

No. 24990

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## MULTILATERAL

**Community-COST Concertation Agreement on a concerted action project on the effects of processing and distribution on the quality and nutritive value of food (COST Project 91 *bis*) (with annexes). Concluded at Brussels on 7, 14 and 19 November 1985**

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

*Registered by the European Economic Community on 16 July 1987.*

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## MULTILATÉRAL

**Accord de concertation Communauté-COST concernant une action concertée sur l'effet des traitements et de la distribution sur la qualité et la valeur nutritionnelle des denrées alimentaires (Action COST 91 *bis*) [avec annexes]. Conclu à Bruxelles les 7, 14 et 19 novembre 1985**

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

*Enregistré par la Communauté économique européenne le 16 juillet 1987.*

COMMUNITY-COST CONCERTATION AGREEMENT<sup>1</sup> ON A CONCERTED ACTION PROJECT ON THE EFFECTS OF PROCESSING AND DISTRIBUTION ON THE QUALITY AND NUTRITIVE VALUE OF FOOD (COST PROJECT 91 *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 thermal processing and distribution on the quality and nutritive value of foods (COST Project 91) 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 22 January 1981<sup>2</sup> and expired on 26 November 1982;

Whereas the abovementioned concerted action project has produced very encouraging results;

Whereas by its Decision of 24 May 1984 the Council of the European Communities adopted a Community concerted action project on the effects of processing and distribution on the quality and nutritive value of food;

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 whereas they are willing to have such research integrated 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,

<sup>1</sup> Came into force on 1 December 1985 in respect of the following States 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.....	7 November 1985
Sweden .....	25 November 1985
Switzerland.....	19 November 1985

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>
Finland..... (With effect from 1 February 1986.)	31 December 1985

<sup>2</sup> United Nations, *Treaty Series*, vol. 1472, No. I-24983.

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 7 June 1988 in a concerted action project on the effects of processing and distribution on the quality and nutritive value of food.

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 adopt its rules of procedure. Its secretariat shall 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:

- 780,000 ECU from the Community,
- 78,000 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. After having consulted 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, after having consulted 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 the 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 31 December 1985 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 31 December 1985.

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 Community<sup>1</sup> 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 pages, see p. 363 of this volume.]*

<sup>1</sup> United Nations, *Treaty Series*, vol. 298, p. 3.

## ANNEX A

## RESEARCH TOPICS COVERED BY THE AGREEMENT

1. HTST process (high-temperature, short-time processing) and other new thermal processing systems.
2. Qualitative and nutritive properties of foods obtained by biotechnology.
3. Chilling and refrigerated storage.

## ANNEX B

## TERMS OF REFERENCE AND COMPOSITION OF THE COMMUNITY-COST CONCERTATION COMMITTEE ON THE EFFECTS OF PROCESSING AND DISTRIBUTION ON THE QUALITY AND NUTRITIVE VALUE OF FOODS

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 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.

## 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 effects of processing and distribution on the quality and nutritive value of food (COST Project 91 *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 which include meetings, contracts to be concluded with persons or bodies in the participating States with a view to ensuring co-ordination and exchange of research workers between laboratories.

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 of 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 appended hereto.

*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.

## APPENDIX

## PROVISIONAL TIMETABLE FOR THE CONCERTED ACTION PROJECT "EFFECTS OF PROCESSING AND DISTRIBUTION ON THE QUALITY AND NUTRITIVE VALUE OF FOOD (COST PROJECT 91 bis)

	1984		1985		1986		1987		1988		Total	
	CE	CP	CE	CP	CE	CP	CE	CP	CE	CP	CE	CP
1. Initial estimate of overall requirements												
— Staff .....	—	—	17,000	17,000	36,650	36,650	39,100	39,100	20,000	20,000	112,750	112,750
— Administrative operating expenditure .....	40,000	40,000	71,000	71,000	75,000	75,000	77,000	77,000	50,000	50,000	313,000	313,000
— Contracts .....	45,000	20,000	102,000	37,000	90,000	115,000	95,000	115,000	22,250	67,250	354,250	354,250
[TOTAL]	85,000	60,000	190,000	125,000	201,650	226,650	211,100	231,100	92,250	137,250	780,000	780,000
2. Revised estimate of expenditure taking into account additional requirements arising from the accession of participating non-member States												
— Staff .....	—	—										
— Administrative operating expenditure .....	85,000	60,000	190,000	125,000	201,650	226,650	211,100	231,100	92,250	137,250	780,000	780,000
— Contracts .....	10	10	10	10	10	10	10	10	10	10	10	10
3. Difference between 1 and 2 to be covered by contributions from participating non-member States .....	n85,000	n60,000	n190,000	n125,000	n201,650	n226,650	n211,100	n231,100	n92,250	n137,250	n780,000	n780,000
	10	10	10	10	10	10	10	10	10	10	10	10

n = Number of participating non-member States.  
 CA = Commitment appropriations.  
 PA = Payment appropriations.