

Notice on import and export licences and advance-fixing certificates for agricultural products

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(2013/C 264/05)

I. General

1. Licences, advance-fixing certificates and extracts thereof shall be issued by the competent authorities of the Member States. They shall be valid for imports and exports to be effected in any Member State, except in special cases provided for in the Union rules.
2. In accordance with Article 2(2) of Regulation (EEC, Euratom) No 1182/71 ⁽¹⁾, Saturdays, Sundays and public holidays are not working days for the purpose of lodging applications for licences and certificates, and for their issue.
3. Applicants need complete only Sections 4, 7, 8, 9, 11, 14, 15, 16, 17, 18 and 20 of the form. However, Member States may require applicants to complete Section 1 and, as appropriate, Section 5.
4. The form must be filled in printed form in one of the official languages of the Union designated or accepted by the competent authorities of the issuing Member State. Licences and certificates shall be completed in one language only. However, Member States may allow applications to be handwritten, in which case they must be filled in in ink and in block capitals.
5. Applications, licences and certificates must not bear any erasures or over-writing. Should an error be made in completing the form, a fresh application or licence must be made out.
6. Sums shall be indicated in figures in euro; however, Member States not belonging to the euro zone may indicate the sums in national currency.
7. Quantities shall be given:
 - in metric units of weight or volume using the following abbreviations:
 - t for tonnes,
 - kg for kilograms,
 - hl for hectolitres,
 - per head for live animals, as appropriate.
8. If there is not enough space for all the details required by Union regulations in Sections 7 and 8 of the form used for imports and Section 7 of the form used for exports, all the details shall be entered in Section 20, preceded by an asterisk corresponding to one placed in Sections 7 or 8, as appropriate.

If there is not enough space for all the details in Section 20, they shall be entered in Section 15, preceded by an asterisk corresponding to one placed in Sections 7 or 8, as appropriate.
9. In Sections 7, 8 and 9 of the form, an 'X' must be entered in the box before 'yes' or 'no', as appropriate.
10. — In the cases referred to in Article 2(a) and Article 5 of Commission Regulation (EC) No 376/2008 ⁽²⁾, no import licence or certificate shall be presented.
 - In the cases referred to in Article 2(b) and Article 6(1) of Regulation (EC) No 376/2008, no export licence or certificate shall be presented.
 - In the cases referred to in Article 4(1) of Regulation (EC) No 376/2008, where import or export does not take place under preferential arrangements which are granted by means of a licence, no export licence or certificate shall be presented.

⁽¹⁾ OJ L 124, 8.6.1971, p. 1.

⁽²⁾ OJ L 114, 26.4.2008, p. 3.

11. Example of application of Article 16(4) of Regulation (EC) No 376/2008:

13.00 hours in the Regulation corresponds to 13.00 hours (Belgian time):

Member States	Local time (winter and summer)
Germany	} 13.00 hours
Belgium	
Croatia	
Denmark	
Spain	
France	
Italy	
Luxembourg	
Netherlands	
Austria	
Sweden	
Czech Republic	
Hungary	
Malta	
Poland	
Slovenia	
Slovakia	
Ireland	} 12.00 hours (= 13.00 hours, Belgian time)
Portugal	
United Kingdom	
Bulgaria	} 14.00 hours (= 13.00 hours, Belgian time)
Cyprus	
Greece	
Finland	
Estonia	
Latvia	
Lithuania	
Romania	

II. Forms to be used for imports

Section 7

'Exporting country' means the non-member country from which the product is despatched to the Union.

1. The exporting country or group of countries must be given where this is required by Union rules.
2. Where the Union rules require compulsory provenance, an 'X' must be placed in the box before the word 'yes' and the provenance of the products must correspond to that given on the licence or certificate. The licence or certificate shall not be valid otherwise.
3. In other cases, indication of the exporting country is optional. It may nevertheless be useful for applying Article 39 of Regulation (EC) No 376/2008, which relates to Sections of *force majeure*.

Section 8

- The country of origin shall be established in accordance with the relevant Union rules.
- The remarks applying to Section 7 shall apply by analogy.

Section 14

Products are to be described by their usual commercial names (e.g. sugar), and not by their trademark.

Sections 15 and 16

As a general rule, the licence or certificate shall be applied for and issued for all the products falling within one CN subheading. However, in special cases provided for in Union rules, the licence or certificate shall be applied for and issued, as appropriate, either:

- for products falling within more than one CN subheading, or
- for only some of the products falling within one CN subheading.

If there is not enough space for entering more than one CN subheading in Section 16, all the subheadings shall be entered in Section 15, preceded by an asterisk corresponding to one placed in Section 16.

Section 15

- The description may be simplified provided it includes the details necessary to establish the classification of the product under the CN code given in Section 16.
- For vine products, the description must also include the colour of the wine or the must, white, red or rosé.

Section 16

The CN code should be given in full. However, in the special cases provided for in Union rules:

- the full code or codes in the combined nomenclature preceded by 'ex' should be given,
- or
- the codes should be given in the manner laid down by the Union rules in question.

Section 19

1. This should be filled in in accordance with the Union rules on the accepted tolerance for the product in question.
2. The figure zero (0) is to be entered in Section 19 of licences or certificates where there is no provision for any plus tolerance.

Section 20

This should be filled in in accordance with the special Union rules on each sector of the common organisation of the market.

For example, 'High-quality beef/veal (Regulation (EC) No 810/2008)'.

III. Forms to be used for exports

Section 7

1. Indication of the country or group of countries of destination is required where provided for under Union rules.
2. In the case of export licences with advance fixing of the refund, the name of the country or area of destination, as appropriate, must be indicated in this Section.

Indicating the name of the country or, where appropriate, the area of destination does not make that destination obligatory.

3. Where Union rules specify an obligatory destination, an 'X' must be entered in the box before the word 'yes' and the product must be exported to the destination indicated on the licence or certificate.

4. Where Article 47 of Regulation (EC) No 376/2008 applies, the country or destination must be shown in this Section and export to that country or destination under the licence or certificate shall be compulsory.
5. In all other cases, indication of the country or destination is optional. It may nevertheless be useful for applying Article 39 of Regulation (EC) No 376/2008, which relates to cases of *force majeure*.

Sections 14, 15 and 16

1. These should be completed as for imports. Even in special cases where Union rules allow more than one CN subheading to be given, the products for export must still be declared under a single code of the nomenclature used for refunds when customs formalities are completed.
2. In the case of export licences with advance fixing of the refund, the 12-figure product code of the nomenclature used for refunds must be indicated in Section 16, save where special provisions apply.

However, in the case of the categories or product groups referred to in Article 13 of Regulation (EC) No 376/2008, the product codes belonging to the same category or product group may be entered in the licence application and licence.

Section 19

1. This should be filled in in accordance with the Union rules on the accepted tolerance for the product in question.
2. The figure zero (0) is to be entered in Section 19 of licences or certificates where there is no provision for any plus tolerance.
3. Where a plus tolerance exists for the export duty but no plus tolerance for the right to the refund in respect of one and the same licence or certificate, the plus tolerance for the export duty is to be entered in Section 19 and a remark to the effect that no plus tolerance exists for the right to the refund in Section 22.

Section 20

1. This should be filled in in accordance with the special Union rules on each product sector.
2. Where Article 47 of Regulation (EC) No 376/2008 applies, one of the following must be added:
 - (a) 'Крайната дата за подаване на офертите ...',
'Поканата за подаване на оферти е издадена от ... (име на агенцията)';
 - (b) 'Fecha límite para la presentación de las ofertas ...',
'La licitación procede de ... (nombre del organismo)';
 - (c) 'Konečný termín pro podání nabídek ...',
'Oznámení o nabídkovém řízení vydané ... (název orgánu)';
 - (d) 'Frist for indgivelse af tilbud ...',
'Licitations fra ... (institutionens navn)';
 - (e) 'Frist zur Angebotsabgabe ...',
'Ausschreibung vom ... (Bezeichnung der Stelle)';
 - (f) 'Προθεσμία υποβολής των προσφορών ...',
'Η δημοπρασία προέρχεται από ... (όνομα του οργανισμού)';
 - (g) 'Pakkumiste esitamise tähtaeg ...',
'Enampakkumise kutse väljastas ... (asutuse nimi)';

- (h) 'Closing date for the submission of tenders ...',
'The invitation to tender is issued by ... (name of agency)';
- (i) 'Date limite du dépôt des offres ...',
'L'adjudication émane de ... (nom de l'organisme)';
- (j) 'Rok za podnošenje ponuda ...',
'Poziv za podnošenje ponuda izdala ... (naziv agencije)';
- (k) 'Data limite per il deposito delle offerte ...',
'Gara indetta da ... (denominazione dell'organismo)';
- (l) 'Pēdējais termiņš piedāvājumu iesniegšanai ...',
'Konkursu izsludina ... (organizācijas nosaukums)';
- (m) 'Galutinė paraiškų pateikimo data ...',
'Konkursą skelbia ... (institucijos pavadinimas)';
- (n) 'Ajánlattételi határidő: ...',
'A pályázatot a(z) ... (ügynökség neve) bonyolítja.'
- (o) 'Data tal-gheluq għall-prezentazzjoni tal-offerti ...',
'Is-sejha għall-offerti hija maħruġa minn ... (isem l-aġenzija)';
- (p) 'Indieningstermijn aanbiedingen eindigt op ...',
'Openbare inschrijving van ... (naam instanties)';
- (q) 'Ostateczny termin składania ofert ...',
'Procedura przetargowa jest prowadzona przez: ... (nazwa jednostki)';
- (r) 'Data limite para a apresentação das propostas ...',
'O concurso emana de ... (nome do organismo)';
- (s) 'Termenul de depunere a ofertelor ...',
'Invitația de participare la licitație este emisă de ... (denumirea agenției)';
- (t) 'Konečný termín predloženia ponúk ...',
'Oznámenie o výberom konaní vydané ... (názov orgánu)';
- (u) 'Datum oddaje ponudb ...',
'Javni razpis objavi ... (ime organa)';
- (v) 'Sista dag för inlämnande av anbud ...',
'Anbudsinfordran utfärdas av ... (organets namn)';
- (w) 'Tarjousten viimeinen jättöpäivä ...',
'Tarjouskilpailun on julistanut ... (toimielimen nimi)'.
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