

## COMMISSION REGULATION (EEC) No 3039/79

of 21 December 1979

## laying down conditions for the entry of natural sodium nitrate and natural potassic sodium nitrate falling within subheadings 31.02 A and 31.05 A III a) respectively of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff<sup>(1)</sup>, as last amended by Regulation (EEC) No 280/77<sup>(2)</sup>, and in particular Articles 3 and 4 thereof,

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68<sup>(3)</sup>, as last amended by Council Regulation (EEC) No 2999/79<sup>(4)</sup>, covers:

- natural sodium nitrate falling within subheading 31.02 A,
- natural potassic sodium nitrate falling within subheading 31.05 A III a);

Whereas entry under these subheadings is subject to conditions to be determined by the competent authorities; whereas, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions specifying those conditions must be laid down;

Whereas it seems appropriate to replace the certificate of quality hitherto required by the customs authorities of Member States for the importation of the products in question by a Community certificate based on the United Nations model;

Whereas identification of the above products presents certain difficulties; whereas it can be considerably simplified if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, entry of a product under the subheadings mentioned above should be authorized only where such product is accompanied by a certificate of quality which

is issued by an authority acting under the responsibility of the exporting country and which provides such assurance;

Whereas it is appropriate to specify the form which such certificate must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the Community to check the conditions of issue of the said certificate and to prevent falsification; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas certificates in the old form should continue to be regarded as valid for a specified period of time;

Whereas the measures provided for in the Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

*Article 1*

The entry under subheadings 31.02 A and 31.05 A III a) respectively of the Common Customs Tariff of natural sodium nitrate and natural potassic sodium nitrate shall be subject to presentation of a certificate of quality meeting the requirements specified in this Regulation.

*Article 2*

1. The certificate shall be in the form set out in Annex I. The size of the certificate shall be 210 × 297 mm. The paper used shall be white and weigh not less than 40 g/m<sup>2</sup>.

2. Each certificate shall bear an individual serial number given by the issuing authority.

*Article 3*

The certificate shall be completed either in typescript or in manuscript. In the latter case, it must be completed in ink and block letters.

(1) OJ No L 14, 21. 1. 1969, p. 1.

(2) OJ No L 40, 11. 2. 1977, p. 1.

(3) OJ No L 172, 22. 7. 1968, p. 1.

(4) See page 1 of this Official Journal.

*Article 4*

The certificate shall be submitted to the customs authorities of the importing Member State within five months of its date of issue, together with the goods to which it relates.

*Article 5*

1. A certificate shall be valid only if it is duly endorsed by an authority appearing on the list referred to in Article 6 (2).
2. A duly endorsed certificate shall show the place and date of issue and bear the stamp of the issuing authority and the signature of the person or persons authorized to sign it.

*Article 6*

1. An issuing authority can appear on the list only if:
  - (a) it is recognized as such by the exporting country;
  - (b) it undertakes to verify the particulars shown in certificates;
  - (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.
2. The list of issuing authorities appears in Annex II.

3. The list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing authority fails to fulfil one or more of the obligations incumbent upon it.

*Article 7*

Where a consignment is split, the original certificate shall be photocopied for each part consignment. The photocopies and the original certificate shall be presented to the customs office at which the goods are situated.

Each photocopy shall indicate the name and address of the consignee and be marked in red 'Extract valid for ... kg' (in figures and letters) together with the place and date of the splitting. These statements shall be authenticated by the customs office stamp and signature of the customs official responsible. The original certificate shall be inscribed with the particulars relating to the splitting of the consignment and shall be retained by the competent customs office.

*Article 8*

This Regulation shall enter into force on 1 January 1980. However, until 31 December 1980, natural sodium nitrate and natural potassic sodium nitrate shall be admitted under the relevant subheadings listed in Article 1 on presentation of a certificate of the kind used until 31 December 1979.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

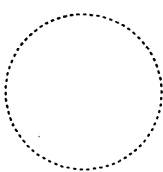
Done at Brussels, 21 December 1979.

*For the Commission*

Étienne DAVIGNON

*Member of the Commission*



<p>1 Expedidor — Ekspeditor — Absender — Consignor — Expéditeur — Mittente — Afzender</p>	<p>2 Numero — Nummer — Nummer — Number — Numéro — Numero — Nummer</p>
<p>4 Destinatario — Modtager — Empfänger — Consignee — Destinataire — Destinatario — Geadresseerde</p>	<p>3 <b>REPUBLICA DE CHILE</b> <b>Servicio de Minas del Estado</b></p>
<p>6 Puerto de embarque — Afskibningssted — Verladehafen — Port of embarkation — Port d'embarquement — Porto d'imbarco — Haven van lading</p>	<p>5 <b>CERTIFICADO DE CALIDAD</b> <b>KVALITETSCERTIFIKAT</b> <b>REINHEITSZEUGNIS</b> <b>CERTIFICATE OF QUALITY</b> <b>CERTIFICAT DE QUALITÉ</b> <b>CERTIFICATO DI QUALITÀ</b> <b>KWALITEITSCERTIFICAAT</b></p>
<p>8 Barco — Scib — Schiff — Ship — Bateau — Nave — Schip</p>	<p>7 <b>NITRATO DE CHILE</b> <b>CHILE-SALPETER</b> <b>NITRAT AUS CHILE</b> <b>NITRATE FROM CHILE</b> <b>NITRATE DU CHILI</b> <b>NITRATO DEL CILE</b> <b>NITRAAT UIT CHILI</b></p>
<p>9 Conocimiento — Konnossement — Konnossement — Bill of lading — Connaissance — Polizza di carico — Connossement</p>	
<p>10 En secos — I sækker — In Säcken — In sacks — En sacs — In sacchi — In zakken (1) Marca — Mærke — Zeichen — Marks — Marques — Marche — Marken: Numero — Nummer — Nummern — Numbers — Numéros — Numeri — Nummers: Cantidad — Antal — Anzahl — Number — Nombre — Quantità — Aantal: A granel — Lost ladet — Als Massengut — Loose — En vrac — Alla rinfusa — Los gestort (1)</p>	<p>11 Cantidad (2) en numeros Mængde (2) i tal Menge (2) in Ziffern Quantity (2) in figures Quantité (2) en chiffres Quantità (2) in cifre Hoeveelheid (2) in cijfers</p>
<p>12 Cantidad (2) en letra — Mængde (2) i bogstaver — Menge (2) in Buchstaben — Quantity (2) in words — Quantité (2) en lettres — Quantità (2) in lettere — Hoeveelheid (2) voluit</p>	
<p>13 VISADO DEL ORGANISMO EMISOR — PÅTEGNING FRA UDSTEDENDE ORGAN — BESCHEINIGUNG DER AUSSTELLENDE STELLE — CERTIFICATE OF THE ISSUING AUTHORITY — VISA DE L'ORGANISME ÉMETTEUR — VISTO DELL'ORGANISMO EMITTENTE — VISUM VAN DE INSTANTIE VAN AFGIFTE</p> <p>El laboratorio del Servicio de Minas del Estado certifica que al cargamento de nitrato descrito mas arriba esta constituido por:</p> <ul style="list-style-type: none"> <li>— nitrato de sodio natural de Chile, con un contenido en nitrogeno que no exceda 16,3 % en peso (1);</li> <li>— nitrato de sodio potasico natural de Chile, consistente en una mezcla natural de nitrato de sodio y de nitrato de potasio (la proporcion de este ultimo elemento no sobrepasando 44 %) con un contenido global en nitrogeno que no exceda 16,3 % en peso, producido en Chile y obtenido por lixiviacion del mineral de nitrato llamado «caliche» en solucion acuosa, seguido por una cristalización fraccionada por enfriamiento y/o evaporacion solar (1)</li> </ul> <p style="text-align: right;">....., 19 ..</p> <div style="text-align: center; margin-top: 20px;">  </div> <p>Sello — Stempel — Stempel — Stamp — Cachet — Timbro — Stempel</p> <p style="text-align: right;">Firma — Underskrift — Unterschrift — Signature — Signature — Firma — Handtekening</p>	

(1) Tachar le mención inutili — Overstreg det unødvendige — Delete words inapplicable — Biffer la mención inutile — Cancellare la mención inapplicabile — Doorhalen wat niet van toepassing is — En toneladas métricas — I ton — In tonnes — En tonnes métriques — in tonnellate metriche — In metrieke ton.

14 Statens Minelaboratorium attesterer herved, at den ovenfor beskrevne ladning nitrat (salpeter) består af:

- naturligt Chile natriumnitrat (natronsalpeter) med et nitrogenindhold på 16,3 vægtprocent og derunder;
- naturligt Chile kaliumnatriumnitrat, bestående af en naturlig blanding af natriumnitrat og kaliumnitrat (med indhold af kaliumnitrat på 44 vægtprocent og derunder) med et samlet nitrogenindhold på 16,3 vægtprocent og derunder, produceret i Chile ved ekstraktion af et mineral benævnt » caliche « i form af udludning med en vandopløsning efterfulgt af en krystallisation gennem forskellige former for afkølinger og/eller sol-fordampning.

Das Laboratorium der staatlichen Verwaltung der Bergwerke bescheinigt, daß sich die oben genannte Ladung zusammensetzt aus:

- natürlichem Natronsalpeter aus Chile mit einem Stickstoffgehalt von nicht mehr als 16,3 Gewichtshundertteilen;
- natürlichem Kaliumnatriumnitrat aus Chile, bestehend aus natürlichen Mischungen von Natriumnitrat und Kaliumnitrat (mit einem Anteil an Kaliumnitrat bis zu 44 Gewichtshundertteilen), mit einem Gesamtgehalt an Stickstoff von nicht mehr als 16,3 Gewichtshundertteilen, erzeugt in Chile durch Auslaugen des Rohminerals mit der Bezeichnung „caliche“ in wäßriger Lösung mit nachfolgender fraktionierter Kristallisation durch Abkühlung und/oder Verdampfung durch Sonnenwärme.

The laboratory of the State Mining Service hereby certifies that the cargo of nitrate described above consists of:

- natural Chilean sodium nitrate of a nitrogen content not exceeding 16.3 % by weight;
- natural Chilean potassic sodium nitrate consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44 %) of a total nitrogen content not exceeding 16.3 % by weight, produced in Chile by extraction from the nitrate mineral called 'caliche' by lixiviation with a water solution, followed by crystallization by differential cooling and/or solar evaporation.

Le laboratoire du service des mines de l'État certifie que le chargement de nitrate décrit ci-dessus est constitué de :

- nitrate de sodium naturel du Chili d'une teneur en azote n'excédant pas 16,3 % en poids,
- nitrate de soude potassique naturel du Chili, consistant en un mélange naturel de nitrate de sodium et de nitrate de potassium (la proportion de ce dernier élément pouvant atteindre 44 %) d'une teneur globale en azote n'excédant pas 16,3 % en poids, produit au Chili et obtenu par lixiviation du minéral de nitrate appelé « caliche » en solution aqueuse, suivie d'une cristallisation fractionnée par refroidissement et/ou évaporation solaire.

Il laboratorio dell'Ufficio statale delle miniere certifica che il carico di nitrato qui descritto è costituito da :

- nitrato di sodio naturale del Cile con tenore di azoto non superiore, in peso, al 16,3 %;
- nitrato sodico potassico naturale del Cile, consistente in un miscuglio naturale di nitrato di sodio e di nitrato di potassio (la proporzione di quest'ultimo elemento può raggiungere il 44 %), con tenore globale di azoto non superiore, in peso, al 16,3 % prodotto nel Cile è ottenuto per liscivazione con acqua del minerale di nitrato detto « caliche », seguita da cristallizzazione frazionata mediante raffreddamento e/o evaporazione solare.

Het Laboratorium van het Staatsbeheer der Mijnen verklaart dat de hierboven omschreven lading nitraat bestaat uit:

- natuurlijk natriumnitraat uit Chili met een gehalte aan stikstof van niet meer dan 16,30 gewichtspersenten;
- natuurlijk kaliumhoudend natriumnitraat uit Chili, zijnde een natuurlijk mengsel van natriumnitraat en kaliumnitraat (waarvan het gedeelte aan kaliumnitraat ten hoogste 44 gewichtspersenten bedraagt) met een totaal gehalte aan stikstof van niet meer dan 16,30 gewichtspersenten, geproduceerd in Chili en verkregen door het uitloggen van nitraatertsen, „caliche” genoemd met water, gevolgd door gefractioneerde kristallisatie door koeling en/of door indamping door zonnearmte.

## ANNEX II

Exporting country	Name of product	Issuing authority	
		Name	Place where established
Republic of Chile	<ul style="list-style-type: none"><li>— Natural sodium nitrate</li><li>— Natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44 %), of a total nitrogen content not exceeding 16.3 % by weight</li></ul>	Laboratorio del Servicio de Minas del Estado	Santiago