

No. 20755

MULTILATERAL

Community-COST Concertation Agreement on a concerted action project on the effects of processing on the physical properties of foodstuffs (with annexes). Concluded at Brussels on 27 March 1980

Authentic texts: Danish, German, English, French, Italian and Dutch.

Registered by the European Economic Community on 17 February 1982.

MULTILATÉRAL

Accord de concertation Communauté-COST relatif à une action concertée dans le domaine de l'effet des traitements sur les propriétés physiques des denrées alimentaires (avec annexes). Conclu à Bruxelles le 27 mars 1980

Textes authentiques : danois, allemand, anglais, français, italien et néerlandais.

Enregistré par la Communauté économique européenne le 17 février 1982.

COMMUNITY-COST CONCERTATION AGREEMENT¹ ON A CONCERTED ACTION PROJECT ON THE EFFECTS OF PROCESSING ON THE PHYSICAL PROPERTIES OF FOODSTUFFS (COST PROJECT 90)

The European Economic Community, hereinafter referred to as "the Community",

Sweden and Switzerland, hereinafter referred to as the "participating non-member States",

Whereas a European concerted research project in the field of food technology is likely to contribute effectively to a more economic use of national resources;

Whereas a programme of research in the field of food technology has been proposed by the Swedish delegation within the framework of European Cooperation in the field of Scientific and Technical Research (COST);

Whereas by its Decision of 20 February 1978 the Council of the European Communities adopted a Community concerted action project on the effect of processing on the physical properties of foodstuffs;

Whereas the Member States of the Community and the participating non-member States, hereinafter referred to as "the States", intend, subject to the rules and procedures applicable to their national programmes, to carry out the research described in Annex A and are prepared to integrate such research into a process of concertation which they consider will be of mutual benefit;

Whereas the implementation of the research covered by the concerted action project will require a financial contribution of approximately 9 million European units of account from the States,

Have agreed as follows:

Article 1. The Community and the participating non-member States, hereinafter referred to as "the contracting parties", shall participate for a period extending until 24 February 1981 in a concerted action project on the effect of processing on the physical properties of foodstuffs.

¹ Came into force on 1 April 1980 in respect of the following States and organization, i.e., the first day of the month following that in which the Community and at least one of the participating non-member States notified the Secretary-General of the Council of the European Communities of the completion of the procedures necessary under their internal provisions for the implementation of the Agreement, in accordance with article 6 (2). The notifications were effected as follows:

| <i>State or organization</i> | <i>Date of the notification</i> |
|-----------------------------------|---------------------------------|
| European Economic Community | 27 March 1980 |
| Sweden | 31 March 1980 |
| Switzerland | 1 April 1980 |

Subsequently, the Agreement came into force for the following State which took part in the Ministerial Conference on the date of deposit of its instrument of accession with the Secretary-General of the Council of the European Communities, in accordance with article 6 (3):

| <i>State</i> | <i>Date of deposit of the instrument of accession</i> |
|---------------|---|
| Finland | 27 September 1980 |

(With effect from 27 September 1980.)

This project shall consist in concertation between the Community concerted action programme and the corresponding programmes of the participating non-member States. The programmes covered by this Agreement are listed in Annex A.

The States remain entirely responsible for the research executed by their national institutions or bodies.

Article 2. The concertation between the contracting parties shall be effected through a Community-COST Concertation Committee, hereinafter referred to as "the Committee".

The Committee shall draw up its rules of procedure. Its Secretariat will be provided by the Commission of the European Communities, hereinafter referred to as "the Commission".

The terms of reference and the composition of this Committee are defined in Annex B.

Article 3. In order to ensure optimum efficiency in the execution of this concerted action project, a project leader shall be appointed by the Commission in agreement with the participating non-member States.

Article 4. The maximum financial contribution by the contracting parties to the co-ordination costs shall be:

- 250,000 European units of account from the Community for a three year period beginning on 25 February 1978,
- 10,000 European units of account from each participating non-member State for the period referred to in the first paragraph of Article 1.

The European unit of account is as defined by the Financial Regulation in force applicable to the general budget of the European Communities and by the financial arrangements adopted pursuant thereto.

The rules governing the financing of the Agreement are set out in Annex C.

Article 5. 1. Through the Committee, the States shall exchange regularly all useful information concerning the execution of the research covered by the concerted action project. They shall also endeavour to provide information on similar research planned or carried out by other bodies. Any information shall be treated as confidential if the State which provides it so requests.

2. In agreement with the Committee the Commission shall prepare yearly progress reports on the basis of the information supplied and shall forward them to the States.

3. At the end of the concertation period, the Commission shall, in agreement with the Committee, forward to the States a general report on the execution and results of the project. This report shall be published by the Commission six months after it has been forwarded, unless a State objects. In that case the report shall be treated as confidential and shall be forwarded on request and with the agreement of the Committee, solely to the institutions and undertakings whose research or production activities justify access to knowledge resulting from the performance of the research covered by the concerted action project.

Article 6. 1. Each of the contracting parties shall, after signing this Agreement, notify the Secretary-General of the Council of the European Communities as soon as possible of the completion of the procedures necessary under its internal provisions for the implementation of this Agreement.

2. For the contracting parties which have transmitted the notification provided for in paragraph 1, this Agreement shall enter into force on the first day of the month following that in which the Community and at least one of the participating non-member States transmitted these notifications.

For those contracting parties which transmit the notification after the entry into force of this Agreement, it shall come into force on the first day of the second month following the month in which the notification was transmitted.

Contracting parties which have not yet transmitted this notification at the time of entry into force of this Agreement shall be able to take part in the work of the Committee without voting rights for a period of six months following the entry into force of this Agreement.

3. For a period of 6 months following its entry into force, the Agreement shall be open for accession by the other European States which took part in the Ministerial Conference held in Brussels on 22 and 23 November 1971. The instruments of accession shall be deposited with the Secretary-General of the Council of the European Communities. A State which accedes to this Agreement shall become a contracting party within the meaning of Article 1 on the date of deposit of the instrument of accession.

4. The Secretary-General of the Council of the European Communities shall notify each of the contracting parties of the deposit of the notifications provided for in paragraph 1, of the date of entry into force of this Agreement and of the deposit of the instruments of accession provided for in paragraph 3.

Article 7. This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each text being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities which shall transmit a certified copy to each of the contracting parties.

UDFÆRDIGET i Bruxelles, den syvogtyvende marts nitten hundrede og firs.

GESCHEHEN zu Brüssel am siebenundzwanzigsten März neunzehnhundertachtzig.

DONE at Brussels on the twenty-seventh day of March in the year one thousand nine hundred and eighty.

FAIT à Bruxelles, le vingt-sept mars mil neuf cent quatre-vingt.

FATTO a Bruxelles, addì ventisette marzo millenovecentottanta.

GEDAAN te Brussel, de zeventwintigste maart negentienhonderd tachtig.

For Det europæiske økonomiske Fællesskab:
Für die Europäische Wirtschaftsgemeinschaft:
For the European Economic Community:
Pour la Communauté économique européenne :
Per la Comunità Economica Europea :
Voor de Europese Economische Gemeenschap :

[M. EUGENIO PLAJA]

[M. DIETRICH HAMMER]

Für die Regierung der Schweizerischen Eidgenossenschaft:
Pour le Gouvernement de la Confédération suisse :
Per il Governo della Confederazione svizzera :
[For the Government of the Swiss Confederation:]

[JEAN-PIERRE ZEHNDER]

For the Government of the Kingdom of Sweden:
[Pour le Gouvernement du Royaume de Suède :]

[KARL-VILHELM WÖHLER]

ANNEX A

PROGRAMMES COVERED BY THE AGREEMENT

1. Rheology of liquid foods (viscosity)
 - 1.0. No particular products
 - 1.1. Milk products
 - 1.2. Sugar products
 - 1.3. Cereal products
 - 1.4. Fruit products
2. Sorption (water activity)
 - 2.0. No particular product
 - 2.2. Sugar products
 - 2.4. Fruit products
 - 2.6. Meat products
3. Thermal properties
 - 3.0. No particular product
 - 3.4. Fruit products
 - 3.5. Vegetable products
 - 3.6. Meat products
 - 3.7. Fish products

ANNEX B

TERMS OF REFERENCE AND COMPOSITION OF THE COMMUNITY-COST CONCERTATION COMMITTEE ON THE EFFECT OF PROCESSING ON THE PHYSICAL PROPERTIES OF FOODSTUFFS

1. The Committee shall:
 - 1.1 Contribute to the optimum execution of the concerted action project by giving its opinion on all of its aspects;
 - 1.2 Evaluate the results of the project and draw conclusions as to their application;
 - 1.3 Be responsible for the exchange of information referred to in Article 5(1) of the Agreement;
 - 1.4 Suggest guidelines to the project leader.
 - 1.5 Have the right to set up, in respect of each of the three physical properties defined in Annex A, a sub-Committee to ensure that the programme is properly implemented.
2. The Committee's reports and opinions shall be forwarded to the States.
3. The Committee shall be composed of one delegate from the Commission, as coordinator of the Community concerted action project, one delegate from each participating non-member State, one delegate from each Member State representing its national programme, and the project leader. Each delegate may be accompanied by experts.

ANNEX C

FINANCING RULES

I. These provisions lay down the financial rules referred to in Article 4 of the Agreement on a concerted action project in the field of processing on the physical properties of foodstuffs (COST project 90).

II. At the beginning of each financial year, a call for funds shall be issued by the Commission to each of the participating non-member States. Such calls for funds shall express the contribution of the non-member State in question both in European units of account and in the currency of the participating non-member State, the value of the European unit of account being defined in the Financial Regulation applicable to the general budget of the European Communities and determined on the date of the call for funds.

Each participating non-member State shall pay the annual contribution under the Agreement at the beginning of each year and by 31 March at the latest. The maximum total contribution by each participating non-member State shall amount to 10,000 European units of account. Any delay in the payment of the annual contribution shall give rise to the payment of interest by the participating non-member States concerned at a rate equal to the highest rate of discount ruling in the States on the due date. That rate shall be increased by 0.25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.

III. The funds accruing from the contributions of participating non-member States shall be credited to the concerted action project by being entered in the statement of revenue of the budget of the Commission as receipts within the meaning of the second sub-paragraph of Article 90(4) of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

IV. The provisional timetable for the co-ordination costs referred to in Article 4 of the Agreement is annexed.

V. The Financial Regulation in force applicable to the general budget of the European Communities shall apply to the management of the appropriations; furthermore, the Commission shall ensure that such appropriations are managed in conformity with the rules of procedure for the implementation of the budget.

VI. At the end of each financial year, a statement of appropriations for the concerted action project shall be prepared and transmitted to the participating non-member States for information.

MULTIANNUAL TIMETABLE FOR THE CONCERTED ACTION PROJECT
"Effects of processing on the physical properties of foodstuffs" (COST project 90)
 Budget Item 3371 "Implementation of concerted action projects"
 (in EUA)

| | 1979 | | 1980 | | 1981 | | 1982 | | Total | |
|---|--------|--------|-----------|-----------|-----------|-----------|------|----|---------|---------|
| | AC | AP | AC | AP | AC | AP | AC | AP | AC | AP |
| I. Initial estimate of overall requirements (figures appearing in the timetable of commitments and in the correspondence table shown in Annex II to the Commission budget): | | | | | | | | | | |
| — Staff | | | 35,500 | 35,500 | | | | | | |
| — Administrative operating expenditure | 77,000 | 73,500 | 48,500 | 48,500 | 89,000 | 92,500 | | | 250,000 | 250,000 |
| — Contracts | | | | | | | | | | |
| TOTAL (to be covered by appropriations entered in 3371) | 77,000 | 73,500 | 84,000 | 84,000 | 89,000 | 92,500 | | | 250,000 | 250,000 |
| II. Revised estimate of expenditure taking into account additional requirements arising from the accession of participating non-member States: | | | | | | | | | | |
| — Staff | | | | | | | | | | |
| — Administrative operating expenditure | | | 35,500 | 35,500 | 89,000 | 92,500 | | | 250,000 | 250,000 |
| — Contracts | | | 48,500 | 48,500 | 2 × 5,000 | 2 × 5,000 | | | 20,000 | 20,000 |
| | | | 2 × 5,000 | 2 × 5,000 | 2 × 5,000 | 2 × 5,000 | | | 20,000 | 20,000 |
| NEW TOTAL | | | 84,000 | 84,000 | 89,000 | 92,500 | | | 250,000 | 250,000 |
| | | | 2 × 5,000 | 2 × 5,000 | 2 × 5,000 | 2 × 5,000 | | | 20,000 | 20,000 |
| III. Difference between I and II to be covered by contributions from participating non-member States | | | | | | | | | | |
| | | | 2 × 5,000 | 2 × 5,000 | 2 × 5,000 | 2 × 5,000 | | | 20,000 | 20,000 |

AC: Account credited.
 AP: Account paid.