (OJ No L 126, 14.5.1976, p. 33),
 - 386 L 0604: Council Directive 86/604/EEC of 8 December 1986 (OJ No L 352, 13.12.1986, p. 45).
4. 367 L 0427: Council Directive 67/427/EEC of 27 June 1967 on the use of certain preservatives for the surface treatment of citrus fruit and on the control measures to be used for the qualitative and quantitative analysis of preservatives in and on citrus fruit (OJ No L 148, 11.7.1967, p. 1).
5. Repealed
6. 373 L 0241: Council Directive 73/241/EEC of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption (OJ No L 228, 16.8.1973, p. 23), as amended by:
 - 374 L 0411: Council Directive 74/411/EEC of 1 August 1974 (OJ No L 221, 12.8.1974, p. 17),
 - 374 L 0644: Council Directive 74/644/EEC of 19 December 1974 (OJ No L 349, 28.12.1974, p. 63),
 - 375 L 0155: Council Directive 75/155/EEC of 4 March 1975 (OJ No L 64, 11.3.1975, p. 21),
 - 376 L 0628: Council Directive 76/628/EEC of 20 July 1976 (OJ No L 223, 16.8.1976, p. 1),
 - 378 L 0609: Council Directive 78/609/EEC of 29 June 1978 (OJ No L 197, 22.7.1978, p. 10),
 - 378 L 0842: Council Directive 78/842/EEC of 10 October 1978 (OJ No L 291, 17.10.1978, p. 15),
 - 1 79 H: Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - 380 L 0608: Council Directive 80/608/EEC of 30 June 1980 (OJ No L 170, 3.7.1980, p. 33),
 - 385 L 0007: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216),
 - 389 L 0344: Council Directive 89/344/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 19).
7. 373 L 0437: Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugars intended for human consumption (OJ No L 356, 27.12.1973, p. 71), as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216).
8. 374 L 0329: Council Directive 74/329/EEC of 18 June 1974 on the approximation of the laws of the Member States relating to emulsifiers, stabilisers, thickeners and gelling agents for use in foodstuffs (OJ No L 189, 12.7.1974, p. 1), as amended by:
- 378 L 0612: Council Directive 78/612/EEC of 29 June 1978 (OJ No L 197, 22.7.1978, p. 22),
 - 1 79 H: Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
 - 380 L 0597: Council Directive 80/597/EEC of 29 May 1980 (OJ No L 155, 23.6.1980, p. 23),
 - 385 L 0006: Council Directive 85/6/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 21),
 - 385 L 0007: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216),
 - 386 L 0102: Council Directive 86/102/EEC of 24 March 1986 (OJ No L 88, 3.4.1986, p. 40),
 - 389 L 0393: Council Directive 89/393/EEC of 14 June 1989 (OJ No L 186, 30.6.1989, p. 13).
9. 374 L 0409: Council Directive 74/409/EEC of 22 July 1974 on the harmonization of the laws of the Member States relating to honey (OJ No L 221, 12.8.1974, p. 10), as amended by:

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- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties. Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216).

10. Repealed**11. 376 L 0118: Council Directive 76/118/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption (OJ No L 24, 30.1.1976, p. 49), as amended by:**

- 378 L 0630: Council Directive 78/630/EEC of 19 June 1978 (OJ No L 206, 29.7.1978, p. 12),
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),
- 383 L 0635: Council Directive 83/635/EEC of 13 December 1983 (OJ No L 357, 21.12.1983, p. 37),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, pp. 216 and 217).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 212).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

The following shall replace Article 3(2)(c):

['(c) Rahmpulver" and "Sahnepulver" in Germany and Austria,] ...in Turkey to denote the product defined in point 2(d) of the Annex.'

12. 376 L 0621: Council Directive 76/621/EEC of 20 July 1976 relating to the fixing of the maximum level of erucic acid in oils and fats intended as such for human consumption and in foodstuffs containing added oils or fats (OJ No L 202, 28.7.1976, p. 35), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 110),

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- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 216).
- 13.** 376 L 0895: Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (OJ No L 340, 9.12.1976, p. 26), as amended by:
- 380 L 0428: Commission Directive 80/428/EEC of 28 March 1980 (OJ No L 102, 19.4.1980, p. 26),
 - 381 L 0036: Council Directive 81/36/EEC of 9 February 1981 (OJ No L 46, 19.2.1981, p. 33),
 - 382 L 0528: Council Directive 82/528/EEC of 19 July 1982 (OJ No L 234, 9.8.1982, p. 1),
 - 388 L 0298: Council Directive 88/298/EEC of 16 May 1988 (OJ No L 126, 20.5.1988, p. 53),
 - 389 L 0186: Council Directive 89/186/EEC of 6 March 1989 (OJ No L 66, 10.3.1989, p. 36),
 - 393 L 0058: Council Directive 93/58/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p. 6).
- 14.** 377 L 0436: Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts (OJ No L 172, 12.7.1977, p. 20), as amended by:
- 1 79 H: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217),
 - 385 L 0007: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
 - 385 L 0573: Council Directive 85/573/EEC of 19 December 1985 (OJ No L 372, 31.12.1985, p. 22).
- 15.** 378 L 0142: Council Directive 78/142/EEC of 30 January 1978 on the approximation of the laws of the Member States relating to materials and articles which contain vinyl chloride monomer and are intended to come into contact with foodstuffs (OJ No L 44, 15.2.1978, p. 15), as corrected by OJ No L 163, 20.6.1978, p. 24.
- 16.** 378 L 0663: Council Directive 78/663/EEC of 25 July 1978 laying down specific criteria of purity for emulsifiers, stabilisers, thickeners and gelling agents for use in

foodstuffs (OJ No L 223, 14.8.1978, p. 7), as corrected by OJ No L 296, 21.10.1978, p. 50, and OJ No L 91, 10.4.1979, p. 7, as amended by:

- 382 L 0504: Council Directive 82/504/EEC of 12 July 1982 (OJ No L 230, 5.8.1982, p. 35),
- 390 L 0612: Commission Directive 90/612/EEC of 26 October 1990 (OJ No L 326, 24.11.1990, p. 58),
- 392 L 0004: Commission Directive 92/4/EEC of 10 February 1992 (OJ No L 55, 29.2.1992, p.96),
- 395 L 0031 : Commission Directive 95/31/EC of 5 July 1995 (OJ No L 178, 28.7.1995, p. 1).

17. 378 L 0664: Council Directive 78/664/EEC of 25 July 1978 laying down specific criteria of purity for antioxidants which may be used in foodstuffs intended for human consumption (OJ No L 223, 14.8.1978, p. 30), as amended by:

- 382 L 0712: Council Directive 82/712/EEC of 18 October 1982 (OJ No L 297, 23.10.1982, p. 31).

18. 379 L 0112: Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (OJ No L 33, 8.2.1979, p. 1), as amended by:

- 1 79 H: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
- 1 85 I: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 218),
- 385 L 0007: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
- 386 L 0197: Council Directive 86/197/EEC of 26 May 1986 (OJ No L 144, 29.5.1986, p. 38),
- 389 L 0395: Council Directive 89/395/EEC of 14 June 1989 (OJ No L 186, 30.6.1989, p. 17),
- 391 L 0072: Commission Directive 91/72/EEC of 16 January 1991 (OJ No L 42, 15.2.1991, p. 27),
- 393 L 0102: Commission Directive 93/102/EC of 16 November 1993 (OJ No L 291, 25.11.1993, p.14).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the

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Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 213).

- 394 D 0054: Commission Directive 94/54/EC of 18 November 1994 (OJ No L 300, 23.11.1994, p.4).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

(a) the following shall be added to Article 5.3 :

‘in Turkish “İşinlanmıř” veya “iyonize ışınlanmaya tabi tutulmuř.”.’;

(b) in Article 9(6), the corresponding heading in the Harmonized System to CN codes 2206 00 91, 2206 00 93 and 2206 00 99, is 22.06;

(c) the following shall be added to Article 9a.2:

‘in Turkish “tarihine kadar tüketin”.’;

(d) in Article 10a, the corresponding heading in the Harmonized System to tariff heading Nos 2204 and 2205, is 2204.

19. 379 L 0693: Council Directive 79/693/EEC of 24 July 1979 on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée (OJ No L 205, 13.8.1979, p. 5), as amended by:
 - 380 L 1276: Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p. 77),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217),
 - 388 L 0593: Council Directive 88/593/EEC of 18 November 1988 (OJ No L 318, 25.11.1988, p. 44),
20. 379 L 0700: Commission Directive 79/700/EEC of 24 July 1979 establishing Community methods of sampling for the official control of pesticide residues in and on fruit and vegetables (OJ No L 207, 15.8.1979, p. 26).
21. 379 L 0796: First Commission Directive 79/796/EEC of 26 July 1979 laying down Community methods of analysis for testing certain sugars intended for human consumption (OJ No L 239, 22.9.1979, p. 24).
22. 379 L 1066: First Commission Directive 79/1066/EEC of 13 November 1979 laying down Community methods of analysis for testing coffee extracts and chicory extracts (OJ No L 327, 24.12.1979, p. 17).
23. 379 L 1067: First Commission Directive 79/1067/EEC of 13 November 1979 laying down Community methods of analysis for testing certain partly or wholly dehydrated preserved milk for human consumption (OJ No L 327, 24.12.1979, p. 29).

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24. 380 L 0590: Commission Directive 80/590/EEC of 9 June 1980 determining the symbol that may accompany materials and articles intended to come into contact with foodstuffs (OJ No L 151, 19.6.1980, p. 21), as amended by:

- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29.08.1994, p. 213).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

(a) The following shall be added to the title of the Annex:

‘EK’ (Turkish);

(b) The following shall be added to the text in the Annex:

‘sembol’ (Turkish).

25. 380 L 0766: Commission Directive 80/766/EEC of 8 July 1980 laying down the Community method of analysis for the official control of the vinyl chloride monomer level in materials and articles which are intended to come into contact with foodstuffs (OJ No L 213, 16.8.1980, p. 42).

26. 380 L 0777: Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters (OJ No L 229, 30.8.1980, p. 1), as amended by:

- 380 L 1276: Council Directive 80/1276/EEC of 22 December 1980 (OJ No L 375, 31.12.1980, p. 77),
- 385 L 0007: Council Directive 85/7/EEC of 19 December 1984 (OJ No L 2, 3.1.1985, p. 22),
- 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217).

27. 380 L 0891: Commission Directive 80/891/EEC of 25 July 1980 relating to the Community method of analysis for determining the erucic acid content in oils and fats intended to be used as such for human consumption and foodstuffs containing added oils or fats (OJ No L 254, 27.9.1980, p. 35).

28. 381 L 0432: Commission Directive 81/432/EEC of 29 April 1981 laying down Community methods of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs (OJ No L 167, 24.6.1981, p. 6).

29. 381 L 0712: First Commission Directive 81/712/EEC of 28 July 1981 laying down Community methods of analysis for verifying that certain additives used in foodstuffs satisfy criteria of purity (OJ No L 257, 10.9.1981, p. 1).
30. 382 L 0711: Council Directive 82/711/EEC of 18 October 1982 laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs (OJ No L 297, 23.10.1982, p. 26), as amended by:
 - 393 L 0008: Commission Directive 93/8/EEC of 15 March 1993 (OJ No L 90, 14.4.1993, p.22).
31. Repealed.
32. 383 L 0417: Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (casein and caseinates) intended for human consumption (OJ No L 237, 26.8.1983, p. 25), as amended by:
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 217).
33. Repealed
34. 384 L 0500: Council Directive 84/500/EEC of 15 October 1984 on the approximation of the laws of the Member States relating to ceramic articles intended to come into contact with foodstuffs (OJ No L 277, 20.10.1984, p. 12).
35. 385 L 0503: First Commission Directive 85/503/EEC of 25 October 1985 on methods of analysis for edible casein and caseinates (OJ No L 308, 20.11.1985, p. 12).
36. 385 L 0572: Council Directive 85/572/EEC of 19 December 1985 laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs (OJ No L 372, 31.12.1985, p. 14).
37. 385 L 0591: Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption (OJ No L 372, 31.12.1985, p. 50).
38. 386 L 0362: Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals (OJ No L 221, 7.8.1986, p. 37), as amended by:
 - 388 L 0298: Council Directive 88/298/EEC of 16 May 1988 (OJ No L 126, 20.5.1988, p. 53),
 - 393 L 0057: Council Directive 93/57/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p.1),
 - 394 L 0029: Council Directive 94/29/EC of 23 June 1994 (OJ No L 189, 23.7.1994, p.67),

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- 395 L 0039 : Council Directive 95/39/EC of 17 July 1995 (OJ No L 197, 22.8.1995, p. 29).
- 39.** 386 L 0363: Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin (OJ No L 221, 7.8.1986, p. 43), as amended by:
- 393 L 0057: Council Directive 93/57 of 29 June 1993 (OJ No L 211, 23.8.1993, p.1),
 - 394 L 0029: Council Directive 94/29/EC of 23 June 1994 (OJ No L 189, 23.7.1994, p.67),
 - 395 L 0039 : Council Directive 95/39/EC of 17 July 1995 (OJ No L 197, 22.8.1995, p. 29).
- 40.** 386 L 0424: First Commission Directive 86/424/EEC of 15 July 1986 laying down methods of sampling for chemical analysis of edible casein and caseinates (OJ No L 243, 28.8.1986, p. 29).
- 41.** 387 L 0250: Commission Directive 87/250/EEC of 15 April 1987 on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer (OJ No L 113, 30.4.1987, p. 57).
- 42.** 387 L 0524: First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products (OJ No L 306, 28.10.1987, p. 24).
- 43.** 388 L 0344: Council Directive 88/344/EEC of 13 June 1988 on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients (OJ No L 157, 24.6.1988, p. 28), as amended by:
- 392 L 0115: Council Directive 92/115/EEC of 17 December 1992 (OJ No L 409, 31.12.1992, p.31).
 - 394 L 0052: Directive 94/52/EC of the European Parliament and of the Council of 7 December 1994 (OJ No L 331, 21.12.1994, p. 10).
- 44.** 388 L 0388: Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production (OJ No L 184, 15.7.1988, p. 61), as corrected by OJ No L 345, 14.12.1988, p. 29, as amended by:
- 391 L 0071: Commission Directive 91/71/EEC of 16 January 1991 (OJ No L 42, 15.2.1991, p. 25).
- 45.** 388 D 0389: Council Decision 88/389/EEC of 22 June 1988 on the establishment, by the Commission, of an inventory of the source materials and substances used in the preparation of flavourings (OJ No L 184, 15.7.1988, p. 67).
- 46.** 389 L 0107: Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorized for use in

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foodstuffs intended for human consumption (OJ No L 40, 11.2.1989, p. 27), as amended by:

- 394 L 0034: European Parliament and Council Directive 94/34/EC of 30 June 1994 (OJ No L 237, 10.9.1994, p.1).

47. 389 L 0108: Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick frozen foodstuffs for human consumption (OJ No L 40, 11.2.1989, p. 34), as amended by:

- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ No C 241, 29.08.1994, p. 213).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptation:

The following shall be added to Article 8(1)(a):

-in Turkish "şok dondurulmuş".

48. 389 L 0109: Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs (OJ No L 40, 11.2.1989, p. 38), as corrected by OJ No L 347, 28.11.1989, p. 37.

49. 389 L 0396: Council Directive 89/396/EEC of 14 June 1989 on indications or marks identifying the lot to which a foodstuff belongs (OJ No L 186, 30.6.1989, p. 21), as amended by:

- 391 L 0238: Council Directive 91/238/EEC of 22 April 1991 (OJ No L 107, 27.4.1991, p. 50),
- 392 L 0011: Council Directive 92/11/EEC of 3 March 1992 (OJ No L 65, 11.3.1992, p.32).

50. 389 L 0397: Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs (OJ No L 186, 30.6.1989, p. 23).

51. 389 L 0398: Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses (OJ No L 186, 30.6.1989, p. 27).

52. 390 L 0128: Commission Directive 90/128/EEC of 23 February 1990 relating to plastic materials and articles intended to come into contact with foodstuffs (OJ No L 75, 21.3.1990, p. 19), as amended by:

- 392 L 0039: Council Directive 92/39/EEC of 14 May 1992 (OJ No L 168, 23.6.1992, p.21),

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- 393 L 0009: Commission Directive 93/9/EEC of 15 March 1993 (OJ No L 90, 14.4.1993, p.26).
 - 395 L 0003: Commission Directive 95/3/EC of 14 February 1994 (OJ No L 41, 23.2.1995, p. 44).
- 53.** 390 L 0496: Council Directive 90/496/EEC of 24 September 1990 on nutrition labelling for foodstuffs (OJ No L 276, 6.10.1990, p. 40).
- 54.** 390 L 0642: Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables (OJ No L 350, 14.12.1990, p. 71), as amended by:
- 393 L 0058: Council Directive 93/58/EEC of 29 June 1993 (OJ No L 211, 23.8.1993, p.6,
 - 394 L 0030: Council Directive 94/30/EC of 23 June 1994 (OJ No L 189, 23.7.1994, p.70),
 - 395 L 0061 : Council Directive 95/61/EC of 29 November 1995 (OJ No L 292, 7.12.1995, p. 24).
- 54a** 391 L 0321: Commission Directive 91/321/EEC of 14 May 1991 on infant formulae and follow-on formulae (OJ No L 175, 4.7.1991, p.35), as amended by:
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 213).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

(a) In Article 7.1, the following indents shall be added to the first paragraph:

- in Turkish: "bebek maması" and "devam maması"

(b) In Article 7.1, the following indents shall be added to the second paragraph

-in Turkish: ‘bebek sütü’ and ‘devam sütü’.

- 54b** 391 R 2092: Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (OJ No L 198, 22.7.1991, p.1), as amended by:
- 392 R 0094: Commission Regulation (EEC) No 94/92 of 14 January 1992 (OJ No L 11, 17.1.1992, p.14),

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- 392 R 1535: Commission Regulation (EEC) No 1535/92 of 15 June 1992 (OJ No L 162, 16.6.1992, p.15),
- 392 R 2083: Council Regulation (EEC) No 2083/92 of 14 July 1992 (OJ No L 208, 24.7.1992, p.15),
- 392 R 2457: Commission Regulation (EEC) No 2457/92 of 30 November 1992 (OJ No L 350, 1.12.1992, p.56),
- 392 R 3713: Commission Regulation (EEC) No 3713/92 of 22 December 1992 (OJ No L 378, 23.12.1992, p.21).
- 393 R 2608: Commission Regulation (EEC) No 2608/93 of 23 September 1993 (OJ No L 239, 24.9.1993, p.10),
- 394 R 0468: Commission regulation (EC) No 468/94 of 2 March 1994 (OJ No L 059, 3.3.1994, p.1),
- 394 R 0688: Commission Regulation (EC) No 688/94 of 28 March 1994 (OJ No L 84, 29.3.1994, p.9),
- 394 R 1468: Council Regulation (EC) No 1468/94 of 20 June 1994 (OJ No L 159, 28.6.1994, p.11),
- 394 R 2381: Commission Regulation (EC) No 2381/94 of 30 September 1994 (OJ No L 255, 1.10.1994, p.84),
- 394 R 2580: Commission Regulation (EC) No 2580/94 of 24 October 1994 (OJ No L 273, 25.10.1994, p.7)
- 395 R 0529 : Commission Regulation (EC) No 529/95 of 9 March 1995 (OJ No L 54, 10.3.1995, p. 10)
- 395 R 1201 : Commission Regulation (EC) No 1201/95 of 29 May 1995 (OJ No L 119, 30.5.1995, p. 9),
- 395 R 1202 : Commission Regulation (EC) No 1202/95 of 29 May 1995 (OJ No L 119, 30.5.1995, p. 11)
- 395 R 1935 : Council Regulation (EC) No 1935/95 of 22 June 1995 (OJ No L 186, 5.8.1995, p. 1).

The provisions of the Regulation shall, for the purposes of Decision 1/95, be read with the following adaptation:

Article 2 shall be amended as follows:

(a) the following indents shall be added:

-in Turkish: "organik" ;

- 54c** 392 L 0001: Commission Directive 92/1/EEC of 13 January 1992 on the monitoring of temperatures in the means of transport, warehousing and storage of quick-frozen foodstuffs intended for human consumption (OJ No L 34, 11.2.1992, p.28).
- 54d** 392 L 0002: Commission Directive 92/2/EEC of 13 January 1992 laying down the sampling procedure and the Community method of analysis for the official control of the temperatures of quick-frozen foods intended for human consumption (OJ No L 34, 11.2.1992, p.30).
- 54e** 393 R 0207: Commission Regulation (EEC) No 207/93 of 29 January 1993 defining the content of Annex VI to Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs and laying down detailed rules for implementing the provisions of Article 5(4) thereto (OJ No L 25, 2.2.1993, p.5).
- 54f** 393 R 0315: Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food (OJ No L 37, 13.2.1993, p.1).
- 54g** 393 L 0005: Council Directive 93/5/EEC of 25 February 1993 on assistance to the Commission and co-operation by the Member States in the scientific examination of questions relating to food (OJ No L 52, 4.3.1993, p.18).
- 54h** 393 L 0010: Commission Directive 93/10/EEC of 15 March 1993 relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs (OJ No L 93, 17.4.1993, p.27), as amended by:
- 393 L 0111: Commission Directive 93/111/EEC of 10 December 1993 (OJ No L 310, 14.12.1993, p.41).
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- 54i** 393 L 0011: Commission Directive 93/11/EEC of 15 March 1993 concerning the release of the N-nitrosamines and N-nitrosatable substances from elastomer or rubber teats and soothers (OJ No L 93, 17.4.1993, p.37).
- 54j** 393 L 0043: Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs (OJ No L 175, 19.7.1993, p.1).
- 54k** 393 L 0045: Commission Directive 93/45/EEC of 17 June 1993 concerning the manufacture of nectars without the addition of sugars or honey (OJ No L 159, 1.7.1993, p.133).
- 54l** 393 R 1593: Commission Regulation (EEC) No 1593/93 of 24 June 1993 amending Council Regulation (EEC) No 3713/92 deferring the date of application of Article 11(1) of Council Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs, with regard to the imports from certain third countries (OJ No L 153, 25.6.1993, p.15)
- 54m** 393 L 0077: Council Directive 93/77/EEC of 21 September 1993 relating to fruit juices and certain similar products (OJ No L 244, 30.9.1993, p.23) , as amended by:

- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 214).
- 54n** 393 L 0099: Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs (OJ No L 290, 24.11.1993, p.14).
- 54o** 394 D 0458: Commission Decision 94/458/EC of 29 June 1994 on the administrative management of cooperation in the scientific examination of questions relating to food (OJ No L 189, 23.7.1994, p.84).
- 54p** 394 L 0035 : Directive 94/35/EC of the European Parliament and the Council on sweeteners for use in food stuffs (OJ No L 237, 10.9.1994, p.3).
- 54q** 394 L 0036 : Directive 94/36/EC of the European Parliament and the Council on colours for use in food stuffs (OJ No L 259, 7.10.1994, p.33).
- 54r** 395 L 0002 : Directive 95/02/EC of the European Parliament and the Council on food additives other than colours and sweeteners (OJ No L 61, 18.3.1995, p.1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

- 55.** 378 X 0358: Commission Recommendation 78/358/EEC of 29 March 1978 to the Member States on the use of saccharin as a food ingredient and for sale as such in tablet form to the final consumer (OJ No L 103, 15.4.1978, p. 32).
- 56.** 380 X 1089: Commission Recommendation 80/1089/EEC of 11 November 1980 concerning tests related to the safety evaluation of food additives (OJ No L 320, 27.11.1980, p. 36).
- 57.** C/271/89/p. 3: Commission interpretative communication concerning the free circulation of foodstuffs within the Community COM (89) 256 (OJ No C 271, 24.10.1989, p. 3).
- 58.** C/270/91/p.2: Commission interpretative communication on the names under which foodstuffs are sold (OJ No C 270, 15.10.1991, p.2).
- 59.** C/345/93/p.3: Commission communication concerning the use of language in the marketing of foodstuffs in the light of the judgement in the Peeters case (OJ No C 345, 23.12.1993, p.3).

XIII. MEDICINAL PRODUCTS**ACTS REFERRED TO:**

1. 365 L 0065: Council Directive 65/65/EEC of the 26 January 1965 on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products (OJ No 22, 9.2.1965, p. 369/65), as amended by:
 - 375 L 0319: Second Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products (OJ No L 147, 9.6.1975, p. 13),
 - 383 L 0570: Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 1),
 - 387 L 0021: Council Directive 87/21/EEC of 22 December 1986 (OJ No L 15, 17.1.1987, p. 36),
 - 389 L 0341: Council Directive 89/341/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 11), as corrected by OJ No L 176, 23.6.1989, p. 55.
 - 392 L 0073: Council Directive 92/73/EEC of 22 September 1992 (OJ No L 297, 13.10.1992, p.8),
2. 375 L 0318: Council Directive 75/318/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of medicinal products (OJ No L 147, 9.6.1975, p. 1), as amended by:
 - 383 L 0570: Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 1),
 - 387 L 0019: Council Directive 87/19/EEC of 22 December 1986 (OJ No L 15, 17.1.1987, p. 31),
 - 389 L 0341: Council Directive 89/341/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 11), as corrected by OJ No L 176, 23.6.1989, p. 55.
 - 391 L 0507: Commission Directive 91/507/EEC of 19 July 1991 (OJ No L 270, 26.9.1991, p.32),
3. 375 L 0319: Second Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products (OJ No L 147, 9.6.1975, p. 13), as amended by:
 - 378 L 0420: Council Directive 78/420/EEC of 2 May 1978 (OJ No L 123, 11.5.1978, p. 26),
 - 383 L 0570: Council Directive 83/570/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 1),

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- 389 L 0341: Council Directive 89/341/EEC of 3 May 1989 (OJ No L 142, 25.5.1989, p. 11), as corrected by OJ No L 176, 23.6.1989, p. 55.
 - 392 L 0073: Council Directive 92/73/EEC of 22 September 1992 (OJ No L 297, 13.10.1992, p.8),
4. 378 L 0025: Council Directive 78/25/EEC of 12 December 1977 on the approximation of the laws of the Member States relating to the colouring matters which may be added to medicinal products (OJ No L 11, 14.1.1978, p. 18), as amended by:
- 172 B: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland (OJ No L 73, 27.3.1972),
 - 381 L 0464: Council Directive 81/464/EEC of 24 June 1981 (OJ No L 183, 4.7.1981, p. 33),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985).
5. 381 L 0851: Council Directive 81/851/EEC of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medical products (OJ No L 317, 6.11.1981, p. 1), as amended by:
- 390 L 0676: Council Directive 90/676/EEC of 13 December 1990 (OJ No L 373, 31.12.1990, p. 15),
 - 392 L 0074: Council Directive 92/74/EEC of 22 September 1992 (OJ NO L 297, 13.10.1992, p. 12)
6. 381 L 0852: Council Directive 81/852/EEC of 28 September 1981 on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products. (OJ No L 317, 6.11.1981, p. 16), as amended by:
- 387 L 0020: Council Directive 87/20/EEC of 22 December 1986 (OJ No L 15, 17.1.1987, p. 34),
 - 392 L 0018: Council Directive 92/18/EEC of 20 March 1992 (OJ No L 97, 10.4.1992, p.1)
7. 386 L 0609: Council Directive 81/851/EEC of 28 September 1981 on the approximation of the laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (OJ No L 358, 18.12.1986, p.1)
8. Repealed.
9. 389 L 0105: Council Directive 89/105/EEC of 21 December 1988 relating to the transparency of measures regulating the pricing of medicinal products for human use

and their inclusion in the scope of national health insurance systems (OJ No L 40, 11.2.1989, p. 8).

10. 389 L 0342: Council Directive 89/342/EEC of 3 May 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC and laying down additional provisions for immunological medicinal products consisting of vaccines,, toxins or serums and allergens (OJ No L 142, 25.5.1989, p. 14).
11. 389 L 0343: Council Directive 89/343/EEC of 3 May 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC and laying down additional provisions for radiopharmaceuticals (OJ No L 142, 25.5.1989, p. 14).
12. 389 L 0381: Council Directive 89/381/EEC of 14 June 1989 extending the scope of Directives 65/65/EEC and 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products and laying down special provisions for medicinal products derived from human blood or human plasma (OJ No L 181, 28.6.1989, p. 44).
13. 390 L 0677: Council Directive 90/677/EEC of 13 December 1990 extending the scope of Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products and laying down additional provisions for immunological veterinary medicinal products (OJ No L 373, 31.12.1990, p.26)
14. 390 R 2377: Council Regulation (EEC) No 2377/90 of 26 June 19902 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ No L 224, 18.8.1990, p.1), as amended by:
 - 392 R 0675: Commission Regulation (EEC) No 675/92 of 18 March 1992 (OJ No L 73, 19.3.1992, p.8),
 - 392 R 0762: Commission Regulation (EEC) No 762/92 of 27 March 1992 (OJ No L 83, 28.3.1992, p.14),
 - 392 R 3093: Commission Regulation (EEC) No 3093/92 of 27 October 1992 (OJ No L 311, 28.10.1992 p.18),
 - 393 R 0895: Commission Regulation (EEC) No 895/93 of 16 April 1993 (OJ No L 93, 17.4.1993, p.10),
 - 393 R 2901: Council Regulation (EEC) No 2901/93 of 18 October 1993 (OJ No L 264, 23.10.1993, p.1),
 - 393 R 3425: Commission Regulation (EEC) No 3425/93 of 14 December 1993 (OJ No L312, 15.12.1993, p.12),
 - 393 R 3426: Commission Regulation (EEC) No 3426/93 of 14 December 1993 (OJ No L 312, 15.12.1993, p.15)
 - 394 R 0955: Commission Regulation (EEC) No 955/94 of 28 April 1994 (OJ No L108, 29.4.1994, p.8),

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- 394 R 1430: Commission Regulation (EC) No 1430/94 of 22 June 1994 (OJ No L 156, 23.6.1994, p.6),
 - 394 R 2701: Commission Regulation (EC) No 2701/94 of 7 November 1994 (OJ No L 287, 8.11.1994, p.7),
 - 394 R 2703: Commission Regulation (EC) No 2703/94 of 7 November 1994 (OJ No L 287, 8.11.1994, p.19),
 - 395 R 1102: Commission Regulation (EC) No 1102/95 of 16 May 1995 (OJ No L 110, 10.5.1995, p.9),
 - 395 R 1441: Commission Regulation (EC) No 1441/95 of 26 June 1995 (OJ No L 143, 27.6.1995, p.22),
 - 395 R 1442: Commission Regulation (EC) No 1442/95 of 26 June 1995 (OJ No L 143, 27.6.1995, p.26),
 - 395 R 1798: Commission Regulation (EC) No 1798/95 of 25 July 1995 (OJ No L 174, 26.7.1995, p.20),
 - 395 R 2796: Commission Regulation (EC) No 2796/95 of 4 December 1995 (OJ No L 290, 5.12.1995, p.1),
 - 395 R 2804: Commission Regulation (EC) No 2804/95 of 4 December 1995 (OJ No L 291, 6.12.1995, p.8)
- 15.** 391 L 0356: Commission Directive 91/356/EEC of 13 June 1991 laying down the principles and guidelines of good manufacturing practice for medicinal products for human use (OJ No L 193, 17.7.1991, p. 30).
- 15a.** 391 L 0412: Commission Directive 91/412/EEC of 23 July 1991 laying down the principles and guidelines of good manufacturing practise for veterinary medicinal products (OJ No L 228, 17.8.1991, p.70)
- 15b.** 392 L 0025: Council Directive 92/25/EEC of 31 March 1992 on the wholesale distribution of medicinal products for human use (OJ No L 113, 30.4.1992, p.1).
- 15c.** 392 L 0026: Council Directive 92/26/EEC of 31 March 1992 concerning the classification for the supply of medicinal products for human use (OJ No L 113, 30.4.1992, p.5).
- 15d.** 392 L 0027: Council Directive 92/27/EEC of 31 March 1992 on the labelling of medicinal products for human use and on package leaflets (OJ No L 113, 30.4.1992, p.8).
- 15e.** 392 L 0028: Council Directive 92/28/EEC of 31 March 1992 on the advertising of medicinal products for human use (OJ No L 113, 30.4.1992, p.13).

15f. 392 L 0109: Council Directive 92/109/EEC of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (OJ No L 370, 19.12.1992, p.76), as amended by:

- 393 L 0046: Commission Directive 93/46/EEC of 22 June 1993 (OJ No L 159, 1.7.1993, p.134).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

- 16.** C/310/86/p. 7: Commission Communication on the compatibility with Article 30 of the Treaty of Measures taken by Member States relating to price controls and reimbursement of medicinal products (OJ No C 310, 4.12.1986, p. 7).
- 17.** C/115/82/p. 5: Commission Communication on parallel imports of proprietary medicinal products for which marketing authorization has already been granted (OJ No C 115, 6.5.1982, p. 5).

XIV. FERTILIZERS

ACTS REFERRED TO:

- 1.** 376 L 0116: Council Directive 76/116/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to fertilisers (OJ No L 24, 30.1.1976, p. 21), as amended by:
 - 179 H: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustment to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 23),
 - 388 L 0183: Council Directive 88/183/EEC of 22 March 1988 (OJ No L 83, 29.3.1988, p. 33),
 - 389 L 0284: Council Directive 89/284/EEC of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilisers (OJ No L 111, 22.4.1989, p. 34),
 - 389 L 0530: Council Directive 89/530/EEC of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilisers (OJ No L 281, 30.9.1989, p. 116),
 - 393 L 0069: Commission Directive 93/69/EEC of 23 July 1993 (OJ No L 185, 28.7.1993, p.30).

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- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 214).

The provisions of the Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

(a) In Annex I, Chapter A II, the following shall be added to No 1, column 6, third paragraph, to the text in brackets:

‘Turkey’.

(b) In Annex I, Chapter B 1, 2 and 4, the following shall be added to column 9, point 3, to the text in brackets after (6b):

‘Turkey’.

2. 377 L 0535: Commission Directive 77/535/EEC of 22 June 1977 on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilisers (OJ No L 213, 22.8.1977, p. 1), as amended by:
 - 379 L 0138: Commission Directive 79/138/EEC of 14 December 1978 (OJ No L 39, 14.2.1979, p. 3), as corrected by OJ No L 1, 3.1.1980, p. 11,
 - 387 L 0566: Commission Directive 87/566/EEC of 24 November 1987 (OJ No L 342, 4.12.1987, p. 32),
 - 389 L 0519: Commission Directive 89/519/EEC of 1 August 1989 supplementing and amending Directive 77/535/EEC (OJ No L 265, 12.9.1989, p. 30).
 - 393 L 0001: Commission Directive 93/1/EEC of 21 January 1993 (OJ No L 113, 7.5.1993, p.17).
3. 380 L 0876: Council Directive 80/876/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to straight ammonium nitrate fertilisers of high nitrogen content (OJ No L 250, 23.9.1980, p. 7).
4. 387 L 0094: Commission Directive 87/94/EEC of 8 December 1986 on the approximation of the laws of the Member States relating to procedures for the control of characteristics of, limits for and resistance to, detonation of straight ammonium nitrate fertilisers of high nitrogen content (OJ No L 38, 7.2.1987, p. 1), as corrected by OJ No L 63, 9.3.1988, p. 16, as amended by:
 - 388 L 0126: Commission Directive 88/126/EEC of 22 December 1987 (OJ No L 63, 9.3.1988, p. 12).
5. 389 L 0284: Council Directive 89/284/EEC of 13 April 1989 supplementing and amending Directive 76/116/EEC in respect of the calcium, magnesium, sodium and sulphur content of fertilisers (OJ No L 111, 22.4.1989, p. 34).

6. 389 L 0519: Commission Directive 89/519/EEC of 1 August 1989 supplementing and amending Directive 77/535/EEC on the approximation of the laws of the Member States relating to methods of sampling and analysis for fertilisers (OJ No L 265, 12.9.1989, p. 30).
7. 389 L 0530: Council Directive 89/530/EEC of 18 September 1989 supplementing and amending Directive 76/116/EEC in respect of the trace elements boron, cobalt, copper, iron, manganese, molybdenum and zinc contained in fertilisers (OJ No L 281, 30.9.1989, p. 116).

XV. DANGEROUS SUBSTANCES

ACTS REFERRED TO:

1. 367 L 0548: Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ No 196, 16.8.1967, p. 1), as amended and supplemented by:
 - 379 L 0831: Council Directive 79/831/EEC of 18 September 1979 (OJ No L 259, 15.10.1979, p. 10),
 - 1 79 H: Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 17),
 - 384 L 0449: Commission Directive 84/449/EEC of 25 April 1984 (OJ No L 251, 19.9.1984, p. 1),
 - 388 L 0302: Commission Directive 88/302/EEC of 18 November 1987 (OJ No L 133, 30.5.1988, p. 1) as corrected by OJ No L 136, 2.6.1988, p. 20,
 - 390 D 0420: Commission Decision 90/420/EEC of 25 July 1990 on the classification and labelling of Di (2 ethylhexyl) phthalate in accordance with Article 23 of Council Directive 67/548/EEC (OJ No L 222, 17.8.1990, p. 49),
 - 391 L 0325: Commission Directive 91/325/EEC of 1 March 1991 (OJ No L 180, 8.7.91, p. 1),
 - 391 L 0326: Commission Directive 91/326/EEC of 5 March 1991 (OJ No L 180, 8.7.91, p. 79).
 - 391 L 0410: Commission Directive 91/410/EEC of 22 July 1991 (OJ No L 228, 17.8.1991, p.67),
 - 391 L 0632: Commission Directive 91/632/EEC of 28 October 1991 (OJ No L 338, 10.12.1991, p.23),
 - 392 L 0032: Council Directive 92/32/EEC of 30 April 1992 (OJ No L 154, 5.6.1992, p.1),

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- 392 L 0037: Commission Directive 92/37/EEC of 30 April 1992 (OJ No L 154, 5.6.1992, p.30),
 - 392 L 0069: Commission Directive 92/69/EEC of 31 July 1992 (OJ No L 383, 29.12.1992, p.113),
 - 393 L 0021: Commission Directive 93/21/EEC of 27 April 1993 (OJ No L 110, 4.5.1993, p.20),
 - 393 L 0072: Commission Directive 93/72/EEC of 1 September 1993 (OJ No L 258, 16.10.1993, p.29),
 - 393 L 0090: Commission Directive 93/90/EEC of 29 October 1993 (OJ No L 277, 10.11.1993, p.33),
 - 393 L 0101: Commission Directive 93/101/EC of 11 November 1993 (OJ No L 13, 15.1.1994, p.1),
 - 393 L 0105: Commission Directive 93/105/EC of 25 November 1993 (OJ No L 294, 30.11.1993, p.21),
 - 394 L 0069 : Commission Directive 94/69/EC of 19 December 1994 (OJ No L 381, 31.12.1994, p. 1).
2. 373 L 0404: Council Directive 73/404/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to detergents (OJ No L 347, 17.12.1973, p. 51), as amended by:
- 382 L 0242: Council Directive 82/242/EEC of 31 March 1982 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of non ionic surfactants and amending Directive 73/404/EEC (OJ No L 109, 22.4.1982, p. 1),
 - 386 L 0094: Council Directive 86/94/EEC of 10 March 1986 (OJ No L 80, 25.3.1986, p. 51).
3. 373 L 0405: Council Directive 73/405/EEC of 22 November 1973 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of anionic surfactants (OJ No L 347, 17.12.1973, p. 53), as amended by:
- 382 L 0243: Council Directive 82/243/EEC of 31 March 1982 (OJ No L 109, 22.4.1982, p. 18).
4. 376 L 0769: Council Directive 76/769/EEC of 27 July 1976 on the approximation of laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ No L 262, 27.9.1976, p. 201), as amended by:
- 379 L 0663: Council Directive 79/663/EEC of 24 July 1979 supplementing the Annex to Council Directive 76/769/EEC (OJ No L 197, 3.8.1979, p. 37),

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- 382 L 0806: Council Directive 82/806/EEC of 22 November 1982 (OJ No L 339, 1.12.1982, p. 55),
 - 382 L 0828: Council Directive 82/828/EEC of 3 December 1982 (OJ No L 350, 10.12.1982, p. 34),
 - 383 L 0264: Council Directive 83/264/EEC of 16 May 1983 (OJ No L 147, 6.6.1983, p. 9),
 - 383 L 0478: Council Directive 83/478/EEC of 19 September 1983 (OJ No L 263, 24.9.1983, p. 33),
 - 385 L 0467: Council Directive 85/467/EEC of 1 October 1985 (OJ No L 269, 11.10.1985, p. 56),
 - 385 L 0610: Council Directive 85/610/EEC of 20 December 1985 (OJ No L 375, 31.12.1985, p. 1),
 - 389 L 0677: Council Directive 89/677/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 19),
 - 389 L 0678: Council Directive 89/678/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 24),
 - 391 L 0173: Council Directive 91/173/EEC of 21 March 1991 (OJ No L 85, 5.4.1991, p. 34),
 - 391 L 0338: Council Directive 91/338/EEC of 18 June 1991 (OJ No L 186, 12.7.1991, p. 59),
 - 391 L 0339: Council Directive 91/339/EEC of 18 June 1991 (OJ No L 186, 12.7.91, p. 64).
 - 393 L 0659: Commission Directive 91/659/EEC of 3 December 1991 (OJ No L 363, 31.12.1991, p.36).
 - 394 L 0027: European Parliament and Council Directive 94/27/EC of 30 June 1994 (OJ No L 188, 22.7.1994, p.1).
 - 394 L 0048: Directive 94/48/EC of the European Parliament and of the Council of 7 December 1994 (OJ No L 331,21.12.1994,p.7).
 - 394 L 0060: European Parliament and Council Directive 94/60 EC of 20 December 1994 (OJ No L 365,31.12.1994,p.1).
- 5.** 378 L 0631: Council Directive 78/631/EEC of 26 June 1978 on the approximation of the laws of the Member States relating to the classification, packaging and labelling of dangerous preparations (pesticides) (OJ No L 206, 29.7.1978, p. 13), as amended by:
- 381 L 0187: Council Directive 81/187/EEC of 26 March 1981 (OJ No L 88, 2.4.1981, p. 29),

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- 384 L 0291: Commission Directive 84/291/EEC of 18 April 1984 (OJ No L 144, 30.5.1984, p. 1).
6. 379 L 0117: Council Directive 79/117/EEC of 21 December 1978 prohibiting the placing on the market and use of plant protection products containing certain active substances (OJ No L 33, 8.2.1979, p. 36), as amended by:
- 383 L 0131: Commission Directive 83/131/EEC of 14 March 1983 (OJ No L 91, 9.4.1983, p. 35),
 - 385 L 0298: Commission Directive 85/298/EEC of 22 May 1985 (OJ No L 154, 13.6.1985, p. 48),
 - 386 L 0214: Council Directive 86/214/EEC of 26 May 1986 (OJ No L 152, 6.6.1986, p. 45),
 - 386 L 0355: Council Directive 86/355/EEC of 21 July 1986 (OJ No L 212, 2.8.1986, p. 33),
 - 387 L 0181: Council Directive 87/181/EEC of 9 March 1987 (OJ No L 71, 14.3.1987, p. 33),
 - 387 L 0477: Commission Directive 87/477/EEC of 9 September 1987 (OJ No L 273, 26.9.1987, p. 40),
 - 389 L 0365: Council Directive 89/365/EEC of 30 May 1989 (OJ No L 159, 10.6.1989, p. 58),
 - 390 L 0533: Council Directive 90/533/EEC of 15 October 1990 (OJ No L 296, 27.10.1990, p. 63),
 - 391 L 0188: Commission Directive 91/188/EEC of 19 March 1991 (OJ No L 92, 13.4.1991, p. 42).
 - 390 L 0335: Commission Directive 90/335/EEC of 7 June 1990 (OJ No L 162, 28.6.1990, p.37).
7. 382 L 0242: Council Directive 82/242/EEC of 31 March 1982 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of non-ionic surfactants and amending Directive 73/404/EEC (OJ No L 109, 22.4.1982, p. 1).
8. 387 L 0018: Council Directive 87/18/EEC of 18 December 1986 on the harmonization of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their application for tests on chemical substances (OJ No L 15, 17.1.1987, p. 29).
9. 388 L 0320: Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of good laboratory practice (GLP) (OJ No L 145, 11.6.1988, p. 35), as amended by:

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- 390 L 0018: Commission Directive 90/18/EEC of 18 December 1989 (OJ No L 11, 13.1.1990, p. 37).
- 10.** 388 L 0379: Council Directive 88/379/EEC of 7 June 1988 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (OJ No L 187, 16.7.1988, p. 14), as amended by:
- 389 L 0178: Commission Directive 89/178/EEC of 22 February 1989 (OJ No L 64, 8.3.1989, p. 18),
 - 390 L 0035: Commission Directive 90/35/EEC of 19 December 1989 (OJ No L 19, 24.1.1990, p. 14),
 - 390 L 0492: Commission Directive 90/492/EEC of 5 September 1990 (OJ No L 275, 5.10.1990, p. 35), as corrected by OJ No L 321, 21.11.1990, p. 19,
 - 391 L 0155: Commission Directive 91/155/EEC of 5 March 1991 (OJ No L 76, 22.3.1991, p. 35).
 - 393 L 0018: Commission Directive 93/18/EEC of 5 April 1993 (OJ No L 104, 29.4.1993, p.46);
 - 393 L 0112: Commission Directive 93/112/EEC of 10 December 1993 (OJ No L 314, 16.12.1993, p.38).
- 11.** 391 0157: Council Directive 91/157/EEC of 18 March 1991 on batteries and accumulators containing certain dangerous substances (OJ No L 78, 26.3.1991, p. 38), as amended by:
- 393 L 0086: Commission Directive 93/86/EEC of 4 October 1993 (OJ No L 264, 23.10.1993, p.51).
- 12.** 391 R 0594: Council Regulation (EEC) No 594/91 of 4 March 1991 on substances that deplete the ozone layer (OJ No L 67, 14.3.1991, p. 1), as amended by:
- 392 R 3952: Council Regulation (EEC) No 3952/92 of 30 December 1992 (OJ No L 405, 31.12.1993, p.41);
 - 394 D 0563: Commission Decision 94/563/EC of 27 July 1994 (OJ No L 215, 20.8.1994, p.21).
- 12a.** 391 L 0414: Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market (OJ No L 230, 19.8.1991, p.1), as amended by:
- 393 L 0071: Commission Directive 93/71/EEC of 27 July 1993 (OJ No L 221, 31.8.1993, p.27);
 - 394 L 0037: Commission Directive 94/37/EC of 22 July 1994 (OJ No L 194, 29.7.1994, p.65);

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- 394 L 0043: Council Directive 94/43/EC of 27 July 1994 (OJ No L 227, 1.9.1994, p.31).
 - 394 L 0079: Commission Directive 94/79/EC of 21 December 1994 (OJ No L 354, 31.12.1994,p.16).
- 12b.** 391 L 0442: Commission Directive 91/442/EEC of 23 July 1991 on dangerous preparations the packaging of which must be fitted with child-resistant fastenings (OJ No L 238, 27.7.1991, p.25).
- 12c.** 392 R 2455: Council Regulation (EEC) No 2455/92 of 23 July 1992 concerning the export and import of certain dangerous chemicals(OJ No L 251, 29.8.1992, p.13), as amended by:
- 394 R 0041: Commission Regulation (EC) No 41/94 of 11 January 1994 (OJ No L 8, 12.1.1994, p.1).
 - 394 R 3135: Council Regulation (EC) No 3135/94 of 15 December 1994 (OJ No L 332, 22.12.1994,p.1).
- 12d.** 393 L 0067: Commission Directive 93/67/EEC of 20 July 1993 laying down the principles for assessment of risks to man and the environment of substances notified in accordance with Council Directive 67/548/EEC (OJ No L 227, 8.9.1993, p.9).
- 12e.** 393 R 0793: Council Regulation (EEC) No 793/93 of 23 March 1993 of the evaluation and control of the risks of existing substances (OJ No L 84, 5.4.1993, p.1). The provisions of the Regulation shall, for the purposes of Decision 1/95, be read with the following adaptations:
- (a) Where under this Regulation manufacturers in the EU are to submit information to the Commission, this requirement shall be extended to manufacturers and importers in Turkey.
 - (b) Where under this Regulation manufacturers and importers in the EU are required to submit information to rapporteurs, this requirement shall be extended to manufacturers and importers in the Republic of Turkey.
 - (c) Where under this Regulation Member States and/or rapporteurs in the EU are to provide information (including decisions or testing, risk evaluations and strategies for risk limitations) to the Commission, this requirement shall be extended to Turkey and/or rapporteurs in the Republic of Turkey.
 - (d) Where under this Regulation the Commission is to send information to the Member States and/or rapporteurs in the EU, such information shall also be send to Turkey and/or rapporteurs in the Republic of Turkey.
 - (e) For the application of Article 3, any manufacturer in the Republic of Turkey who has produced or any importer in the Republic of Turkey who has imported an existing substance, as such or in a preparation, in quantities exceeding 1000 tonnes per year, at least once in the three years preceding the adoption of this Regulation and/or the year following its adoption, must submit to the Commission at least the information specified in Annex III, points 1.1 to 1.19, within, in case of a

substance appearing in Annex I and in the case of a substance appearing in the Eines (European Inventory of Existing Commercial Substances) but not in Annex I.

- (f) For the application of Article 7(1), the manufacturers and importers in the Republic of Turkey States shall be required to update the information regarding the production and import volumes referred to in Articles 3 and 4 at the same time as the manufacturers and importers in the Community, if there is a change in relation to the volumes specified in Annex III and IV.
- (g) For the application of Article 8(1), the national lists referred to shall be understood to include national lists from the Republic of Turkey. States.
- (h) For the application of Article 10(1), the Republic of Turkey may be appointed as responsible for evaluating priority substances.
- (i) For the application of Article 13, the Republic of Turkey shall designate authorities, referred to in this Article, to participate in the implementation of this Regulation in collaboration with the Commission.
- (j) In Annex V the following shall be added concerning information offices:

The Republic of Turkey

Çevre Bakanlığı İstanbul Caddesi No: 88 İskitler / Ankara (Tel:(312) 341 07 18).

- 12f. 394 R 1488: Commission Regulation of 28 June 1994 laying down the principles for the assessment of risks to man and environment of existing substances in accordance with Council Regulation (EEC) No 793/93 (OJ No L 161, 29.6.1994, p.3).
- 12g. 394 D 0643: Commission Decision 94/643/EC of 12 September 1994 concerning the withdrawal of authorisations for plant protection products containing cyhalothrin as active substance (OJ No L 249, 24.9.1994, p.18).
- 12h. 394 R 3093: Council Regulation (EEC) No 3093/94 of 15 December 1994 on substances that deplete the ozone layer (OJ No L 333, 22.12.1994, p. 1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:

The Parties take note of the content of the following acts:

- 13. 389 X 0542: Commission Recommendation 89/542/EEC of 13 September 1989 for the labelling of detergents and cleaning products (OJ No L 291, 10.10.1989, p. 55).
- 14. C/79/82/p. 3: Communication concerning Commission Decision 81/437/EEC of 11 May 1981 laying down the criteria in accordance with which information relating to the inventory of chemical substances is supplied by the Member States to the Commission (OJ No C 79, 31.3.1982, p. 3).
- 15. C/146/90/p. 4: Publication of the EINECS inventory (OJ No C 146, 15.6.1990, p. 4).
- 16. C/1/93/p.3: The European Chemical Bureau. Commission communication to the Council and the European Parliament (OJ No C 1, 5.1.1993, p.3).

17. C/130/93/p.1: Communication-Third publication of Elincs (OJ No C 130, 10.5.1993, p.1).
18. C/130/93/p.2: Commission Communication pursuant to Article 2 of Commission Decision 85/71/EEC of 21 December 1984 concerning the list of chemical substances notified pursuant to Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (OJ No C 130, 10.5.1993, p.2).

XVI. COSMETICS

ACTS REFERRED TO:

1. 376 L 0768: Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products (OJ No L 262, 27.9.1976, p. 169), as amended by:
 - 379 L 0661: Council Directive 79/661/EEC of 24 July 1979 (OJ No L 192, 31.7.1979, p. 35),
 - 1 79 H: Acts concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Hellenic Republic (OJ No L 291, 19.11.1979, p. 108),
 - 382 L 0147: Commission Directive 82/147/EEC of 11 February 1982 (OJ No L 63, 6.3.1982, p. 26),
 - 382 L 0368: Council Directive 82/368/EEC of 17 May 1982 (OJ No L 167, 15.6.1982, p. 1),
 - 383 L 0191: Second Commission Directive 83/191/EEC of 30 March 1983 (OJ No L 109, 26.4.1983, p. 25),
 - 383 L 0341: Third Commission Directive 83/341/EEC of 29 June 1983 (OJ No L 188, 13.7.1983, p. 15),
 - 383 L 0496: Fourth Commission Directive 83/496/EEC of 22 September 1983 (OJ No L 275, 8.10.1983, p. 20),
 - 383 L 0574: Council Directive 83/574/EEC of 26 October 1983 (OJ No L 332, 28.11.1983, p. 38),
 - 384 L 0415: Fifth Commission Directive 84/415/EEC of 18 July 1984 (OJ No L 228, 25.8.1984, p. 31), as corrected by OJ No L 255, 25.9.1984, p. 28,
 - 385 L 0391: Sixth Commission Directive 85/391/EEC of 16 July 1985 (OJ No L 224, 22.8.1985, p. 40),
 - 1 85 I: Act concerning the Conditions of Accession and Adjustments to the Treaties - Accession of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 218),

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- 386 L 0179: Seventh Commission Directive 86/179/EEC of 28 February 1986 (OJ No L 138, 24.5.1986, p. 40),
 - 386 L 0199: Eighth Commission Directive 86/199/EEC of 26 March 1986 (OJ No L 149, 3.6.1986, p. 38),
 - 387 L 0137: Ninth Commission Directive 87/137/EEC of 2 February 1987 (OJ No L 56, 26.2.1987, p. 20),
 - 388 L 0233: Tenth Commission Directive 88/233/EEC of 2 March 1988 (OJ No L 105, 26.4.1988, p. 11),
 - 388 L 0667: Council Directive 88/667/EEC of 21 December 1988 (OJ No L 382, 31.12.1988, p. 46),
 - 389 L 0174: Eleventh Commission Directive 89/174/EEC of 21 February 1989 (OJ No L 64, 8.3.1989, p. 10), as corrected by OJ No L 199, 13.7.1989, p. 23,
 - 389 L 0679: Council Directive 89/679/EEC of 21 December 1989 (OJ No L 398, 30.12.1989, p. 25),
 - 390 L 0121: Twelfth Commission Directive 90/121/EEC of 20 February 1990 (OJ No L 71, 17.3.1990, p. 40),
 - 391 L 0184: Thirteenth Commission Directive 91/184/EEC of 12 March 1991 (OJ No L 91, 12.4.1991, p. 59).
 - 392 L 0008: Fourteenth Commission Directive 92/8/EEC of 18 February 1992 (OJ No L 70, 17.3.1992, p.23);
 - 392 L 0086: Fifteenth Commission Directive 92/86/EEC of 21 October 1991 (OJ No L 325, 11.11.1992, p.18);
 - 393 L 0035: Council Directive 93/35/EEC of 14 June 1993 (OJ No L 151, 23.6.1993, p.32);
 - 393 L 0047: Sixteenth Commission Directive 93/47/EEC of 22 June 1993 (OJ No L 203, 13.8.1993, p.24);
 - 394 L 0032: Seventeenth Commission Directive 94/32/EC of 29 June 1994 (OJ No L 181, 15.7.1994, p.31),
 - 395 L 0017 : Commission Directive 95/17/EC of 19 June 1995 (OJ No L 140, 23.6.1995, p. 26),
 - 395 L 0034 : Eighteenth Commission Directive 95/34/EC of 10 July 1995 (OJ No L 167 of 18.7.1995, p. 19).
2. 380 L 1335: First Commission Directive 80/1335/EEC of 22 December 1980 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 383, 31.12.1980, p. 27), as amended by:

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- 387 L 0143: Commission Directive 87/143/EEC of 10 February 1987 (OJ No L 57, 27.2.1987, p. 56).
- 3. 382 L 0434: Second Commission Directive 82/434/EEC of 14 May 1982 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 185, 30.6.1982, p. 1), as amended by:
 - 390 L 0207: Commission Directive 90/207/EEC of 4 April 1990 (OJ No L 108, 28.4.1990, p. 92).
- 4. 383 L 0514: Third Commission Directive 83/514/EEC of 27 September 1983 on the approximation of the laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 291, 24.10.1983, p. 9).
- 5. 385 L 0490: Fourth Commission Directive 85/490/EEC of 11 October on the approximation of laws of the Member States relating to methods of analysis necessary for checking the composition of cosmetic products (OJ No L 295, 7.11.1985, p. 30).
- 6. 393 L 0073: Fifth Commission Directive 93/73/EEC of 9 September 1993 on the methods of analysis necessary for checking composition of cosmetic products (OJ No L 231, 14.9.1993, p.34).
- 7. 395 L 0032 : Sixth Commission Directive 95/32/EC of 7 July 1995 on checking the composition of cosmetic products (OJ No L 178, 28.7.1995, p. 20)

XVII. ENVIRONMENT PROTECTION**ACTS REFERRED TO:**

1. 375 L 0716: Council Directive 75/716/EEC of 24 November 1975 on the approximation of the laws of the Member States relating to the sulphur content of certain liquid fuels (OJ No L 307, 27.11.1975, p. 22), as amended by:
 - 387 L 0219: Council Directive 87/219/EEC of 30 March 1987 (OJ No L 91, 3.4.1987, p. 19).

The provisions of the Directive shall, for the purposes of the present Agreement, be read with the following adaptation:

In Article 1(1)(a), the corresponding heading in the Harmonized System to subheading No 2710 C I of the Common Customs Tariff, is ex 2710.

2. 380 L 0051: Council Directive 80/51/EEC of 20 December 1979 on the limitation of noise emissions from subsonic aircraft (OJ No L 18, 24.1.1980, p. 26), as amended by:
 - 383 L 0206: Council Directive 83/206/EEC of 21 April 1983 (OJ No L 117, 4.5.1983, p. 15).

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3. 385 L 0210: Council Directive 85/210/EEC of 20 March 1985 on the approximation of the laws of the Member States concerning the lead content of petrol (OJ No L 96, 3.4.1985, p. 25), as amended by:
 - 385 L 0581: Council Directive 85/581/EEC of 20 December 1985 (OJ No L 372, 31.12.1985, p. 37),
 - 387 L 0416: Council Directive 87/416/EEC of 21 July 1987 (OJ No L 225, 13.8.1987, p. 33).
4. 385 L 0339: Council Directive 85/339/EEC of 27 June 1985 on containers of liquids for human consumption (OJ No L 176, 6.7.1985, p. 18).
5. 389 L 0629: Council Directive 89/629/EEC of 4 December 1989 on the limitation of noise emissions from subsonic jet aeroplanes (OJ No L 363, 13.12.1989, p. 27).
6. 393 L 0012: Council Directive 93/12/EEC of 23 March 1993 relating to the sulphur content of certain liquid fuels (OJ No L 74, 27.3.1993, p.81).
7. 394 L 0062: European Parliament and Council Directive 94/62/EC of 20 December 1994 on packaging and packaging waste (OJ No L 365, 31.12.1994,p.10).

XVIII. INFORMATION TECHNOLOGY, TELECOMMUNICATIONS AND DATA PROCESSING

ACTS REFERRED TO:

1. 386 L 0529: Council Directive 86/529/EEC of 3 November 1986 on the adoption of common technical specifications of the MAC/packet family of standards for direct satellite television broadcasting (OJ No L 311, 6.11.1986, p. 28).
2. 387 D 0095: Council Decision 87/95/EEC of 22 December 1986 on standardisation in the field of information technology and telecommunications (OJ No L 36, 7.2.1987, p. 31).

The provisions of the Decision shall, for the purposes of Decision 1/95, be read with the following adaptations:

‘European standard’, referred to in Article 1(7) of the Decision, shall mean a standard approved by ETSI, CEN/Cenelec, CEPT and other bodies on which the Contracting Parties may agree. ‘European pre standard’, referred to in Article 1(8) of the Decision, shall mean a standard adopted by the same bodies.

3. 389 D 0337: Council Decision 89/337/EEC of 27 April 1989 on high-definition television (OJ No L 142, 25.5.1989, p. 1).
4. 391 L 0263: Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity (OJ No L 128, 23.5.1991, p. 1), as amended by:

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- 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1);
 - 393 L 0097: Council Directive 93/97/EEC of 29 October 1993 (OJ No L 290, 24.11.1993, p.1).
- 4a.** (5) 394 D 0011: Commission Decision 94/11/EC of 21 December 1993 on a common technical regulation for the general attachment requirements for public pan-European cellular digital land-based mobile communications (OJ No L 8, 12.1.1994, p.20).
- 4b.** (6) 394 D 0012: Commission Decision 94/12/EC of 21 December 1993 on a common technical regulation for the telephony application requirements for public pan-European digital land-based mobile communications (OJ No L 8, 12.1.1994, p.23).
- 4c.** 394 D 0470: Commission decision 94/470/EC of 18 July 1994 on a common technical regulation for attachment requirements for terminal interface for ONP 2 048 kbits/s digital unstructured leased line (OJ No L 194, 29.7.1994, p.87).
- 4d.** 394 D 0471: Commission Decision 94/471/EC of 18 July 1994 on a common technical for general terminal attachment requirements for Digital European Cordless Telecommunications (DECT) (OJ No L 194, 29.7.1994, p.89).
- 4e.** 394 D 0472: Commission Decision 94/472/EC of 18 July on a common technical regulation for telephony application requirements for Digital European Cordless Telecommunications (DECT) (OJ No L 194, 29.7.1994, p.91).
- 4f.** 394 D 0796: Commission Decision 94/796/EC of 18 November 1994 on a common technical regulation for the pan-European integrated services digital network (ISDN) basic access (OJ No L 329, 20.12.1994,p.1).
- 4g.** 394 D 0797: Commission Decision 94/797/EC of 18 November 1994 on a common technical regulation for the pan-European integrated services digital network (ISDN) basic access (OJ No L 329, 20.12.1994,p.14).
- 4h.** 394 D 0821: Commission Decision 94/821/EC of 9 December 1994 on a common technical regulation for telephony application requirements for attachment requirements for terminal equipment interface for ONP 64 kbits digital unstructured leased line (OJ No L 339, 29.12.1994,p.81).
- 4i.** 395 D 0290: Commission Decision 95/290/EC of 17 July 1995 on a common technical regulation for public land-based European Radio Message systems (ERMES) receiver equipment (OJ No L 182, 02.08.1995, p. 21).
- 4j.** 395 D 0526 : Commission Decision 95/526/EC of 28 November 1995 on a common regulation for integrated services network (ISDN) telephony 3,1 kHz tele-service, attachment requirements for handset terminals (OJ No L300, 13.12.1995, p. 38).
- 4k.** 395 D 0525 : Commission Decision 95/525/EC of 28 November 1995 on a common technical regulation for terminal equipment for Digital European Cordless Telecommunications (DECT) public access profile (PAP) applications.(OJ No L300, 13.12.1995, p. 35).

ACTS OF WHICH THE CONTRACTING PARTIES SHALL TAKE NOTE:

The Contracting Parties take note of the content of the following acts:

5. 384 X 0549: Council Recommendation 84/549/EEC of 12 November 1984 concerning the implementation of harmonization in the field of telecommunications (OJ No L 298, 16.11.1984, p. 49).
6. 389 Y 0511(01): Council Resolution 89/C 117/01 of 27 April 1989 on standardisation in the field of information technology and telecommunications (OJ No C 117, 11.5.1989, p. 1).

XIX. GENERAL PROVISIONS IN THE FIELD OF TECHNICAL BARRIERS TO TRADE**ACTS REFERRED TO:**

1. 383 L 0189: Council Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provisions of information in the field of technical standards and regulations (OJ No L 109, 26.4.1983, p. 8), as amended by:
 - 1 85 I: Act concerning the Conditions of Accession and the Adjustments to the Treaties - Accession to the European Communities of the Kingdom of Spain and the Portuguese Republic (OJ No L 302, 15.11.1985, p. 214),
 - 388 L 0182: Council Directive 88/182/EEC of 22 March 1988 (OJ No L 81, 26.3.1988, p. 75);
 - 392 D 0400: Commission Decision 92/400/EEC of 15 July 1992 (OJ No L 221, 6.8.1992, p.55);
 - 394 L 0010: Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 (OJ No L 100, 19.4.1994, p.30).
 - 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 214).

The Directive shall, for the purposes of Decision 1/95, be read with the following adaptations:

- I. In Article paragraphs 4,5,6,7 and 8 shall be replaced by paragraphs 9 and 10 which shall be renumbered paragraphs 4 and 5.

The last two subparagraphs of paragraph 4 shall be replaced by the following:

‘4...

This comprises technical regulations imposed by the authorities designated by the Member States and appearing on a list drawn up by the Comission.The authorities designated by Turkey shall be added to this list.’

II. Articles 8, 9, 10, 11 and 12 shall become Articles 2, 3, 4, 5, 6 and 7.

- a.** The following shall be added to the first subparagraph of Article 2(1) (former Article 8(1)):

‘The full text of the draft technical regulation notified, in the original language, and a full translation in one of the official languages of the Community shall be communicated to the Commission.’;

- b.** In the final subparagraph of Article 2(1) (former Article 8(1)) after ‘the detailed comments or opinions of the Commission or the Member States’ the following shall be added ‘or the comments of Turkey’.

The reference to the ‘detailed opinions’ of the Commission or the Member States shall be deleted;

- c.** In Article 2(2) (former Article 8(2)), the following shall be added:

‘Where a six-month standstill is requested, in accordance with the Community procedure, the Community shall inform the Turkish authorities accordingly.’;

- d.** In Article 3 (formerly Article 9) the following shall be replaced by the following:

‘The competent authorities of the EU Member States and Turkey shall postpone the adoption of a draft technical regulation for three months from the date of receipt by the Commission of the communication referred to in Article 2(1).

However, this three-month standstill shall not apply in those cases where, for urgent reasons, occasioned by serious and unforeseeable circumstances, relating to the protection of public and animal health, the preservation of plants or safety, the competent authorities are obliged to prepare technical regulations in a very short space of time in order to enact and introduce them immediately without any consultations being possible. The competent authorities shall give, in the communication referred to in Article 2, the reasons which warrant the urgency of the measures taken. The Commission shall give its views on the communication as soon as possible.’;

- e.** In Article 4 (former Article 10) paragraphs 3 and 4 shall be replaced by the following text:

‘3. Article 4 shall not apply to the technical specifications or other requirements referred to in the second indent of the second paragraph of point 4 of Article 1.’.

IV. Annexes 1 and 2 to the Directive shall be deleted.**V. For the purposes of the application of the Directive, the following communications shall be transmitted by electronic means:**

- a.** notification sheets. These may be communicated before or at the same time as transmission of the full text.

- b.** requests for further information;

- c. replies to requests for further information;
- d. comments;
- e. replies to comments;
- f. requests for ad hoc meeting;
- g. replies to requests for ad hoc meeting;
- h. requests for definitive texts.

At the moment, the following communications may be transmitted by normal post:

- a) full text of the draft notified;
- b) basic legislation or implementing provisions;
- c) definitive text.

V). The contracting parties shall jointly agree the administrative provisions applicable to the communications.

2. Repealed

3a. 392 L 0059: Council Directive 92/59/EEC of 29 June 1992 on general products safety (OJ No L 228, 11.8.1992, p.24).

3b. 393 R 0339: Council Regulation (EEC) No 339/93 of 8 February 1993 on checks for conformity with the rules on product safety in case of products imported from third countries (OJ No L 40, 17.2.1993, p.1, as amended by:

- 393 D 0583: Commission Decision 93/583/EEC of 28 July 1993 (OJ No L 279, 12.11.1993, p.39).
- 1 94 N: Act concerning the Conditions of Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded(OJ No C 241, 29.08.1994, p. 215).

The provisions of the Regulation shall, for the purposes of Decision 1/95, be read with the following adaptations:

(a) In Article 6.1, the following indent shall be added:

- ‘Tehlikeli – serbest dolaşıma izin verilmemiştir- Regülasyon (EEC) No 339/93’ (Turkish);

(b) In Article 6.2, the following shall be added:

-‘Uygun olmayan ürün- serbest dolaşıma izin verilmemiştir-Regülasyon(EEC) No 339/93’(Turkish).

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3c. 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 amending Directives 87/404/EEC (simple pressure vessels), 88/378/EEC (safety of toys), 89/106/EEC (construction products), 89/336/EEC (electromagnetic compatibility), 89/392/EEC (machinery), 89/686/EEC (personal protective equipment, 90/385/EEC (active implantable medicinal devices), 90/396/EEC (appliances burning gaseous fuels), 91/263/EEC (telecommunications terminal equipment), 92/42/EEC (new hot water boilers fired with liquid or gaseous fuels) and 73/23/EEC (electrical equipment designed for use within certain voltage limits) (OJ No L 220, 30.8.1993, p.1).

3d. 393 D 0465: Council Decision 93/465/EEC of 22 July 1993 concerning the modules for the various phases of the conformity assessment procedures and the rules for the affixing and use of the CE conformity marking, which shall be intended to be used in the technical harmonization directives (OJ No L 220, 30.8.1993, p.23).

3e. 394 L 0011: Directive 94/11/EC of the European Parliament and the Council of 23 March 1994 on the approximation of the laws, regulation and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer (OJ No L 100, 19.4.1994, p.37).

3f. 395 D 3052 : Decision No 3052/95/EC of the European Parliament and the Council of 13 December 1995 establishing a procedure for the exchange of information on national measures derogating from the principle of the free movement of goods in the Community. (OJ No L 321, 30.12.1995, p. 1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following acts:

4. C/136/85/p. 2: Conclusions on standardisation, approved by the Council on 16 July 1984 (OJ No C 136, 4.6.1985, p. 2).
5. 385 Y 0604(01): Council Resolution 85/C 136/01 of 7 May 1985 on a new approach to technical harmonization and standards (OJ No C 136, 4.6.1985, p. 1).
6. 386 Y 1001(01): Commission Communication concerning the non-respect of certain provisions of Council Directive 83/189/EEC of 28 March laying down a procedure for the provision of information in the field of technical standards and regulations (OJ No C 245, 1.10.1986, p. 4).
7. C/67/89/p. 3: Commission Communication concerning the publication in the Official Journal of the European Communities of the titles of draft technical regulations notified by the Member States pursuant to Council Directive 83/189/EEC, as amended by Council Directive 88/182/EEC (OJ No C 67, 17.3.1989, p. 3).
8. 390 Y 0116(01): Council Resolution of 21 December 1989 on a global approach to conformity assessment (OJ No C 10, 16.1.90, p. 1).
9. 590 DC 0456: Commission Green Paper on the development of European Standardisation: action for faster technological integration in Europe (OJ No C 20, 28.1.1991, p. 1).

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10. 392 Y 0709(01): Council Resolution of 18 June 1993 on the role of European standardisation in the European economy (OJ No C 173, 9.7.1992, p.1).
11. 392 X 0579: Commission Recommendation 92/579/EEC of 27 November 1992 calling upon Member States to set up the infrastructures needed to identify dangerous products at the external frontiers (OJ No L 374, 22.12.1992, p.66).
12. C/179/94/p.1: Council resolution of 16 June 1994 on the development of administrative cooperation in the implementation and enforcement of Community legislation in the internal market (OJ No C 179, 1.7.1994, p.1).

XX. FREE MOVEMENT OF GOODS - GENERAL**ACTS OF WHICH THE PARTIES SHALL TAKE NOTE:**

The Parties take note of the content of the following acts:

1. 380 Y 1003(01): Communication from the Commission concerning the consequences of the judgement given by the Court of Justice of the European Communities on 20 February 1979 in Case 120/78 ('Cassis de Dijon') (OJ No C 256, 3.10.1980, p. 2).
2. 585 PC 0310: Commission Communication on the completion of the internal market COM(85) 310 final ('White Paper').

XXI. CONSTRUCTION PRODUCTS**ACT REFERRED TO:**

1. 389 L 0106: Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products (OJ No L 40, 11.2.1989, p. 12), as amended by:
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1),
 - 394 D 0611: Council Directive 94/611/EC of 9 September (OJ No L 241, 16.9.1994, p.25),
 - 395 D 0204 : Council Directive 95/204/EC of 31 May 1995 (OJ No L 129, 14.6.1995, p.23),
 - 395 D 0467 : Council Directive 95/467/EC of 24 October 1995 (OJ No L 268, 10.11.1995 ,p. 29).
2. 394 D 0023: Commission Decision 94/23/EC of 17 January 1994 on common procedural rules for European technical approval (OJ No L 17, 20.1.1994, p.34).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following acts:

3. C/62/94/p.1: Communication of the Commission with regard to the interpretative documents of Council Directive 89/106/EEC (OJ No C 62, 28.2.1994, p.1).

XXII. PERSONAL PROTECTIVE EQUIPMENT

ACT REFERRED TO

1. 389 L 0686: Council Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of the Member States relating to personal protective equipment (OJ No L 399, 30.12.1989, p. 18), as amended by:
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1);
 - 393 L 0095: Council Directive 93/95/EEC of 29 October 1993 (OJ No L 279, 9.11.1993, p.11).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following acts:

2. C/44/92/p.13: Commission Communication in the framework of the implementation of the "New Approach" Directives, "Personal Protective Equipment" Council Directive 89/686/EEC of 21 December 1989 (OJ No C 44, 19.2.1992,p.13).
3. C/240/92/p.6: Commission Communication in the framework of the implementation of Council Directive 89/686/EEC in relation to 'Personal Protective Equipment' (OJ No C 240, 19.9.1992, p.6).
4. C/345/93/p.8: Commission Communication in the framework of the implementation of Council Directive 89/686/EEC of 21 December 1989 in relation to personal protective equipment, as amended by the Council Directives 93/68/EEC and 93/95/EEC (OJ No C 345, 23.12.1993, p.8).

XXIII. TOYS

ACT REFERRED TO:

1. 388 L 0378: Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys (OJ No L 187, 16.7.1988, p. 1)as amended by:
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).

Provisions concerning classification and labelling as well as restrictions on the marketing and use of dangerous substances and preparations in this Agreement shall apply also to provisions in Annex II, part II, point 3 of the Directive.

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following acts:

2. C/87/93/p.3: Commission Communication pursuant to Article 9(2) of Council Directive 88/378/EEC regarding the list of bodies approved by the Member States responsible for carrying out the EC type-examination referred to in Articles 8(2) and 10 of that Directive (OJ No C 87, 27.3.1993, p.3).
3. C/155/89/p.2: Commission Communication in the framework of the implementation of Council Directive 88/378/EEC of 3 May concerning the approximation of the laws of the Member States referring to the safety of toys (OJ No C 155, 23.6.1989, p.2).
4. C/237/93/p.2: Commission Communication in the framework of the implementation of Council Directive 88/378/EEC in relation to safety of toys (OJ No C 237, 1.9.1993, p.2).

XXIV. MACHINERY**ACTS REFERRED TO:**

1. 389 L 0392: Council Directive 89/392/EEC of 14 June 1989 on the approximation of the laws of the Member States relating to machinery (OJ No L 183, 29.6.1989, p. 9), as corrected by OJ L 296, 14.10.1989, p. 40, as amended by:
 - 391 L 0368: Council Directive 91/368/EEC of 20 June 1991 (OJ No L 198, 22.7.1991, p. 16).
 - 393 L 0044: Council Directive 93/44/EEC of 14 June 1993 (OJ No L 175, 19.7.1993, p.12);
 - 393 L 0068: Council Directive 93/68/EEC of 22 July 1993 (OJ No L 220, 30.8.1993, p.1).

ACTS OF WHICH THE PARTIES SHALL TAKE NOTE

The Parties take note of the content of the following acts:

2. C/157/92/p.4: Commission Communication in the framework of the implementation of Council Directive 89/392/EEC of 14 June 1989, in relation to machinery, modified by Council Directive 91/368/EEC (OJ No C 157, 24.6.1992, p.4).
3. C/229/93/p.3: Commission Communication in the framework of the implementation of Council Directive 89/392/EEC of 14 June in relation to machinery, as amended by Directive 91/368/EEC (OJ No C 229, 25.8.1993, p.3).

4. C/253/94/p.3: Dates of application of Council Directive 89/392/EEC of 14 June 1989 - amended by Directives 91/368/EEC, 93/44/EEC and 93/68/EEC - on the approximation of the laws of the Member States, roll-over protection structures (ROPS) and falling-object protection structures (OJ No C 253, 10.9.1994, p.3.)

XXV. TOBACCO

ACTS REFERRED TO:

1. 389 L 0622: Council Directive 89/622/EEC of 13 November 1989 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products (OJ No L 359, 8.12.1989, p. 1), as amended by:
 - 392 L 0041: Council Directive 92/41/EEC of 15 May 1992 (OJ No L 158, 11.6.1992, p.30).
2. 390 L 0239: Council Directive 90/239/EEC of 17 May 1990 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the maximum tar yield of cigarettes (OJ No L 137, 30.5.1990, p. 36).

The provisions of the Directive shall, for the purposes of Decision No 1/95, be read with the following adaptations:

In Article 2 the following indent shall be added to the third paragraph:

‘For the Turkish Republic, as a temporary derogation, the limit values and dates of implementation shall be as follows:

- 15 mg per cigarette as from 31 December 2000,
- 12 mg per cigarette as from 31 December 2006.’

XXVI. ENERGY

ACT REFERRED TO:

1. 385 L 0536: Council Directive 85/536/EEC of 5 December 1985 on crude-oil savings through the use of substitute fuel components in petrol (OJ No L 334, 12.12.1985, p. 20)³.

³ Listed here for information purposes only.

XXVII. SPIRIT DRINKS

Contracting Parties shall authorise imports and marketing of spirit drinks which are in conformity with the Community legislation as listed in this Chapter.

ACTS REFERRED TO:

1. 389 R 1576: Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks (OJ No L 160, 12.6.1989, p. 1), as corrected by OJ No L 223, 2.8.1989, p. 27, as amended by:
 - 392 R 3280: Council Regulation (EEC) No 3280/92 of 9 November 1992 (OJ No L 327, 13.11.1992, p.3).
2. 390 R 1014: Commission Regulation (EEC) No 1014/90 of 24 April 1990 laying down detailed implementing rules on the definition, description and presentation of spirit drinks (OJ No L 105, 25.4.1990, p. 9), as amended by:
 - 391 R 1180: Commission Regulation (EEC) No 1180/91 of 6 May 1991 (OJ No L 115, 8.5.1991, p. 5),
 - 391 R 1781: Commission Regulation (EEC) No 1781/91 of 19 June 1991 (OJ No L 160, 25.6.1991, p. 6);
 - 392 R 3458: Commission Regulation (EEC) No 3458/92 of 30 November 1992 (OJ No L 350, 1.12.1992, p.59),
 - 395 R 1712 : Commission Regulation (EC) No 1712/95 of 13 July 1995 (OJ No L 163, 14.7.1995, p. 4),
 - 395 R 2626 : Commission Regulation (EC) No 2626/95 of 10 November 1995 (OJ No L 269, 11.11.1995, p. 5).
3. 391 R 1601: Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine based drinks and aromatized wine product cocktails (OJ No L 149, 14.6.1991, p. 1), as amended by:
 - 392 R 3279: Council Regulation (EEC) No 3279/92 of 9 November 1992 (OJ No L 327, 13.11.1992, p.1).
4. 391 R 3664: Commission Regulation (EEC) No 3664/91 of 16 December 1991 laying down transitional measures for aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ No L 348, 17.12.1991, p.53), as amended by:
 - 392 R 1351: Commission Regulation (EEC) No 351/92 of 13 February 1992 (OJ No L 37, 14.2.1992, p.9);
 - 392 R 1914: Commission Regulation (EEC) No 1914/92 of 10 July 1992 (OJ No L 192, 11.7.1992, p.39);
 - 392 R 3568: Commission Regulation (EEC) No 3568/92 of 10 December 1992 (OJ No L 362, 11.12.1992, p.47);

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- 393 R 1791: Commission Regulation (EEC) No 1791/93 of 30 June 1993 (OJ No L 163, 6.7.1993, p.20.)
- 5. 392 R 1238: Commission regulation (EEC) No 1238/92 of 8 May 1992 determining the Community methods applicable in the wine sector for the analysis of neutral alcohol (OJ No L 130, 15.5.1992, p.13.)
- 6. 392 R 2009: Commission Regulation (EEC) No 2009/92 of 20 July 1992 determining Community analysis methods for ethyl alcohol of agricultural origin used in the preparation of spirit drinks, aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ No L 203, 21.7.1992, p.10.)

XXVIII. CULTURAL GOODS**ACTS REFERRED TO:**

- 1. 393 L 0007: Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State (OJ No L 74, 27.3.1993, p.74.)

XXIX. EXPLOSIVES FOR CIVIL USE**ACTS REFERRED TO:**

- 1. 393 L 0015: Council Directive 93/15/EEC of 5 April 1993 on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil use (OJ No L 121, 15.5.1993, p.20.)

XXX. MEDICAL DEVICES**ACTS REFERRED TO:**

- 1. 393 L 0042: Council Directive 93/42/EEC of 14 June 1993 concerning medical devices (OJ No L 169, 12.7.1993, p.1.)

XXXI. RECREATIONAL CRAFT**ACTS REFERRED TO:**

- 1. 394 L 0025: Directive 94/25/EC of the European Parliament and of the Council of 6 June 1994 on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft (OJ No L 164, 30.6.1994, p.15.)

XXXII. MISCELLANEOUS**ACTS REFERRED TO:**

- 1. 369 L 0493: Council Directive 69/493/EEC of 15 December 1969 on the approximation of the laws of the Member States relating to crystal glass (OJ No L 326, 29.12.1969, p. 36)

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2. 394L 0011: Directive 94/11/EC of the European Parliament and of the Council of 23 March 1994 on the approximation of laws, regulations and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer (OJ No L 100, 19.4.1994, p.37).

DECISION No 1/98 OF THE EC-TURKEY ASSOCIATION COUNCIL of 25 February 1998 on the trade regime for agricultural products (98/223/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to that Agreement and in particular to Article 35 thereof,

Whereas Article 26 of Decision 1/95 of the Association Council of 22 December 1995 on implementing the final phase of the Customs Union¹ provides that Turkey and the Community shall progressively improve the preferential arrangements which they grant each other for their trade in agricultural products;

Whereas the resolution of the Association Council of 6 March 1995 considered it necessary to start negotiations concerning the granting of reciprocal concessions on agricultural products;

Whereas in order to take account of certain problems following the enlargement of the Community and the implementation of the Uruguay Round Agreement certain changes to the trade regime appeared necessary;

Whereas negotiations have been held between Turkey and the Community;

Whereas origin rules have been also agreed between the parties;

Whereas it is appropriate to consolidate in a single document the trade preferences on agricultural products between Turkey and the Community,

HAS DECIDED AS FOLLOWS:

Article 1

1. Quantitative restrictions on imports and on exports of agricultural products and all equivalent measures shall be prohibited between the Community and Turkey.
2. The provisions of paragraph 1 shall not restrict in any way the pursuance of the respective agricultural policies of the Community and Turkey or the taking of any measures under such policies.

¹ OJ L 35, 13.2.1996, p. 1.

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Article 2

The preferential regime applied by the Community to the import of agricultural products originating in Turkey is set out in Protocol 1.

Article 3

The preferential regime applied by Turkey to the import of agricultural products originating in the Community is set out in Protocol 2.

Article 4

The rules of origin are set out in Protocol 3.

Article 5

Where either the quantities or the prices of imported products from the other party in respect of which a preferential regime has been granted causes or threatens to cause disturbance of the Community or Turkish markets, consultations shall be held as soon as possible within the Association Council. This shall not preclude the application, in an emergency, of measures provided for under Community or Turkish rules.

Article 6

Decision No 1/77 and Article 2, Article 3 (1), (3) and (4) and Article 4 of Chapter 1 of Decision No 1/80 are hereby deleted.

Article 7

This Decision shall be published in the Official Journal of the European Communities and in the Official Journal of Turkey.

Article 8

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

It shall apply from 1 January 1998. Nevertheless the import arrangements for hazelnuts (CN 0802 21 00 and 0802 22 00) laid down in Annex 1 to Protocol 1 shall apply from 1 January 1999.

Done at Brussels, 25 February 1998.

**For the EC-Turkey Association Council
The President
R. COOK**

PROTOCOL 1**Concerning the preferential regime applicable to the importation into the Community of agricultural products originating in Turkey****Article 1**

The products originating in Turkey, listed in Annex II to the Treaty establishing the European Community shall be admitted for importation into the Community according to the conditions contained in this protocol and in Annexes 1, 2 and 3.

Article 2**Ad valorem duties**

1. Imports of the products not contained in Annex 1 shall be exempt from *ad valorem* duties.
2. For products listed in Annex 1, *ad valorem* duties shall be reduced or eliminated as indicated in column 'C' thereof during the periods and subject to the conditions specified hereafter and in the Annexes to this protocol.
3. For certain products listed in Annex 1, *ad valorem* duties shall be eliminated within the limit of the tariff quotas listed in column 'D' thereof for each of them. For quantities imported in excess of these tariff quotas the normal rates of duty of the Common Customs Tariff shall apply.
4. For certain products listed in Annex 1 the concessions shall only apply within certain periods, as specified in columns 'A' and 'B' thereof. For quantities imported outside those periods, the normal rates of duty of the Common Customs Tariff shall apply.

Article 3**Specific duties**

1. For certain products listed in Annex 1, the specific duties shall be reduced or eliminated subject to the conditions specified hereafter and in Annex 1.
2. Specific duties shall be either reduced or eliminated, as indicated in column 'E' of Annex 1.
3. For certain products listed in Annex 1, specific duties shall be reduced or eliminated within the limit of the tariff quotas listed in column 'F' thereof for each of them. For quantities imported in excess of the quotas either the normal rates of duty of the Common Customs Tariff shall apply or reduced duties shall apply, as indicated in column 'G' of Annex 1.

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4. On condition that Turkey applies a special export tax on rye produced in Turkey and imported directly from that country into the Community, the specific duty shall be reduced by an amount equal to the export tax charged by Turkey, up to a limit of ECU 11,68 per tonne.

Article 4

Annex 2 sets out a cooperation scheme on hazelnuts.

Article 5

Concerning prepared tomatoes with a dry matter content of not less than 12 % the tariff quota of 30 000 tonnes provided for in Annex 1 shall be opened in two equal instalments of 15 000 tonnes, from 1 January to 30 June and from 1 July to 31 December respectively. This quota is managed according to the coefficients set out in Annex 3.

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ANNEX 1

ARRANGEMENTS APPLICABLE TO THE IMPORTATION INTO THE
COMMUNITY OF AGRICULTURAL PRODUCTS ORIGINATING IN TURKEY

For the purposes of this Annex, the term CCT means the rates shown in column 3 or 4 of Part Two or Part Three, Section I of Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff, as amended², whichever is lower.

A	B	C	D	E	F	G
CN code	Description	CCT ad valorem duty		Specific duty		
		Duty reduction (%)	Tariff quota (t)	In quota duty	Tariff quota (t)	Over quota duty
0204	Meat of sheep or goats	100	—	0	200	
0207 25 10	Meat of turkeys, not cut in pieces, frozen			ECU/t 170	1 000	
0207 25 90				ECU/t 186		
0207 27 30	Turkey cuts and offal other than liver, frozen			ECU/t 134		
0207 27 40				ECU/t 93		
0207 27 50				ECU/t 339		
0207 27 60				ECU/t 127		
0207 27 70				ECU/t 230		
0406 90 29	Kashkaval cheese			0	1 500	ECU 67,19/100 kg
Ex 0406 90 31	Cheese made exclusively from sheep's milk or buffalo milk, in containers containing brine, or in sheepskin or goatskin bottles					
Ex 0406 90 50	Other cheese made exclusively of sheep milk or buffalo milk in containers containing brine, or in sheep or goatskin bottles					
Ex 0406 90 86	Tulum Peyniri, made from sheep or buffalo milk, in individual plastic or other kind of packing of less than 10 kg					
Ex 0406 90 87						
Ex 0406 90 88						
Ex 0701 90	Potatoes, from 1 January to 31 March	100	—			
Ex 0703 10 11	Onions, from 15 February to 15 May	100	—			
Ex 0703 10 19		100	—			

²

OJ L 256, 7.9.1987, p. 1.

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A	B	C	D	E	F	G
CN code	Description	CCT ad valorem duty		Specific duty		
		Duty reduction (%)	Tariff quota (t)	In quota duty	Tariff quota (t)	Over quota duty
Ex 0703 10 11 Ex 0703 10 19	Onions, from 16 May to 14 February	100 100	2 000			
Ex 0708 20 20 Ex 0708 20 95	Beans, from 1 November to 30 April	100	—			
Ex 0708 90 00	Broad beans (<i>Vicia Faba major</i> L.), from 1 July to 30 April	100	—			
Ex 0709 30 00	Aubergines, from 15 January to 30 April	100	—			
Ex 0709 30 00	Aubergines, from 1 May to 14 January	100	1 000			
Ex 0709 40 00	Ribbed or stick celery (<i>Apium graveolens</i> L., var <i>dulce</i> (Mill) Pers.), from 1 January to 30 April	100	—			
0709 90 71 Ex 0709 90 73 Ex 0709 90 79	Courgettes, from 1 December to end February	100	—			
Ex 0709 90 73 0709 90 75 0709 90 77 Ex 0709 90 79	Courgettes, from 1 March to 30 November	100	500			
Ex 0709 90 90	Pumpkins, from 1 December to end February	100	—			
Ex 0709 90 90	Wild onions of the genus <i>Muscari comosum</i> , from 15 February to 15 May	100	—			
0802 21 00 0802 22 00	Hazelnuts or filberts (<i>Corylus</i> spp)	Duty rate: 3 %	—			
0806 10 21 Ex 0806 10 29 0806 10 30 Ex 0806 10 40 Ex 0806 10 50 0806 10 61 0806 10 69	Fresh table grapes, from 15 November to 30 April and from 18 June to 31 July	100	—			
Ex 0807 11 00	watermelons, from 1 April to 15 June	100	—			

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A	B	C	D	E	F	G
CN code	Description	CCT ad valorem duty		Specific duty		
		Duty reduction (%)	Tariff quota (t)	In quota duty	Tariff quota (t)	Over quota duty
Ex 0807 11 00	Watermelons, from 16 June to 31 March	100	14 000			
Ex 0807 19 00	Other melons, from 1 November to 31 May		—			
Ex 0809 40 10			—			
Ex 0809 40 20	Plums, from 1 May to 15 June		—			
0811 10 11	Strawberries, frozen	100	—	0	100	
0811 20 11	Raspberries, etc., frozen	100	—	0		
0811 90 19	Other fruits frozen	100	—	0		
1002 00 00	Rye			Reduction according to Article 3 (4)	—	
1107 10	Malt, not roasted			Reduction of ECU/t 6,57	—	
1107 20 00	Malt roasted			Reduction of ECU/t 6,57	—	
1509 10 10	Lampante virgin olive oil			10 % reduction	—	
1509 10 90	Other virgin olive oil			10 % reduction	—	
1509 90 00	Other olive oil than virgin			5 % reduction	—	
1510 00 10	Crude olive oil			10 % reduction	—	
1510 00 90	Other olive oil			5 % reduction	—	
2002 10	Prepared tomato, whole or in pieces				—	
2202 90 11 2002 90 19	Other prepared tomatoes, with a dry matter content of less than 12 % by weight	100	8 000		—	
2002 90 31 2002 90 39 2002 90 91 2002 90 99	Other prepared tomatoes, with a dry matter content of not less than 12 % by weight	100	30 000 t (equivalence 28/30 % dry matter content)			

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A	B	C	D	E	F	G
CN code	Description	CCT ad valorem duty		Specific duty		
		Duty reduction (%)	Tariff quota (t)	In quota duty	Tariff quota (t)	Over quota duty
2007 91 30	Jams, jellies, marmalades, puree and pastes, being cooked preparations, other than homogenised preparations, of citrus fruit, with a sugar content exceeding 13 % but not exceeding 30 % by weight	100	—	0	100	
2007 99 39	Other preparations, with a sugar content exceeding 30 % by weight	100	—	0	100	
Ex 2008 50 92	Apricot pulp, not containing added spirit or sugar in immediate packing of a net content of 4,5 kg or more	100	600			
Ex 2008 50 94						
2204 10	Sparkling wine			0	—	
2204 21	Other wine, grape must with fermentation prevented or arrested by the addition of alcohol, in containers holding 2 litres or less			0	—	
2204 29	Other wine; grape must with fermentation prevented or arrested by the addition of alcohol, in containers holding more than 2 litres			0	—	
2206 00	Other fermented beverages; mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included			0	—	
Ex 2007	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher and ethyl alcohol and other spirits, denatured, of any strength, obtained from agricultural goods listed in Annex II to the EC Treaty			0	—	
2009 00	Vinegar and substitutes for vinegar obtained from acetic acid			0	—	

ANNEX 2

COOPERATION SCHEME ON HAZELNUTS

In order to encourage market stability and continuity of supply as well as stable market prices for hazelnuts, the following cooperation scheme in this sector shall apply.

1. Before the beginning of each marketing year, during the second half of September at the latest, an exchange of views will take place between the two parties which may include, from the Community side, the relevant European organisations for the product concerned and, from the Turkish side, Fiskobirlik, together with the relevant exporter unions.

During these consultations the market situation for hazelnuts including, in particular, production forecasts, stocks situation, expected producer and export prices and possible market development as well as possibilities of adapting supply to demand will be discussed.

2. If the import of hazelnuts from Turkey into the European Community takes place under such conditions that the European Community market risks being disturbed in the immediate future, the Commission of the European Communities will alert the Turkish authorities. Immediate consultations will take place with the aim of examining possibilities for market stabilisation.

ANNEX 3

TOMATO CONCENTRATE: CORRECTION COEFFICIENTS

Dry matter content by weight		Coefficients
Not less than	But less than	
12	14	0,44828
14	16	0,51724
16	18	0,58621
18	20	0,65517
20	22	0,72414
22	24	0,7931
24	26	0,86207
26	28	0,93103
28	30	1
30	32	1,06897
32	34	1,13793
34	36	1,20689
36	38	1,27586
38	40	1,34483
40	42	1,41379
42	93	1,44828
93	100	3,32759

PROTOCOL 2

Concerning the preferential regime applicable to the importation into Turkey of agricultural products originating in the Community

Article 1

The products originating in the Community, listed in Annex II to the Treaty establishing the European Community, shall be admitted for importation into Turkey according to the conditions contained hereafter and in the Annex.

Article 2

1. Import charges shall either be eliminated or reduced to the level indicated in column 'C' of the Annex, during the periods and subject to the conditions specified hereafter and in the Annex.
2. For certain products listed in the Annex, the import charges shall be eliminated within the limit of the tariff quotas listed in column 'D' thereof for each of them. For quantities imported in excess of the quotas, the import charges of the Turkish import regime to third countries shall apply.
3. For certain products listed in the Annex the import charges shall be eliminated or reduced within certain periods, as specified in columns 'A' and 'B' thereof. For quantities imported outside those periods, the import charges of the Turkish import regime to third countries shall apply.

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ANNEX

ARRANGEMENTS APPLICABLE TO THE IMPORTATION INTO TURKEY OF
AGRICULTURAL PRODUCTS ORIGINATING IN THE COMMUNITY

A	B	C	D
CN code	Description	Reduction of the MFN duty (%)	Tariff quota (tonnes)
0102 10	Live bovines: pure bred breeding animals	100	Unlimited
0102 90 29	Live bovine animals, other than pure bred breeding animals, of a weight from 80 to 160 kg	100	2 000
ex 0102 90 (0102 90 29 excluded)	Live bovine animals; other than pure bred breeding animals, other than those of a weight from 80 to 160 kg	50	1 500
0202 20	Other cuts of bovine meat, with bone in, frozen	50 % reduction with maximum duty: 1998, 43 % 1999, 37 % from 2000, 30 %	5 000
0202 20	Other cuts of bovine meat, with bone in, frozen	30 % reduction with maximum duty: 1998, 61 % 1999, 52 % from 2000, 43 %	14 000
0402 10	Milk and cream in powder, granules or other solid forms, of a fat content by weight, not exceeding 1,5 %	100	1 500 (*)
0402 21	Milk and cream in powder, granules or other solid forms, of a fat content by weight, exceeding 1,5 % not containing added sugar or other sweetening matter	100	2 500 (*)
0405 10 0405 20 90 0405 90	Butter and other fats and oils derived from milk; dairy spreads	100	3 000
0406 30	Processed cheese, not grated or powdered	100	300
0406 90	Other cheese	100	2 000
0601	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots other than roots of heading No 1212	100	200

(*) These quotas are foreseen for imports under the inward-processing scheme.

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A	B	C	D
CN code	Description	Reduction of the MFN duty (%)	Tariff quota (tonnes)
ex 0602 90 (0602 90 91 excluded)	Live plants, other	100	3 000
0603 10	Cut flowers, etc. fresh	100	100
0604	Foliage, branch, and other parts of plants, without flowers or flower buds, and grasses, mosses and lichens, being goods of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared	100	100
0701 10 00	Seed potatoes, fresh or chilled	100	5 000
0808 10 except: 0808 10 51 0808 10 61 0808 10 71 0808 10 92	Apples fresh, other than of the variety golden delicious	100	1 000
ex 0809 30 31 ex 0809 30 39 0809 30 41 0809 30 49 0809 30 51 0809 30 59	Peaches, including nectarines, fresh, from 15 July to 31 December	100	1 000
0810 90 30	Tamarinds, cashew apples, lychees, jackfruit and sapodilla plums, fresh	100	1 000
0810 90 40	Passion fruit, carambola and pitahaya, fresh	100	500
0810 90 85	Other fruit, fresh	100	500
0902	Tea	Maximum duty: 45 %	200
ex 1001 10 00	Durum wheat, from 1 September to 31 May	100	100 000
ex 1001 90	Wheat, from 1 September to 31 May, other than durum wheat	100	200 000
ex 1002 00 00	Rye, from 1 September to 31 May	100	20 000
ex 1003 00	Barley, from 1 September to 31 May, for malting	100	46 000
ex 1005 90 00	Maize (corn), from 1 December to 31 May, other than seed	100	52 000

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A	B	C	D
CN code	Description	Reduction of the MFN duty (%)	Tariff quota (tonnes)
1006 30	Semi-milled or wholly milled rice	100	28 000
1207 20 90	Cotton seeds, other than for sowing	100	1 500
ex 1209	Seeds, fruit and spores, for sowing, except 1209 11 00	100	1 000
1209 11 00	Sugar beet seed	100	300
1502	Fats of bovine animals, sheep or goats	100	3 000
ex 1507 10	Soya bean crude oil, from 1 January to 31 August	100	60 000
ex 1507 90	Refined soya oil, from 1 January to 31 August	50	2 000
ex 1512 11	Sunflower seed or safflower crude oil, from 1 January to 31 August	100	18 000
ex 1514 10	Rape and colza or mustard crude oil, from 1 January to 31 August	100	10 000
1701 99	Cane or beet sugar and chemically pure sucrose, in solid form, other than raw sugar, not containing added flavouring or colouring matter	20 %, with a maximum duty of 50 %	80 000
2002 90	Tomatoes prepared, other	100	1 500
2209 00	Vinegar and substitutes obtained from acetic acid	100	2 500
2301	Flours, meals and pellets, of meat or meat offal, or fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption; greaves	100	—
2304	Cake and other solid residues from soya-bean oil	100	—
2309 10	Dog or cat food, put up for retail sale	100	1 000
2309 90	Other preparations of a kind used in animal feeding	100	6000

Joint statement on veterinary and phytosanitary matters

The European Community and Turkey are prepared to undertake discussions on veterinary and phytosanitary issues of mutual interest, including the establishment of closer cooperation and exchange of information. The scope should also cover the veterinary conditions needed for the possible importation into the Community of Turkish meat products processed from the meat imported from the Community or from other Community approved sources.

Joint statement

In the event of persistent difficulties arising with regard to Turkey's exports of lemons to the Community, an exchange of views will be organised between the Commission of the European Communities and Turkey in order to examine the causes of these difficulties, particularly in the light of the market situations in the Community and in Turkey, and in order to seek a solution.

Joint statement

If under special circumstances the Community imports of tomato concentrate originating from Turkey during the first semester of any year are significantly lower than the tariff quota of 15 000 tonnes due to special production conditions in Turkey, an exchange of views will be organised between Turkey and the Commission of the European Communities in order to examine the causes of these difficulties, and in order to seek a solution, taking into account the market situations in the Community and in Turkey.

Joint statement

(Note verbale)

Should the general system of preferences applicable from the year 2000 onwards include provisions of interest for Turkey, the parties will hold consultations in order to agree the necessary adaptations to be made to the preferential provisions of the Decision.

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TITLE I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Protocol

- (a) ‘manufacture’ means any kind of working or processing including assembly or specific operations;
- (b) ‘material’ means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- (c) ‘product’ means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- (d) ‘goods’ means both materials and products;
- (e) ‘customs value’ means the value as determined in accordance with the 1994 Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade (WTO Agreement on customs valuation) ;
- (f) ‘ex-works price’ means the price paid for the product ex works to the manufacturer in the Community or Turkey in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used, minus any internal taxes which are, or may be, repaid when the product obtained is exported;
- (g) ‘value of materials’ means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the Community or Turkey;
- (h) ‘value of originating materials’ means the value of such materials as defined in subparagraph (g) applied mutatis mutandis;
- (i) ‘added value’ shall be taken to be the ex works price minus the customs value of each of the products incorporated which did not originate in the country in which those products were obtained;
- (j) ‘chapters’ and ‘headings’ mean the chapters and the headings (four-digit codes) used in the nomenclature which make up the harmonised commodity description and coding system, referred to in this Protocol as ‘the Harmonised System’ or ‘HS’;
- (k) ‘classified’ refers to the classification of a product or material under a particular heading;

- (l) 'consignment' means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice;
- (m) 'territories' includes territorial waters.

TITLE II

DEFINITION OF THE CONCEPT OF 'ORIGINATING PRODUCTS'

Article 2

General requirements

1. For the purpose of implementing this Decision, the following products shall be considered as originating in the Community:
 - (a) products wholly obtained in the Community within the meaning of Article 4 of this Protocol;
 - (b) products obtained in the Community incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in the Community within the meaning of Article 5 of this Protocol;
2. For the purpose of implementing this Decision, the following products shall be considered as originating in Turkey:
 - (a) products wholly obtained in Turkey within the meaning of Article 4 of this Protocol;
 - (b) products obtained in Turkey incorporating materials which have not been wholly obtained there, provided that such materials have undergone sufficient working or processing in Turkey within the meaning of Article 5 of this Protocol.

Article 3

Bilateral cumulation of origin

1. Materials originating in the Community shall be considered as materials originating in Turkey when incorporated into a product obtained there. It shall not be necessary that such materials have undergone sufficient working or processing, provided they have undergone working or processing going beyond that referred to in Article 6 (1) of this Protocol. 2.

2. Materials originating in Turkey shall be considered as materials originating in the Community when incorporated into a product obtained there. It shall not be necessary that such materials have undergone sufficient working or processing, provided they have undergone working or processing going beyond that referred to in Article 6 (1) of this Protocol.

Article 4

Wholly obtained products

1. The following shall be considered as wholly obtained in the Community or Turkey:
 - (a) mineral products extracted from their soil or from their seabed;
 - (b) vegetable products harvested there;
 - (c) live animals born and raised there;
 - (d) products from live animals raised there;
 - (e) products obtained by hunting or fishing conducted there;
 - (f) products of sea fishing and other products taken from the sea outside the territorial waters of the Community or Turkey by their vessels;
 - (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f) ;
 - (h) waste and scrap resulting from manufacturing operations conducted there;
 - (i) goods produced there exclusively from the products specified in subparagraphs (a) to (h) .
2. The terms ‘their vessels’ and ‘their factory ships’ in subparagraphs 1 (f) and (g) shall apply only to vessels and factory ships:
 - (a) which are registered or recorded in an EC Member State or in Turkey;
 - (b) which sail under the flag of an EC Member State or of Turkey;
 - (c) which are owned to an extent of a least 50 % by nationals of EC Member States or of Turkey, or by a company with its head office in one of these States, of which the manager or managers, chairman of the board of directors or the supervisory board, and the majority of the members of such boards are nationals of EC Member States or of Turkey and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to those States or to public bodies or nationals of the said States;
 - (d) of which the master and officers are nationals of EC Member States or of Turkey; and

- (e) of which at least 75 % of the crew are nationals of EC Member States or of Turkey.

Article 5

Sufficiently worked or processed products

1. For the purposes of Article 2, products which are not wholly obtained are considered to be sufficiently worked or processed when the conditions set out in the list in Annex II are fulfilled.

The conditions referred to above indicate, for all products covered by this Decision, the working or processing which must be carried out on non-originating materials used in manufacturing and apply only in relation to such materials. Accordingly, it follows that if a product, which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

2. Notwithstanding paragraph 1, non-originating materials which, according to the conditions set out in the list, should not be used in the manufacture of a product may nevertheless be used, provided that:
 - (a) their total value does not exceed 10 % of the ex-works price of the product;
 - (b) any of the percentages given in the list for the maximum value of non-originating materials are not exceeded through the application of this paragraph.
3. Paragraphs 1 and 2 shall apply except as provided in Article 6.

Article 6

Insufficient working or processing operations

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 5 are satisfied:
 - (a) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations) ;
 - (b) simple operations consisting or removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, painting, cutting up;

- (c) (i) changes of packaging and breaking up and assembly of packages
simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or
(ii) boards etc., and all other simple packaging operations;
 - (d) affixing marks, labels and other like distinguishing signs on products or their packaging;
 - (e) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating in the Community or Turkey;
 - (f) simple assembly of parts to constitute a complete product;
 - (g) a combination of two or more operations specified in subparagraphs (a) to (f) ;
 - (h) slaughter of animals.
2. All the operations carried out in either the Community or Turkey on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

Article 7

Unit of qualification

1. The unit of qualification for the application of the provisions of this Protocol shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonised System.
- Accordingly, it follows that:
- (a) when a product composed of a group or assembly of Articles is classified under the terms of the Harmonised System in a single heading, the whole constitutes the unit of qualification;
 - (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each product must be taken individually when applying the provisions of this Protocol.
2. Where, under general rule 5 of the Harmonised System, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

Article 8**Sets**

Sets, as defined in general rule 3 of the Harmonised System, shall be regarded as originating when all component products are originating. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15 % of the ex-works price of the set.

Article 9**Neutral elements**

In order to determine whether a product originates, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment;
- (c) machines and tools;
- (d) good which do not enter and which are not intended to enter into the final composition of the product.

TITLE III**TERRITORIAL REQUIREMENTS****Article 10****Principle of territoriality**

1. The conditions set out in Title II relative to the acquisition of originating status must be fulfilled without interruption in the Community or Turkey.
2. If originating goods exported from the Community or Turkey to another country are returned they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:
 - (a) the goods returned are the same goods as those exported; and
 - (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

Article 11

Direct transport

1. The preferential treatment provided for under the Decision applies only to products, satisfying the requirements of this Protocol, which are transported directly between the Community and Turkey. However, products constituting one single consignment may be transported through other territories with, should the occasion arise, transshipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.
2. Evidence that the conditions set out in paragraph 1 have been fulfilled shall be supplied to the customs authorities of the importing country by the production of:
 - (a) a single transport document covering the passage from the exporting country through the country of transit; or
 - (b) a certificate issued by the customs authorities of the country of transit:
 - i. giving an exact description of the products;
 - ii. stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and
 - iii. certifying the conditions under which the products remained in the transit country; or
 - (c) failing these, any substantiating documents.

Article 12

Exhibitions

1. Originating products, sent for exhibition in another country and sold after the exhibition for importation in the Community or Turkey shall benefit on importation from the provisions of the Decision provided it is shown to the satisfaction of the customs authorities that:
 - (a) an exporter has consigned these products from the Community or Turkey to the country in which the exhibition is held and has exhibited them there;
 - (b) the products have been sold or otherwise disposed of by that exporter to a person in the Community or Turkey;
 - (c) the products have been consigned during the exhibition or immediately thereafter in the state in which they were sent for exhibition; and

- (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.
2. A proof of origin must be issued or made out in accordance with the provisions of Title V and submitted to the customs authorities of the importing country in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.
3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organised for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

TITLE IV

DRAWBACK OR EXEMPTION

Article 13

Prohibition of drawback of, or exemption from, customs duties

1. Non-originating materials used in the manufacture of products originating in the Community or in Turkey for which a proof of origin is issued or made out in accordance with the provisions of Title V shall not be subject in the Community or Turkey to drawback of, or exemption from, customs duties of whatever kind.
2. The prohibition in paragraph 1 shall apply to any arrangement for refund, remission or non-payment, partial or complete, of customs duties or charges having an equivalent effect, applicable in the Community or Turkey to materials used in the manufacture, where such refund, remission or non-payment applies, expressly or in effect, when products obtained from the said materials are exported and not when they are retained for home use there.
3. The exporter of products covered by a proof of origin shall be prepared to submit at any time, upon request from the customs authorities, all appropriate documents proving that no drawback has been obtained in respect of the non-originating materials used in the manufacture of the products concerned and that all customs duties or charges having equivalent effect applicable to such materials have actually been paid.
4. The provisions of paragraphs 1 to 3 shall also apply in respect of packaging within the meaning of Article 7 (2) and products in a set within the meaning of Article 8 when such items are non-originating.
5. The provisions of paragraphs 1 to 4 shall apply only in respect of materials which are of the kind to which the Decisions applies. Furthermore, they shall not preclude the

application of an export refund system for agricultural products, applicable upon export in accordance with the provisions of the Decision.

6. Notwithstanding paragraph 1, when Turkey applies a higher rate of customs duty than is in force in the Community, Turkey may apply arrangements for drawback of, or exemption from, customs duties or charges having an equivalent effect, applicable to materials used in the manufacture of originating products, subject to the condition that the rate of customs charge shall not be less than that applicable to the same materials imported into the Community.

TITLE V

PROOF OF ORIGIN

Article 14

General requirements

1. Products originating in the Community shall, on importation into Turkey and products originating in Turkey shall, on importation into the Community, benefit from the Decision upon submission of either:
 - (a) a movement certificate EUR.1, a specimen of which appears in Annex III; or
 - (b) in the cases specified in Article 19 (1), a declaration, the text of which appears in Annex IV, given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified (hereinafter referred to as the 'invoice declaration') .
2. Notwithstanding paragraph 1, originating products within the meaning of this Protocol shall, in the cases specified in Article 23, benefit from the Decision without it being necessary to submit any of the documents referred to above.

Article 15

Procedure for the issue of a movement certificate EUR.1

1. A movement certificate EUR.1 shall be issued by the customs authorities of the exporting country on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative.
2. For this purpose, the exporter or his authorised representative shall fill out both the movement certificate EUR.1 and the application form, specimens of which appear in Annex III. These forms shall be completed in one of the languages in which the Decision is drawn up and in accordance with the provisions of the domestic law of the

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exporting country. If they are hand-written, they shall be completed in ink in printed characters. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

3. The exporter applying for the issue of a movement certificate EUR.1 shall be prepared to submit at any time, at the request of the customs authorities of the exporting country where the movement certificate EUR.1 is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.
4. A movement certificate EUR.1 shall be issued by the customs authorities of an EC Member State or Turkey if the products concerned can be considered as products originating in the Community or Turkey and fulfil the other requirements of this Protocol.
5. The issuing customs authorities shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of this Protocol. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. The issuing customs authorities shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.
6. The date of issue of the movement certificate EUR.1 shall be indicated in box 11 of the certificate.
7. A movement certificate EUR.1 shall be issued by the customs authorities and made available to the exporter as soon as actual exportation has been effected or ensured.

Article 16**Movement certificates EUR.1 issued retrospectively**

1. Notwithstanding Article 15 (7), a movement certificate EUR.1 may exceptionally be issued after exportation of the products to which it relates if:
 - (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
 - (b) it is demonstrated to the satisfaction of the customs authorities that a movement certificate EUR.1 was issued but was not accepted at importation for technical reasons.
2. For the implementation of paragraph 1, the exporter must indicate in his application the place and date of exportation of the products to which the movement certificate EUR.1 relates, and state the reasons for his request.

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3. The customs authorities may issue a movement certificate EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.
4. Movement certificates EUR.1 issued retrospectively must be endorsed with one of the following phrases:

‘NACHTRÄGLICH AUSGESTELLT’, ‘DÉLIVRÉ À POSTERIORI’, ‘RILASCIATO A POSTERIORI’, ‘AFGEGEVEN A POSTERIORI’, ‘ISSUED RETROSPECTIVELY’, ‘UDSTEDT EFTERFØLGENDE’, ‘ΕΚΔΟ ΟΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩ’, ‘EXPEDIDO A POSTERIORI’, ‘EMITIDO A POSTERIORI’, ‘ANNETTU JÄLKIKÄTEEN’, ‘UTFÄRDAT I EFTERHAND’, ‘SONRADAN VERİLMİŞTİR’.
5. The endorsement referred to in paragraph 4 shall be inserted in the ‘Remarks’ box of the movement certificate EUR.1.

Article 17**Issue of a duplicate movement certificate EUR.1**

1. In the event of theft, loss or destruction of a movement certificate EUR.1, the exporter may apply to the customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession.
2. The duplicate issued in this way must be endorsed with one of the following words:

‘DUPLIKAT’, ‘DUPLICATA’, ‘DUPLICATO’, ‘DUPLICAAT’, ‘DUPLICATE’, ‘ΑΝΤΙΓΡΑΦΟ’, ‘DUPLICADO’, ‘SEGUNDA VIA’, ‘KAKSOISKAPPALE’, ‘İKİNCİ NÜSHADIR’.
3. The endorsement referred to in paragraph 2 shall be inserted in the ‘Remarks’ box of the duplicate movement certificate EUR.1.
4. The duplicate, which must bear the date of issue of the original movement certificate EUR.1, shall take effect as from that date.

Article 18**Issue of movement certificates EUR.1 on the basis of a proof of origin issued or made out previously**

When originating products are placed under the control of a customs office in the Community or Turkey, it shall be possible to replace the original proof of origin by one or more movement certificates EUR.1 for the purpose of sending all or some of these products elsewhere within the Community or Turkey. The replacement movement certificate (s) EUR.1 shall be issued by the customs office under whose control the products are placed.

Article 19

Conditions for making out an invoice declaration

1. An invoice declaration as referred to in Article 14 (1) (b) may be made out:
 - (a) by an approved exporter within the meaning of Article 20; or
 - (b) by any exporter for any consignment consisting of one or more packages containing originating products whose total value does not exceed ECU 6 000.
2. An invoice declaration may be made out if the products concerned can be considered as products originating in the Community or Turkey and fulfil the other requirements of this Protocol.
3. The exporter making out an invoice declaration shall be prepared to submit at any time, at the request of the customs authorities of the exporting country, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Protocol.
4. An invoice declaration shall be made out by the exporter by typing, stamping or printing on the invoice, the delivery note or another commercial document, the declaration, the text of which appears in Annex IV, using one of the linguistic versions set out in that Annex and in accordance with the provisions of the domestic law of the exporting country. If the declaration is hand-written, it shall be written in ink in printed characters.
5. Invoice declarations shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 20 shall not be required to sign such declarations provided that he gives the customs authorities of the exporting country a written undertaking that he accepts full responsibility for any invoice declaration which identifies him as if it had been signed in manuscript by him.
6. An invoice declaration may be made out by the exporter when the products to which it relates are exported, or after exportation on condition that it is presented in the importing country no longer than two years after the importation of the products to which it relates.

Article 20

Approved exporter

1. The customs authorities of the exporting country may authorise any exporter who makes frequent shipments of products under this Decision to make out invoice declarations irrespective of the value of the products concerned. An exporter seeking such authorisation must offer to the satisfaction of the customs authorities all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of this Protocol.
2. The customs authorities may grant the status of approved exporter subject to any conditions which they consider appropriate.

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3. The customs authorities shall grant to the approved exporter a customs authorisation number which shall appear on the invoice declaration.
4. the customs authorities shall monitor the use of the authorisation by the approved exporter.
5. The customs authorities may withdraw the authorisation at any time. They shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, does not fulfil the conditions referred to in paragraph 2 or otherwise makes an incorrect use of the authorisation.

Article 21**Validity of proof of origin**

1. A proof of origin shall be valid for four months from the date of issue in the exporting country, and must be submitted within the said period to the customs authorities of the importing country.
2. Proofs of origin which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to exceptional circumstances.
3. In other cases of belated presentation, the customs authorities of the importing country may accept the proofs of origin where the products have been submitted before the said final date.

Article 22**Submission of proof of origin**

Proofs of origin shall be submitted to the customs authorities of the importing country in accordance with the procedures applicable in that country. The said authorities may require a translation of a proof of origin and may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the implementation of the Decision.

Article 23**Exemptions from proof of origin**

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Protocol and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on the customs declaration C2/CP3 or on a sheet of paper annexed to that document.

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2. Imports which are occasional and consist solely of products for the personal use of The recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.
3. Furthermore, the total value of these products shall not exceed ECU 500 in the case of small packages or ECU 1 200 in the case of products from forming part of travellers' personal luggage.

Article 24**Supporting documents**

The document referred to in Articles 15 (3) and 19 (3) used for the purpose of proving that products covered by a movement certificate EUR.1 or an invoice declaration can be considered as products originating in the Community or Turkey and fulfil the other requirements of this Protocol may consist inter alia of the following:

- (a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal bookkeeping;
- (b) documents proving the originating status of materials used, issued or made out in the Community or Turkey where these documents are used in accordance with domestic law;
- (c) documents proving the working or processing of materials in the Community or Turkey, issued or made out in the Community or Turkey, where these documents are used in accordance with domestic law;
- (d) movement certificates EUR.1 or invoice declarations proving the originating status of materials used, issued or made out in the Community or Turkey in accordance with this Protocol.

Article 25**Preservation of proof of origin and supporting documents**

1. The exporter applying for the issue of a movement certificate EUR.1 shall keep for at least three years the documents referred to in Article 15 (3) .
2. The exporter making out an invoice declaration shall keep for at least three years a copy of this invoice declaration as well as the documents referred to in Article 19 (3) .
3. The customs authorities of the exporting country issuing a movement certificate EUR.1 shall keep for at least three years the application form referred to in Article 15 (2) .
4. The customs authorities of the importing country shall keep for at least three years the movement certificates EUR.1 and the invoice declarations submitted to them.

Article 26

Discrepancies and formal errors

1. The discovery of slight discrepancies between the statements made in the proof of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto render the proof of origin null and void if it is duly established that this document does correspond to the products submitted.
2. Obvious formal errors such as typing errors on a proof of origin should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

Article 27

Amounts expressed in ECUs

1. Amounts in the national currency of the exporting country equivalent to the amounts expressed in ECUs shall be fixed by the exporting country and communicated to the importing countries through the Commission of the European Communities.
2. When the amounts exceed the corresponding amounts fixed by the importing country, the latter shall accept them if the products are invoiced in the currency of the exporting country. When the products are invoiced in the currency of another EC Member State or Turkey, the importing country shall recognise the amount notified by the country concerned.
3. The amounts to be used in any given national currency shall be the equivalent in that national currency of the amounts expressed in ECUs as at the first working day in October 1996.
4. The amounts expressed in ECUs and their equivalents in the national currencies of the EC Member States and Turkey shall be reviewed by the Association Committee at the request of the Community or Turkey. When carrying out this review, the Association Committee shall ensure that there will be no decrease in the amounts to be used in any national currency and shall furthermore consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in ECUs.

TITLE VI

ARRANGEMENTS FOR ADMINISTRATIVE COOPERATION

Article 28

Mutual assistance

1. The customs authorities of the EC Member States and of Turkey shall provide each other, through the Commission of the European Communities, with specimen impressions of stamps used in their customs offices for the issue of movement certificates EUR.1 and with the addresses of the customs authorities responsible for verifying those certificates and invoice declarations.
2. In order to ensure the proper application of this Protocol, the Community and Turkey shall assist each other, through the competent customs administrations, in checking the authenticity of the movement certificates EUR.1 or the invoice declarations and the correctness of the information given in these documents.

Article 29

Verification of proofs of origin

1. Subsequent verifications of proofs of origin shall be carried out at random or whenever the customs authorities of the importing country have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Protocol.
2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the importing country shall return the movement certificate EUR.1 and the invoice, if it has been submitted, the invoice declaration, or a copy of these documents, to the customs authorities of the exporting country giving, where appropriate, the reasons for the enquiry. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.
3. The verification shall be carried out by the customs authorities of the exporting country. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.
4. If the customs authorities of the importing country decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.
5. The customs authorities requesting the verification shall be informed of the results of this verification as soon as possible. These results must indicate clearly whether the

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documents are authentic and whether the products concerned can be considered as products originating in the Community or Turkey and fulfil the other requirements of this Protocol.

6. If in cases of reasonable doubt there is no reply within 10 months of the date of the verification request or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

Article 30**Dispute settlement**

Where disputes arise in relation to the verification procedures of Article 29 which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out this verification or where they raise a question as to the interpretation of this Protocol, they shall be submitted to the Association Committee. In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall be under the legislation of the said country.

Article 31**Penalties**

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining a preferential treatment for products.

Article 32**Free zones**

1. The Community and Turkey shall take all necessary steps to ensure that products traded under cover of a proof of origin which in the course of transport use a free zone situated in their territory, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.
2. By means of an exemption to the provisions contained in paragraph 1, when products originating in the Community or Turkey are imported into a free zone under cover of a proof of origin and undergo treatment or processing, the authorities concerned shall issue a new EUR.1 certificate at the exporter's request, if the treatment or processing undergone is in conformity with the provisions of this Protocol.

TITLE VII

CEUTA AND MELILLA

Article 33

Application of the Protocol

1. The term 'Community' used in Article 2 does not cover Ceuta and Melilla.
2. Products originating in Turkey, when imported into Ceuta or Melilla, shall enjoy in all respects the same customs regime as that which is applied to products originating in the customs territory of the Community under Protocol 2 of the Act of Accession of the Kingdom of Spain and the Portuguese Republic of the European Communities. Turkey shall grant to imports of products covered by the Decision and originating in Ceuta and Melilla the same customs regime as that which is granted to products imported from and originating in the Community.
3. For the purpose of the application of paragraph 2 concerning products in Ceuta and Melilla, this Protocol shall apply mutatis mutandis subject to the special conditions set out in Article 34.

Article 34

Special conditions

1. Providing they have been transported directly in accordance with the provisions of Article 11, the following shall be considered as:
 - (1) products originating in Ceuta and Melilla:
 - (a) products wholly obtained in Ceuta and Melilla;
 - (b) products obtained in Ceuta and Melilla in the manufacture of which products other than those referred to in (a) are used, provided that:
 - i. the said products have undergone sufficient working or processing within the meaning of Article 5 of this Protocol; or that
 - ii. those products are originating in Turkey or the Community within the meaning of this Protocol, provided that they have been submitted to working or processing which goes beyond the insufficient working or processing referred to in Article 6 (1) .
 - (2) products originating in Turkey:
 - (a) products wholly obtained in Turkey;

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- (b)** products obtained in Turkey, in the manufacture of which products other than those referred to in (a) are used, provided that:
 - i.** the said products have undergone sufficient working or processing within the meaning of Article 5 of this Protocol; or that
 - ii.** those products are originating in Ceuta and Melilla or the Community within the meaning of this Protocol, provided that they have been submitted to working or processing which goes beyond the insufficient working or processing referred to in Article 6 (1) .
- 2.** Ceuta and Melilla shall be considered as a single territory.
- 3.** The exporter or his authorised representative shall enter ‘Turkey’ and ‘Ceuta and Melilla’ in box 2 of movement certificates EUR.1 or on invoice declarations. In addition, in the case of products originating in Ceuta and Melilla, this shall be indicated in box 4 of movement certificates EUR.1 or on invoice declarations.
- 4.** The Spanish customs authorities shall be responsible for the application of this Protocol in Ceuta and Melilla.

TITLE VIII

FINAL PROVISIONS

Article 35

Amendments to the Protocol

The Association Council may decide to amend the provisions of this Protocol.

ANNEX I

INTRODUCTORY NOTES TO THE LIST IN ANNEX II

Note 1:

The list sets out the conditions required for all products to be considered as sufficiently worked or processed within the meaning of Article 5 of the Protocol.

Note 2:

- 2.1. The first two columns in the list describe the product obtained. The first column gives the heading number or chapter number used in the Harmonised System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in columns 3 or 4. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rules in columns 3 or 4 apply only to the part of that heading as described in column 2.
- 2.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of products in column 2 is therefore given in general terms, the adjacent rules in columns 3 or 4 apply to all products which, under the Harmonised System, are classified in headings of the chapter or in any of the headings grouped together in column 1.
- 2.3. Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rules in columns 3 or 4.
- 2.4. Where, for an entry in the first two columns, a rule is specified in both columns 3 and 4, the exporter may opt, as an alternative, to apply either the rule set out in column 3 or that set out in column 4. If no origin rule is given in column 4, the rule set out in column 3 has to be applied.

Note 3:

- 3.1. The provisions of Article 5 of the Protocol concerning products having acquired originating status which are used in the manufacture of other products apply regardless of whether this status has been acquired inside the factory where these products are used or in another factory in the Community or in Turkey.
- 3.2. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer originating status. Thus if a rule provides that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.
- 3.3. Without prejudice to Note 3.2 where a rule states that 'materials of any heading' may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression 'manufacture from materials of any heading, including other materials of heading No . . . , ' means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.
- 3.4. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more materials may be used. It does not require that all be used.
- 3.5. Where a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

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Example:

The rule for prepared foods of heading No 1904 which specifically excludes the use of cereals and their derivatives does not prevent the use of mineral salts, chemicals and other additives which are not products from cereals.

However, this does not apply to products which, although they cannot be manufactured from the particular material specified in the list, can be produced from a material of the same nature at an earlier stage of manufacture.

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ANNEX II

**LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON
NON-ORIGINATING MATERIALS IN ORDER THAT THE PRODUCT
MANUFACTURED CAN OBTAIN ORIGINATING STATUS**

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
Chapter 1	Live animals	All the animals of Chapter 1 used must be wholly obtained
Chapter 2	Meat and edible meat offal	Manufacture in which all the materials of Chapters 1 and 2 used must be wholly obtained
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates	Manufacture in which all the materials of Chapter 3 used must be wholly obtained
ex Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included; except for:	Manufacture in which all the materials of Chapter 4 used must be wholly obtained
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter	Manufacture in which: <ul style="list-style-type: none"> all the materials of Chapter 4 used must be wholly obtained, the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
0504 00 00	Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked	Manufacture in which all the materials of Chapter 5 used must be wholly obtained
0511	Animal products not elsewhere specified or included; dead animals of Chapter 1 or 3, unfit for human consumption	Manufacture in which all the materials of Chapter 5 used must be wholly obtained
Chapter 6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	Manufacture in which: <ul style="list-style-type: none"> all the materials of Chapter 6 used must be wholly obtained, the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 7	Edible vegetables and certain roots and tubers, excluding sweet corn of heading Nos. 0710 40 00 and 0711 90 30	Manufacture in which all the materials of Chapter 7 used must be wholly obtained
Chapter 8	Edible fruit and nuts; peel of citrus fruits or melons	Manufacture in which: <ul style="list-style-type: none"> all the fruit and nuts used must be wholly obtained, the value of any materials of Chapter 17 used does not exceed 30 % of the value of the ex-works price of the product

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HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 9	Coffee, tea and spices; except for:	Manufacture in which all the materials of Chapter 9 used must be wholly obtained
0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion	Manufacture from materials of any heading
0902	Tea, whether or not flavoured	Manufacture from materials of any heading
ex 0910	Mixtures of spices	Manufacture from materials of any heading
Chapter 10	Cereals	Manufacture in which all the materials of Chapter 10 used must be wholly obtained
ex Chapter 11	Products of the milling industry; malt; starches; inulin; wheat gluten; except for:	Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No 0714 or fruit used must be wholly obtained
ex 1106	Flour, meal and powder of the dried, shelled leguminous vegetables of heading No 0713	Drying and milling of leguminous vegetables of heading No 0708
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture in which all the materials of Chapter 12 used must be wholly obtained
ex 1302	Pectic substances, pectinates and pectates	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
1501	Pig fat (including lard) and poultry fat, other than that of heading No 0209 or 1503: – Fats from bones or waste – Other	Manufacture from materials of any heading except those of heading No 0203, 0206 or 0207 or bones of heading No 0506 Manufacture from meat or edible offal of swine of heading No 0203 or 0206 or of meat and edible offal of poultry of heading No 0207
1502	Fats of bovine animals, sheep or goats, other than those of heading No 1503: – Fats from bones or waste – Other	Manufacture from materials of any heading except those of heading No 0201, 0202, 0204 or 0206 or bones of heading No 0506 Manufacture in which all the materials of Chapter 2 used must be wholly obtained
1503	Lard stearin, lard oil, oleostearin, oleo-oil and tallowoil, not emulsified or mixed or otherwise prepared	Manufacture in which all the materials used are classified within a heading other than that of the product

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HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified:	
	– Solid fractions	Manufacture from materials of any heading including other materials of heading No 1504
	– other	Manufacture in which all the materials of Chapters 2 and 3 used must be wholly obtained
from ex 1507 to ex 1515	Vegetable oils and their fractions:	
	– Soya, ground nut, palm, copra, palm kernel, babassu, tung and oiticica oil, myrtle wax and Japan wax and oils for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture in which all the materials used are classified within a heading other than that of the product
	– solid fractions	Manufacture from other materials of heading Nos. 1507 to 1515
	– other	Manufacture in which all the vegetable materials used must be wholly obtained ¹
ex 1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared excluding the hydrogenated castor oil, so called 'opal-wax' of heading No 1516 20 10	Manufacture in which:
		– All the materials of Chapter 2 used must be wholly obtained; all the vegetable materials used must be wholly obtained. However, materials of heading Nos. 1507, 1508, 1511 and 1513 may be used
1517 10 90	Margarine; 'simili-saindoux' and other fats or oils or of fractions of different fats or oils	Manufacture in which:
1517 90 91		– all the materials of Chapters 2 and 4 used must be wholly obtained,
1517 90 99		– all the vegetable materials used must be wholly obtained. However, materials of heading Nos. 1507, 1508, 1511 and 1513 may be used
1518 00 31	Fixed vegetable oils, fluid, mixed, for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture in which all the materials used are classified within a heading other than that of the product
1518 00 39		
ex 1522 00	Residues resulting from the treatment of fatty substances or animal or vegetable substances	Manufacture in which all the materials used are classified within a heading other than of the product
Chapter 16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	Manufacture from animals of Chapter 1. All the materials of Chapter 3 used must be wholly obtained

¹ However, the following rule of origin shall apply within the limits of a quota of 18 000 tonnes for sunflower oil (ex 1512 11) and 10 000 tonnes for rape, colza and mustard oils (ex 1514 10) : 'Manufacture in which all the materials used are classified within a heading other than that of the product'.

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HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1701	Cane or beet sugar and chemically pure sucrose, in solid form:	
	– Flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
	– Other	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel, excluding heading Nos. 1702 11 00, 1702 30 51, 1702 30 59, 1702 50 00 and 1702 90 10:	
	– Sugars in solid form, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
	– Other	Manufacture in which all the materials used must already be originating
1703	Molasses resulting from the extraction or refining of sugar:	
	– Flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
	– other	Manufacture in which all the materials used are classified within a heading other than that of the product
1801 00 00	Cocoa beans, whole or broken, raw or roasted	Manufacture in which all the materials used are classified within a heading other than that of the product
1802 00 00	Cocoa shells, husks, skins and other cocoa waste	
1902 20 10	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared containing more than 20 % by weight of meat, meat offal, fish crustaceans or molluscs	Manufacture in which:
1902 20 30		– all cereals and derivatives (except durum wheat and its derivatives) used must be wholly obtained,
		– all the materials of Chapters 2 and 3 used must be wholly obtained
	Vegetables, fruits, and other edible parts of plants, prepared or preserved by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained
2001 10 00	– Cucumbers and gherkins	
2001 20 00	– Onions	
2001 90 10	– mango chutney	

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HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
2001 90 20	– fruit of the genus <i>Capsicum</i> other than sweet peppers or pimentos	
2001 90 50	– mushrooms	
ex 2001 90 80	– olives	
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained
ex 2004 ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, other than products of heading No 2006, excluding heading Nos. 2004 10 91, 2004 90 10, 2005 20 10 and 2005 80 00	Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained
2006	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glaze' or crystallised)	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works of the product
2007	Jams, fruit jellies, marmalades, fruit or nut pure' e and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	Manufacture in which: <ul style="list-style-type: none"> – all the materials used are classified within a heading other than that of the product, – the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
ex 2008	Fruits, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, excluding heading Nos. 2008 11 10, 2008 91 00, 2008 99 85, 2008 99 91 and 2008 99 99: <ul style="list-style-type: none"> – Nuts, not containing added sugar or spirits – mixtures based on cereals – Other except for fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen – other 	<p>Manufacture in which the value of the originating nuts and oil seeds of heading Nos. 0801, 0802 and 1202 to 1207 used exceeds 60 % of the ex-works price of the product</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product</p> <p>Manufacture in which: <ul style="list-style-type: none"> – all the materials used are classified within a heading other than that of the product, – the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product </p> <p>Manufacture in which all the fruit, nuts or vegetables used must be wholly obtained</p>

Decision No 1/98 of Association Council

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
2009	Fruit juices and vegetable juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture in which: <ul style="list-style-type: none"> all the materials used are classified within a heading other than that of the product, the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
ex 2106	Flavoured or coloured sugar syrups	Manufacture in which: <ul style="list-style-type: none"> all the materials used are classified within a heading other than that of the product, the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading No 2009	Manufacture in which: <ul style="list-style-type: none"> all the materials used are classified within a heading other than that of the product, all the grapes or any material derived from grapes used must be wholly obtained
2206	Other fermented beverages (for example, cider, perry, mead) ; mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included:	Manufacture in which: <ul style="list-style-type: none"> all the materials used are classified within a heading other than that of the product, all the grapes or any material derived from grapes used must be wholly obtained
ex 2207 ex 2208	Undenatured and denatured ethyl alcohol obtained from agricultural products mentioned on Annex II to the Treaty, excluding spirits, liqueurs and other spirituous beverages, alcoholic preparations (concentrated extracts) for the manufacture of beverages	Manufacture: <ul style="list-style-type: none"> from materials not classified within headings No 2207 or 2208, in which all the grapes or any material derived from grapes used must be wholly obtained or if all the other materials used are already originating, arrack may be used up to a limit of 5 % by volume
2209 00	Vinegar and substitutes for vinegar obtained from acetic acid	Manufacture in which: <ul style="list-style-type: none"> all the materials used are classified within a heading other than that of the product, all the grapes or any material derived from grapes used must be wholly obtained
Chapter 23	Residues and waste from the food industries; prepared animal fodder; except for:	Manufacture in which all the materials used are classified within a heading other than that of the product
ex 2301	Whale meal; flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption	Manufacture in which all the materials of Chapters 2 and 3 used must be wholly obtained

Decision No 1/98 of Association Council

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex 2303	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	Manufacture in which all the maize used must be wholly obtained
ex 2306	Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3 % of olive oil	Manufacture in which all the olives used must be wholly obtained
2309	Preparations of a kind used in animal feeding	Manufacture in which: <ul style="list-style-type: none"> – all the cereals, sugar or molasses, meat or milk used must already be originating, – all the materials of Chapter 3 used must be wholly obtained
2401	Unmanufactured tobacco; tobacco refuse	Manufacture in which all the materials of Chapter 24 used must be wholly obtained
4501	Natural cork, raw or simply prepared; waste cork; crushed, granulated or ground cork	Manufacture in which all the materials used are classified within a heading other than that of the product
5301 5302	Flax and true hemp (<i>Cannabis sativa</i> L.), raw or processed but not spun; flax and true hemp tow and waste (including yarn waste and garnetted stock)	Manufacture in which all the materials used are classified within a heading other than that of the product

ANNEX III

MOVEMENT CERTIFICATE EUR. 1 AND APPLICATION FOR A MOVEMENT CERTIFICATE EUR. 1

Printing instructions

1. Each form shall measure 210×297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
2. The competent authorities of the Member States of the Community and of Turkey may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form must include a reference to such approval. Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

ANNEX IV**INVOICE DECLARATION**

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

English version

The exporter of the products covered by this document (customs authorisation No... ⁽¹⁾), declares that, except where otherwise clearly indicated, these products are of... preferential origin ⁽²⁾.

Spanish version

El exportador de los productos incluidos en el presente documento (autorización aduanera n o ... ⁽¹⁾) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial...⁽²⁾.

Danish version

Eksportøren af varer, der er omfattet af nærværende dokument, (toldmyndighedernes tilladels nr....⁽¹⁾), erklærer, at varerne, medmindre andet tydeligt er angivet, har præferenceoprindelse i...⁽²⁾.

German version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr.... ⁽¹⁾) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, daß diese Waren, soweit nicht anders angegeben, präferenzbegünstigte... Ursprungswaren sind ⁽²⁾.

Greek version

Ο εξαγωγέας, των προϊόντων που χαλύπτονται από το παφόν έγγραφο [άδεια τελωνείου υπ' αριθ... ⁽¹⁾] δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμιακής καταγωγής...⁽²⁾.

⁽¹⁾ When the invoice declaration is made out by an approved exporter within the meaning of Article 20 of the Protocol, the authorisation number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated. When the invoice declaration relates in whole or in part, to products originating in Ceuta and Melilla within the meaning of Article 34 of the Protocol, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol 'CM'

Decision No 1/98 of Association Council

French version

L'exportateur des produits couverts par le pré sent document (autorisation douaniere no ...⁽¹⁾) de' clare que, sauf indication claire du contraire, ces produits ont l'origine pré'fe' rentielle.. ⁽²⁾.

Italian version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n...⁽¹⁾.) dichiara che, salvo indicazione contraria, le merci sono di origini preferenziale... ⁽²⁾.

Dutch version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr....⁽¹⁾), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële... oorsprong zijn ⁽²⁾.

Portuguese version

O abaixo assinado, exportador dos produtos cobertos pelo presente documento (autorização aduaneira no ⁽¹⁾), declara que, salvo expressamente indicado em contrário, estes produtos são de origem prefencial ...⁽²⁾.

Finnish version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupa n:o...⁽¹⁾) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja... alkuperätuotteita ⁽²⁾.

Swedish version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr....⁽¹⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande ursprung i... ⁽²⁾.

Turkish version

Isbu belge (gümrük onay No:... ⁽¹⁾) kapsamındaki maddelerin ihracatçisi aksi açıkça belirtilmedikçe, bu maddelerin... menseli ve tercihli ⁽²⁾ maddeler oldugunu beyan eder.

⁽¹⁾ When the invoice declaration is made out by an approved exporter within the meaning of Article 20 of the Protocol, the authorisation number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated. When the invoice declaration relates in whole or in part, to products originating in Ceuta and Melilla within the meaning of Article 34 of the Protocol, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol 'CM'

Decision No 1/98 of Association Council

(3)

(Place and date)

(4)

(Signature of the exporter; in addition the name of the person signing the declaration has to be indicated in clear script)

Joint Declaration concerning the Republic of San Marino

1. Products originating in the Republic of San Marino shall be accepted by Turkey as originating in the Community within the meaning of this Decision.
2. The Protocol on rules of origin shall apply mutatis mutandis for the purpose of defining the originating status of the above mentioned products.

Joint Declaration

1. Possibility for cumulation with materials originating in EFTA, the CEECs, the Baltic States and Slovenia

The Contracting Parties have agreed that, following the entry into force of this Protocol, they shall commence studying the technical and economic justifications and take all the necessary steps for including provisions in Protocol 3 to allow for cumulation with materials originating in the above mentioned countries with which they have signed agreements. The Contracting Parties declare their intention to conclude this process at their earliest convenience.

2. Transitional period concerning the issuing or making-out of proofs of origin, issued in accordance with Decision No 4/72.

Until 31 December 1998, the competent customs authorities of the Community and of Turkey shall accept as valid proof of origin, within the meaning of Protocol 3, documents established according to the rules of Decision No 4/72.

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ See Article 19 (5) of the Protocol. In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory. When the invoice declaration is made out by an approved exporter within the meaning of Article 20 of the Protocol, the authorisation number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

**DECISION No 2/98 OF THE ASSOCIATION COUNCIL of 23 February 1998
repealing Decision No 2/78 relating to proof of origin for certain textile products
exported by Turkey (98/224/EC)**

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement of 12 September 1963 establishing an association between the European Economic Community and Turkey,

Having regard to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union¹, and in particular Article 12(2) and (3) thereof,

Whereas Turkey has fulfilled its obligations pursuant to Article 12(2) of Decision No 1/95 of the EC-Turkey Association Council; whereas Decision No 2/78 of the EC-Turkey Association Council of 30 October 1978 relating to proof of origin for certain textile products exported by Turkey² therefore no longer applies and should be repealed,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 2/78 is hereby repealed.

Article 2

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

Done at Brussels, 23 February 1998.

**For the EC-Turkey Association Council
The President
R. COOK**

¹ OJ L 35, 13.2.1996, p. 1.

² OJ L 309, 1.11.1978, p. 2.

DECISION No 1/99 OF THE EC-TURKEY ASSOCIATION COUNCIL of 5 January 1999 on the introduction of common outward processing arrangements for textiles and clothing (1999/11/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey ⁽¹⁾,

Having regard to Decision no 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the customs union⁽²⁾,

Whereas, pursuant to the eighth indent of Article 12 (1) of Decision No 1/95, Turkey has applied provisions to introduce outward processing arrangements for textiles and clothing, hereinafter referred to as 'economic outward processing arrangements'; whereas such arrangements may apply on the Community side where goods in free circulation of Community origin are exported temporarily to a third country to be re-imported into the Community in the form of compensating products and, on the Turkish side, where goods in free circulation of Turkish origin are exported temporarily to a third country to be re-imported into Turkey in the form of compensating products;

Whereas measures should be adopted to allow compensating products to be re-imported into a part of the customs union other than that from which the goods were exported for processing in a third country under the economic outward processing arrangements, and to enable goods in free circulation originating in one part of the customs union which are to be processed in a third country to be placed under the economic outward processing arrangements in the other parts of the customs union; Whereas these measures must be based on the economic outward processing arrangements already applying in both parts of the customs union;

Whereas an evaluation should be undertaken two years after this Decision enters into force to establish how the economic outward processing arrangements are working, whereas such arrangements will have to be adjusted if any cases of fraud or disruption of the textile market are detected;

Whereas the measures in question should preferably anticipate any future needs regarding economic outward processing arrangements; whereas they should therefore be global in nature,

HAS DECIDED AS FOLLOWS:

⁽¹⁾ OJ 217, 29.12.1964, p.3687/64

⁽²⁾ OJ L 35, 13.2.1996, p.1

Article 1

1. The purpose of this Decision is to adopt measures providing for economic outward processing operations which concern both parts of the customs union. The operations in question are those undertaken under economic outward processing arrangements based on the following legal instruments:
 - For the Community, Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽³⁾, Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽⁴⁾ and Council Regulation (EC) No 3036/94 of 8 December 1994 establishing economic outward processing arrangements applicable to certain textiles and clothing products re-imported into the Community after working or processing in certain third countries⁽⁵⁾,
 - For Turkey, Decree No 95/6815 of 30 April 1995 on surveillance and safeguard measures for imports of certain textile products, Decree No 95/6816 of 30 April 1995 on the surveillance and safeguard measures for imports of textile products originating in certain countries not covered by bilateral agreements, protocols and other arrangements, Decree No 96/8703 of 27 September 1996 on economic outward processing arrangements applicable to certain textiles and clothing products re-imported into Turkey after processing in certain third countries.
2. For the purposes of this Decision:
 - 'part of the customs union' means the European Community or Turkey as the case may be,
 - other terms are defined, *mutatis mutandis*, in the legal instruments referred to in paragraph 1.

Article 2

1. Where, on the basis of the legal instruments referred to in Article 1(1) economic outward processing arrangements are applied in one part of the customs union, compensating products may be imported into the other part of the customs union in accordance with the terms of the arrangements.
2. The goods for which economic outward processing arrangements are authorised in one part of the customs union on the basis of the legal instrument referred to in Article 1(1)

⁽³⁾ OJ L 275, 8.11.1993, p.1. Regulation as last amended by Regulation (EC) No 1053/98 (OJ L 151, 21.5.1998, p.10).

⁽⁴⁾ OJ L 67, 10.3.1994, p.1. Regulation as last amended by Regulation (EC) No 1457/97 (OJ L 199, 26.7.1997, p.6).

⁽⁵⁾ OJ L 322, 15.12.1994, p.1.

Decision No 1/99 of Association Council

shall originate in a part of the customs union, without prejudice to the derogation allowed pursuant to Regulation (EC) No 3036/94 and the corresponding Turkish legislative act.

Article 3

Every two years as from the entry into force of this Decision, the EC-Turkey Association Council shall, on the basis of a report by the EC-Turkish Customs Cooperation Committee set up by Decision No 2/69 of the EC-Turkey Association Council, undertake an evaluation of the economic outward processing arrangements established by this Decision and shall if necessary take measures to correct and problems.

Article 4

The EC-Turkish Customs Cooperation Committee shall lay down the appropriate measures to implement this Decision.

Article 5

This Decision shall enter into force on 1 January 1999.

Done at Brussels, 5 January 1999.

**For the EC-Turkey Association Council
The President
J.FISCHER**

DECISION No 2/99 OF THE EC-TURKEY ASSOCIATION COUNCIL of 8 March 1999 Concerning the extension of the list of committees referred to in Annex 9 to Decision No 1/95 on implementing the final phase of the Customs Union (1999/208/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union⁽¹⁾, and in particular Article 60 thereof,

Whereas Article 60 of the above mentioned Decision no 1/95 provides for extension of the list of committees referred to in Annex 9 thereto; whereas this list should be extended to include the 'Technical Regulations' part of the Committee set up by Directive 83/189/EEC⁽²⁾; whereas the 'Technical Regulations' part is that part of the Committee entrusted with application of Articles 1 and 8 to 12 of Directive 83/189/EEC;

Whereas Decision No 5/95 of the EC-Turkey Association Council set out the procedures for associating Turkish experts with the work of certain technical committees,

HAS DECIDED AS FOLLOWS:

Article 1

The list of committees referred to in Annex 9 to Decision No 1/95 is hereby extended to include the 'Technical Regulation' part of the Committee set up by Directive 83/189/EEC.

Article 2

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

Done at Brussels, 8 March 1999.

**For the EC-Turkey Association Council
The President
J.FISCHER**

⁽¹⁾ OJ L 35, 13.2.1996, p.1

⁽²⁾ OJ L 109, 26.4.1983, p.8. Directive as amended by Directive 94/10/EC of the European Parliament and the Council (OJ L 100, 19.4.1994, p.30) and by Commission Decision 96/139/EC (OJ L 32, 10.2. 1996, p.31).

Decision No 1/2000 of Association Council

DECISION No 1/2000 OF THE EC-TURKEY ASSOCIATION COUNCIL of 11 April 2000 repealing Decision No 4/72 on the definition of the concept of ‘originating products’ from Turkey for implementation of Chapter I of Annex to the Additional Protocol to the Ankara Agreement (2000/376/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Agreement of 12 September 1963 establishing an Association between the European Economic Community and Turkey ⁽¹⁾,

Having regard to the Additional Protocol ⁽²⁾, and in particular Article 16 of Annex 6 thereto,

Whereas:

1. By Decision No 4/72 of the EC-Turkey Association Council of 29 December 1972 on the definition of the concept of ‘originating products’ from Turkey for implementation of Chapter I of Annex 6 to the Additional Protocol to the Ankara Agreement ⁽³⁾ the Association Council established the definition of the concept of ‘originating products’ from Turkey for the implementation of Annex 6.
2. Protocol 3 to Decision No 1/98 of the EC-Turkey Association of 25 February 1998 on the trade regime for agricultural products ⁽⁴⁾ laid down the rules of origin to be applied henceforth to trade in agricultural products between Turkey and the Community.
3. Decision No 4/72 is now obsolete. It should therefore be repealed,

HAS DECIDED AS FOLLOWS:

Sole Article

Decision No 4/72 is hereby repealed.

Done at Luxembourg, 11 April 2000.

**For the Association Council
The President
I. CEM**

¹ OJ 217, 29.12.1964, p.3687/64

² OJ L 293, 29.12.1972, p.1

³ OJ L 59, 5.3.1973, p.83. Decision as amended by Decision No 1/75 (OJ L 142, 4.6.1975, p.2)

⁴ OJ L 86, 20.3.1998, p.1

Decision No 2/2000 of Association Council

DECISION No 2/2000 OF THE EC-TURKEY ASSOCIATION COUNCIL of 11 April 2000 on the opening of negotiations aimed at the liberalisation of services and the mutual opening procurement markets between the Community and Turkey (2000/377/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Agreement of September 1963 establishing an Association between the European Economic Community and Turkey ⁽¹⁾, and in particular Articles 13 and 14 thereof,

Having regard to the Additional Protocol ⁽²⁾, and in particular Article 41(2) thereof,

Having regard to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union ⁽³⁾, and in particular Article 48 thereof,

Whereas:

1. Article 13 and 14 of the EC-Turkey Association Agreement and Article 41(2) of the Additional Protocol thereto envisage, by Decision of the Association Council, the progressive abolition of restrictions on freedom to provide services and freedom of establishment, using the relevant provisions of the Treaty establishing the European Community as guidelines.
2. Article 48 of Decision No 1/95 provides that the association council will set a date for the initiation of negotiations aimed at the mutual opening of the parties' respective procurement markets.
3. In the negotiating guidelines for a Decision by the EC-Turkey Association Council on the liberalisation of services and procurement, adopted by the Council on 15 November 1999, the council reaffirmed its willingness to conclude such a Decision with Turkey,

HAS DECIDED AS FOLLOWS:

¹ OJ L 217, 29.12.1964, p.3687/64

² OJ L 293, 29.12.1972, p.1

³ OJ L 35, 13.2.1996, p.1.

Decision No 2/2000 of Association Council

Sole Article

Negotiations aimed at the liberalisation of services and the mutual opening of procurement markets between the Community and Turkey shall begin in April 2000.

Done at Luxembourg, 11 April 2000.

**For the Association Council
The President
I. CEM**

Decision No 3/2000 of Association Council

DECISION No 3/2000 OF THE EC-TURKEY ASSOCIATION COUNCIL of 11 April 2000 on the establishment of Association Committee subcommittees (2000/378/EC)

THE EC-TURKEY ASSOCIATION COUNCIL,

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey (¹), and in particular Article thereof,

Whereas:

1. Turkey is a candidate for accession to the European union.
2. The Helsinki European council of 11 and 12 December 1999 called on the Commission to draw up an Accession Partnership for Turkey and to set up appropriate monitoring mechanisms. It also invited the Commission to prepare of analytical examination of the community acquis.
3. Subcommittees have been set up under the candidate countries' Association Committees to monitor progress with the priorities of the Accession Partnership and approximation of legislation.
4. Similar subcommittees should also be set up to assist the EC-Turkey Association Committee established by Decision No 3/64 of Association Council,

HAS DECIDED AS FOLLOWS:

Sole Article

The subcommittees listed in the Annex shall be attached to the EC-Turkey Association Committee.

The subcommittees shall work under the authority of the Association Committee, to which they shall report after each of their meetings.

The Association Council may decide to set up further subcommittees or groups or to abolish existing subcommittees or groups.

¹ OJ 217, 29.12.1964, p.3687/64.

Decision No 3/2000 of Association Council

The Association Committee shall adopt the terms of reference of the subcommittees, take any other action needed to ensure that they operate properly and inform the Association Council accordingly.

The subcommittees shall have no decision-making power.

Done at Luxembourg, 11 April 2000.

**For the Association Council
The President
I.CEM**

Decision No 3/2000 of Association Council

ANNEX
EC-TURKEY ASSOCIATION AGREEMENT
SUBCOMMITTEES ATTACHED TO THE ASSOCIATION COMMITTEE

Title	Issues
1. Agriculture and fisheries	Products of agriculture and fisheries Agricultural cooperation and rural development Processed agricultural products Veterinary and plant-health issues Legislation applicable to trade
2. Internal market and competition	Free movement of goods, including standardisation, certification, conformity assessment and market surveillance Intellectual and industrial property rights Public procurement, data protection and civil law Company law, accounting and e-commerce Consumer protection Competition and state aid Services, including financial services (banking, insurance, investment) and postal services Movement of workers, except coordination of social security Right of establishment and provision of service Turkish participation in Community programmes
3. Trade, industry and ECSC products	Trade issues ECSC products Investment promotion Small and medium-sized enterprises and Turkish participation in Community SME programmes Industrial policy and cooperation, tourism
4. Economics and monetary issues, capital movements and statistics	Economic and monetary issues Current payments and movements of capital, including investment protection Reform of the financial sector Statistical cooperation
5. Innovation	Education, training courses and youth, and Turkish participation in community programmes Science, research and technological development and Turkish participation in research and technological development programmes and demonstration programmes Telecommunications and information technology Cultural cooperation and audiovisual policy, Turkish participation in community programmes
6. Transport, environment and energy (including trans-European networks)	Transport Environment and Turkish participation in community programmes Energy, including nuclear safety, Turkish participation in community programmes
7. Regional development, employment and social policy	Employment policy, social policy, Turkish participation in community programmes Regional development policy Coordination of social policies
8. Customs, taxation, drug trafficking and money laundering	Customs cooperation Indirect Taxation and Turkish participation in Community programmes in the field of taxation Money laundering Drugs Auditing and financial control