

MULTILATERAL

Community-COST Concertation Agreement on a concerted action project on the effect of processing on the physical properties of foodstuffs (COST Project 90 *bis*) (with annexes). Concluded at Brussels on 9 December 1982

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

Registered by the European Economic Community on 16 July 1987.

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 (Action COST 90 *bis*) [avec annexes]. Conclu à Bruxelles le 9 décembre 1982

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

Enregistré par la Communauté économique européenne le 16 juillet 1987.

COMMUNITY-COST CONCERTATION AGREEMENT¹ ON A CON- CERTED ACTION PROJECT ON THE EFFECT OF PRO- CESSING ON THE PHYSICAL PROPERTIES OF FOODSTUFFS (COST PROJECT 90 *bis*)

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

The Signatory States to this Agreement, hereinafter referred to as "the participating non-member States".

Whereas a Community-COST concertation agreement on a concerted action project on the effects of processing on the physical properties of foodstuffs (COST Project 90) was concluded between the Community and some non-member States involved in European Co-operation in the field of Scientific and Technical Research (COST) on 27 March 1980² and expired on 24 February 1981,

Whereas the above-mentioned concerted action project has produced very encouraging results;

Whereas by its Decision of 22 November 1982 the Council of the European Communities adopted a second 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 20 million ECU 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 15 December 1986 in a concerted action project on the effect of processing on physical properties of foodstuffs.

¹ Came into force on 1 January 1983 in respect of the following State and organization, i.e., the first day of the month following that during which the Community and at least one of the participating non-member States had 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 (3):

<i>State or organization</i>	<i>Date of the notification</i>
European Economic Community	9 December 1982
Sweden	9 December 1982

Subsequently, the Agreement entered into force for the following State on the first day of the second month following that during which it had notified the Secretary-General of the Council of the European Communities of the completion of the procedures necessary under its internal provisions for the implementation of the Agreement, in accordance with article 6 (3):

<i>State</i>	<i>Date of the notification</i>
Switzerland	3 June 1983
(With effect from 1 September 1983.)	

² United Nations, *Treaty Series*, vol. 1263, p. 41.

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

The States shall remain entirely responsible for the research carried out by their national institutions or bodies.

Article 2. 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 delegates of the participating non-member States on the Committee.

Article 4. The maximum financial contribution by the Contracting Parties to the co-ordination costs for the period referred to in the first paragraph of Article 1 shall be:

— 670.000 ECU from the Community,

— 67.000 ECU from each participating non-member State.

The ECU is that 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 resulting from 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 annual 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 not later than 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. This Agreement shall be open for signature by the Community and by the non-member States which took part in the Ministerial conference held in Brussels on 22 and 23 November 1971.

2. As a condition precedent to its participation in the concerted action project defined in Article 1, each of the Contracting Parties shall, after signing this Agreement, have notified the Secretary-General of the Council of the European Communities not later than 15 June 1983 of the completion of the procedures necessary under its internal provisions for the implementation of this Agreement.

3. For the Contracting Parties which transmit the notification provided for in paragraph 2, this Agreement shall come 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 transmitted this notification when this Agreement comes into force shall be able to take part in the work of the Committee without voting rights until 15 June 1983.

4. The Secretary-General of the Council of the European Communities shall inform each of the Contracting Parties of the notifications provided for in paragraph 2 and of the date of entry into force of this Agreement.

Article 7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community¹ is applied and under the conditions laid down in that Treaty and, on the other hand, to the territories of the participating non-member States.

Article 8. This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German, Greek 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.

[For testimonium and signature page, see p. 77 of this volume.]

¹ United Nations. *Treaty Series*, vol. 298, p. 3.

ANNEX A

RESEARCH TOPICS COVERED BY THE AGREEMENT

1. Mechanical properties*:
 - (a) Integral solids, e.g., density, porosity, stress, strain, fracture;
 - (b) Particulates, e.g., powders, agglomerates.
2. Diffusional properties*:
 - (a) Diffusion of water and water vapour;
 - (b) Diffusion of solutes, e.g., salt, sugars;
 - (c) Diffusion of volatiles, e.g., aromas.
3. Electrical and optical properties*:
 - (a) Dielectric properties;
 - (b) Visible, ultraviolet and infra-red.
4. Continuation of the collection of data (on rheology, sorption and thermal properties).
5. Conclusion of research related to rheology, sorption and thermal properties.

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 Project by giving its opinion on all aspects of its progress;
 - 1.2. Evaluate the results of the Project and draw conclusions regarding their application;
 - 1.3. Be responsible for the exchange of information provided for 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 research topics defined in Annex A, a subcommittee to ensure that the programme is properly implemented.
2. The Committee's reports and the opinions shall be communicated to the States.
3. The Committee shall be composed of one delegate from the Commission, as co-ordinator 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.

* Related to the intention to define general standard methodology taking into account the possible influence of the different parameters.

ANNEX C

FINANCING RULES

Article 1. These provisions lay down the financial rules referred to in Article 4 of the Community-COST Concertation Agreement on a concerted action project on the effect of processing on the physical properties of foodstuffs (COST project 90 *bis*).

Article 2. At the beginning of each financial year, the Commission shall send to each of the participating non-Member States a call for funds corresponding to its share of the annual co-ordination costs under the Agreement, calculated in proportion to the maximum amounts laid down in Article 4 of the Agreement.

This contribution shall be expressed both in ECU and the currency of the participating non-Member State concerned, the value of the ECU 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.

The total contributions shall cover the travel and subsistence costs of the delegates to the Committee, in addition to the co-ordination costs proper.

Each participating non-Member State shall pay its annual contribution to the co-ordination costs under the Agreement at the beginning of each year, and by 31 March at the latest. Any delay in the payment of the annual contribution shall give rise to the payment of interest by the participating non-Member State concerned at a rate equal to the highest discount rate ruling in the States on the due date. The 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. However, such interest shall be chargeable only if payment is effected more than three months after the issue of a call for funds by the Commission.

Article 3. The funds paid by participating non-Member States shall be credited to the concerted action project as budget receipts allocated to a heading in the statement of the revenue of the Budget of the European Communities (Commission section).

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

Article 5. The Financial Regulation in force applicable to the general budget of the European Communities shall apply to the management of the appropriations.

Article 6. 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.

ANNEX

PROVISIONAL TIMETABLE FOR THE CONCERTED ACTION PROJECT "EFFECT OF PROCESSING
ON THE PHYSICAL PROPERTIES OF FOODSTUFFS" (COST PROJECT 90 bis)

(in ECU)

	1982			1983			1984			1985			Total	
	CA	PA		CA	PA		CA	PA		CA	PA		CA	PA
1. Initial estimate of overall requirements														
— Staff	46,000			160,000			175,000			189,000			670,000	
— Administrative operating expenditure ...	50,000													670,000
— Contracts	50,000													
TOTAL	146,000	146,000		160,000	160,000		175,000	175,000		189,000	189,000		670,000	670,000
2. Revised estimate of expenditure taking into account additional requirements arising from the accession of participating non-Member States														
— Staff	146,000	146,000		160,000	160,000		175,000	175,000		189,000	189,000		670,000	670,000
— Administrative operating expenditure	$(1 + \frac{n}{10})$	$(1 + \frac{n}{10})$		$(1 + \frac{n}{10})$	$(1 + \frac{n}{10})$		$(1 + \frac{n}{10})$	$(1 + \frac{n}{10})$		$(1 + \frac{n}{10})$	$(1 + \frac{n}{10})$		$(1 + \frac{n}{10})$	$(1 + \frac{n}{10})$
— Contracts														
3. Difference between 1 and 2 to be covered by contributions from participating non-Member States	$\frac{n}{10}$ 146,000	$\frac{n}{10}$ 146,000		$\frac{n}{10}$ 160,000	$\frac{n}{10}$ 160,000		$\frac{n}{10}$ 175,000	$\frac{n}{10}$ 175,000		$\frac{n}{10}$ 189,000	$\frac{n}{10}$ 189,000		$\frac{n}{10}$ 670,000	$\frac{n}{10}$ 670,000

ⁿ = Number of participating non-Member States.

CA = Commitment appropriations.

PA = Payment appropriations.