

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 423 final

Brussels, 18 November 1975

Proposal for a

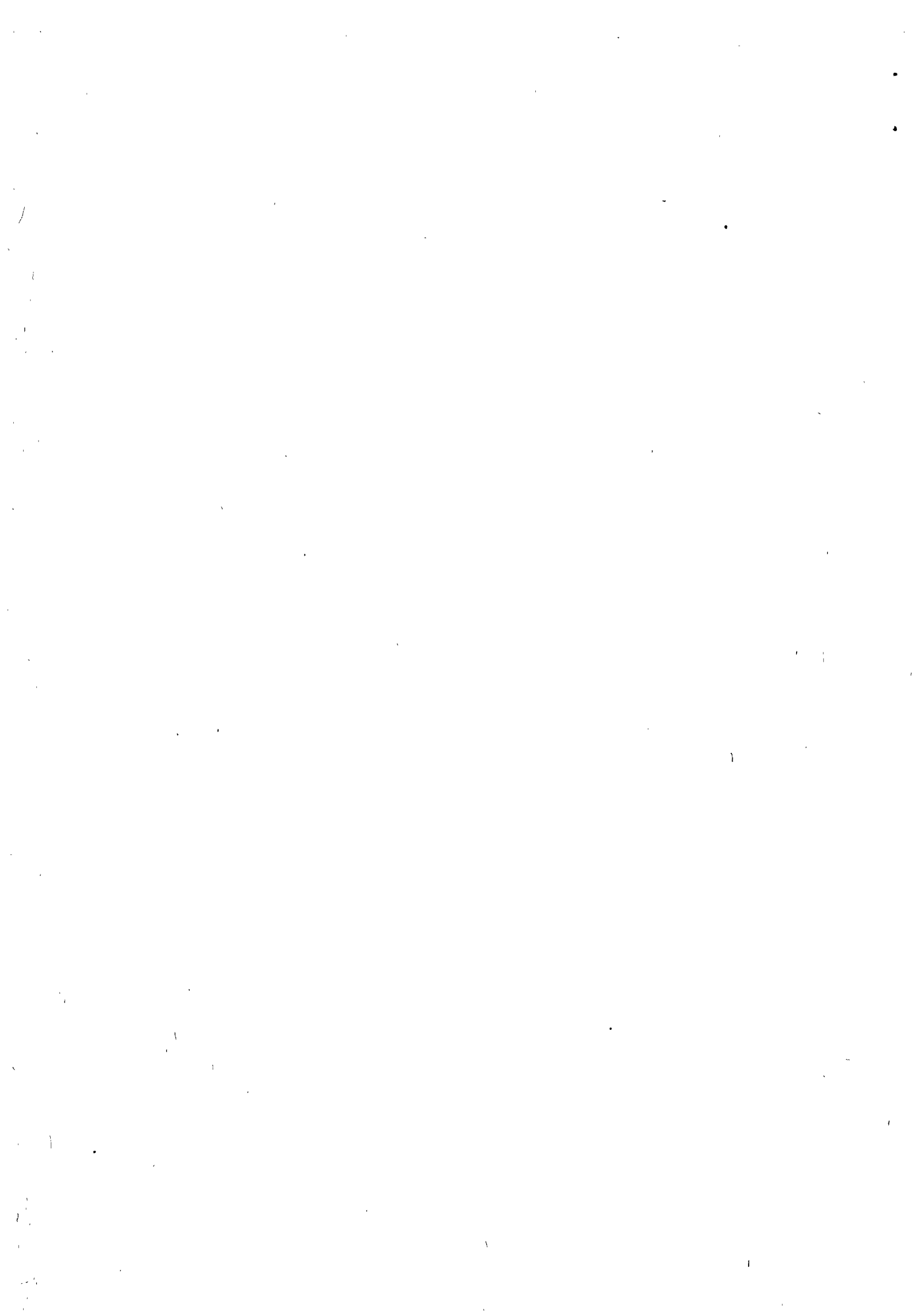
REGULATION (EEC) OF THE COUNCIL

concerning the evidence of the origin of products required for the application  
of Regulation (EEC) No. 1598/75 and of  
Regulation (EEC) No. 1957/75

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(submitted to the Council by the Commission)

COM(75) 423 final



## EXPLANATORY NOTE

The application in anticipation of the provisions of the Lomé Convention (EEC-ACP), concerning trade, has produced certain difficulties, in some ACP countries, in satisfying the documentary requirements of the Convention.

In order to ease the changeover, it seems necessary to make the transitional measures originally contained in Article 31 of Protocol No 1 of the Convention even more flexible.

This need was pointed out at the meeting of the Customs Subcommittee EEC-ACP on 16 October 1975.

This is the subject of the annexed draft regulation.

In the same context it seems necessary to extend the application of these more liberal provisions to the trade between the OCT and the Community.

Council Regulation (EEC)

concerning the evidence of the origin of products  
required for the application of Regulation (EEC) No 1598/75  
and of Regulation (EEC) No 1957/75

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 113 and 136 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1598/75, which put into force, in anticipation,  
certain provisions of the Lomé Convention concerning trade (1), and Regu-  
lation (EEC) No 1957/75, concerning the interim arrangements for trade  
with the overseas countries and territories associated with the European  
Economic Community, hereafter referred to as 'countries and territories' (2),  
have defined the rules of origin concerning the circumstances in which  
products acquire the status of originating products and concerning the  
evidence of this status and the methods of control,

Whereas it is expedient to provide for evidence of origin other than those  
laid down in the provisions listed above,

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(1) OJ No L 166 of 28.6.1975, p. 1

(2) OJ No L 201 of 31.7.1975, p. 5

HAS ADOPTED THIS REGULATION :

Article 1

By derogation to the provisions of Title II of Annex II of Regulation (EEC) No 1598/75 of 24 June 1975, for the products that satisfy the conditions set out in Title I of the aforesaid Annex, which are sent before 1 January 1976 to a destination in a Member State, evidence of originating status may be given to the Customs authorities of the importing Member State, to their satisfaction, by one of the methods listed below :

- a) a certificate of origin issued by the competent authorities in the country of export,
- b) a movement certificate or a form, made out according to the models previously in force in the context of preferential trade between the Community, on the one hand, and the African and Malagasy States or the Republic of Tanzania, the Republic of Uganda and the Republic of Kenya on the other,
- c) any document which can show that the products satisfy the conditions set out in Title I of Annex II of Regulation (EEC) No 1598/75 of 24 June 1975.

Article 2

By derogation to the provisions of Title II of Annex II of Regulation (EEC) No 1957/75 of 30 July 1975, for the products that satisfy the conditions set out in Title I of the aforesaid Annex, which are sent before 1 January 1976 to a destination in a Member State <sup>or "country or territory"</sup> /evidence of originating status may be given to the Customs authorities of the importing Member State or 'country or territory', to their satisfaction, by one of the methods listed below :

- a) a certificate of origin issued by the competent authorities in the 'country or territory' of export,

.../...

- b) a movement certificate or a form, made out according to the models previously in force in the context of preferential trade between the Community and the 'countries and territories',
- c) any document which can show that the products satisfy the conditions set out in Title I of Annex II of Regulation (EEC) No 1957/75 of 30 July 1975.

Article 3

This Regulation applies equally where the customs authorities of the Member States have offered, at the time of import, to release the goods, while awaiting the submission of the documentary evidence of origin as stipulated in the Regulations mentioned in Articles 1 and 2.

Article 4

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

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

Done at Brussels,

For the Council

The President

**REGULATION (EEC) No 2810/73 OF THE COUNCIL**  
of 15 October 1973

**on the implementation of Decision No 46/73 of the EEC-AAMS Association Council derogating from the definition of the concept of originating products for the years 1973 and 1974 in order to take account of the special situation of Mauritius with regard to certain textile products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 113 thereof;

Having regard to the proposal from the Commission;

Whereas the Association Council set up under the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community has adopted Decision No 46/73 derogating from the definition of the concept of 'originating products' for the years 1973 and 1974 to take account of the special situation of Mauritius with regard to certain textile products;

Whereas, it is necessary in accordance with Article 46 of the said Convention to implement this Decision,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the purpose of implementing the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, Decision No 46/73 of the Association Council, annexed to this Regulation shall apply in the Community.

*Article 2*

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

This Regulation shall apply from 1 July 1973.

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

Done at Luxembourg, 15 October 1973.

*For the Council*

*The President*

I. NØRGAARD

## ANNEX

## DECISION No 46/73 OF THE EEC-AAMS ASSOCIATION COUNCIL

of 15 June 1973

derogating from the definition of the concept of 'originating products' for the years 1973 and 1974 in order to take account of the special situation of Mauritius with regard to certain textile products

THE ASSOCIATION COUNCIL,

Having regard to the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, signed at Yaoundé on 29 July 1969, and in particular Article 10 (2) thereof ;

Having regard to draft presented by the Commission ;

Whereas an Association Agreement concerning the Accession of Mauritius to the Convention of Association was signed at Port Louis on 12 May 1972 ; whereas that Agreement contains the application to Mauritius of Decisions of the Association Council on the definition of the concept of 'originating products' and in particular of Decision No 36/71 ;

Whereas, however, in order to take into account the special situation of Mauritius, and in order to enable the industries concerned to adapt their production to conditions which comply with the definition of the concept of 'originating products', the definition

contained in the Decision referred to above should be suspended in respect of that Associated State,

HAS DECIDED AS FOLLOWS :

*Article 1*

In derogation from the special provisions in list A annexed to Decision No 36/71 on the definition of the concept of 'originating products' and on the methods of administrative cooperation, textile products manufactured in Mauritius and falling within Tariff heading Nos 60.01, 60.02, 60.04, 60.05, 61.01, 61.02, 61.03, 61.04, 61.07, 61.09 and 61.10 shall be considered as products originating in Mauritius under the conditions set out hereinafter.

*Article 2*

The derogation shall, for the years 1973 and 1974 be limited in the amount entered hereunder in respect of each of the groups of products concerned :

		Total
60.01	Knitted or crocheted fabric, not elastic nor rubberized	260
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberized	50
60.04	Under garments, knitted or crocheted, not elastic nor rubberized	200
		510 metric tons
60.05	Outer garments, clothing accessories, and other articles, knitted or crocheted not elastic nor rubberized	200
		200 metric tons
61.01	Men's and boy's outer garments	120
61.02	Women's, girl's and infants' outer garments	120
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs	120
61.04	Women's, girls' and infants' under garments	120
		480 metric tons



		Total
61.07	Ties, bow ties and cravats	25
61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	20
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods	15
		60 metric tons
		1 250 metric tons

If the amount fixed in the table above has not been used up during 1973, the quantities not used during that year may be used in 1974 to the extent of 20 % of the amount fixed for the same tariff heading.

#### Article 3

Movement certificates A.Y. 1 issued pursuant to this Decision shall bear one of the following entries :

'originating products by virtue of Association Council Decision No 46/73'

'Ursprungserzeugnisse im Sinne des Beschlusses Nr. 46/73 des Assoziationsrates'

'merci originarie in virtù della decisione n. 46/73 del Consiglio di Associazione'

'goederen van oorsprong uit hoofde van besluit No 46/73 van de Associatieraad'

'marchandises réputées originaires en vertu de la décision No 46/73 du Conseil d'Association'

'varev med oprindelsestatus i henhold til Associeringsradets afgørelse nr. 46/73'.

This entry shall be in red ink under the heading 'observations'.

#### Article 4

The Associated States, the Member States and the Community shall be required, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

#### Article 5

This Decision shall enter into force on 1 July 1973.

It shall apply until 31 December 1974.

Done at Port Louis, 15 June 1973.

*The President of the Association  
Council*

Irène PÉTRY

**REGULATION (EEC) No 2811/73 OF THE COMMISSION**  
of 16 October 1973

**fixing the levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 120/67/EEC<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73<sup>(2)</sup>, and in particular Article 13(5) thereof;

Having regard to the Opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2076/73<sup>(3)</sup> and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity,

- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2076/73 to the offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on the products listed in Article 1(a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

*Article 2*

This Regulation shall enter into force on 17 October 1973.

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

Done at Brussels, 16 October 1973

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

<sup>(1)</sup> OJ No 117, 19. 6. 1967, p. 2269-67.

<sup>(2)</sup> OJ No L 141, 28. 5. 1973, p. 8.

<sup>(3)</sup> OJ No L 212, 1. 8. 1973, p. 1.

## I

(Acts whose publication is obligatory)

**REGULATION (EEC) No 3229/75 OF THE COUNCIL**

**of 9 December 1975**

**concerning the proof of the origin of products required for the application of Regulations (EEC) No 1598/75 and (EEC) No 1957/75**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 136 thereof;

Having regard to the proposal from the Commission;

Whereas Council Regulation (EEC) No 1598/75<sup>(1)</sup> of 24 June 1975 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in goods, and Council Regulation (EEC) No 1957/75<sup>(2)</sup> of 30 July 1975 on the interim trade arrangements with the 'overseas countries and territories' associated with the European Economic Community, hereafter referred to as 'countries and territories' have defined the rules of origin concerning the circumstances in which products acquire the status of originating products and concerning the proof of this status and the methods of controlling it;

Whereas it is expedient to provide for proof of origin other than that laid down in the provisions listed above,

HAS ADOPTED THIS REGULATION:

*Article 1*

Notwithstanding Title II of Annex II to Regulation (EEC) No 1598/75 for goods which satisfy the conditions set out in Title I of the said Annex and are sent to a Member State before 1 January 1976, proof of originating status may be furnished to the satisfaction

of the customs authorities of the importing Member State by one of the methods listed below:

- (a) a certificate of origin issued by the competent authorities in the country of export;
- (b) a movement certificate or a form, made out according to the models previously in force in the context of preferential trade between the Community, on the one hand, and the Associated African and Malagasy States or the Republic of Tanzania, the Republic of Uganda and the Republic of Kenya on the other;
- (c) any document which can show that the goods satisfy the conditions set out in Title I of Annex II of Regulation (EEC) No 1598/75.

*Article 2*

Notwithstanding Title II of Annex II to Regulation (EEC) No 1957/75, for goods which satisfy the conditions set out in Title I of the said Annex, and are sent to a Member State or 'country and territory' before 1 January 1976 proof of originating status may be furnished to the satisfaction of the customs authorities of the importing Member State or 'country and territory', by one of the methods listed below:

- (a) a certificate of origin issued by the competent authorities in the 'country and territory' of export;
- (b) a movement certificate or a form, made out according to the models previously in force in the context of preferential trade between the Community and the 'countries and territories';

<sup>(1)</sup> OJ No L 166, 28. 6. 1975, p. 1.

<sup>(2)</sup> OJ No L 201, 31. 7. 1975, p. 5.

(c) any document which can show that the goods satisfy the conditions set out in Title I to Annex II of Regulation (EEC) No 1957/75.

*Article 3*

This Regulation shall also apply to goods which the customs authorities of the Member States have offered, at the time of import, to release while awaiting the

submission of the documentary proof of origin as stipulated in Regulation (EEC) No 1598/75 and Regulation (EEC) No 1957/75.

*Article 4*

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

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

Done at Brussels, 9 December 1975.

*For the Council*

*The President*

M. RUMOR