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REGULATION (EEC) No 2552/69 OF THE COMMISSION
of 17 December 1969

determining the conditions for the inclusion of bourbon whisky under sub-heading No 22.09 C III (a) 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 97/69¹ of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff, and in particular Article 4 thereof;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68² of 28 June 1968, as last amended by Council Regulation (EEC) No 2451/69³ of 8 December 1969, covers bourbon whisky under sub-heading No 22.09 C III (a); whereas inclusion under that sub-heading 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 are required to determine those conditions;

Whereas identification of bourbon whisky is particularly difficult; whereas it can be made considerably easier if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, a product should not be included under sub-heading No 22.09 C III (a) unless it is accompanied by a certificate of authenticity which, being issued by a body acting under the responsibility of the exporting country, provides such an assurance;

Whereas it is appropriate to specify the form which the certificate in question must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the

Community to control the conditions of issue of the certificate and to prevent falsification; whereas accordingly certain obligations should be imposed on the issuing body;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Committee on the Common Customs Tariff Nomenclature;

HAS ADOPTED THIS REGULATION:

Article 1

The inclusion of bourbon whisky under sub-heading No 22.09 C III (a) shall be subject to presentation of a certificate of authenticity meeting the requirements specified in this Regulation.

Article 2

1. The certificate shall be in the form set out in Annex I to this Regulation. The size of the certificate shall be about 21 × 30 cm. Yellow paper shall be used.

2. Each certificate shall bear an individual serial number.

Article 3

The certificate shall be completed either by typing or in long-hand. In the latter case, it must be completed in ink and in block capitals.

Article 4

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

¹ OJ No L 14, 21.1.1969, p. 1.

² OJ No L 172, 22.7.1968, p. 1.

³ OJ No L 311, 11.12.1969, p. 1.

Article 5

1. A certificate shall be valid only if it is duly authenticated by a body appearing on the list referred to in Article 6 (2).
2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorised to sign it.

Article 6

1. An issuing body may appear on the list only if:
 - (a) it is recognised 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 bodies appears in Annex II to this Regulation.
3. The list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing body does not fulfil any of the obligations which it has undertaken.

Article 7

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 8

This Regulation shall enter into force on 1 January 1970.

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

Done at Brussels, 17 December 1969.

For the Commission

The President

Jean REY

(verso — Rückseite — verso — verso)

The Internal Revenue Service certifies that the above whisky was distilled in the United States
 L'Internal Revenue Service certifie que le whisky Bourbon décrit ci-dessus a été obtenu aux
 Der Internal Revenue Service bestätigt, daß der obengenannte Bourbon-Whisky in den USA
 L'Internal Revenue Service certifica che il whisky Bourbon sopra descritto è stato ottenuto
 De Internal Revenue Service verklaart dat de hierboven omschreven Bourbon whisky met een

at not exceeding 160° proof (80° Gay-Lussac) from a fermented mash of grain of which not
 USA directement à 160° proof (80° Gay-Lussac) au maximum, exclusivement par distillation
 unmittelbar mit einer Stärke von höchstens 160° proof (80° Gay-Lussac) durch Destillation aus
 negli USA direttamente a non più di 160° proof (80° Gay-Lussac) esclusivamente per distill-
 sterkte van niet meer dan 160° proof (80° Gay-Lussac) in de Verenigde Staten van Noord-

less than 51% was corn grain (maize) and aged for not less than two years in charred new oak
 containers.

de moûts fermentés d'un mélange de céréales contenant au moins 51% de grains de maïs et
 vergorener Getreide-Maische mit einem Anteil an Mais von mindestens 51 Gewichtshundert-
 azione di mosti fermentati di una miscela di cereali contenente almeno 51% di granturco e che
 Amerika in één produktiegang is verkregen uitsluitend door distillatie van gegist beslag van

qu'il a vicilli pendant au moins deux ans en fûts de chêne neufs superficiellement carbonisés.
 teilen hergestellt wurde und daß er mindestens 2 Jahre in neuen, innen angekohlten Eichen-
 fässern gelagert hat.

è stato invecchiato per almeno due anni in fusti nuovi di quercia carbonizzati superficialmente.
 gemengde granen bestaande uit ten minste 51 gewichtspersenten (%) maïs en dat deze whisky
 gedurende ten minste twee jaar is gelagerd in nieuwe, aan de binnenzijde verkoolde, eikehouten
 vaten.

Place and date of issuance
 Lieu et date d'émission
 Ort und Datum der Ausstellung
 Luogo e data di emissione
 Plaats en datum van afgifte

U.S. Treasury Department
 Internal Revenue Service Officer

Seal of the Internal Revenue Service
 Stempel van het Internal Revenue Service

Stempel des Internal Revenue Service

Sceau de l'Internal Revenue Service
 Timbro dell'Internal Revenue Service

ANNEX II

Issuing Body	Exporting Country
U.S. Treasury Department-Internal Revenue Service — Washington D.C.	United States of America