

Proposal for a Council Regulation concerning the export of certain steel products from Romania to the European Community for the period from 1 July to 31 December 2002 (double-checking system)

(2002/C 262 E/11)

COM(2002) 189 final — 2002/0088(ACC)

(Submitted by the Commission on 15 April 2002)

EXPLANATORY MEMORANDUM

The purpose of the double-checking system is to improve transparency and to avoid possible diversions of trade. It is founded on the provision in the EU-Romania Europe Agreement ⁽¹⁾ allowing either Party to introduce an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows. In 1996 the Parties agreed to introduce such a system for exports of certain steel products from Romania to the Community.

Until 2001 this double-checking system was each year renewed by common agreement for the period 1 January-31 December. It ended on 31 December 2001 with the expiry of Regulation (EC) No 237/2001 ⁽²⁾.

At its meeting of 22 January 2002 the bilateral contact group agreed to recommend that the Association Council reintroduce the double-checking system in 2002.

The attached proposal is therefore aimed at reintroducing the double-checking system for the period 1 July to 31 December 2002.

⁽¹⁾ OJ L 357, 31.12.1994, p. 2.

⁽²⁾ OJ L 35, 6.2.2001, p. 1.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, entered into force on 1 February 1995 ⁽¹⁾.
- (2) The Parties have agreed, by Association Council Decision No .../2002, to reintroduce the double-checking system for the period 1 July-31 December 2002,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July-31 December 2002, in accordance with the provisions of Association Council Decision No .../2002, imports into the Community of certain iron and steel products originating in Romania, as listed in Annex I, shall be subject to the presentation of an import document issued by the authorities in the Community.

2. The import document shall be made out on a form corresponding to the model set out in Annex II.

⁽¹⁾ OJ L 357, 31.12.1994, p. 2.

3. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter referred to as the 'combined nomenclature' or, in abbreviated form, 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

4. For the period specified in paragraph 1, imports into the Community of the products listed in Annex I shall also be subject to the issue of an export document issued by the competent Romanian authorities. The importer must present the original of the export document no later than 31 March of the year following that in which the goods covered by the document were shipped.

5. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.

6. The export document shall conform to the model shown at Annex III. It shall be valid for exports throughout the customs territory of the Community.

7. Goods shipped before 1 July 2002 shall be excluded from the scope of this Regulation.

Article 2

1. The import document referred to in Article 1(1) shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

2. An import document issued by one of the competent national authorities listed in Annex IV shall be valid throughout the Community.

3. The importer's application shall include the following elements:

- (a) the name and full address of the applicant (including telephone and fax numbers, and any identification number used by the competent national authorities) and VAT registration number, if subject to VAT;
- (b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and fax numbers);
- (c) the full name and address of the exporter;
- (d) the exact description of the goods, including
 - their trade name,
 - the combined nomenclature (CN) code(s),
 - the country of origin,
 - the country of consignment;
- (e) the net weight, expressed in kg, and the quantity in the unit prescribed where other than net weight, by combined nomenclature heading;
- (f) the cif value of the goods in euro at the Community frontier by combined nomenclature heading;
- (g) whether the products concerned are seconds or of substandard quality ⁽¹⁾;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;
- (j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also submit a copy of the contract of sale or purchase, the pro forma invoice and/or, in cases where the goods are not directly purchased in the country of production, a certificate of production issued by the producing steel mill.

4. Import documents may be used only for such time as arrangements for liberalisation of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or measures taken in the framework of an agreement or the management of a quota:

— the period of validity of the import document is hereby fixed at four months,

— unused or partly used import documents may be renewed for an equal period.

5. The importer shall return import documents to the issuing authority at the end of their period of validity.

Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the import document by less than 5 % or that the total value or quantity of the products presented for import exceeds the value or quantity given in the import document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for import documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. Within the first 10 days of each month, the Member States shall communicate to the Commission:

- (a) details of the quantities and values (calculated in euro) for which import documents were issued during the preceding month;
- (b) details of imports during the month preceding the month referred to in subparagraph (a).

The information provided by Member States shall be broken down by product, CN code and by country.

2. The Member States shall report any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant an import document.

Article 5

All reports provided for in these provisions shall be addressed to the Commission of the European Communities and sent electronically via the integrated network set up for this purpose, save where overriding technical reasons provisionally make it necessary to use another means of communication.

Article 6

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 2002.

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

⁽¹⁾ Under the criteria given in OJ C 180, 11.7.1991, p. 4.

ANNEX I

ROMANIA

List of products subject to double-checking (2002)

7202 11 20	7209 26 90	7213 91 10	7219 12 90	7225 20 20
7202 11 80	7209 27 10	7213 91 20	7219 13 10	7225 30 00
7202 99 11	7209 27 90	7213 91 41	7219 13 90	7225 40 20
	7209 28 10	7213 91 49	7219 14 10	7225 40 50
7203 90 00	7209 28 90	7213 91 70	7219 14 90	7225 40 80
	7209 90 10	7213 91 90	7219 21 10	7225 50 00
7206 10 00		7213 99 10	7219 21 90	7225 91 10
7206 90 00	7210 11 10	7213 99 90	7219 22 10	7225 92 10
	7210 12 11		7219 22 90	7225 99 10
7208 10 00	7210 12 19	7214 20 00	7219 23 00	
7208 25 00	7210 20 10	7214 30 00	7219 24 00	7226 11 10
7208 26 00	7210 30 10	7214 91 10	7219 31 00	7226 19 10
7208 27 00	7210 41 10	7214 91 90	7219 32 10	7226 19 30
7208 36 00	7210 49 10	7214 99 10	7219 32 90	7226 20 20
7208 37 10	7210 50 10	7214 99 31	7219 33 10	7226 91 10
7208 37 90	7210 61 10	7214 99 39	7219 33 90	7226 91 90
7208 38 10	7210 69 10	7214 99 50	7219 34 10	7226 92 10
7208 38 90	7210 70 31	7214 99 61	7219 34 90	7226 93 20
7208 39 10	7210 70 39	7214 99 69	7219 35 10	7226 94 20
7208 39 90	7210 90 31	7214 99 80	7219 35 90	7226 99 20
7208 40 10	7210 90 33	7214 99 90	7219 90 10	
7208 40 90	7210 90 38			7227 10 00
7208 51 10		7215 90 10	7220 11 00	7227 20 00
7208 51 30	7211 13 00		7220 12 00	7227 90 10
7208 51 50	7211 14 10	7216 10 00	7220 20 10	7227 90 50
7208 51 91	7211 14 90	7216 21 00	7220 90 11	7227 90 95
7208 51 99	7211 19 20	7216 22 00	7220 90 31	
7208 52 10	7211 19 90	7216 31 11		7228 10 10
7208 52 91	7211 23 10	7216 31 19	7221 00 10	7228 10 30
7208 52 99	7211 23 51	7216 31 91	7221 00 90	7228 20 11
7208 53 10	7211 29 20	7216 31 99		7228 20 19
7208 53 90	7211 90 11	7216 32 11	7222 11 11	7228 20 30
7208 54 10		7216 32 19	7222 11 19	7228 30 20
7208 54 90	7212 10 10	7216 32 91	7222 11 21	7228 30 41
7208 90 10	7212 10 91	7216 32 99	7222 11 29	7228 30 49
	7212 20 11	7216 33 10	7222 11 91	7228 30 61
7209 15 00	7212 30 11	7216 33 90	7222 11 99	7228 30 69
7209 16 10	7212 40 10	7216 40 10	7222 19 10	7228 30 70
7209 16 90	7212 40 91	7216 40 90	7222 19 90	7228 30 89
7209 17 10	7212 50 31	7216 50 10	7222 30 10	7228 60 10
7209 17 90	7212 50 51	7216 50 91	7222 40 10	7228 70 10
7209 18 10	7212 60 11	7216 50 99	7222 40 30	7228 70 31
7209 18 91	7212 60 91	7216 99 10		7228 80 10
7209 18 99			7225 11 00	7228 80 90
7209 25 00	7213 10 00	7219 11 00	7225 19 10	
7209 26 10	7213 20 00	7219 12 10	7225 19 90	7301 10 00

ANNEX II

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Holder's copy	1	1. Consignee (name, full address, country, VAT number)	2. Serial No of issue	
			3. Proposed place and date of import	
			4. Authority responsible for issue (name, address and telephone No)	
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)	
			7. Country of consignment (and geonomenclature code)	
1	8. Last day of validity			
9. Description		10. CN code and category		
		11. Quantity in kilograms (net mass) or in additional units		
		12. Value in euros, cif at Community frontier		
13. Further particulars				
14. Stamp of the competent authority <div style="display: flex; justify-content: space-between;"> <div>Date:</div> <div>Signature:</div> <div>Stamp:</div> </div>				

15. Attributions Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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2.			
1.			
2.			
1.			
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Extension pages to be attached hereto.

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Copy for the issuing authority	2	1. Consignee (name, full address, country, VAT number)	2. Serial No of issue	
	2		3. Proposed place and date of import	
			4. Authority responsible for issue (name, address and telephone No)	
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)	
			7. Country of consignment (and geonomenclature code)	
			8. Last day of validity	
	9. Description		10. CN code and category	
			11. Quantity in kilograms (net mass) or in additional units	
		12. Value in euros, cif at Community frontier		
13. Further particulars				
14. Stamp of the competent authority				
<p>Date:</p> <p>Signature: Stamp:</p>				

15. Attributions Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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Extension pages to be attached hereto.

ANNEX III

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT DOCUMENT (ECSC and EC steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment — means of transport	9. Supplementary details			
10. Description of goods — manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY				
15. Competent authority (name, full address, country)	Done at ..., on ...			
	(Signature)		(Stamp)	

⁽¹⁾ Show net weight (kg) and also quantity in the unit prescribed where other than net weight.⁽²⁾ In the currency of the sale contract.

1. Exporter (name, full address, country)	COPY		2. No		
	3. Year		4. Product group		
	EXPORT DOCUMENT (ECSC and EC steel products)				
5. Consignee (name, full address, country)					6. Country of origin
8. Place and date of shipment — means of transport		9. Supplementary details			
10. Description of goods — manufacturer		11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY					
15. Competent authority (name, full address, country)		Done at ..., on ..., (Signature) (Stamp)			

⁽¹⁾ Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
⁽²⁾ In the currency of the sale contract.

ANNEX IV

LIST OF THE COMPETENT NATIONAL AUTHORITIES

BELGIQUE/BELGIË

Ministère des Affaires Economiques
Administration des Relations Economiques
Services Licences
Rue Général Leman 60
B-1040 Bruxelles
Fax: +32-2-230 83 22

Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax: +32-2-230 83 22

DANMARK

Erhvervsfremme Styrelsen
Erhvervsministeriet
Vejlsøvej 29
DK-8600 Silkeborg
Fax: +45 35 46 64 01

DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle,
(BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn 1
Fax: +49-61 96 9 42 26

ΕΛΛΑΣ

Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία Διεθνών Σχέσεων
Διεύθυνση Διεθνών Οικονομικών Ροών
Κορνάρου 1
GR-105 63 Αθήνα
Fax: +301-3286094

ESPAÑA

Ministerio de Economía
Secretaría General de Comercio Exterior
Paseo de la Castellana 162
E-28046 Madrid
Fax: +34-1-563 18 23/349 38 31

FRANCE

Service des Industries Manufacturières
DIGITIP
12, rue Villiot — Bâtiment Le Bervil
F-75572 Paris cedex 12
Fax: +33-1-53 44 91 81

IRELAND

Department of Enterprise, Trade and Employment
Import/Export Licensing, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Fax: +353-1-631 28 26

ITALIA

Ministero delle Attività Produttive
Direzione generale per la politica commerciale e per la gestione del
regime degli scambi
Viale America 341
I-00144 Roma
Fax: +39-6-59 93 22 35/59 93 26 36

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Téléfax: +352-46 61 38

NEDERLAND

Belastingdienst/Douane centrale dienst voor in- en uitvoer
Postbus 30003, Engelse Kamp 2
NL-9700 RD Groningen
Fax: +31-50 5232341

ÖSTERREICH

Bundesministerium für Wirtschaft und Arbeit
Außenwirtschaftsadministration
Landstrasser Hauptstraße 55-57
A-1030 Wien
Fax: +43-1-711 00/8386

PORTUGAL

Ministério da Economia
Direcção-Geral das Relações Económicas Internacionais
Av. da República, 79
P-1000 Lisboa
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SUOMI

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FIN-00101 Helsinki
Telekopio: +358 9 614 2852

SVERIGE

Kommerskollegium
Box 6803
S-11386 Stockholm
Fax: 46-8-30 67 59

UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House — West Precinct
Billingham, Cleveland
UK-TS23 2NF
Fax: 44-1642-533 557