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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other

MUTUAL ADMINISTRATIVE ASSISTANCE
IN CUSTOMS MATTERS

ARTICLE 1

Definitions

For the purposes of this Annex:

- (a) "applicant authority" means a competent customs authority or other administrative authority which has been designated by a Party for this purpose and which makes a request for assistance on the basis of this Annex;
- (b) "breach of customs legislation" means any violation or attempted violation of customs legislation;
- (c) "customs legislation" means any legal, regulatory or binding administrative provision applicable in the territories of the Parties, governing the import, export and transit of goods and their placing under any other customs regime, procedure or operation, including measures of prohibition, restriction and control;

- (d) "information" means data in any form, documents, records, reports and copies of these that may be certified or legalised;
- (e) "personal data" means all information relating to an identified or identifiable individual; and
- (f) "requested authority" means a competent customs authority or other administrative authority which has been designated by a Party for this purpose and which receives a request for assistance on the basis of this Annex.

ARTICLE 2

Scope

1. The Parties shall assist each other, in the areas within their competence, in the manner and under the conditions laid down in this Annex, to ensure the correct application of the customs legislation, in particular by preventing, investigating and combating breaches of customs legislation.

2. Assistance in customs matters, as provided for in this Annex, shall apply to any customs authority or other 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 a judicial authority, except where communication of such information is authorised by that authority.
3. Assistance to recover duties, taxes or fines is not covered by this Annex.

ARTICLE 3

Assistance on Request

1. At the request of the applicant authority, the requested authority shall provide all relevant information which may enable it to ensure that customs legislation is correctly applied, including information regarding activities noted or planned which are or could constitute breaches of customs legislation.
2. At the request of the applicant authority, the requested authority shall inform:
 - (a) whether goods exported from the territory of one of the Parties have been imported into the territory of the other Party in observance of the applicable customs legislation, specifying, where appropriate, the customs procedure applied to the goods;

- (b) whether goods imported into the territory of one of the Parties have been exported from the territory of the other Party in observance of the applicable customs legislation, specifying, where appropriate, the customs procedure applied to the goods.
3. At the request of the applicant authority, the requested authority shall, within the framework of its legal or regulatory provisions, take the necessary steps to ensure special surveillance of:
- (a) natural or legal persons in respect of whom there are grounds for believing that they are or have been involved in committing breaches of customs legislation;
 - (b) places where stocks of goods have been or may be assembled in such a way that there are grounds for believing that these goods are intended to be used in committing breaches of customs legislation;
 - (c) goods that are or may be transported in such a way that there are grounds for believing that they are intended to be used in committing breaches of customs legislation;
 - (d) means of transport that are or may be used in such a way that there are grounds for believing that they are intended to be used in committing breaches of customs legislation.

ARTICLE 4

Spontaneous Assistance

The Parties shall assist each other, at their own initiative and in accordance with their legal or regulatory provisions, if they consider that to be necessary for the correct application of customs legislation, particularly by providing information obtained pertaining to:

- (a) activities which are or appear to be operations in breach of customs legislation and which may be of interest to the other Party;
- (b) new means or methods employed in carrying out operations in breach of customs legislation;
- (c) goods known to be subject to operations in breach of customs legislation;
- (d) natural or legal persons in respect of whom there are grounds for believing that they are or have been involved in breaches of customs legislation;
- (e) means of transport in respect of which there are grounds for believing that they have been, are, or may be used in breaches of customs legislation.

ARTICLE 5

Delivery and Notification

1. At the request of the applicant authority, the requested authority shall, in accordance with legal or regulatory provisions applicable to the latter, take all necessary measures in order to deliver any documents or to notify any decisions, emanating from the applicant authority and falling within the scope of this Annex, to an addressee residing or established in the territory of the requested authority.
2. Requests for delivery of documents or notification of decisions shall be made in writing in an official language of the requested authority or in a language acceptable to that authority.

ARTICLE 6

Form and Substance of Requests for Assistance

1. Requests pursuant to this Annex shall be made in writing. They shall be accompanied by the documents necessary to enable compliance with the request. When required because of the urgency of the situation, oral requests may be accepted, but shall be confirmed in writing no later than five days after the oral request. In the event that this condition is not met, the requested authority may disregard the request or consider it as not having been presented.

2. Requests pursuant to paragraph 1 shall include the following information:
- (a) the applicant authority and if possible, the name of the responsible officer;
 - (b) the requested authority;
 - (c) the assistance requested;
 - (d) the object of and the reason for the request;
 - (e) the legal or regulatory provisions and other legal elements on which the request is based;
 - (f) indications as exact and comprehensive as possible on the natural or legal persons who are the target of the investigations;
 - (g) a summary of the relevant facts and of the enquiries already carried out; and
 - (h) indicate if it would not itself be able to provide the requested assistance if it were to receive such a request.

3. Requests shall be submitted in an official language of the requested authority or in a language acceptable to that authority. This requirement shall not apply to any documents that accompany the request under paragraph 1.
4. If a request does not meet the formal requirements set out above, its correction or completion may be requested; in the meantime, precautionary measures may be ordered in accordance with the legal or regulatory provisions of the requested authority.

ARTICLE 7

Execution of Requests

1. In order to comply with a request for assistance, the requested authority shall proceed, within the limits of 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 enquiries or by arranging for them to be carried out. This provision shall also apply to any other authority to which the request has been addressed by the requested authority when the latter cannot act on its own.
2. Requests for assistance shall be executed in accordance with the legal or regulatory provisions of the requested Party and in accordance with this Annex.

3. Duly authorised officials of a Party may, with the agreement of the other Party involved and subject to the conditions laid down by the latter, be present to obtain in the offices of the requested authority or any other concerned authority in accordance with paragraph 1, information relating to activities that are or may constitute breaches of customs legislation which the applicant authority needs for the purposes of this Annex.
4. Duly authorised officials of a Party involved may, with the agreement of the other Party involved and subject to the conditions laid down by the latter, be present at enquiries carried out in the latter's territory.
5. In the event that the requested authority is not itself competent to comply with the request for assistance, it shall transmit the request to the competent service and notify the applicant authority of the measures taken.

ARTICLE 8

Form in which Information is to be Communicated

1. The requested authority shall communicate results of enquiries to the applicant authority in writing together with relevant documents, certified or legalised copies or other items.
2. This information may be provided in computerised form or by electronic means.

3. Original documents shall be transmitted only upon request in cases where certified or legalised copies would be insufficient. These originals shall be returned at the earliest opportunity.

ARTICLE 9

Exceptions to the Obligation to Provide Assistance

1. Assistance may be refused or may be subject to the satisfaction of certain conditions or requirements, in cases where a Party considers that assistance under this Annex would:
 - (a) be likely to prejudice the sovereignty of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama or that of a Member State of the European Union which has been requested to provide assistance under this Annex; or
 - (b) be likely to prejudice public policy, security or other essential interests, in particular in the cases referred to under Article 10, paragraph 2; or
 - (c) violate an industrial, commercial or professional secret.

2. Assistance may be postponed by the requested authority on the ground that it will interfere with an ongoing investigation, prosecution or proceeding. In such a case, the requested authority shall consult with the applicant authority to determine if assistance can be given subject to such terms or conditions as the requested authority may require.
3. Where the applicant authority seeks assistance which it would itself be unable to provide if so requested, 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.
4. For the cases referred to in paragraphs 1 and 2, the decision of the requested authority and the reasons therefore must be communicated to the applicant authority without delay.

ARTICLE 10

Information Exchange and Confidentiality

1. Any information communicated pursuant to this Annex shall be treated as confidential or restricted in nature, depending on the rules applicable in each of the Parties. It shall be covered by the obligation of confidentiality or professional secrecy as applicable in each of the Parties, and shall enjoy the protection extended to this type of information, in accordance with the legal and regulatory provisions of each Party.

2. Personal data may be exchanged, in accordance with each Party's legislation, only where the Party which may receive them undertakes to protect such data in at least an equivalent way to the one applicable to that particular case in the Party that may supply them.
3. The use, in judicial or administrative proceedings instituted in respect of breaches of customs legislation, of information obtained under this Annex, is considered to be for the purposes of this Annex. Therefore, 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. The competent authority which supplied that information or gave access to those documents shall be notified of such use.
4. Information obtained shall be used solely for the purposes of this Annex. Where one of the Parties wishes to use such information for other purposes, it shall obtain the prior written consent of the authority which provided the information. Such use shall then be subject to any restrictions laid down by that authority.

ARTICLE 11

Experts and Witnesses

An official of a requested authority may be authorised to appear, within the limitations of the authorisation granted, as an expert or witness in judicial or administrative proceedings regarding the matters covered by this Annex, and produce such objects, documents or certified or legalised copies thereof, as may be needed for the proceedings. The request for appearance must indicate specifically before which judicial or administrative authority the official will have to appear, on what matters and by virtue of what title or qualification the official will be questioned.

ARTICLE 12

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 those to interpreters and translators who are not public service employees.

ARTICLE 13

Implementation

1. The implementation of this Annex shall be entrusted to the customs authorities or other competent authorities of the Parties, who shall adopt all practical measures and arrangements necessary for its application. They may recommend to the competent bodies amendments which they consider should be made to this Annex.
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 14

Other Agreements

1. Taking into account the respective competencies of the European Union and its Member States on the one hand and Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama on the other, the provisions of this Annex shall:
 - (a) not affect the obligations of the Parties under any other international agreement or convention;

- (b) be deemed complementary to Agreements on mutual assistance which have been or may be concluded between individual Member States of the European Union and Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama or between these countries; and
 - (c) not affect the European Union's provisions governing the communication between the competent services of the European Commission and the customs authorities of the Member States of the European Union of any information obtained under this Annex which could be of interest to the European Union.
2. Notwithstanding the provisions of paragraph 1 (b), the provisions of this Annex shall take precedence over the provisions of any bilateral Agreement on mutual assistance which has been or may be concluded between individual Member States of the European Union and Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama insofar as the provisions of the latter are incompatible with those of this Annex.
 3. In respect of questions relating to the applicability of this Annex, the Parties shall consult each other to resolve the matter in the framework of the Sub-Committee on Customs, Trade Facilitation and Rules of Origin established under Article 123 of Chapter 3 of Title II (Trade in Goods) of Part IV of this Agreement.
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SPECIAL PROVISIONS ON ADMINISTRATIVE CO-OPERATION

1. The Parties agree that administrative co-operation is essential for the implementation and the control of the preferential treatment granted under Chapter 1 of Title II (Trade in Goods) of Part IV of this Agreement and underline their commitment to combat breaches of customs legislation.
2. Where a Party has made a finding, on the basis of objective information, of a failure of the other Party to provide administrative co-operation with respect to the preferences granted under Chapter 1 of Title II (Trade in Goods) of Part IV of this Agreement, the Party concerned may temporarily suspend the relevant preferential treatment of the product(s) concerned in accordance with this Annex.
3. For the purpose of this Annex, a failure by a Party to provide administrative co-operation shall mean:
 - (a) a repeated failure to respect the obligations to verify the originating status of the product(s) concerned at the request of the other Party;

- (b) a repeated refusal to carry out or undue delay in communicating the results of subsequent verification of the proof of origin at the request of the other Party;
 - (c) a repeated refusal or undue delay in obtaining authorisation to conduct administrative co-operation missions to verify the authenticity of documents or accuracy of information relevant to the granting of the preferential treatment in question. The request for authorisation in order to carry out administrative co-operation missions shall be established through the competent public authorities of each Party.
4. The application of a temporary suspension shall be subject to the following conditions:
- (a) the Party which has made a finding, on the basis of objective information, of a failure to provide administrative co-operation shall, before applying any temporary suspension, notify the Association Committee without undue delay of its finding together with the objective information and enter into consultations within the Association Committee, on the basis of all relevant information and objective findings, with a view to reaching a solution acceptable to both Parties to avoid the application of a temporary suspension;

- (b) where the Parties have entered into consultations within the Association Committee as stated above and have failed to agree on an acceptable solution within three months following the notification, to avoid the application of a temporary suspension, the Party concerned may temporarily suspend the relevant preferential treatment of the product(s) concerned. A temporary suspension shall be notified to the Association Committee without undue delay;
 - (c) temporary suspensions under this Annex shall be limited to that necessary to protect the financial interests of the Party concerned. They shall not exceed a period of six months unless at that time there is no change in the circumstances that led to the temporary suspension. Temporary suspensions shall be notified immediately after their adoption to the Association Committee. They shall be subject to periodic consultations within the Association Committee in particular with a view to their termination as soon as the conditions for their application no longer apply.
5. The Parties shall inform importers of the findings leading to consultation of the Association Committee and/or of the adoption of a temporary suspension under this Annex in accordance with the internal procedures of the Parties.

MANAGEMENT OF ADMINISTRATIVE ERRORS

Where a Party has made a finding, based on objective information, of the existence of an error by the competent public authorities of the other Party in the proper management of the preferential system at export in relation to the application of the provisions of Annex II (Concerning the Definition of the Concept of "Originating Products" and Methods of Administrative Cooperation), where this error leads to consequences in terms of import duties, the Party facing such consequences shall request the Association Committee to examine the possibilities of adopting all appropriate measures with a view to resolving the situation in a satisfactory manner for the Parties.

COMPETENT AUTHORITIES

A. COMPETENT AUTHORITIES OF THE EU PARTY

Control is shared between the national services of the European Union Member States and the European Commission. In this respect the following applies:

- As regards exports to the Republics of the CA Party, the Member States of the European Union are responsible for control of the production circumstances and requirements, including statutory inspections and issuing health (or animal welfare) certifications attesting to the agreed standards and requirements.
- As regards imports from the Republics of the CA Party the Member States of the European Union are responsible for control of the compliance of the imports with the EU Party's import conditions.
- The European Commission is responsible for overall co-ordination, inspection/audits of inspection systems and the necessary legislative action to ensure uniform application of standards and requirements within the Internal Market of the European Union.

B. COMPETENT AUTHORITIES OF THE REPUBLICS OF THE CA PARTY

B.1. Competent Authorities of Costa Rica

- *Servicio Nacional de Salud Animal (SENASA)*, from the *Ministerio de Agricultura y Ganadería (MAG)* is the competent authority which regulates the protection of animal health, veterinary public health and food safety of products of animal origin;
- *Servicio Fitosanitario del Estado (SFE)*, from the *MAG* is the competent authority for the regulation of sanitary and phytosanitary protection of plants and the pesticide residues in plants;
- *Ministerio de Salud* is the authority competent to ensure national public health and the health control of foods for human consumption; and
- *Ministerio de Comercio Exterior (COMEX)* is the competent authority responsible for the administration of Chapter 5 (Sanitary and Phytosanitary Measures),

or their successors.

B.2. Competent Authorities of El Salvador

- *Ministerio de Agricultura y Ganadería (MAG)*, through the *Dirección General de Sanidad Vegetal y Animal* is the competent authority responsible of the protection of human health, animal health, veterinary public health, plant health and plant preservation;
- *Ministerio de Economía (MINEC)* through the *Dirección de Administración de Tratados Comerciales (DATCO)* is the competent authority responsible to administrate the implementation of Chapter 5 (Sanitary and Phytosanitary Measures); and
- *Ministerio de Salud Pública y Asistencia Social (MSPAS)* through the *Unidad de Control de Alimentos* is the competent authority to ensure public health in the country and in coordination with the competent authority in the *MAG*,

or their successors.

B.3. Competent Authorities of Guatemala

- *Ministerio de Economía* through the *Dirección de Administración del Comercio Exterior* is the competent authority responsible to administrate the implementation of Chapter 5 (Sanitary and Phytosanitary Measures);
- *Ministerio de Agricultura, Ganadería y Alimentación (MAGA)*, through the *Unidad de Normas y Regulaciones (UNR)* is the competent authority which regulates the protection of human health (veterinary public health), animal health, plant health and plant preservation, as well as maintenance and security of their unprocessed products and sub products; and
- *Ministerio de Salud Pública y Asistencia Social (MSPAS)* through the *Dirección de Control de Alimentos y Medicamentos* is the competent authority to ensure public health in the country and in coordination with the *UNR* monitors the health control of products for human consumption,

or their successors.

B.4. Competent Authorities of Honduras

- *Secretaría de Estado en los Despachos de Industria y Comercio* through the *Dirección General de Integración Económica y Política Comercial* is the competent authority responsible for administering the implementation of Chapter 5 (Sanitary and Phytosanitary Measures);
- *Secretaría de Estado en los Despachos de Agricultura y Ganadería (SAG)*, through the *Dirección General del Servicio Nacional de Sanidad Agropecuaria (SENASA)* and the *División de Seguridad Alimentaria* is the competent authority which regulates the protection of human health (veterinary public health), animal health, plant health and plant preservation, so as the conservation and safety of their products and sub products; and
- *Secretaría de Estado en el Despacho de Salud* through the *Dirección General de Regulación Sanitaria* is the competent authority to ensure the country's public health and in coordination with *SENASA* monitors the sanitary control of food products for human consumption,

or their successors.

B.5. Competent Authorities of Nicaragua

- *Ministerio de Fomento, Industria y Comercio (MIFIC)* through the *Dirección de Aplicación y Negociación de Acuerdos Comerciales* is the competent authority responsible to administrate the implementation of Chapter 5 (Sanitary and Phytosanitary Measures);
- *Ministerio Agropecuario y Forestal (MAGFOR)* through the *Dirección General de Protección y Sanidad Agropecuaria (DGPSA)* is the competent authority which regulates the protection of human health (veterinary public health), animal health, plant health and plant preservation, as well as maintenance and security of their products and sub products, based in national and international regulation in order to guarantee health food consumer; and
- *Ministerio de Salud (MINSa)* through the *Dirección de Regulación de Alimentos* is the authority competent to ensure national public health and, in coordination with *MAGFOR/DGPSA* to ensure the health control of foods for human consumption, or their successors.

B.6. Competent Authorities of Panama

- *Dirección Nacional de Salud Animal (DINASA)* from the *Ministerio de Desarrollo Agropecuario (MIDA)* is the authority in charge of ensures the application of the animal health measures. *MIDA* coordinate its functions with the *Ministerio de Salud (MINS)* and with the *Autoridad Panameña de Seguridad de Alimentos (AUPSA)*;
- *Dirección Nacional de Sanidad Vegetal (DINASAVE)* from the *Ministerio de Desarrollo Agropecuario (MIDA)* is the authority in charge of protects and maintains the phitosanitary conditions and quality, including the control and prevention of pests, and control of pesticides and fertilizers;
- *Autoridad Panameña de Seguridad de Alimentos (AUPSA)* is the authority in charge of ensure compliance and application of the international and domestic law related to the food safety and quality of food for human and animal consumption that is going to be introduced in the national territory;

- *Departamento de Protección de Alimentos (DEPA)* from the *Ministerio de Salud (MINSA)* is the competent authority to monitor and control the health food, as well as the food establishments and food processor through inspections, analysis and register systems based on scientific criteria in accordance with sanitary and phytosanitary international measures. *DEPA* coordinates its functions with *DINASA*, *AUPSA* and *DINASAVE*; and

- *Dirección de Administración de Tratados Comerciales Internacionales y Defensa Comercial (DINATRADEC)* from the *Ministerio de Comercio e Industrias (MICI)* is the competent authority responsible of the administration and implementation of Chapter 5 (Sanitary and Phytosanitary Measures),

or their successors.

REQUIREMENTS AND PROVISIONS FOR APPROVAL
OF ESTABLISHMENTS FOR PRODUCTS OF ANIMAL ORIGIN

1. The Competent Authority of the importing Party shall draw up lists of approved establishments and shall make these lists publicly available.

2. Requirements and procedures for approval:
 - (a) the animal product concerned shall have been authorised by the Competent Authority of the importing Party. This authorisation shall include the import and certification requirements;

 - (b) the Competent Authority of the exporting Party shall approve the establishments intended to export and provide the importing Party with satisfactory sanitary guarantees that the establishments comply with the relevant requirements of the importing Party;

 - (c) the Competent Authority of the exporting Party must have the power to suspend or withdraw the export approval of an establishment in the event of non-compliance;

- (d) the importing Party may carry out verifications in accordance with the provisions of Article 148 of Chapter 5 (Sanitary and Phytosanitary Measures) of Title II of Part IV of this Agreement as part of the approval procedure.

This verification shall concern the structure, organisation and powers of the Competent Authority responsible for the approval of the establishment and the sanitary guarantees regarding the compliance with the importing Party's requirements.

These checks may include on-the-spot inspection of establishments appearing on the list or lists provided by the exporting Party.

Taking into account the specific structure and division of competence within the EU Party, such verification in the EU Party may concern individual Member States of the European Union; and

- (e) based on the results of the verification provided for in (d), the importing Party may amend the list of establishments.

3. The provisions in points 1 and 2 shall initially be limited to the following categories of establishments:
- (a) all establishments for fresh meat of domestic species;
 - (b) all establishments for fresh meat of wild and farmed game;
 - (c) all establishments for poultry meat;
 - (d) all establishments for meat products of all species;
 - (e) all establishments for other products of animal origin for human consumption (for example casings, meat preparations, minced meat);
 - (f) all establishments for milk and milk products for human consumption; and
 - (g) processing establishments and factory/freezer vessels for fishery products for human consumption including bivalve molluscs and crustaceans.
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GUIDELINES FOR CONDUCTING VERIFICATIONS

1. Verifications may be carried out on the basis of audits and/or on-the-spot checks.
2. For the purposes of this Annex:
 - (a) the "auditee" is the Party subject to the verification; and
 - (b) the "auditor" is the Party that carries out the verification.
3. General principles of verification:
 - (a) Verifications should be made in co-operation between the auditor and the auditee in accordance with the provisions set out in this Annex;

- (b) Verifications should be designed to check the effectiveness of the controls of the auditee rather than to reject individual animals, groups of animals, consignments of food establishments or individual lots of plants or plant products. Where verification reveals a serious risk to animal, plant or human health, the auditee shall take immediate corrective action. The process may include study of the relevant regulations, method of implementation, assessment of the end result, level of compliance and subsequent corrective actions;
- (c) The frequency of verifications should be based on performance. A low level of performance should result in an increased frequency of verifications. Unsatisfactory performance must be corrected by the auditee to the auditor's satisfaction;
- (d) Verifications, and the decisions based on them, shall be made in a transparent and consistent manner.

4. Principles relating to the auditor.

The auditors should prepare a plan, preferably in accordance with recognised international standards, that covers the following points:

- (a) the subject, depth and scope of the verification;

- (b) the date and place of the verification, along with a timetable up to and including the issue of the final report;
- (c) the language or languages in which the verification will be conducted and the report will be written;
- (d) the identity of the auditors including, if a team approach is used, the leader of the team. Specialised professional skills may be required to carry out verification of specialised systems and programmes;
- (e) a schedule of meetings with officials and visits to establishments or facilities, as appropriate. The identity of establishments or facilities to be visited need not be stated in advance;
- (f) subject to provisions on freedom of information, respect of commercial confidentiality shall be observed by the auditor. Conflicts of interest must be avoided; and
- (g) respect of the rules governing occupational health and safety related to sanitary and phytosanitary matters. This plan should be reviewed in advance with representatives of the auditee.

5. Principles relating to the auditee.

The following principles apply to actions taken by the auditee in order to facilitate verification:

- (a) the auditee shall cooperate fully with the auditor and shall nominate personnel responsible for this task. Cooperation may include, for example:
 - (i) the access to all relevant regulations and standards;
 - (ii) the access to compliance programmes and appropriate records and documents;
 - (iii) the access to audit and inspection reports;
 - (iv) the access to documentation concerning corrective actions and sanctions; or
 - (v) the facilitation of the entry to establishments;
- (b) the auditee shall operate a documented programme to demonstrate to the auditor that standards are being met on a consistent and uniform basis.

6. Procedures:

- (a) Opening meeting. An opening meeting should be held between representatives of the Parties. At this meeting, the auditor will be responsible for reviewing the verification plan and confirming that adequate resources, documentation and any other necessary facilities are available for conducting the verification;
- (b) Document review. The document review may consist of a review of the documents and records referred to in paragraph 5(a), of the structures and competences of the auditee, and of any relevant changes to inspection and certification systems since the entry into force of this Agreement or since the previous verification, with emphasis on the implementation of elements of the system of inspection and certification for animals, animal products, plants or plant products of interest. This may include an examination of relevant inspection and certification records and documents;
- (c) On-the-spot checks:
 - (i) To decide if an on-the-spot check should be carried out, the risk of the concerned animal, plant or product, should be considered, taking into account factors such as the history of conformity with requirements by the industry sector or exporting country, the volume of product produced and imported or exported, changes in infrastructure and the national inspection and certification systems.

- (ii) On-the-spot checks may involve visits to production and manufacturing facilities, food-handling or storage areas and control laboratories to check on compliance with the information contained in the documentary material referred to in 6(b);
- (d) Follow-up verification. Where a follow-up verification is being conducted in order to verify the correction of deficiencies, it may be sufficient to examine only those points which have been found to require correction.

7. Working documents.

Forms for reporting audit findings and conclusions should be standardised as much as possible in order to make the approach to verification more uniform, transparent and efficient. The working documents may include any checklists of elements to evaluate. Such checklists may cover:

- (a) legislation;
- (b) structure and operations of inspection and certification services;
- (c) establishment details and working procedures, health statistics, sampling plans and results;

- (d) compliance action and procedures;
- (e) reporting and complaint procedures; and
- (f) training programmes.

8. Closing Meeting.

A closing meeting shall be held between representatives of the Parties, including, where appropriate, officials responsible for the national inspection and certification programs. At this meeting the auditor shall present the findings of the verification. The information shall be presented in a clear, concise manner so that the conclusions of the audit are clearly understood. An action plan for correction of any deficiencies noted shall be drawn up by the auditee, preferably with target dates for completion.

9. Report.

The draft report of verification shall be forwarded to the auditee within twenty working days. The auditee shall have twenty five working days to comment on the draft report. Comments made by the auditee shall be attached to and, where appropriate, included in the final report. However, where a significant public, animal or plant health risk has been identified during the verification, the auditee shall be informed as quickly as possible and in any case within ten working days following the end of the on-the-spot verification.

CONTACT POINTS AND WEB-SITES

A. CONTACT POINTS

For the EU Party

European Commission

Mail: Rue de La Loi 200

B-1049 Brussels, Belgium.

Tel: (32) 22953143

Fax: (32) 22964286

For the Republics of the CA Party

Costa Rica:

Dirección General de Comercio Exterior (DGCE)

Ministerio de Comercio Exterior

Address: 1st and 3rd Avenue, 40th Street, Paseo Colón, San José, Costa Rica.

P.O. Box: 297-1007 Centro Colón.

Tel: (506) 2299-4700

Fax: (506) 2255-3281

E-mail: DGCE@comex.go.cr

Web-Site: www.comex.go.cr

Centro de Información y Notificación MSF
Ministerio de Agricultura y Ganadería (MAG)
Servicio Fitosanitario del Estado (SFE)
Servicio Nacional de Salud Animal (SENASA)

San José, Costa Rica.

P.O. Box: 10094-1000

Tel: (506) 2549-3454

Fax: (506) 2549-3599

E-Mail: centroinfo@sfe.go.cr

Dirección de Regulación de la Salud

Ministerio de Salud

Address: 6th and 8th Avenue, 16th Street, San José, Costa Rica.

P.O. Box: 10123-1000 San José.

Tel: (506) 2258-6765

Fax: (506) 2255-4512

E-mail: infosalud@netsalud.sa.cr

Web-Site: www.ministeriodesalud.sa.cr

Misión de Costa Rica ante la Unión Europea

Address: Avenue Louise 489, 1050 Ixelles, Belgique.

Tel: (32) 2640-5541

Fax: (32) 2648-3192

E-mail: info@costaricaembassy.be

Web-Site: www.costaricaembassy.be

or their successors or any other contact point designated and notified by the Party to the other Party.

El Salvador:

Dirección General de Salud Vegetal y Animal
Ministerio de Agricultura y Ganadería (MAG)

Address: Final 1ª Avenida Norte y Avenida Manuel Gallardo, Santa Tecla, Departamento de la Libertad, El Salvador.

Tel: (503) 2241-1747 and (503) 2297-8435

Fax: (503) 2229-2613

Web-Site: www.mag.gob.sv

Dirección de Administración de Tratados Comerciales
Ministerio de Economía (MINEC)

Address: Alameda Juan Pablo II y Calle Guadalupe, Edif. C-2, Tercer Nivel, San Salvador, El Salvador.

Tel: (503) 2247-5788

Fax: (503) 2247-5789

Web-Site: www.minec.gob.sv

Unidad de Control de Alimentos
Ministerio de Salud Pública y Asistencia Social (MSPAS)

Address: Calle Arce No. 827, San Salvador, El Salvador.

Tel: (503) 2202-7000

Fax: (503) 2221-0991

Web-Site: www.salud.gob.sv

or their successors or any other contact point designated and notified by the Party to the other Party.

Guatemala:

Dirección de Administración del Comercio Exterior, del Ministerio de Economía

Address: 8ª Avenida 10-43, zona 1, Ciudad de Guatemala, Guatemala.

Tel: (502) 2412-0200 and (502) 2412-0338

Fax: (502) 2412-0339

Web-Site: www.mineco.gob.gt

Viceministerio de Sanidad Agropecuaria y Regulaciones del Ministerio de Agricultura,

Ganadería y Alimentación (MAGA)

Address: 7a Avenida 12-90 zona 13, Edificio Monja Blanca, Ciudad de Guatemala,

Guatemala.

Tel: (502) 2413 – 7385

Tel: (502) 2413 - 7387

Fax: (502) 2413 - 8387

Web-Site: www.maga.gob.gt

Departamento de Regulación y Control de Productos Farmacéuticos de la Dirección General de Regulación, Vigilancia y Control de la Salud, del Ministerio de Salud Pública y Asistencia Social (MSPAS)

Address: 3a Calle Final 2-10 zona 15, Valles de Vista Hermosa, Ciudad de Guatemala,

Guatemala.

Tel: (502) 2369-8784 and (502) 2369-8786

Fax: (502) 2369-3320

Web-Site: www.mspas.gob.gt

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Honduras:

Secretaría de Estado en los Despachos de Agricultura y Ganadería

Dirección General del Servicio Nacional de Sanidad Agropecuaria (SENASA)

Address: Avenida La FAO, Boulevard Miraflores, Edificio SENASA, Tegucigalpa,
Honduras.

Tel: (504) 2231-0786, (504) 2232-6213, (504) 2239-7989 and (504) 2239-7270

Fax: (504) 2231-0786

Web-Site: www.sag.gob.hn; www.senasa-sag.gob.hn

Dirección General de Integración Económica y Política Comercial

Secretaría de Estado en los Despachos de Industria y Comercio

Address: Edificio San José, Boulevard Kuwait, 3rd nivel, Tegucigalpa, Honduras.

Tel: (504) 2235-5047

Fax: (504) 2235-5047

Web-Site: www.sic.gob.hn

Secretaría de Estado en el Despacho de Salud

Dirección General de Regulación Sanitaria

Address: Avenida Jerez, Barrio El Centro, Antiguo Edificio BANMA, tercer nivel,
Tegucigalpa, Honduras.

Tel (504) 2237-9404

Fax (504) 2237-2726

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Nicaragua:

Ministerio Agropecuario y Forestal (MAGFOR)

Dirección General de Protección y Sanidad Agropecuaria

Address: Km. 3½, Carretera a Masaya, Managua, Nicaragua.

Tel: (505) 2278-5042

Telefax: (505) 2270-1089

E-mail: dgpsa@dgpsa.gob.ni

Web-Site: www.magfor.gob.ni

Ministerio de Salud

Dirección de Regulación de Alimentos

Complejo Nacional de Salud, "Dra. Concepción Palacios."

Address: Costado Oeste Colonia Primero de Mayo, Managua, Nicaragua.

Postal Sector: 15 AB

P.O. Box: 107

Tel: (505) 2289-4839

Fax: (505) 228-94839

E-mail: eta@minsa.gob.ni; dgrsa@minsa.gob.ni

Ministerio de Fomento, Industria y Comercio

Dirección de Aplicación y Negociación de Acuerdos Comerciales

Address: Km. 6 Carretera a Masaya, Managua, Nicaragua.

P.O. Box: 8

Tel: (505) 2267-0161 ext. 1165

Fax: (505) 2267-0161 ext. 1164

E-mail: dat@mific.gob.ni

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Panama:

*Dirección Nacional de Administración de Tratados Comerciales Internacionales y de
Defensa Comercial*

Ministerio de Comercio e Industrias

Address: Avenida Ricardo J. Alfaro, Edificio Plaza Edison, 2do.Piso, Ciudad de Panamá,
Panamá.

Tel: (507) 560-0610

Fax: (507) 560-0618

Web-Site: <http://www.mici.gob.pa>

Email: dinatradec@mici.gob.pa; apineda@mici.gob.pa

or their successors or any other contact point designated and notified by the Party to the other Party.

B. FEE FREE WEB-SITES

For the EU Party

http://ec.europa.eu/dgs/health_consumer/index_en.htm

For the Republics of the CA Party

Costa Rica

www.senasa.go.cr

www.sfe.go.cr

www.ministeriodesalud.sa.cr

www.comex.go.cr

El Salvador

<http://www.mag.gob.sv/dgsva>

<http://www.minec.gob.sv>

Guatemala

www.mineco.gob.gt

http://portal.maga.gob.gt/portal/page/portal/uc_unr

<http://portal.mspas.gob.gt/>

Honduras

www.sic.gob.hn

www.senasa-sag.gob.hn

www.salud.gob.hn

Nicaragua

www.magfor.gob.ni

www.minsa.gob.ni

www.mific.gob.ni

Panama

www.mida.gob.pa

www.aupsa.gob.pa

www.minsa.gob.pa

www.mici.gob.pa