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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION DECISION No 1832/81/ECSC**of 3 July 1981**

including concrete reinforcing bars and merchant bars in the new system of production quotas established under Decision No 1831/81/ECSC

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 47 and 58 thereof,

Considering the following points:

1. Under its Decision No 1831/81/ECSC of 24 June 1981 ⁽¹⁾ the Commission established a monitoring system and a new system of production quotas for certain iron and steel products.

The question of the system to be applied to the light section category (wire rod, concrete reinforcing bars and merchant bars) had been left open, pending the outcome of contacts which the Commission was due to establish with the producers of these products.

2. Criteria for establishing a voluntary system have been laid down by a number of producers of wire rod, accounting for a sufficiently high proportion of the total production levels involved.

On the other hand, no basis was evolved for the establishment of a voluntary system covering concrete reinforcing bars and merchant bars.

3. There has been no improvement in market conditions over recent months. On the contrary, the present level of orders and recent information concerning current economic trends point to a possible deterioration in the situation.

4. Accordingly, the Commission is of the opinion that:

— it would not be appropriate at this juncture to include wire rod in a compulsory system,

nevertheless, the Commission will monitor very closely quantitative developments in this market and the effects of the voluntary system on price trends.

— On the other hand, there is a need to include concrete reinforcing bars and merchant bars in this system.

5. As a result of the inclusion of concrete reinforcing bars and merchant bars in the new system of production quotas, Decision No 1831/81/ECSC will need to be adjusted accordingly.

6. More particularly, as regards the calculation of the reference production figures, account should be taken of the present production structure, which has undergone far-reaching changes over the last few years. Accordingly, only the most recent statistics should be used, i.e.,

— production for the 12 best months, as defined in Decision No 2794/80/ECSC of the Commission ⁽²⁾,

— the quotas laid down in the abovementioned Decision, converted to reference figures.

7. As a result of the more favourable trends in demand for certain alloy steels, special arrangements for these products can be introduced, whereby it will be possible to exceed the quotas under Commission supervision.

8. The opportunity should be taken to specify further certain provisions of Decision No 1831/81/ECSC.

After consulting the Consultative Committee and with the assent of the Council on the inclusion of concrete reinforcing bars and merchant bars in the new system

⁽¹⁾ OJ No L 180, 1. 7. 1981, p. 1.

⁽²⁾ OJ No L 291, 31. 10. 1980, p. 1.

of production quotas established by Decision No 1831/81/ECSC, and on the basis of studies made jointly with the undertakings and associations of undertakings on the determination of the quotas,

HAS ADOPTED THIS DECISION:

Article 1

Decision No 1831/81/ECSC is hereby amended as follows:

1. The text contained in Annex I to this Decision shall be added to Annex II.
2. Article 4 shall be replaced by the following:

'Article 4

1. A new system of production quotas is hereby established in respect of Categories Ia, Ib, Ic, Id and in respect of Categories V and VI, irrespective of quality or choice.

2. In the case of Categories Ia, Ib, Ic and Id, the following products shall be excluded:

- special alloy steels, except for special fine-grained weldable structural alloy steels with a high yield point ("Sonderbaustahl");
- material intended for the production, in the Community, of:
 - welded tubes more than 406.4 mm in diameter,
 - tinplate (including blackplate and TFS),
 - electrical sheet with a minimum silicon content of 1 %;

subject to proof being furnished that this material has in fact been processed in the Community.

3. As regards Categories V and VI:

- (a) Alloy steels with an alloy content of not less than 5 % (except for steels containing less than 1 % of carbon and more than 12 % of chromium) whose actual invoiced price is not less than 30 % higher than the list price of the corresponding ordinary steel product, may be produced in excess of the compulsory quota for the relevant category products for a given undertaking.

- (b) The Commission shall continuously monitor market trends in consultation with the producers and users and shall publish adequate information and guidelines.
- (c) If an undertaking exercising the option granted under point (a) exceeds the guidelines published by the Commission, the latter shall limit the excess to the extent required by market conditions.
- (d) In the light of market trends, on the one hand, and of the information which it receives, on the other, the Commission may terminate the derogations for the product in question.

4. Without prejudice to the obligations with regard to information and checks provided for in this Decision, undertakings shall not be subject to the quota system if their annual reference production referred to in Articles 6, 7 and 7a, does not exceed:

- a total of 24 000 tonnes for Categories Ia to Id,
- a total of 12 000 tonnes for Categories V and VI; this limit shall be fixed at 24 000 tonnes for undertakings producing special steels.

However, if during a three-month period an undertaking's production levels exceed a quarter of the annual reference production figures indicated above, the undertaking shall be subject to the system with effect from the following three-month period.'

3. In the first indent of Article 5 the phrase 'in Articles 6 and 7' shall be replaced by 'in Articles 6, 7 and 7a'.
4. The first paragraph of Article 6 shall be replaced by the following:

'Subject to the provisions of Article 7 (2), the reference production of products in Categories Ia, Ib, Ic and Id of undertakings producing hot-rolled wide and narrow strip shall be calculated on the basis of the reference production for Category I as defined in Article 1 for all qualities and choices of steel, except for products in this Category intended for the manufacture of the excluded products described in the first and second indents of Article 4 (2).'
5. The following shall be inserted after Article 7:

'Article 7a

The reference production for Categories V and VI shall be calculated as follows:

- account shall be taken of the quotas allocated by the Commission during the period of application of Decision No 2794/80/ECSC, including all the adjustments granted for the products in group IV, as defined in Article 2 of the abovementioned Decision, with the exception of the products of Category IV (wire rod) of this Decision,
- these quotas shall be used to reconstitute the relevant reference production on the basis of the abatement rates in force during the three quarters in question,
- the ratios between this reconstituted reference production and the reference production drawn up pursuant to Article 4 (1) (excluding wire rod) of the abovementioned Decision shall constitute the correction factors,
- the average of these correction factors shall be applied to the reference production calculated in accordance with the abovementioned Article 4 (1) (excluding wire rod) in respect of the third quarter of 1981, in order to arrive at the reference production corrected for this quarter,
- the sum total of the reconstituted reference production for the three quarters of the period of application of the abovementioned Decision and the reference production corrected for the third quarter of 1981 shall constitute the annual corrected reference production.

In the case of undertakings not subject to the quota system during the fourth quarter of 1980, the calculations referred to in the first, second and third indents shall be based on the first and second quarters of 1981.

The calculations referred to in the fourth indent shall be made for the fourth quarter of 1980 and the third quarter of 1981. The aggregate reference production for the first and second quarters of 1981 and the reference production corrected for the fourth quarter of 1980 and third quarter of 1981 shall represent the annual corrected reference production of these undertakings.

6. In Article 11 (1), the phrase 'and for Categories V and VI' shall be inserted after 'for Categories Ia, Ib, Ic and Id'.

7. Article 13 shall be replaced by the following:

Article 13

If, subsequent to an investment programme which has been duly reported and in respect of which the Commission has not delivered an unfavourable

opinion or where, in the event of such an investment programme not being the subject of compulsory notification, the Commission feels that such an opinion would not have been delivered, an undertaking brings into service new rolling mills or new processing lines:

- (a) in the case of Categories Ia, Ib, Ic and Id:

- either after 31 March 1981 if this undertaking was subject to the production quota system established by Decision No 2794/80/ECSC,
- or after 30 June 1981, if the undertaking was subject to the quota system only as from the first quarter of 1981,
- or after 30 June 1980, if this undertaking was not subject thereto;

- (b) in the case of Categories V and VI:

- after 30 June 1981,

the Commission shall make adequate adjustments to the reference production of the abovementioned undertaking, if the latter has made an application to this effect in the month following the entry into service of the new equipment in question, or, if such entry into service occurred before 1 July 1981, by 31 July 1981 at the latest.'

8. Article 14 shall be replaced by the following:

Article 14

If, by virtue of the scale of the abatement rates imposed in respect of a given quarter, the quota system creates exceptional difficulties for an undertaking, the Commission shall make suitable adjustments to the reference production for the categories in question, provided that the undertaking has made an application to this effect during the first month of the relevant quarter in the following instances:

- the total reference production for Categories Ia to Id comes to less than 1 000 000 tonnes a year and at least 75 % of the figures are based on products having an abatement rate of more than 20 %, or
- the total reference production for Categories V and VI comes to less than 60 000 tonnes and the abatement rate exceeds 20 %.

Article 2

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

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

Done at Brussels, 3 July 1981.

For the Commission

Étienne DAVIGNON

Vice-President

ANNEX I

STATISTICS FOR ALLOY SHEETS WITH AN ALLOY CONTENT OF NOT LESS THAN 5% (EXCEPT FOR SHEETS CONTAINING LESS THAN 1% CARBON AND MORE THAN 12% CHROMIUM) WHOSE ACTUAL INVOICED PRICE IS NOT LESS THAN 30% HIGHER THAN THE LIST PRICE OF THE CORRESPONDING ORDINARY SHEET PRODUCT.

COMPANY	CODE	PRODUCTION FOR THE MONTH OF :	
QUESTIONNAIRE 3 1 4	<u>P R O D U C T I O N</u>	CODE	TONNES
REINFORCING BARS EXCLUDING REINFORCING BARS IN COIL		52001	
MERCHANT BARS		63001	

QUESTIONNAIRE 3 7 5	<u>D E L I V E R I E S</u>	IN THE COMMUNITY INCL. NATIONAL MARKETS		TO THIRD COUNTRIES		T O T A L	
		CODE	TONNES	CODE	TONNES	CODE	TONNES
REINFORCING BARS EXCLUDING REINFORCING BARS IN COIL		18101		28101		38101	
MERCHANT BARS		19101		29101		39101	

MONTHLY STATISTICS TO BE SENT TO CEC, TELEX 3252 ACIER LU, NOT LATER THAN 10 WORKING DAYS AFTER THE END OF THE MONTH. A COPY SHOULD ALSO BE SENT (RECORDED DELIVERY) TO C.E.C. TASK FORCE STEEL (DG III) RUE ALCADE DE GASPERI, LUXEMBURG - KIRCHBERG (SAME DEADLINE).

COMMISSION DECISION No 1833/81/ECSC

of 3 July 1981

fixing the rates of abatement for the third quarter of 1981 in pursuance of Decision No 1831/81/ECSC establishing a system of monitoring and a new system of production quotas in certain products for undertakings in the iron and steel industry

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty establishing the
European Coal and Steel Community,

The rates of abatement for the establishment of
production quotas for the third quarter of 1981 shall
be as follows:

Category Ia: 27 %
Category Ib: 28 %
Category Ic: 17 %
Category Id: 0 %
Categories V and VI: 30 %.

Having regard to Commission Decision No 1831/81/
ECSC of 24 June 1981 establishing a system of
monitoring and a new system of production quotas in
certain products for undertakings in the iron and steel
industry ⁽¹⁾, as amended by Decision No 1832/81/
ECSC ⁽²⁾, and in particular Article 9 (1) thereof,

The rates of abatement for the establishment of the
part of the production quotas which may be delivered
in the common market shall be as follows:

Category Ia: 31 %
Category Ib: 36 %
Category Ic: 23 %
Category Id: 0 %
Categories V and VI: 35 %.

Whereas the rates of abatement in respect of certain
products must be fixed for the third quarter of 1981;

Article 2

On the basis of studies carried out jointly with under-
takings and associations of undertakings,

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

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

Done at Brussels, 3 July 1981.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 180, 1. 7. 1981, p. 1.

⁽²⁾ See page 1 of this Official Journal.

COMMISSION DECISION No 1834/81/ECSC

of 3 July 1981

amending Decision No 30/53 on practices prohibited by Article 60 (1) of the Treaty in the common market for coal and steel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community and in particular Article 60 (1) thereof,

Whereas Decision No 30/53 ⁽¹⁾, as last amended by Decision 72/440/ECSC ⁽²⁾, defined the practices prohibited by Article 60 (1) of the Treaty in the common market for coal and steel;

Whereas Article 1 of Decision No 30/53 was amended by Decision No 19/63 in order to specify that when Community undertakings sell within the common market products listed in Annex I to the Treaty, with the exception of scrap, through selling agencies the obligations to which undertakings are subject under the terms of Decision No 30/53 apply to transactions by these selling agencies;

Whereas under the terms of Article 1 of Decision No 30/53 the selling agencies are:

- joint-selling agencies (Article 65 (2) of the Treaty) operating on behalf of several producer undertakings,
- distributor undertakings which are administered by a producer undertaking and regularly employed by it to sell all or some of its products, and whose sales operations consist primarily in the distribution of that undertakings's products;

Whereas over the last few years, in order to widen the distribution of their products, a large number of producer undertakings have taken over, directly or indirectly, control of distributor undertakings which

do not necessarily distribute primarily the production of the undertakings which control them; whereas experience has shown that producer undertakings can avoid the prohibitions of discrimination concerning them simply by involving in their direct sales the distributor undertakings which they control;

Whereas producer undertakings should be subject to the obligations deriving from Decision No 30/53 in respect of direct sales in all cases when they involve the distributor undertakings which they control;

Whereas the elements constituting direct or indirect control of an undertaking pursuant to Article 66 (1) of the Treaty were defined in Decision No 24/54 ⁽³⁾; whereas it is appropriate to use this definition of control for the purposes of this Decision;

After consulting the Consultative Committee and the Council,

HAS DECIDED AS FOLLOWS:

Article 1

The following third indent is hereby added to paragraph 2 of Article 1 of Decision No 30/53:

- distributor undertakings which are directly or indirectly controlled by a producer undertaking, within the meaning of Decision No 24/54, where they effect "direct sales" of products manufactured by the producer undertaking in question. A sale is "direct" when, under contracts of sale concluded between the producer undertaking and the distributor undertaking on the one hand and between the distributor undertaking and its

⁽¹⁾ OJ of the ECSC, 4. 5. 1953, p. 109.

⁽²⁾ OJ No L 297, 30. 12. 1972, p. 39.

⁽³⁾ OJ of 24. 12. 1963, p. 2969/63.

⁽⁴⁾ OJ of the ECSC, 11. 5. 1954, p. 345 and p. 346.

customer purchasing the products on the other, the products are shipped directly from the producer undertaking to the customer of the distributor undertaking or in accordance with the instructions of the customer'.

Article 2

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

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

Done at Brussels, 3 July 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION RECOMMENDATION No 1835/81/ECSC**of 3 July 1981****to the Member States on the obligation to publish price lists and conditions of sale and on prohibited practices in the steel trade**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 63 (3) thereof,

Whereas the present situation on the steel market calls for decisive action on selling prices for steel products; whereas the Commission is strengthening its surveillance measures within this framework to ensure that price rules are observed and, by Decision No 1834/81 of 3 July 1981 amending High Authority Decision No 30/53 ⁽¹⁾, has further specified the obligations which must be met by the undertakings in respect of their sales organizations;

Whereas the steel market forms a whole within which dealers play an important part, since over half the steel sold in the Community passes through their hands, either as direct sales or as sales from stocks, including sales of products imported from third countries;

Whereas, to arrive to an effective price discipline, the market must be bound to it as a whole and the Commission must supplement its pricing measures by invoking the powers conferred on it by Article 63 (3) of the Treaty to ensure that undertakings engaged in the distribution of steel observe rules on prices and conditions of sale similar to those imposed on the production undertakings by Article 60 of the Treaty and the implementing decisions taken pursuant thereto;

Whereas these provisions must be applied to all categories and qualities of steel covered by the Treaty, either produced in the Community or originating in third countries; whereas they must be applied to dealers' transactions of all types, to direct sales and to sales from stocks;

Whereas it would not be appropriate to extend the obligations imposed on dealers to all distribution undertakings, since the turnover of some such under-

takings is not high; whereas in these circumstances the obligations to be imposed on dealers may be limited to distribution undertakings whose annual sales amount to at least 12 000 tonnes per year;

Whereas distribution undertakings belonging to a single group must be subject to these obligations, when their cumulative total of sales amounts to or exceeds the minimum annual tonnage specified above, since they act as a single economic entity;

Whereas, to avoid all discrimination, distribution undertakings selling steel products covered by the Treaty, manufactured from other steel products, in particular undertakings uncoiling hot wide strip which they then cut into sheets or slit into narrow strip, must be treated in the same manner;

Whereas the implementation of this recommendation in certain Member States will necessitate legislative procedures and other measures, the enactment of which will require a certain amount of time; whereas it is therefore necessary to allow a period of sufficient length — up to 30 June 1982 — to implement the recommendation; meanwhile the Commission will itself be imposing equivalent obligations on distribution undertakings directly by Decision No 1836/81/ECSC taken pursuant to Article 95; accordingly the Member States need only ensure the observance and surveillance of these obligations after that date,

HAS ADOPTED THIS RECOMMENDATION:

Article 1

The Member States shall, from 1 July 1982 to 30 June 1984, put into effect measures to ensure that the steel distributive undertakings referred to in Article 2 are subject to the obligations under this recommendation and to secure observance of these obligations by means of appropriate surveillance measures and the sanctions described in Article 16.

The Member States shall inform the Commission of the measures taken not later than 1 January 1982.

⁽¹⁾ OJ of the ECSC, 4. 5. 1953, p. 109.

Article 2

1. This recommendation shall be applicable to distributive undertakings in the Community which effect direct and ex-stock sales, within the common market, of the steel products defined in Annex I to the Treaty, with the exception of scrap, provided that:

- they obtain the steel, in total or in part, directly from steel producers in the Community or in third countries,

and

- their steel resale figures, combined, where appropriate, with the steel resale figures of their parent and/or subsidiary companies and branches, involve a minimum of 12 000 tonnes per year, based on the figures for the last financial year,

and

- they are not selling agencies as defined in Decision No 30/53,

hereinafter called 'steel dealers'.

2. The distributive undertakings referred to in paragraph 1 which market steel products after having processed them shall also be considered as 'steel dealers' and subjected to the same rules. For the purposes of this recommendation, processing occurs when one of the steel products listed in Annex I to the ECSC Treaty is processed into another steel product listed in the same Annex by means of an operation other than rolling.

3. If the steel sales of a distribution undertaking in one year amounts to or exceeds the minimum tonnage laid down in paragraph 1, the provisions of this recommendation shall be applicable to it from the following calendar year.

Article 3

Steel dealers shall be obliged to publish price lists and conditions of sale for direct and ex-stock sales in accordance with the provisions set out below and to communicate them to an administrative department designated by the Member State.

A parent steel-trading company may publish price lists and conditions of sale which are also valid for its subsidiaries and branches.

Article 4

All price lists and conditions of sale published shall contain the following information:

- (a) basic prices according to category of products, or basic prices for each grade and category of products;
- (b) extras which are applied, indicating:
 - extras for size and length,
 - extras for grades and quality,
 - quantity extras and rebates for each sample and/or for each specified order,
 - tolerances not liable to surcharge,
 - extras for reduced tolerances,
 - also surcharges and increases normally applied in connection with delivery of the various products, particularly surcharges for cutting and slitting;
- (c) place of delivery;
- (d) method of quotation;
- (e) costs in connection with method of shipment;
- (f) where they are applied:
 - discounts, rebates, premiums or any other kind of benefit to other dealers or users;
- (g) terms of payment;
- (h) nature and amount of taxes and other charges additional to the prices on the price lists, under the terms offered to purchasers.

Article 5

The price lists of a steel dealer shall not contain prices for products which are not actually offered on the market by the steel dealer concerned.

Article 6

- 1. (a) Price lists and conditions of sale shall apply not earlier than two clear days after they have been addressed to the department designated by the Government of the Member State.

- (b) The steel dealer shall, upon request, communicate price lists and conditions of sale to any interested party.

2. Paragraph 1 shall also apply to any amendment to price lists and conditions of sale.

Article 7

1. For direct sales, steel dealers may also discharge their obligation to publish price lists and conditions of sale by including the following clause in their price lists for the sale of steel, depending on its origin:

- (a) 'The prices applicable to direct sales of steel coming from an ECSC producer are the delivered prices obtained from the producer's price list on which the sale was based, to which our published conditions of sale and the following extras are applied ...'.
- (b) 'The prices applicable to direct sales of steel originating in countries, alignment on offers from which has been prohibited by the Commission of the European Communities, are the delivered prices obtained from the price list of the Community undertaking offering the lowest delivered price, after deduction of the penetration margins granted to those countries, to which our published conditions of sale and the following extras are applied ...'.
- (c) 'The prices applicable to direct sales of steel originating in other third countries are the delivered prices obtained from the basic prices for importation published by the Commission of the European Communities, to which our published conditions of sale and the following extras are applied ...'.

2. A sale is 'direct' when, under sales contracts concluded between the producer and the steel dealer on the one hand and between the steel dealer and his customer who is purchasing the goods on the other hand, the goods are shipped directly from the producer to the steel dealer's customer or in accordance with the customer's instructions. All other sales are ex-stock sales.

Article 8

Steel dealers need not publish rebates for sub-standard products or seconds. They are then required to state on the invoice the reasons for classification as sub-standard products or seconds.

Article 9

It shall be a prohibited practice for a steel dealer to apply in the common market dissimilar conditions (Article 11) to comparable transactions (Article 10).

Article 10

1. Transactions shall be considered comparable where:

- (a) they are concluded with purchasers:
- who compete with another, or
 - who produce the same or similar goods, or
 - who carry out similar functions in distribution; and
- (b) they involve the same or similar products; and
- (c) their other relevant commercial characteristics do not differ to a material extent.

2. Transactions shall not be considered comparable if, between the dates of their being agreed upon, a lasting change has occurred in the steel dealer's prices or conditions of sale.

Article 11

1. Different conditions which make appropriate allowance for differences in the services rendered or in the carrying out of transactions, applied by a steel dealer to comparable transactions, shall not be considered dissimilar conditions.

2. Conditions shall be considered dissimilar if, without a corresponding increase in price, a steel dealer allows periods for payment more favourable than those generally applied to comparable transactions.

Article 12

Steel dealers who allege that transactions are not comparable (Article 10) or that conditions are not to be considered dissimilar (Article 11) shall, at the request of the department designated by the Government of the Member State, set out the facts and circumstances which may justify this.

Article 13

1. Where a steel dealer aligns his quotation on a competitor's price list, it shall be a prohibited practice for him to apply conditions affording the purchaser a delivered price lower than that at which the purchaser could obtain the goods from the competitor.

2. In calculating delivered prices account shall be taken of transport costs, surcharges or charges borne by the purchaser, less rebates or drawbacks allowed him, in addition to the prices and conditions.

3. When a steel dealer aligns his quotation on the conditions quoted by a competitor outside the Community, the provisions of paragraphs 1 and 2 shall apply correspondingly.

4. Steel dealers who allege that they have aligned their quotation on a lower delivered price of a competitor in the common market or of a competitor outside the Community shall, at the request of the department designated by the Member State, show that the conditions for alignment obtained and that they complied with the provisions of paragraphs 1 to 3 in calculating the aligned price.

The condition for alignment on conditions offered by competitors outside the Community is that it has been imposed by the effective competition of the competitor outside the Community.

Article 14

It shall be a prohibited practice to include in the price charged to the purchaser the amount of any taxes or charges in respect of which the steel dealer is entitled to exemption or drawback.

Article 15

Steel dealers shall be obliged to furnish all the necessary information to the department designated

by the Member State, which may carry out all the checks necessary to ensure that the checks necessary to ensure that the abovementioned provisions are being complied with.

For the purpose of such checks, steel dealers shall be obliged to keep, and make available to the agents or officials of Member States authorized to carry out the checks, trading and accounting records including, as a minimum, the documents referred to in subparagraphs (a) to (g) of Article 1 of Decision No 14/64 ⁽¹⁾.

Article 16

1. Steel dealers who infringe obligations incumbent upon them under provisions adopted in implementation of Articles 2 to 14 shall be liable to fines which may amount to twice the value of the sales effected in disregard thereof. If the infringement is repeated, this maximum shall be doubled.

2. Steel dealers who infringe obligations incumbent upon them under provisions adopted in implementation of Article 15 shall be liable to fines not exceeding 1 % of their annual turnover and to penalty payments not exceeding 5 % of the average daily turnover for each day's delay.

Article 17

This recommendation is addressed to the Member States.

Done at Brussels, 3 July 1981.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ of 18. 7. 1964, p. 1967/64.

COMMISSION DECISION No 1836/81/ECSC

of 3 July 1981

**on the obligation of distributive undertakings to publish price-lists and conditions of sale
and on practices prohibited for these undertakings**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first and second paragraphs of Article 95 thereof,

Whereas Commission recommendation No 1835/81/ECSC ⁽¹⁾ has obliged the Member States to take all measures necessary to ensure that the undertakings engaged in distribution activities in the steel sector observe rules governing prices and conditions of sale similar to those that apply to the production undertakings pursuant to Article 60 of the Treaty and its implementing decisions;

Whereas giving effect to this recommendation makes it necessary for certain Member States to implement legislative procedures and other measures which require a certain amount of time to complete;

Whereas the steel market continues to be seriously affected by the deterioration of the economic situation; whereas, in order to create economic conditions favourable to the indispensable restructuring of the iron and steel industry, immediate action with regard to the sales prices of steel is absolutely necessary; whereas urgent implementation of such action is becoming increasingly essential in this period of crisis;

Whereas in mid-1981, notwithstanding a certain improvement, the sales prices of iron and steel products remain at levels which are insufficient to guarantee the future for undertakings, even in the case of modern installations, and, under these conditions, it is indispensable to implement a very short-term action for rationalization of the steel market in such a way as to bring about the rise in prices necessary to prevent financial disaster;

Whereas the steel market constitutes a whole in which dealers play an important role, in view of the fact that more than half of the steel marketed in the Community, either in direct sales or ex-stock, including material imported from non-Community

countries, passes through their hands and, under these conditions, any action intended to affect prices must involve not only producers, but also dealers;

Whereas, in consequence, a Commission Decision imposing direct and immediate obligations on distribution undertakings appears necessary in order to attain, within the common market in coal and steel, the objectives of the Treaty as set out in particular in Article 3; whereas the Treaty makes no provision for this case and it is thus necessary to apply the provisions set out in the first paragraph of Article 95;

Whereas, in order to ensure that the obligations resulting from this Decision are fulfilled, it is necessary to make provision for checks and penalties and to require distribution undertakings, during the verification procedures, to present in particular commercial and accounting documents of the same type as those required from the producers pursuant to Commission Decision No 14/64 ⁽²⁾, the provisions of which are reiterated in a communication ⁽³⁾;

Whereas, because of the more complex nature of the problems posed for the establishment of price lists for special steel products, it is appropriate in this respect to give distributive undertakings additional time to comply with the dispositions of the present Decision;

After consulting the Advisory Committee and with the assent of the Council acting unanimously,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall be applicable to the distributive undertakings in the Community which effect direct and ex-stock sales, within the common market, of the steel products defined in Annex I to the Treaty with the exception of scrap, provided that:

⁽¹⁾ See page 9 of this Official Journal.

⁽²⁾ OJ of 18. 7. 1964, p. 1967/64.

⁽³⁾ See page 17 of this Official Journal.

- they obtain the steel, in total or in part, directly from steel producers in the Community or in third countries,

and

- their steel resale figures, combined, where appropriate, with the steel resale figures of their parent and/or subsidiary companies and branches, involve a minimum of 12 000 tonnes per year, based on the figures for the last financial year,

and

- they are not selling agencies as defined in Decision No 30/53, hereinafter called 'steel dealers'.

2. The distributive undertakings referred to in paragraph 1 which market steel products after having processed them shall also be considered as 'steel dealers' and subjected to the same rules. For the purposes of this Decision, processing occurs when one of the steel products listed in Annex I to the ECSC Treaty is processed into another steel product listed in the same Annex by means of an operation other than rolling.

Article 2

Steel dealers shall be obliged to publish price lists and conditions of sale for direct and ex-stock sales in accordance with the provisions set out below and to communicate them to the Commission.

A parent steel trading company may publish price lists and conditions of sale which are also valid for its subsidiaries and branches.

Article 3

All price lists and conditions of sale published shall contain the following information:

- (a) basic prices according to category of product or basic prices for each grade and category of products;
- (b) extras which are applied, indicating:
 - extras for size and length,
 - extras for grades and quality,
 - quantity extras and rebates for each sample and/or for each specified order,

- tolerances not liable to surcharge,
- extras for reduced tolerances,
- also surcharges and increases normally applied in connection with delivery of the various products, particularly surcharges for cutting and slitting;

- (c) place of delivery;
- (d) method of quotation;
- (e) costs in connection with method of shipment;
- (f) where they are applied:
 - discounts, rebates and any other kind of benefit to other dealers or users;
- (g) terms of payment;
- (h) nature and amount of taxes and other charges additional to the prices on the price lists, under the terms offered to purchasers.

Article 4

The price lists of a steel dealer shall not contain prices for products which are not actually offered on the market by the steel dealer concerned.

Article 5

- 1. (a) The price lists and conditions of sale shall apply not earlier than two clear days after they have been addressed to the Commission.
 - (b) The steel dealer shall, upon request, communicate price lists and conditions of sale to any interested party.
2. Paragraph 1 shall also apply to any amendment to price lists and conditions of sale.

Article 6

- 1. For direct sales, steel dealers may also discharge their obligation to publish price lists and conditions of sale by including the following clause in their price lists for the sale of steel, depending on its origin:

- (a) 'The prices applicable to direct sales of steel coming from an ECSC producer are the delivered price at the place of destination obtained from the producer's price list on which the sale was based, to which our published conditions of sale and the following extras are applied ...'
- (b) 'The prices applicable to direct sales of steel originating in countries, alignment on offers from which has been prohibited by the Commission of the European Communities, are the delivered prices obtained from the price list of the Community undertaking offering the lowest delivered price at the place of destination after deduction of the penetration margins granted to those countries, to which our published conditions of sale and the following extras are applied ...'
- (c) 'The prices applicable to direct sales of steel originating in other third countries are the delivered prices at the place of destination obtained from the basic prices for importation published by the Commission of the European Communities, to which our published conditions of sale and the following extras are applied ...'.

2. A sale is 'direct' when under sales contracts concluded between the producer and the (steel) dealer on the one hand and between the (steel) dealer and his customer who is purchasing the goods on the other hand, the goods are shipped directly from the producer to the (steel) dealer's customer or in accordance with the customer's instructions. All other sales are ex-stock sales.

Article 7

Steel dealers need not publish rebates for sub-standard products or seconds. They are then required to state on the invoice the reasons for classification as sub-standard products or seconds.

Article 8

It shall be a prohibited practice for the steel dealer to apply in the common market dissimilar conditions (Article 10) to comparable transactions (Article 9).

Article 9

1. Transactions shall be considered comparable where:

- (a) they are concluded with purchasers:
- who compete with another, or
 - who produce the same or similar goods, or
 - who carry out similar functions in distribution; and
- (b) they involve the same or similar products; and
- (c) their other relevant commercial characteristics do not differ to a material extent.

2. Transactions shall not be considered comparable if, between the dates of their being agreed upon, a lasting change has occurred in the steel dealer's prices or conditions of sale.

Article 10

1. Different conditions which make appropriate allowance for differences in the services rendered or in the carrying out of transactions, applied by a steel dealer to comparable transactions, shall not be considered dissimilar conditions.

2. Conditions shall be considered dissimilar if, without a corresponding increase in price, a steel dealer allows periods for payment more favourable than those generally applied to comparable transactions.

Article 11

Steel dealers who allege that transactions are not comparable (Article 9) or that conditions are not to be considered dissimilar (Article 10) shall, at the request of the Commission, set out the facts and circumstances which may justify this.

Article 12

1. Where a steel dealer aligns his quotation on a competitor's price list, it shall be a prohibited practice for him to apply conditions affording the purchaser a delivered price lower than that at which the purchaser could obtain the goods from the competitor.

2. In calculating delivered prices account shall be taken of transport costs, surcharges or charges borne by the purchaser, less rebates or drawbacks allowed him, in addition to the prices and conditions.

3. Where a steel dealer aligns his quotation on the conditions quoted by a competitor outside the Community, the provisions of paragraphs 1 and 2 shall apply correspondingly.

4. Steel dealers who allege that they have aligned their quotation on a lower delivered price of a competitor in the common market or of a competitor outside the Community shall, at the request of the Commission, show that the conditions for alignment obtained and that they complied with the provisions of paragraphs 1 to 3 in calculating the aligned price.

The condition for alignment on conditions offered by competitors outside the Community is that it has been imposed by the effective competition of the competitor outside the Community.

5. Steel dealers must comply with the prohibitions of alignment on quotations from non-Community countries which apply to Community undertakings by virtue of Commission Decision No 527/78/ECSC ⁽¹⁾, as last amended by Decision No 1309/81/ECSC ⁽²⁾.

Article 13

It shall be a prohibited practice to include in the price charged to the purchaser the amount of any taxes or charges in respect of which the steel dealer is entitled to exemption or drawback.

Article 14

Steel dealers shall be obliged to furnish all the necessary information to the Commission, which may

carry out all the necessary checks to ensure that the abovementioned provisions are being complied with.

For the purposes of such checks, steel dealers shall be obliged to keep, and make available to the agents or authorized representatives of the Commission carrying out the checks, business books and accounting documents including at least those set out in Article 1 (a) to (g) of Decision No 14/64.

Article 15

1. Steel dealers who infringe the provisions of Articles 2 to 13 inclusive shall be liable to fines not exceeding twice the value of the sales effected in disregard thereof. If the infringement is repeated, this maximum shall be doubled.

2. Steel dealers who infringe the provisions of Article 14 shall be liable to fines not exceeding 1 % of the annual turnover and to penalty payments not exceeding 5 % of the average daily turnover for each day's delay.

Article 16

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Communities* for ordinary steels and on 1 October 1981 for special steels as defined in Euronorm 20/74.

It shall apply until 30 June 1982.

This Decision is binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 July 1981.

For the Commission

Étienne DAVIGNON

Vice-President

⁽¹⁾ OJ No L 73, 15. 3. 1978, p. 16.

⁽²⁾ OJ No L 130, 16. 5. 1981, p. 19.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMUNICATION FROM THE COMMISSION

**relating to the information which undertakings must produce during checks carried out
by the Commission**

(Article 47 of the ECSC Treaty)

The Commission has recently adopted a number of measures designed to solve the continuing problems on the steel market ⁽¹⁾ and is currently reinforcing its supervision of observance of the pricing rules.

In this context the Commission considers it necessary to remind undertakings that Article 47 of the ECSC Treaty stipulates that the Commission may obtain the information it requires to carry out its task and that it may have any necessary checks made.

In connection with the supervision of compliance with Article 60 and Decisions implementing that Article, a number of Decisions, which are listed below, have been taken over the years in pursuance of Article 47, in particular in order to facilitate price checks. Failure to comply with these Decisions renders undertakings liable to the fines and penalties laid down in Article 47:

1. Decision No 33/56 of 21 November 1956 (OJ of 25 November 1956) on the returns to be made by undertakings in the iron and steel industry in respect of their sub-standard products and seconds, as amended by Decision No 2/62 of 8 March 1962;

2. Decision No 23/63 of 11 December 1963 (OJ of 24 December 1963) requiring Community iron and steel undertakings to make returns to the High Authority of the transactions in which they align their quotations on those of undertakings outside the Community ⁽²⁾;

3. Decision No 24/63 of 11 December 1963 (OJ of 24 December 1963) requiring undertakings in the Community steel industry to make returns to the Commission of transactions involving rebates or special prices for indirect export. The period of validity of this Decision was extended beyond 31 December 1964 by Decision No 18/64 of 9 December 1964 (OJ of 14 December 1964);

4. Decision No 21/66 of 16 November 1966 (OJ of 29 November 1966) requiring undertakings in the steel industry to make returns of invoiced prices for deliveries of steel products. This Decision was amended and supplemented by Decision No 9/67 of 1 June 1967 (OJ of 10 June 1967);

5. Decision No 14/64 of 8 July 1964 (OJ of 28 July 1964) on business books and accounting

⁽¹⁾ Commission Decision No 1831/81/ECSC of 24 June 1981 (Article 58), as amended by Decision No 1832/81/ECSC;

Commission Decision No 1834/81/ECSC of 3 July 1981 (Article 60);

Commission recommendation No 1835/81/ECSC of 3 July 1981 (Article 63 (3));

Commission Decision No 1836/81/ECSC of 3 July 1981 (Article 95).

⁽²⁾ In the context of the anti-crisis measures, by Decision No 527/78/ECSC (OJ No L 73, 15. 3. 1978) the Commission prohibited Community undertakings from aligning their prices on offers of certain iron and steel products originating in non-member countries with which arrangements have been concluded.

documents which undertakings must produce for inspection by officials or agents of carrying out checks or verifications as regards prices.

As regards the last-named Decision, the Commission would stress that the documents listed therein constitute the minimum which must be kept and presented to the officials or agents of the Commission. Clearly, in pursuance of Article 47 of the Treaty these officials or agents of the Commission must be able to have access to all business, technical and accounting documents kept by undertakings in order to be able to check on the conformity of invoiced prices with prices actually paid. With a view to facilitating the work of the officials or agents responsible for carrying out price checks, the Commission draws attention particularly to the provision relating to order files (Article 1 (a)). It points out that a file must be made up in respect of each order, comprising the customer's order slip, the confirmation of the order and related

correspondence. This file must clearly indicate the prices finally agreed upon and the way in which they are broken down. The undertaking must be able to substantiate any transport costs used for calculating prices.

In the case of orders for delivery to non-member countries, proof must be supplied that the goods have been exported. This proof may take the form of:

- (a) a copy, stamped by the customs office of departure, of the Community export declaration form EX introduced by Council Regulation (EEC) No 2102/77 ⁽¹⁾;
- (b) the business documents relating to the instructions for the dispatch and shipment of the goods in question, and in particular copies of the bills of lading, the shipping bills, the charter-parties for freight by river and the waybills for carriage by rail or by road.

⁽¹⁾ OJ No L 246, 27. 9. 1977, p. 1.

COMMUNICATION FROM THE COMMISSION**amending the basic prices for certain iron and steel products**

In its communication of 31 December 1977 ⁽¹⁾, as last amended by the communication of 31 October 1980 ⁽²⁾, the Commission of the European Communities published basic prices for certain iron and steel products.

These basic prices have since been reviewed for bulk steel products on the basis of Article 2 (6) (b) of recommendation No 3018/79/ECSC of 21 December 1979 on protection against dumped or subsidized imports from countries which are not members of the European Coal and Steel Community ⁽³⁾. The review of the normal costs for steel products in the supplying country or countries where there are normal conditions of competition indicated that there had been an increase. Consequently the Commission has decided to amend the basic prices for bulk steel products published in the *Official Journal of the European Communities* ⁽²⁾.

The basic prices for special steels, pig iron and ferro-manganese will be published later.

To this end it has allowed for the exchange rate changes which have taken place since 31 October 1980 and has fixed the equivalent value of ECU for the basic prices.

The basic prices set out below are effective from 15 July 1981.

Equivalent of one ECU

Belgian or Luxembourg franc	41·5273
German mark	2·53912
Dutch guilder	2·81623
Pound sterling	0·5367947
Danish krone	7·9858014
French franc	6·0191037
Italian lira	1256·0159
Irish pound	0·694957
Greek drachma	61·835393

In order to maintain a uniform price level, the Commission may adjust these prices in accordance with fluctuations in exchange rates.

⁽¹⁾ OJ No L 353, 31. 12. 1977, p. 1.

⁽²⁾ OJ No L 290, 31. 10. 1980, p. 1.

⁽³⁾ OJ No L 339, 31. 12. 1979, p. 15.

(ECU/tonne)

CCT heading No	Description	Effective price (basic + extra) cif duty-paid
73.07	Blooms, billets and slabs:	
A 1	Blooms and billets:	
	1. All balanced, rimmed and semi-killed steels with a maximum silicon content of 0.10 %:	
	Dimensions:	
	(a) 50 to < 60 mm	322
	(b) 60 to < 70 mm	313
	(c) 70 to < 150 mm	293
	(d) 150 to ≤ 200 mm	286
	(e) > 200 to ≤ 250 mm	278
	2. Killed steels, i.e. steels having a minimum tensile strength of 50 kg/mm ² or 490 N/mm ² :	
	Extra over the effective price in category 1 above	29
	3. Killed steels to be analyzed in accordance with BS 970, Part 1, 1972:	
	Extra over the effective price in category 1 above	29
	4. All steels guaranteed to be suitable for heat-treatment with S + P ≤ 0.070 %	348
	Steels with a boron content	+ 25
	Steels with a lead addition	+ 37
	Steels with a manganese over 1.50 %	+ 25
	Resulphurized steels (in addition to the high manganese extra above)	+ 12
	Size extras:	
	(a) < 50 mm	Bar basic price
	(b) 50 to < 60 mm	+ 50
	(c) 60 to < 70 mm	+ 44
	(d) 70 to < 80 mm	+ 32
	(e) 80 to < 100 mm	+ 18
	(f) ≥ 100 mm	Basic
B 1	Slabs:	
	With a thickness of more than 50 mm:	
	1. All balanced, rimmed and semi-killed steels with a maximum silicon content of 0.10 %	284
	2. Killed steels, i.e. steels having a minimum tensile strength of 50 kg/mm ² or 490 N/mm ²	313

(ECU/tonne)

CCT heading No	Description	Effective price (basic + extra) cif duty-paid	
		A as rolled	B pickled
73.08 excluding 73.08 A 1 (cont'd)	< 2 mm	336	349
	2 to < 3 mm	332	344
	≥ 3 mm	330	342
	3. for qualities: BS 1449-HR1, HR4K, HR14K, HR15K BS 4360 Grade 50B BS 1501-151 BS 1501-154:		
	< 2 mm	345	359
	2 to < 3 mm	342	356
	≥ 3 mm	340	353
	4. for qualities: BS 1449 HR40/30K HR43/35K HR46/40K HR50/45K HR50/35K HR54/35K:		
	< 2 mm	358	370
	2 to < 3 mm	354	367
	≥ 3 mm	351	365
	5. for other qualities: < 2 mm	386	398
	2 to < 3 mm	383	395
	≥ 3 mm	380	393
73.10 A 1	Wire rod:		
	1. in qualities: R10, R12, R15, B15, B18, B20 and K20 (and other equivalent qualities):		
	(a) rounds from 5.5 to 13 mm inclusive	328	
	(b) other sections, all sizes	385	
	2. in qualities: R06 (fine wire), BS 4449, R14 (cold heading) R18CH, R14, R08 (fine wire), K13, K19 (and other equivalent qualities):		
	(a) rounds from 5.5 to 13 mm inclusive	340	
	(b) other sections, all sizes	398	

(ECU/tonne)		
CCT heading No	Description	Effective price (basic + extra) cif duty-paid
73.10 A I (cont'd)	3. other qualities excluding those in items 4 and 5:	
	(a) rounds from 5.5 to 13 mm inclusive	363
	(b) other sections, all sizes	419
	4. wire rod for welding electrodes	389
		Basic price without extra
	5. high carbon wire rod (C < 0.6 % with S and P ≤ 0.07 %) guaranteed to be suitable for heat treatment	431
	The extras for special analysis are the same as those given for semis under subheadings 73.07 A I and B I (5)	
		Extra
	Dimension extras:	
	5 mm	+ 171
73.10 A II a)	5.5 mm	+ 132
	6 mm	+ 97
	6.5 mm	+ 78
	7 to < 8 mm	+ 59
	8 to < 10 mm	+ 38
	10 to < 12 mm	+ 22
	12 to < 13 mm	+ 17
	Heat treatment and other treatment, extras:	
	pickling	+ 34
	pickling and coating	+ 53
	annealing	+ 57
73.10 A II a)	Reinforcing bars for cement or concrete with small indentations, beads, hollows, or reliefs resulting from rolling, whether or not deformed after rolling:	Effective price (basic + extra) cif duty-paid
	< 12 mm	310
	12 to < 20 mm	281
	20 to < 25 mm	264
	> 25 mm	274
73.10 A II b)	Other bars:	
	1. in mild steel to no standard specification:	
	(a) rounds up to 13 mm diameter	342
	(b) rounds over 13 mm diameter, up to 80 mm	323
	(c) rounds over 80 mm diameter	351
	(d) square and hexagonal bars	342
	(e) flats less than 20 mm wide	403
	(f) flats from 20 mm to under 50 mm wide	346
	(g) flats from 50 mm to under 80 mm wide	337
	(h) flats 80 mm wide and over	351
	2. to BS 4360: Grades 40A and 43A: to Lloyds Register: Grade A:	
	(a) rounds up to 13 mm diameter	348
	(b) rounds over 13 mm diameter, up to 80 mm	329

(ECU/tonne)		
CCT heading No	Description	Effective price (basic + extra) cif duty-paid
73.10 A II b) (cont'd)	(c) rounds over 80 mm diameter	358
	(d) square and hexagonal bars	348
	(e) flats less than 20 mm wide	409
	(f) flats from 20 mm to under 50 mm wide	354
	(g) flats from 50 mm to under 80 mm wide	344
	(h) flats 80 mm wide and over	358
	3. high strength steels $\geq 50 \text{ kg/mm}^2$ or 490 N/mm^2 other than those in items 4 and 5:	
	(a) rounds up to 13 mm diameter	393
	(b) rounds over 13 mm diameter, up to 80 mm	374
	(c) rounds over 80 mm diameter	403
	(d) square and hexagonal bars	393
	(e) flats less than 20 mm wide	452
	(f) flats from 20 mm to under 50 mm wide	398
	(g) flats from 50 mm to under 80 mm wide	389
	(h) flats 80 mm wide and over	403
	4. killed steels to analyses in accordance with BS 970: Part 1: 1972:	
	(a) rounds up to 13 mm diameter	428
	(b) rounds over 13 mm diameter, up to 80 mm	409
	(c) rounds over 80 mm diameter	438
	(d) square and hexagonal bars	428
	(e) flats less than 20 mm wide	489
	(f) flats from 20 mm to under 50 mm wide	432
	(g) flats from 50 mm to under 80 mm wide	423
	(h) flats 80 mm wide and over	438
		Basic price without extra
	5. Steels guaranteed to be suitable for heat treatment, $S + P \leq 0.070 \%$ Extras for special analyses are those given for semis under subheadings 73.07 A I and B I (5) Size and treatment extras are the same as those given for bars of alloy-structural steels, under subheading 73.15 B V b) 2	423
		Effective price (basic + extra) cif duty-paid
73.11 A I a) 1	Shapes and sections, not further worked than hot rolled or extruded, joists and universal beams and columns with a web measurement of less than 80 mm:	
	(a) in mild steel to no standard specification (not applicable in the United Kingdom)	332
	(b) to BS 4360: Grades 40A and 43A; to Lloyds Register: Grade A	338
	(c) all other qualities	386

CCT heading No	Description	Effective price (basic + extra) cif duty-paid
73.11 A I a) 2	Shapes and sections, not further worked than hot rolled or extruded, joists, universal beams and columns and channels with a web measurement of 80 mm or over: (a) to BS 4360: Grades 40A and 43A; to Lloyds Register: Grade A (b) all other qualities	356 416
73.11 A I b)	Other sections:	
	1. in mild steel to no standard specification:	
	(a) equal angles up to 40 × 40 mm	315
	(b) equal angles over 40 × 40 mm	301
	(c) unequal angles	317
	(d) tees and other sections	326
	2. to BS 4360: Grades 40A and 43A; to Lloyds Register: Grade A:	
	(a) equal angles up to 40 × 40 mm	321
	(b) equal angles over 40 × 40 mm	308
	(c) unequal angles	324
	(d) tees and other sections	333
	3. in other qualities:	
	(a) equal angles up to 40 × 40 mm	363
	(b) equal angles over 40 × 40 mm	349
	(c) unequal angles	365
	(d) tees and other sections	374
73.12 A II	Hoop and strip not further worked than hot-rolled:	
	1. for qualities: BS 1449 – HS4:	
		A as rolled B pickled
	< 2 mm	339 360
	2 to < 3 mm	335 358
	≥ 3 mm	333 356
	2. for qualities: BS 1449 – HS2, HS3, HS12, HS17, HS22 – HS34/20, HS37/23, HS43/25, HS43/28:	

(ECU/tonne)			
CCT heading No	Description	Effective price (basic + extra) cif duty-paid	
		A as rolled	B pickled
73.12 A II (cont'd)			
	< 2 mm	349	371
	2 to < 3 mm	347	369
	≥ 3 mm	344	367
	3. for qualities: BS 1449 – HS4K, HS12, HS17, HS22K – HS34/20K:		
	2 mm	360	383
	2 to < 3 mm	358	380
	≥ 3 mm	354	378
	4. (a) for qualities: BS 1449 – HS1, HS37/23K:		
	< 2 mm	371	394
	2 to < 3 mm	369	392
	≥ 3 mm	367	388
		Extra	
	(b) For steels which are guaranteed suitable for heat treatment with S + P ≤ 0.070 %: BS 1449 – HS10, HS40, HS50: as for 4 (a) above	+ 46	
		Effective price (basic + extra) cif duty-paid	
	5. (a) for other qualities:		
	< 2 mm	399	422
	2 to < 3 mm	397	420
	≥ 3 mm	395	417
		Extra	
	(b) For steels which are guaranteed suitable for heat treatment with S + P ≤ 0.070%: BS 1449 – HS60, HS70, HS80, HS95: as for 5 (a) above	+ 46	

(ECU/tonne)

CCT heading No	Description	Effective price (basic + extra) cif duty-paid																												
73.13	Sheets/plates not further worked than hot-rolled or cold-rolled																													
73.13 A II	Electrical sheets, other: (a) sheets with a maximum watt loss of 3 W 6 (b) sheets with a maximum watt loss of 3 W	510 523																												
	Extras: — for widths from 500 up to but not including 1 000 mm — for insulation — for cutting into sheets	Extra + 24 + 34 + 26																												
		Effective price (basic + extra) cif duty-paid																												
73.13 B I a)	Sheets/plates not further worked than hot-rolled, of a thickness ≥ 3 mm 1. for qualities: BS 1449 – HR14 (unkilled), HR15 (unkilled), HR4 (unkilled) BS 4360 – 40A: and also the following quality in thicknesses from 3 mm to 25 mm inclusive — Lloyds Grade A:																													
	<table><tr><td colspan="4">(ECU/tonne)</td></tr><tr><td>Width (mm) \ Thickness (mm)</td><td>600 to < 1 100</td><td>1 100 to 2 000</td><td>> 2 000</td></tr><tr><td>3 to 10</td><td>337</td><td>331</td><td>341</td></tr><tr><td>> 10 to 40</td><td>350</td><td>338</td><td>337</td></tr><tr><td>> 40 to 80</td><td>362</td><td>353</td><td>346</td></tr><tr><td>> 80 to 120</td><td>381</td><td>365</td><td>363</td></tr><tr><td>> 120</td><td>390</td><td>380</td><td>372</td></tr></table>	(ECU/tonne)				Width (mm) \ Thickness (mm)	600 to < 1 100	1 100 to 2 000	> 2 000	3 to 10	337	331	341	> 10 to 40	350	338	337	> 40 to 80	362	353	346	> 80 to 120	381	365	363	> 120	390	380	372	
(ECU/tonne)																														
Width (mm) \ Thickness (mm)	600 to < 1 100	1 100 to 2 000	> 2 000																											
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> 40 to 80	362	353	346																											
> 80 to 120	381	365	363																											
> 120	390	380	372																											

(ECU/tonne)

CCT heading No	Description	Effective price (basic + extra) cif duty-paid																																																								
73.13 B 1 a) (cont'd)	2. for qualities: BS 1449 – HR4 (killed), HR14 (killed), HR15 (killed) BS 4360 — Grades 43A, 43B, 43C, 40B, 40C and also the following quality in thicknesses over 25 mm — Lloyds Grade A, Grade B: <table><tr><th colspan="4">(ECU/tonne)</th></tr><tr><th>Thickness (mm) \ Width (mm)</th><th>600 to < 1 100</th><th>1 100 to 2 000</th><th>> 2 000</th></tr><tr><td>3 to 10</td><td>349</td><td>344</td><td>354</td></tr><tr><td>> 10 to 40</td><td>363</td><td>350</td><td>348</td></tr><tr><td>> 40 to 80</td><td>374</td><td>365</td><td>359</td></tr><tr><td>> 80 to 120</td><td>392</td><td>377</td><td>375</td></tr><tr><td>> 120</td><td>402</td><td>391</td><td>384</td></tr></table> 3. (a) for qualities: BS 1449 – HR40/30K, HR43/35K, HR46/40K, HR50/45K, HR50/35K, HR54/35K, BS 1501–151 BS 4360–50A Lloyds Grades C, D, AH27: <table><tr><th colspan="4">(ECU/tonne)</th></tr><tr><th>Thickness (mm) \ Width (mm)</th><th>600 to < 1 100</th><th>1 100 to 2 000</th><th>> 2 000</th></tr><tr><td>3 to 10</td><td>370</td><td>363</td><td>374</td></tr><tr><td>> 10 to 40</td><td>383</td><td>372</td><td>371</td></tr><tr><td>> 40 to 80</td><td>396</td><td>385</td><td>380</td></tr><tr><td>> 80 to 120</td><td>414</td><td>400</td><td>397</td></tr><tr><td>> 120</td><td>423</td><td>412</td><td>406</td></tr></table>	(ECU/tonne)				Thickness (mm) \ Width (mm)	600 to < 1 100	1 100 to 2 000	> 2 000	3 to 10	349	344	354	> 10 to 40	363	350	348	> 40 to 80	374	365	359	> 80 to 120	392	377	375	> 120	402	391	384	(ECU/tonne)				Thickness (mm) \ Width (mm)	600 to < 1 100	1 100 to 2 000	> 2 000	3 to 10	370	363	374	> 10 to 40	383	372	371	> 40 to 80	396	385	380	> 80 to 120	414	400	397	> 120	423	412	406	
(ECU/tonne)																																																										
Thickness (mm) \ Width (mm)	600 to < 1 100	1 100 to 2 000	> 2 000																																																							
3 to 10	349	344	354																																																							
> 10 to 40	363	350	348																																																							
> 40 to 80	374	365	359																																																							
> 80 to 120	392	377	375																																																							
> 120	402	391	384																																																							
(ECU/tonne)																																																										
Thickness (mm) \ Width (mm)	600 to < 1 100	1 100 to 2 000	> 2 000																																																							
3 to 10	370	363	374																																																							
> 10 to 40	383	372	371																																																							
> 40 to 80	396	385	380																																																							
> 80 to 120	414	400	397																																																							
> 120	423	412	406																																																							

(ECU/tonne)

CCT heading No	Description	Extra																																							
73.15 B 1 a) (cont'd)	(b) for steel with guarantee of aptitude for heat treatment with S + P ≤ 0.070 %, Ck10, Ck15, Ck22, Ck35, Xc10, Xc18, Xc25, Xc35: price as above under this heading	+ 35																																							
	4. (a) for qualities: Lloyds Grades DH27, AH32, DH32, BS 4360 – Grades 40D, 43D, 50B, BS 1501–161:																																								
		Effective price																																							
	<table><tr><th colspan="2"></th><th colspan="3">(ECU/tonne)</th></tr><tr><th rowspan="2">Thickness (mm)</th><th>Width (mm)</th><th>600 to < 1 100</th><th>1 100 to 2 000</th><th>> 2 000</th></tr><tr><th></th><th></th><th></th><th></th></tr><tr><td>3 to 10</td><td></td><td>375</td><td>370</td><td>381</td></tr><tr><td>> 10 to 40</td><td></td><td>390</td><td>377</td><td>376</td></tr><tr><td>> 40 to 80</td><td></td><td>401</td><td>392</td><td>385</td></tr><tr><td>> 80 to 120</td><td></td><td>420</td><td>406</td><td>402</td></tr><tr><td>> 120</td><td></td><td>429</td><td>419</td><td>412</td></tr></table>			(ECU/tonne)			Thickness (mm)	Width (mm)	600 to < 1 100	1 100 to 2 000	> 2 000					3 to 10		375	370	381	> 10 to 40		390	377	376	> 40 to 80		401	392	385	> 80 to 120		420	406	402	> 120		429	419	412	
			(ECU/tonne)																																						
Thickness (mm)	Width (mm)	600 to < 1 100	1 100 to 2 000	> 2 000																																					
3 to 10		375	370	381																																					
> 10 to 40		390	377	376																																					
> 40 to 80		401	392	385																																					
> 80 to 120		420	406	402																																					
> 120		429	419	412																																					
		Extra																																							
	(b) for steel with guarantee of aptitude for heat treatment with S + P ≤ 0.070 %, Ck45, Ck55, Xc42, Xc48: price as above under this heading	+ 35																																							
	5. (a) for qualities: BS 4360 — Grades 40E, 50C Lloyds Grades EH27, EH32, AH36, DH36 BS 1501–211:																																								

(*ECU/tonne*)

CCT heading No	Description																									
73.13 B 1 a) (cont'd)		(ECU/tonne)																								
	<table><tr><th>Width (mm) Thickness (mm)</th><th>600 to < 1 100</th><th>1 100 to 2 000</th><th>> 2 000</th></tr><tr><td>3 to 10</td><td>383</td><td>376</td><td>389</td></tr><tr><td>> 10 to 40</td><td>397</td><td>385</td><td>384</td></tr><tr><td>> 40 to 80</td><td>409</td><td>400</td><td>393</td></tr><tr><td>> 80 to 120</td><td>428</td><td>412</td><td>410</td></tr><tr><td>> 120</td><td>436</td><td>426</td><td>420</td></tr></table>	Width (mm) Thickness (mm)	600 to < 1 100	1 100 to 2 000	> 2 000	3 to 10	383	376	389	> 10 to 40	397	385	384	> 40 to 80	409	400	393	> 80 to 120	428	412	410	> 120	436	426	420	
	Width (mm) Thickness (mm)	600 to < 1 100	1 100 to 2 000	> 2 000																						
	3 to 10	383	376	389																						
	> 10 to 40	397	385	384																						
	> 40 to 80	409	400	393																						
	> 80 to 120	428	412	410																						
	> 120	436	426	420																						
	(b) for steel with guarantee of aptitude for heat treatment with S + P ≤ 0.070 %, Ck60, Xc55: price as above under this heading																									
	6. for other qualities:																									
	(ECU/tonne)																									
<table><tr><th>Width (mm) Thickness (mm)</th><th>600 to < 1 100</th><th>1 100 to 2 000</th><th>> 2 000</th></tr><tr><td>3 to 10</td><td>396</td><td>389</td><td>401</td></tr><tr><td>> 10 to 40</td><td>410</td><td>399</td><td>397</td></tr><tr><td>> 40 to 80</td><td>421</td><td>412</td><td>406</td></tr><tr><td>> 80 to 120</td><td>441</td><td>425</td><td>423</td></tr><tr><td>> 120</td><td>450</td><td>438</td><td>432</td></tr></table>	Width (mm) Thickness (mm)	600 to < 1 100	1 100 to 2 000	> 2 000	3 to 10	396	389	401	> 10 to 40	410	399	397	> 40 to 80	421	412	406	> 80 to 120	441	425	423	> 120	450	438	432		
Width (mm) Thickness (mm)	600 to < 1 100	1 100 to 2 000	> 2 000																							
3 to 10	396	389	401																							
> 10 to 40	410	399	397																							
> 40 to 80	421	412	406																							
> 80 to 120	441	425	423																							
> 120	450	438	432																							
	Effective price																									
	+ 35																									
	Extra																									

(ECU/tonne)		
CCT heading No	Description	Effective price (basic + extra) cif duty-paid
73.13 B II b)	Sheets/plates, not further worked than cold-rolled, of a thickness greater than 1 mm:	
	1. <i>supplied in coils:</i>	
	(a) for commercial qualities: CR4GP (not stabilized)	388
	(b) for qualities: BS 1449 – CR4FF, CR3GP (not stabilized), CR2GP, CR34/20, CR37/23	402
	(c) for qualities: BS 1449 – CR4GP (stabilized), CR3GP (stabilized), CR3FF (not stabilized), CR1GP	414
	(d) for qualities: BS 1449 – CR4FF, CR3FF (stabilized), CR2FF, CR1FF, sheets/plates for special enamelling, low-perlite structural steels for cold-forming 340 N/mm ² , 380 N/mm ² , 420 N/mm ² , 460 N/mm ² , 500 N/mm ²	425
		Extra
	For widths from 500 to 999 mm, extra of	+ 12
	For widths from 1 000 to 1 500 mm, extra of	+ 8
	For widths of 1 501 mm and over, extra of	+ 24
		Effective price (basic + extra) cif duty-paid
	2. <i>supplied in cut lengths:</i>	
	(a) for commercial qualities: BS 1449 – CR4GP (not stabilized)	402
	(b) for qualities: BS 1449 – CR4FF, CR3GP (not stabilized), CR2GP, CR34/20, CR37/23	414
	(c) for qualities: BS 1449 – CR4GP, CR3GP (stabilized), CR3FF (not stabilized), CR1GP	428
	(d) for qualities: BS 1449 – CR4FF, CR3FF (stabilized), CR2FF, CR1FF, sheets/plates for special enamelling, low perlite structural steels for cold-forming 340 N/mm ² , 380 N/mm ² , 420 N/mm ² , 460 N/mm ² , 500 N/mm ²	440
		Extra
	For widths from 500 to 999 mm, extra of	+ 12
	For widths from 1 000 to 1 500 mm, extra of	+ 8
	For widths of 1 501 mm and over, extra of	+ 24
73.13 B II c)	Sheets/plates not further worked than cold-rolled, of a thickness equal to or less than 1 mm:	
	1. <i>supplied in coils:</i>	
	(a) for commercial qualities: BS 1449 – CR4GP (not stabilized)	399
	(b) for qualities: BS 1449 – CR4FF, CR3GP (not stabilized), CR2GP, CR34/20, CR37/23	412
	(c) for qualities: BS 1449 – CR4GP, CR3GP (stabilized), CR3FF (not stabilized), CR1GP	425
	(d) for qualities: BS 1449 – CR4FF, CR3FF (stabilized), CR2FF, CR1FF, sheets/plates for special enamelling, low perlite structural steels for cold-forming 340 N/mm ² , 380 N/mm ² , 420 N/mm ² , 460 N/mm ² , 500 N/mm ²	437
		Extra
	For widths from 500 to 999 mm, extra of	+ 12
	For widths from 1 000 to 1 500 mm, extra of	+ 8
	For widths of 1 501 mm and over, extra of	+ 24
	2. <i>supplied in cut lengths:</i>	
	(a) for commercial qualities: BS 1449 – CR4GP (not stabilized)	412
	(b) for qualities: BS 1449 – CR4FF, CR3GP (not stabilized), CR2GP, CR34/20, CR37/23	425
	(c) for qualities: BS 1449 – CR4GP, CR3GP (stabilized), CR3FF (not stabilized), CR1GP	440
	(d) for qualities: BS 1449 – CR4FF, CR3FF (stabilized), CR2FF, CR1FF, sheets/plates for special enamelling, low perlite structural steel for cold-forming 340 N/mm ² , 380 N/mm ² , 420 N/mm ² , 460 N/mm ² , 500 N/mm ²	450

(ECU/tonne)		
CCT heading No	Description	Effective price (basic + extra) cif duty-paid
73.13 B II c) (cont'd)	For widths from 500 to 999 mm, extra of For widths from 1 000 to 1 500 mm, extra of For widths of 1 501 mm and over, extra of	Extra
		+ 12
		+ 8
		+ 24
73.13 B IV c) 1	Other sheets electro-zinc coated: 1. <i>supplied in coils:</i> (a) commercial qualities BS 1449 – CR4: thickness: < 0.50 mm 0.50 to < 0.70 mm 0.70 to < 0.90 mm 0.90 to < 1.25 mm 1.25 mm and over (b) other qualities: thickness: < 0.50 mm 0.50 to < 0.70 mm 0.70 to < 0.90 mm 0.90 to < 1.25 mm 1.25 mm and over 2. <i>supplied in cut lengths</i>	Effective price (basic + extra) cif duty-paid
		540
		500
		469
		455
		441
		577
		537
		507
		492
		479
		Extra
		+ 18
		Effective price (basic + extra) cif duty-paid
73.13 B IV c) 2	1. Other galvanized sheets supplied in coils: qualities: BS 2989 — Grades Z1 and Z2: thickness: < 0.5 mm 0.5 to < 0.7 mm 0.7 to < 1.0 mm 1.0 to < 1.25 mm ≥ 1.25 mm quality BS 2989 — Grade Z5: thickness: < 0.5 mm 0.5 to < 0.7 mm 0.7 to < 1.0 mm 1.0 to < 1.25 mm ≥ 1.25 mm Other qualities: thickness: < 0.5 mm 0.5 to < 0.7 mm 0.7 to < 1.0 mm 1.0 to < 1.25 mm ≥ 1.25 mm 2. <i>supplied in cut lengths</i> For corrugated sheet, additional to the extra for cut lengths	530
		492
		468
		449
		430
		593
		556
		530
		513
		493
		564
		527
		502
		484
		464
		Extra
		+ 17
		+ 42

