

Official Journal

of the European Communities

ISSN 0378-6978

L 307

Volume 25

1 November 1982

English edition

Legislation

Contents

I Acts whose publication is obligatory

★ Council Regulation (EEC) No 2869/82 of 21 October 1982 on the conclusion of an Arrangement with the United States of America relating to steel	1
★ Council Regulation (EEC) No 2870/82 of 21 October 1982 on the restriction of exports of certain steel products to the United States of America	3
★ Commission Decision No 2871/82/ECSC of 21 October 1982 on the conclusion of an Arrangement with the United States of America relating to steel	11
★ Commission Decision No 2872/82/ECSC of 28 October 1982 on the restriction of exports of certain steel products to the United States of America	27
★ Commission Decision No 2873/82/ECSC of 28 October 1982 on the monitoring by the Community of exports of certain steel products to the United States of America ...	36
★ Commission Regulation (EEC) No 2874/82 of 28 October 1982 on the monitoring by the Community of exports of certain steel products to the United States of America ...	56
Note to the reader	72

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2869/82

of 21 October 1982

on the conclusion of an Arrangement with the United States of America relating to steel

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 United States has taken a series of measures affecting imports of steel products from the Community; whereas that country has had recourse to anti-dumping duties, countervailing duties and to other measures with regard to the disposal of Community production on the United States market;

Whereas the Commission opened negotiations with the United States of America following the Council Decision of 24 July 1982, culminating on 6 August 1982 in the text of an arrangement whereby, in particular, the petitions of the American industry would be withdrawn and the measures taken by the United States Administration terminated in return for the restriction of Community exports, and in the text of an exchange of letters which the parties agreed to recommend that their respective authorities approve;

Whereas the Arrangement will make it possible to safeguard the essential export interests of the Community steel industry on the United States market; whereas, in order to achieve this result and because of the relation established, at negotiation level, between the products involved and covered by the ECSC Treaty and certain steel products covered by the EEC Treaty, it has appeared necessary to include these last mentioned products, which are also the subject of the abovementioned petitions and measures, in the said Arrangement;

Whereas the Commission Decision pursuant to the ECSC Treaty concerning the conclusion of the Arrangement has received the assent of the Council in accordance with that Treaty; whereas, therefore, the abovementioned Arrangement should be approved to the extent that it relates to products covered by the EEC Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Arrangement with the United States of America relating to trade in certain steel products, to be concluded in the form of an exchange of letters, is hereby approved on behalf of the European Economic Community to the extent that this Arrangement relates to products covered by the EEC Treaty.

2. The texts of the Arrangement and of the exchange of letters are attached to this Regulation ⁽¹⁾.

Article 2

The President of the Council is hereby authorized to designate the person empowered to implement the exchange of letters for the purpose of binding the European Economic Community.

Article 3

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

⁽¹⁾ See page 12 of this Official Journal.

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

Done at Brussels, 21 October 1982.

For the Council

The President

U. ELLEMANN-JENSEN

COUNCIL REGULATION (EEC) No 2870/82

of 21 October 1982

on the restriction of exports of certain steel products to the United States of America

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 Community has concluded an arrangement⁽¹⁾ (hereinafter referred to as 'the Arrangement') with the United States of America under which, on the one hand, certain anti-dumping, countervailing duty and other procedures are to be terminated and, on the other, the amount of exports, to the United States, of certain steel products originating in the Community are to be limited to certain levels over an agreed period; whereas, moreover, it is necessary, pursuant to this Arrangement, to introduce in the Community measures to restrict the amount of these steel products exported to the United States;

Whereas, in accordance with the Arrangement, the export restrictions cover steel products originating in the Community; whereas the origin of these products is determined in accordance with applicable Community legislation, that is to say Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽²⁾, as last amended by Regulation (EEC) No 1318/71⁽³⁾;

Whereas, for practical and management reasons, the quantitative export limits agreed by the Community must be allocated among the Member States; whereas, in order to do so, an allocation method must be established; whereas, thereafter, the Member States must share out the amounts allocated to them among undertakings in accordance with objective criteria;

Whereas utilization of the Community limits, based on allocations among Member States made in this way,

would seem to be in keeping with the Community nature of these limits, considering that in addition a Community reserve is to be established;

Whereas a Community reserve will allow certain effects of the allocation method to be corrected and ensure a maximum use of export possibilities;

Whereas the allocation among the Member States of the total export possibilities which the arrangement affords should be based upon traditional trade patterns, having regard to the possible repercussion of American measures upon the import of steel products from the various Member States;

Whereas, as provided for in the Arrangement, measures must be taken to avoid abnormal concentration at certain times of exports to the United States;

Whereas the Community steel policy aims in particular at allowing the Community steel industry to adapt to the conditions of international competition; whereas, bearing in mind, on the one hand, the links between the industry's restructuring efforts and the needs to which the Arrangement responds, and, on the other, that the Arrangement is limited to products originating in the Community, it is necessary to provide that export licences issued to undertakings shall indicate the undertaking engaged in production of steel within the Community and established in the issuing Member State that is holding the allocation against which the licence is issued;

Whereas, in order to take account of the interests of distributive undertakings, it must be possible for these licences to be transferred not only between steel undertakings but also by steel undertakings to distributive undertakings, in particular where the steel undertakings decide to sell their products to such distributive undertakings;

Whereas it appears necessary, and for the moment sufficient, that Member States ensure compliance with the different provisions of the regime laid down by applying the various penalties provided for in their laws;

⁽¹⁾ See page 13 of this Official Journal.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 139, 25. 6. 1971, p. 6.

Whereas, in order to facilitate the application of the envisaged provisions, it is appropriate to set up a procedure establishing close cooperation between Member States and the Commission in the framework of a Committee; whereas it is sufficient for this purpose to apply the procedure set up in Council Regulation (EEC) No 1023/70 of 25 May 1970⁽¹⁾ which established a common procedure for administering quantitative quotas,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community export limits are hereby established for the period 1 November 1982 to 31 December 1983 (hereinafter referred to as 'the initial period') and for the years 1984 and 1985 for exports effected after 1 November 1982 from the Community to the United States of America (hereinafter referred to as 'the United States') of the steel products originating in the Community which are listed and described in Annex I.

For the purposes of this Regulation, the United States shall comprise United States customs territory and United States foreign trade zones as described in Annex II.

2. The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. Community export limits per product category shall be calculated by the Commission for the initial period and for the years 1984 and 1985 by application to the United States apparent consumption within the meaning of Article 5 of the Arrangement of the following percentages:

<i>Product category</i>	<i>Quota</i>
Cold-rolled sheet	5.11 %
Plate	5.36 %
Structural shapes	9.91 %
Hot-rolled bars	2.38 %
Coated sheet	3.27 %
Tinplate	2.20 %
Rails	8.90 %

2. The Community export limits calculated pursuant to paragraph 1 shall be adjusted by the Commission to take account of revisions of the said United States apparent consumption.

3. These limits may also be adjusted in line with the procedure envisaged in Article 8:

- for advance use or carry-over of licences,
- to enable transfers between product categories,
- for additional quotas in case of short-supply,
- to take account of possible aberrations, during August, September and October 1982, from seasonal trade patterns,

under the conditions provided for in the Arrangement.

Article 3

1. The Community quantitative export limits established and calculated pursuant to Article 2 shall be allocated for the initial period and for 1984 and for 1985 by the Commission in accordance with Annex III.

2. The Commission shall hold periodic consultations with the Arrangement Committee referred to in Article 3 (2) of Commission Decision No 2872/82/ECSC of 28 October 1982 on the restriction of exports of certain steel products to the United States of America⁽²⁾ on the situation regarding licences issued and on the measures to be taken with a view to ensuring best use of the overall limit.

Article 4

Member States shall transfer to a Community reserve within the first eight days of the third month of each quarter the fraction of the allocation for which they did not issue licences. The Commission shall allot this Community reserve, after consultation of the Arrangement Committee, to one or more Member States to the extent that the best use of the quantitative export limits or possible problems in administering the system call for the allocation to be adjusted.

The Commission may establish the technical conditions upon which licences are to be issued by the Member States in respect of such additional allocation or allocations.

Article 5

1. The Community exports described in Article 1 shall, from 1 November 1982 to 31 December 1985, be subject to the production to the competent customs

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ See page 27 of this Official Journal.

office in the Community of an export licence to be issued by the appropriate authorities of each Member State within the limits of the amounts allocated to it pursuant to Article 3 and, where relevant, Article 4, and of an export certificate.

Member States shall fix the tonnages for which they anticipate that licence will be issued, in each quarter for each product category; they shall inform the Commission thereof in the first 15 days of the relevant quarter. In doing so, they shall make sure that the export licence issues for each quarter ensure an adequate spread of exports over the whole year, taking into account the seasonal variations in trade in the product category in question. However, Member States shall not, without the prior authorization of the Commission, issue in any two consecutive quarters licences for amounts which exceed 55 % of their allocation in the initial period or 65 % of their allocation in 1984 and 1985.

Member States may, subject to the second subparagraph hereof, issue further licences in the initial period, 1984 and 1985 respectively, in respect of the unutilized part of licences issued which have been returned to their competent authorities in the initial period, in 1984 or in 1985.

2. Licences shall be issued according to the following criteria:

- compliance with the rules prescribed by this Regulation, in particular those concerning the quota allocated by the Commission pursuant to Article 3,
- compliance with the traditional export patterns of undertakings during the period 1977 to 1981, taking account of the reduction principles established by this Regulation,
- compliance with the rates of exports to the United States as traditionally spread out over the year,
- optimum use and administration of the export possibilities afforded by this Regulation,
- compliance with the possibilities afforded by Article 4 of this Regulation,
- best use being made of any new possibilities provided for, where appropriate, by this Regulation.

Each licence shall indicate the undertaking engaged in production of steel within the Community, and

established in the issuing Member State that is holding the allocation against which the licence is issued.

3. Transfers of export licences between steel undertakings or by steel undertakings to distributive undertakings may take place provided they concern the same product category and after prior notification to the authorities of the Member State in which the undertaking transferring the licence is established. Such transfer may take place between undertakings established in different Member States.

4. Licences issued in one Member State of the Community shall be valid throughout the Community.

5. Member States shall ensure that appropriate sanctions are applied in respect of all exports effected without production of the licence required hereunder and in respect of any other breaches of the provisions relating to such licences. Member States shall keep the Commission informed of all breaches of such measures and of all sanctions imposed in respect thereof, at intervals to be specified by the Commission.

6. The Commission may lay down detailed rules for the implementation of paragraphs 1 to 4 of this Article and specify the information to be provided to the Commission concerning the licences and exports.

Article 6

1. Member States shall charge the amounts set out on the licences issued by them against their respective allocations made pursuant to Article 3 and, where relevant, Article 4, including all licences subsequently transferred to an undertaking of another Member State.

2. Member States shall keep records of the exports of the products covered by this Regulation. The products shall be deemed to be so exported as at the date of acceptance, by the customs authorities of the Member State of dispatch, of the export declaration or of the document provided for in Article 18 of Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods ⁽¹⁾.

3. The extent to which a Member State has used up its allocation shall be determined on the basis of licences issued in accordance with Article 5.

⁽¹⁾ OJ No L 83, 30. 3. 1981, p. 40.

Article 7

1. Temporary exports to the United States of products which are to be re-exported from the United States in the same form or without having been subject to substantial transformation shall be charged against the allocation of the Member State whose authorities issued the licence. Upon production to the authorities of such Member State of proof of such re-exportation from the United States, the allocation of that Member State for the period within which such proof is presented shall be increased by the same amount.

2. The Commission may lay down detailed rules for the implementation of this Article.

Article 8

Where reference is made to the procedure mentioned in this Article, Article 11 of Regulation (EEC) No 1023/70 will apply.

Article 9

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

It shall apply from 1 November 1982.

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

Done at Brussels, 21 October 1982.

For the Council

The President

U. ELLEMANN-JENSEN

ANNEX I

List of products

Description	NIMEXE code	TSUSA number
Cold-rolled carbon steel sheet	73.12-29 ⁽¹⁾ 73.13-41 73.64-50 ⁽¹⁾ 73.65-53	607.83-20 607.83-44
Cold-rolled alloy steel sheet	73.74-54 ⁽¹⁾ 73.74-59 ⁽¹⁾ 73.75-54 73.75-59	607.93-20
Carbon steel plate	73.64-75	607.66-15 ⁽²⁾ 607.94-00 608.07-10 608.11-00
Carbon coated sheet (galvanized carbon steel sheet and other carbon coated sheet)	73.12-40 ⁽¹⁾ 73.12-61 ⁽¹⁾ 73.12-63 ⁽¹⁾ 73.12-75 ⁽¹⁾ 73.12-88 ⁽¹⁾ 73.64-79 ⁽¹⁾	608.07-30 608.13-00
Alloy coated sheet and terne plate and sheet	73.12-65 ⁽¹⁾ 73.74-74 ⁽¹⁾ 73.74-89 ⁽¹⁾	608.01-00 608.14-40
Tinplate (not including blackplate)	73.12-59	607.96-00 607.97-00 607.99-00
Carbon steel structural shapes	73.11-20 73.11-31 73.11-39 73.63-10 73.63-50	609.80-05 609.80-15 609.80-35 609.80-41 609.80-45
Alloy steel structural shapes	73.73-14 ⁽³⁾ 73.73-19 ⁽³⁾ 73.73-49 73.73-54 73.73-55 ⁽³⁾ 73.73-59	609.82-00
Hot-rolled carbon steel bar	73.10-49 ⁽⁴⁾ 73.63-79 ⁽⁴⁾	606.83-10 606.83-30 606.83-50
Hot-rolled alloy bar	73.73-14 ⁽⁵⁾ 73.73-19 ⁽⁵⁾ 73.73-89 ⁽⁴⁾	606.97-00
Carbon and alloy rails	73.16-11	610.20-10 610.20-20 610.21-00

⁽¹⁾ Covered if over 12 inches in width.⁽²⁾ Excluding semi-finished products, over six inches in thickness, produced by rolling on a primary (slabbing) mill.⁽³⁾ Covered if structural shapes.⁽⁴⁾ Excluded if cold-finished.⁽⁵⁾ Covered if hot-rolled bar.

*ANNEX II***United States customs territory and United States foreign trade zones**

The United States customs territory shall comprise the States, the district of Columbia and Puerto Rico.

A United States foreign zone shall be defined as follows:

It is an isolated, enclosed and policed area, operated as a public utility, in or adjacent to a port of entry, furnished with facilities for lading, unloading, handling, storing, manipulating, manufacturing and exhibiting goods and for reshipping them by land, water or air. Any foreign and domestic merchandise, except such as is prohibited by law or such as the Board may order to be excluded as detrimental to the public interest, health or safety, may be brought into a zone without being subject to the customs laws of the United States governing the entry of goods or the payment of duty thereon; and such merchandise permitted in a zone may be stored, exhibited, manufactured, mixed or manipulated in any manner, except as provided in the act and other applicable laws or regulations. The merchandise may be exported, destroyed or sent into customs territory from the zone, in the original package or otherwise. It is subject to customs duties if sent into customs territory, but not if reshipped to foreign points.

ANNEX III

Allocation among Member States ⁽¹⁾

Description	Member State	Percentage
Cold-rolled sheet	Germany	43.29
	France	15.98
	Italy	9.60
	Netherlands	16.21
	Belgium	8.99
	Luxembourg	0.27
	United Kingdom	2.37
	Greece	3.29
	Denmark	—
	Ireland	—
Plate	Germany	22.45
	France	3.68
	Italy	10.39
	Netherlands	0.92
	Belgium	46.87
	Luxembourg	—
	United Kingdom	13.93
	Greece	—
	Denmark	1.77
	Ireland	—
Structural shapes	Germany	22.19
	France	11.09
	Italy	0.64
	Netherlands	—
	Belgium	24.78
	Luxembourg	17.79
	United Kingdom	23.51
	Greece	—
	Denmark	—
	Ireland	—
Hot-rolled bars	Germany	8.65
	France	13.88
	Italy	3.43
	Netherlands	0.30
	Belgium	} 24.91
	Luxembourg	
	United Kingdom	48.83
	Greece	—
	Denmark	—
	Ireland	—
Coated sheet	Germany	56.89
	France	23.38
	Italy	8.71
	Netherlands	4.16
	Belgium	3.89
	Luxembourg	0.43
	United Kingdom	2.54
	Greece	—
	Denmark	—
	Ireland	—

⁽¹⁾ As the provisions of Article 4 cannot come into play for the first three months of the Arrangement, and to allow for the requisite administrative flexibility, a Community aggregate for manoeuvre equivalent to 1 % for each of the categories of products shall be formed. This aggregate shall be an advance on the Community reserve.

Description	Member State	Percentage
Tin plate	Germany	54·28
	France	27·91
	Italy	—
	Netherlands	12·94
	Belgium	4·03
	Luxembourg	—
	United Kingdom	0·84
	Greece	—
	Denmark	—
	Ireland	—
Rails	Germany	58·54
	France	14·36
	Italy	—
	Netherlands	—
	Belgium	—
	Luxembourg	20·77
	United Kingdom	6·33
	Greece	—
	Denmark	—
	Ireland	—

COMMISSION DECISION No 2871/82/ECSC

of 21 October 1982

on the conclusion of an Arrangement with the United States of America relating to steel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Whereas the Community steel industry is in serious crisis; whereas, to help it to restructure under socially acceptable conditions, the Community has been obliged to adopt a series of measures involving, for certain products, a system of production quotas accompanied by certain rules as regards sales on the Community market, the tightening-up of the rules relating to non-discriminatory practices and prices and their extension to include certain dealers, and establishment of Community rules on aid;

Whereas the United States has taken a series of measures relating to the sale of Community steel products on its market; whereas the United States has had recourse to anti-dumping duties, countervailing duties and other measures with regard to the sale of Community production on the United States market; whereas those measures are likely to divert considerable quantities of steel products from their traditional American markets to other markets, including the Community market;

Whereas, in view of this situation, it would appear necessary to maintain reasonable sales of steel products on the United States market, the main export market for the Community industry; whereas, to that end, the Commission opened negotiations with the United States of America following the Council Decision of 24 July 1982 culminating, on 6 August 1982, in the text of an arrangement whereby, in particular, the petitions of the American industry would be withdrawn and the measures taken by the United States administration terminated in return for the restriction of Community exports, and in the text of an exchange of letters which the parties agreed to recommend that their respective authorities approve;

Whereas the decision to conclude such an Arrangement is necessary in order to attain, in the context of the functioning of the common market for steel, the objectives of the Treaty as set out, in particular, in the second paragraph of Article 2 of the Treaty; whereas the Treaty did not make provision for all the cases covered by this Decision; whereas this Decision does not affect the powers of the Member States in matters of commercial policy referred to in Article 71 of the Treaty;

Having consulted the Consultative Committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

1. The Arrangement between the European Coal and Steel Community and the United States of America relating to trade in certain steel products to be concluded in the form of an exchange of letters is hereby approved on behalf of the European Coal and Steel Community.

2. The texts of the Arrangement and of the exchange of letters are annexed to this Decision.

Article 2

The Commission shall designate the member of the Commission empowered to carry out the exchange of letters for the purpose of binding the European Coal and Steel Community.

Article 3

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, 21 October 1982.

For the Commission

Étienne DAVIGNON

Vice-President

The Honorable Malcolm Baldrige,
Secretary,
Department of Commerce,
Washington DC 20230,
USA

Brussels, 21 October 1982

Dear Mr Secretary,

As we have discussed, the European Coal and Steel Community and the European Economic Community (EC) are prepared to restrain certain steel exports to the United States.

It is our understanding that, in conjunction with such action by the EC, the United States Government is prepared to undertake certain other actions *vis-à-vis* trade in these products.

The elements of our programme and a description of the complementary US actions are set forth in the enclosed text (the Arrangement).

In entering into this Arrangement, the EC does not admit to having bestowed subsidies on the manufacture, production or exportation of the products that are the subject of the countervailing duty petitions to be withdrawn or that any such subsidies have caused any material injury in the USA. Neither does it admit that its enterprises have engaged in dumping practices which are the subject of the anti-dumping duty petitions to be withdrawn or that any such practices have caused any material injury in the USA.

This Arrangement is entered into without prejudice to the rights of the US Government and of the EC under GATT.

We understand that the US Government recognizes the implications of this Arrangement *vis-à-vis* trade in certain steel products, as defined in the Arrangement with the EC, for international competitiveness, national economic and security interests, and trade in capital goods, and will be fully cognizant of these implications in exercising its discretionary authority under Section 337 of the Tariff Act of 1930, Sections 201 and 301 of the Trade Act of 1974, Section 232 of the Trade Expansion Act of 1962, and Section 103 of the Revenue Act of 1971 with regard to such products and shall do so only after consultations with the EC.

The independent forecaster for the purposes of Article 5 of the Arrangement shall be Data Resources, Inc.

Consultations between the EC and the US will be held in 1985 to review the desirability of extending and possibly modifying the Arrangement.

I look forward to hearing from you at your early convenience.

Yours faithfully,

Étienne DAVIGNON
Vice President

(ENCLOSURE)

ARRANGEMENT

concerning trade in certain steel products between the European Coal and Steel Community (hereinafter referred to as 'the ECSC') and the United States (hereinafter referred to as 'the US')

1. Basis of the Arrangement

Recognizing the policy of the ECSC of restructuring its steel industry including the progressive elimination of State aids pursuant to the ECSC State Aids Code; recognizing also the process of modernization and structural change in the United States of America (hereinafter referred to as 'the USA'); recognizing the importance as concluded by the OECD of restoring the competitiveness of OECD steel industries; and recognizing, therefore, the importance of stability in trade in certain steel products between the European Economic Community (hereinafter referred to as 'the Community') and the USA.

The objective of this Arrangement is to give time to permit restructuring and therefore to create a period of trade stability.

To this effect the ECSC ⁽¹⁾ shall restrain exports to or destined for consumption in the USA of products described in Article 3 (a), originating in the Community (such exports hereinafter referred to as 'the Arrangement products'), for the period 1 November 1982 to 31 December 1985.

The ECSC shall ensure that, in regard to exports effected between 1 August and 31 October 1982, aberrations from seasonal trade patterns of Arrangement products will be accommodated in the ensuing licensing period.

2. Condition — Withdrawal of petitions; new petitions

(a) The entry into effect of this Arrangement is conditional upon:

1. the withdrawal of the petitions and termination of all investigations concerning all countervailing duty and anti-dumping duty petitions listed in Appendix A at the latest by 21 October 1982; and
2. receipt by the US at the same time of an undertaking from all such petitioners not to file any petitions seeking import relief under US law, including countervailing duty, anti-dumping

duty, Section 301 of the Trade Act of 1974 (other than Section 301 'Petitions relating to third-country sales by US exporters'), or Section 337 of the Tariff Act of 1930, on the Arrangement products during the period in which this Arrangement is in effect.

- (b) If, during the period in which this Arrangement is in effect, any such investigations ⁽²⁾ or investigations under Section 201 of the Trade Act of 1974, Section 232 of the Trade Expansion Act of 1962, or Section 301 of the Trade Act of 1974 (other than Section 301 'Petitions relating to third-country sales by US exporters') are initiated or petitions filed or litigation (including anti-trust litigation) instituted with respect to the Arrangement products, and the petitioner or litigant is one of those referred to in Article 2 (a), the ECSC shall be entitled to terminate the Arrangement with respect to some or all of the Arrangement products, after consultations with the US, at the earliest 15 days after such consultation.

If such petitions are filed or litigation commenced by petitioners or litigants other than those referred to in the previous paragraph, or investigations initiated, on any of the Arrangement products, the ECSC will be entitled to terminate the Arrangement with respect to the Arrangement product which is the subject of the petition, litigation or investigation, after consultation with the US, at the earliest 15 days after such consultation. In addition, if during these consultations it is determined that the petition, litigation or investigation threatens to impair the attainment of the objectives of the Arrangement, then the ECSC shall be entitled to terminate the Arrangement, with respect to some or all Arrangement products, at the earliest 15 days after such consultations.

These consultations will take into account the nature of the petitions or litigation, the identity of the petitioner or litigant, the amount of trade involved, the scope of relief sought and other relevant factors.

- (c) If, during the term of this Arrangement, any of the abovementioned proceedings or litigation is instituted in the USA against certain steel products as defined in Article 3 (b), imported from the

⁽¹⁾ To the extent that the Arrangement products are subject to the Treaty establishing the European Economic Community (the EEC), the term 'ECSC' should be substituted by 'EEC'.

⁽²⁾ With respect to any Section 337 investigation, the parties shall consult to determine the basis for the investigation.

Community, which are not subject to this Arrangement and which substantially threaten its objective, then the ECSC and the US, before taking any other measure, shall consult to consider appropriate remedial measures.

3. Product description

(a) The products are:

- hot-rolled sheet and strip,
- cold-rolled sheet,
- plate,
- structurals,
- wire rods,
- hot-rolled bars,
- coated sheet,
- tin plate,
- rails,
- sheet piling,

as described and classified in Appendix B by reference to corresponding Tariff Schedules of the United States Annotated (TSUSA) item numbers and EC NIMEXE classification numbers.

(b) For purposes of this Arrangement, the term 'certain steel products' refers to the products described in Appendix E.

4. Export limits

(a) For the period 1 November 1982 to 31 December 1983 (hereinafter referred to as 'the initial period'), and thereafter for each of the years 1984 and 1985, export licences shall be required for the Arrangement products. Such licences shall be issued to Community exporters for each product, in quantities no greater than the following percentages, of the projected US apparent consumption (hereinafter referred to as 'export ceilings') for the relevant period:

- hot-rolled sheet and strip: 6.81 %,
- cold-rolled sheet: 5.11 %,
- plate: 5.36 %,
- structurals: 9.91 %,
- wire rods: 4.29 %,
- hot-rolled bars: 2.38 %,
- coated sheet: 3.27 %,
- tin plate: 2.20 %,

- rails: 8.90 %,
- sheet piling: 21.85 %.

For the purposes of this Arrangement, 'US apparent consumption' shall mean shipments (deliveries) minus exports plus imports, as described in Appendix D.

(b) Where Arrangement products imported into the USA are subsequently re-exported therefrom, without having been subject to substantial transformation, the export ceiling for such products for the period corresponding to the time of such re-export shall be increased by the same amount.

(c) For the purposes of this Arrangement, the USA shall comprise both the US customs territory and US foreign trade zones. In consequence, the entry into the US customs territory of Arrangement products which have already entered into a foreign trade zone shall not then be again taken into account as imports of Arrangement products.

5. Calculation and revision of US apparent consumption forecast and of export limits

The US, in agreement with ECSC, will select an independent forecaster which will provide the estimate of US apparent consumption for the purposes of this Arrangement.

For the initial period, a first projection of the US apparent consumption, by product, will be established as early as possible and in any event before 20 October 1982. A provisional export ceiling for each product will then be calculated for that period by multiplying the US apparent consumption of each product by the percentage indicated in Article 4 for that product. These figures for projected consumption will be revised, in December 1982, February, May, August and October of 1983, by the said independent forecasters, and appropriate adjustments will be made to the export ceilings for each product taking into account licences already issued under Article 4.

The same procedure will be followed to calculate and revise the US apparent consumption and export ceilings for 1984 and for 1985, the first projection being established by the independent forecasters by 1 October of 1983 and 1984 respectively.

In February of each year, as from 1984, adjustments to that year's export ceiling for each product will be made for differences between the forecasted US apparent consumption and actual US apparent consumption of that product in the previous year or (in February 1984) in the initial period.

6. Export licences

- (a) By Decisions and Regulations to be published in the *Official Journal of the European Communities*, the ECSC will require an export licence for all Arrangement products. Such export licences will be issued in a manner that will avoid abnormal concentration in exports of Arrangement products to the USA, taking into account seasonal trade patterns. The ECSC shall take such action, including the imposition of penalties, as may be necessary to make effective the obligations resulting from the export licences. The ECSC will inform the US of any violations concerning the export licences which come to its attention and the action taken with respect thereto.

Export licences will provide that shipment must be made within a period of three months.

Export licences will be issued against the export ceiling for the initial period or a specific calendar year, as the case may be. Export licences may be used as early as 1 December of the previous year within a limit of 8 % of the ceiling for the given year. Export licences may not be used after 31 December of the year for which they are issued, except that licences not so used may be used during the first two months of the following year with a limit of 8 % of the export ceiling of the previous year or of 8 % of 86 % of the export ceiling of the initial period, as the case may be.

- (b) The ECSC will require that the Arrangement products shall be accompanied by a certificate, substantially in the form set out in Appendix C, endorsed in relation to such a licence. The US shall require presentation of such certificate as a condition for entry into the USA of the Arrangement products. The US shall prohibit entry of such products not accompanied by such a certificate.

7. Technical adjustments

- (a) The specific product export ceilings provided for in Article 4 may be adjusted by the ECSC with notice to the US. Adjustments to increase the volume of one product must be offset by an equivalent volume reduction for another product for the same period. Notwithstanding the preceding sentences, no adjustment may be made under this paragraph which results in an increase or a decrease in a specific product limitation under Article 4 by more than 5 % by volume for the relevant period.

The ECSC and the US may agree to increase the above percentage limit.

- (b) Normally, only one change in a specific product export ceiling in a given year or the initial period may be made by an adjustment under the preceding

paragraph or use of licences in December or January/February under Article 6 (a). Accordingly, changes in a given year or the initial period by use of more than one of those three provisions may be made only upon agreement between the ECSC and the US.

8. Short supply

On the occasion of each quarterly consultation provided for in Article 10, the US and the ECSC will examine the supply and demand situation in the USA for each of the products listed in Appendix B. If the US in consultation with the ECSC determines that, because of abnormal supply or demand factors, the US steel industry will be unable to meet demand in the USA for a particular product (including substantial objective evidence such as allocation, extended delivery periods or other relevant factors), an additional tonnage shall be allowed for such product or products, by a special issue of licences, limited to 10 % of the ECSC's unadjusted export ceiling for that product or products.

In extraordinary circumstances, as determined by the US in consultation with the ECSC, the US will increase the allowable level of special licences.

Each authorized special issue export licence and certificate derived therefrom shall be so marked. Each such licence must be used within 180 days after the start of the quarter when that special issue began.

9. Monitoring

The ECSC will, within one month of each quarter and for the first time by 31 January 1983, supply the US with such non-confidential information on all export licences issued for Arrangement products as is required for the proper functioning of this Arrangement.

The US will collect and transmit quarterly to the ECSC all non-confidential information relating to certificates received during the preceding quarter in respect of the Arrangement products, and relating to actions taken in respect of Arrangement products for violations of customs laws.

10. General

Quarterly consultations shall take place between the ECSC and the US on any matter arising out of the operation of the Arrangement. Consultations shall be held at any other time at the request of either the ECSC or the US to discuss any matters, including trends in the importation of certain steel products, which impair or threaten to impair the attainment of the objectives of this Arrangement.

In particular, if imports from the ECSC of certain steel products other than Arrangement products or of alloy Arrangement products show a significant increase, indicating the possibility of diversion of trade from Arrangement products to certain steel products other than Arrangement products or from carbon to alloy within the same Arrangement product, consultations will be held between the US and the ECSC with the objective of preventing such diversion, taking into account the ECSC 1981 US market-share levels.

Should these consultations demonstrate that there has indeed been a diversion of trade which is such as to impair the attainment of the objectives of the Arrangement, then within 60 days of the request for consultations both sides will take the necessary measures for the products concerned in order to prevent such a diversion. For alloy Arrangement products, such measures will include the creation of separate products for purposes of Articles 3 and 4 at the ECSC 1981 US market-share levels. For certain steel products, other than Arrangement products, such measures may include the creation of products for purposes of Articles 3 and 4.

Consultations will also be held if there are indications that imports from third countries are replacing imports from the ECSC.

11. Scope of the Arrangement

This Arrangement shall apply to the US customs territory (except as otherwise provided in Article 4 (c))

and to the territories to which the Treaty establishing the ECSC as presently constituted applies on the conditions laid down in that Treaty.

12. Notices

For all purposes hereunder, the US and the ECSC shall be represented by and all communications and notices shall be given and addressed to:

— *for the ECSC:*

The Commission of the European Communities
(Directorates General for External Relations (I) and
for Internal Market and Industrial Affairs (III)),
rue de la Loi, 200,
B-1049 Brussels
(tel. 235 11 11; telex 21877 COMEU B);

— *for the US:*

US Department of Commerce,
Deputy Assistant Secretary for Import Adminis-
tration,
International Trade Administration,
Washington DC 20230
(tel. 202/377 17 80; telex 892536 USDOC WSH
DAS/IA/ITA).

Appendix A

List of countervailing duty (CVD) and anti-dumping duty (AD) petitions ⁽¹⁾ to be withdrawn:

- CVD petitions, filed on 11 January 1982 by 1. United States Steel Corporation, 2. Bethlehem Steel Corporation, and 3. Republic Steel Corporation, Inland Steel Company, Jones and Laughlin Steel, Inc., National Steel Corporation, and Cyclops Corporation, concerning certain steel products from Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, the United Kingdom and the European Communities.
- AD petitions, filed on 11 January 1982 by 1. United States Steel Corporation, and 2. Bethlehem Steel Corporation, concerning certain steel products from Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands and the United Kingdom.
- CVD petitions, filed on 8 February 1982 by Atlantic Steel Corporation, Georgetown Steel Corporation, Georgetown Texas Steel Corporation, Keystone Consolidated, Inc., Korf Industries, Inc., Penn Dixie Steel Corporation and Raritan River Steel Company, concerning carbon steel wire rod from Belgium and France.
- CVD petitions, filed on 7 May 1982 by United States Steel Corporation, concerning carbon steel welded pipe from France, the Federal Republic of Germany and Italy.
- CVD petition, filed on 3 September 1982 by CF and I Steel Corporation, concerning steel rails from the European Communities.
- AD petitions, filed on 3 September 1982 by CF and I Steel Corporation, concerning steel rails from France, the Federal Republic of Germany and the United Kingdom.

⁽¹⁾ For purposes of this Arrangement, the term 'petitions' covers all matters included in the petitions filed on the dates listed, whether or not the DOC initiated investigations on the products or countries concerned.

Appendix B

Product coverage

Description	NIMEXE code (*)	TSUSA number
Hot-rolled carbon steel sheet and strip	73.08-03	607.6610
	05	607.6700
	07	607.8342
	21	608.1920
	25	608.2120
	29	608.2320
	41	
	45	
	49	
	73.12-19	
	73.13-21	
	23	
	26	
	32	
	34	
	36	
	73.62-10	
	73.64-20	
	73.65-23	
	25	
Hot-rolled alloy steel sheet and strip	73.72-19	607.8100
	73.74-29	608.3820 ⁽¹⁾
	73.75-34	608.5520 ⁽¹⁾
	39	608.6720 ⁽¹⁾
	44	
	49	
Cold-rolled carbon steel sheet	73.12-29 ⁽²⁾	607.8320
	73.13-41	607.8344
	43	
	45	
	47	
	49	
	50	
	73.64-50 ⁽²⁾	
	73.65-53	
	55	
Cold-rolled alloy steel sheet	73.74-54 ⁽²⁾	607.9320
	59 ⁽²⁾	
	73.75-54	
	59	
	64	
	69	

(*) Subject to further verification and amendments to be agreed upon by experts of both parties before 1 November 1982.

⁽¹⁾ Covered if hot-rolled.

⁽²⁾ Covered if over 12 inches in width.

Description	NIMEXE code	TSUSA number
Carbon steel plate	73.09-00	607.6615 ⁽¹⁾
	73.13-17	607.9400
	19	608.0710
	78	608.1100
	79	
	73.62-30	
	73.64-72	
	75	
	73.65-21	
Alloy steel plate	73.72-39	607.7800 ⁽¹⁾
	73.75-24	607.9100
	29	608.1420
Carbon coated sheet (galvanized carbon steel sheet and other carbon coated sheet)	73.12-40 ⁽²⁾	608.0730
	61 ⁽²⁾	608.1300
	63 ⁽²⁾	
	71 ⁽²⁾	
	75 ⁽²⁾	
	88 ⁽²⁾	
	73.13-67	
	68	
	72	
	88	
Alloy coated sheet and terne plate and sheet	73.64-79 ⁽²⁾	
	73.65-70	
	73.12-65 ⁽²⁾	608.0100
	73.13-74	608.1440
	73.74-72 ⁽²⁾	
	74 ⁽²⁾	
	89 ⁽²⁾	
Tinplate (not including blackplate)	73.75-79	
	73.12-51 ⁽²⁾	607.9600
	59	607.9700
	73.13-64	607.9900
Carbon steel structural shapes	65	
	73.11-12	609.8005
	14	609.8015
	16	609.8035
	19	609.8041
	20	609.8045
	31	
	39	
	73.63-10	
	29 ⁽³⁾	
Alloy steel structural shapes	50	
	73.73-14 ⁽³⁾	609.8200
	19 ⁽³⁾	
	34 ⁽³⁾	
	35 ⁽³⁾	
	36 ⁽³⁾	
	39 ⁽³⁾	
	49	
	54	
	55 ⁽³⁾	
	59	

⁽¹⁾ Excluding semi-finished products, over six inches in thickness, produced by rolling on a primary (slabbing) mill.

⁽²⁾ Covered if over 12 inches in width.

⁽³⁾ Covered if structural shapes.

Description	NIMEXE code	TSUSA number
Carbon wire rod	73.10-11	607.1400
	16 ⁽¹⁾	607.1700
	73.63-21	607.2200
	29 ⁽¹⁾	607.2300
	73.73-25 ⁽²⁾	
	35 ⁽¹⁾ ⁽²⁾	
Hot-rolled carbon steel bar	73.10.16 ⁽³⁾	606.8310
	42 ⁽⁴⁾	606.8330
	49 ⁽⁵⁾	606.8350
	73.63-29 ⁽⁶⁾	
	72 ⁽⁴⁾	
	79 ⁽³⁾	
	73.73-35 ⁽²⁾ ⁽³⁾	
Hot-rolled alloy bar	73.73-34 ⁽⁷⁾	606.9700
	35 ⁽⁸⁾	
	36 ⁽⁷⁾	
	39 ⁽⁷⁾	
	72 ⁽³⁾	
	89 ⁽⁴⁾	
Carbon and alloy rails	73.16-11	610.2010
	14	610.2020
	16	610.2100
	17	
	20	
Carbon and alloy sheet piling	73.11-50	609.9600
		609.9800

⁽¹⁾ Covered if coiled bar from 13 to 18·8 mm in diameter.

⁽²⁾ Covered if contains up to 0·35 % of lead or sulphur.

⁽³⁾ Excluding coiled bar from 13 to 18·8 mm in diameter.

⁽⁴⁾ Not covered if coated, plated or clad.

⁽⁵⁾ Excluded if cold-finished.

⁽⁶⁾ Covered if hot-rolled bar, excluding coiled bar from 13 to 18·8 mm in diameter.

⁽⁷⁾ Covered if hot-rolled bar.

⁽⁸⁾ Covered if hot-rolled bar, and 0·35 % or more of lead or sulphur.

NOTES

A. This certificate must be completed on a typewriter and in English.

B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.

C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3
☐ to the extract shown in box no 4. *)

Customs export document: _____ Signature: _____ Stamp: _____

type: _____

number: _____

date:

--	--	--	--

Customs office: _____

Member State: _____

*) The appropriate box to be indicated like this: ☒

Appendix D

Concordance between shipment, import and export categories for selected groups of steel mill products

Description	1965 to 1981 Shipments (AISI-10 category)	1979 to 1981 Exports (Schedule B number)	1981 Imports (TSUSA number)
1. Hot-rolled carbon sheet and strip	31; 36 (carbon only)	608.8610 609.0910	607.6610 607.6700 607.8342 608.1920 608.2120 608.2320
Hot-rolled alloy sheet and strip	31; 36 (alloy only)	608.8620 609.0920	607.8100 608.3820 ⁽¹⁾ 608.5520 ⁽¹⁾ 608.6720 ⁽¹⁾
2. Cold-rolled carbon sheet	32 (carbon only)	608.9120	607.8344 607.8320
Cold-rolled alloy sheet	32 (alloy only)	608.9135	607.9320
3. Carbon plate	6 (carbon only)	608.8112	607.6615 ⁽²⁾ 607.9400 608.0710 608.1100
Alloy plate	6 (alloy only)	608.8121	607.7800 ⁽²⁾ 607.9100 608.1420
4. Carbon structural shapes	4 (carbon only)	609.8110 609.8120	609.8005 609.8015 609.8035 609.8041 609.8045
Alloy structural shapes	4 (alloy only)	609.8130	609.8200
5. Carbon wire rods	3 (carbon only)	608.7400	607.1400 607.1700 607.2200 607.2300
6. Hot-rolled carbon bar	14 (carbon only)	608.4310	606.8310 606.8330 606.8350
Hot-rolled alloy bar	14 (alloy only)	608.4340	606.9700

⁽¹⁾ Hot-rolled only.⁽²⁾ Excluding semi-finished products, over six inches in thickness, produced by rolling on a primary (slabbing) mill.

Description	1965 to 1981 Shipments (AISI-10 category)	1979 to 1981 Exports (Schedule B number)	1981 Imports (TSUSA number)
7. Carbon and alloy coated sheet and terne plate and sheet	33A; 33B; 34	609.1605 609.1620 609.1625 609.1615	608.0100 608.0730 608.1300 608.1440
8. Tin plate	29	609.1613 609.1610	607.9600 607.9700 607.9900
9. Carbon and alloy rails	7; 8	610.2205 610.2215	610.2010 610.2020 610.2100
10. Carbon and alloy sheet piling	5	609.9700	609.9600 609.9800

*Appendix E***'Certain steel products' definition**

'Certain steel products' means all products included in the 1982 AISI import categories 1 to 36, excluding categories 14 to 19 (inclusive), and also excluding the following TSUSA item numbers:

606.6920	606.9010	607.8820
607.2600	606.9510	607.9020
607.2800	606.9110	607.9315
607.3200	606.9400	608.2600
607.3405	606.9525	608.2900
607.3420	606.9540	608.3100
607.4300	609.4510	608.3405
607.4600	609.4520	608.3420
607.4800	609.4540	608.3810
607.5405	609.4550	608.4300
607.5420	609.3020	608.4700
607.7605	609.3320	608.4905
607.9005	607.7205	608.4920
606.9005	607.6900	608.5510
606.9505	607.7220	608.5700
606.9105	607.7610	608.5900
606.9300	607.9010	608.6405
606.9520	607.8805	608.6420
606.9535	607.8600	608.6710.

Vicomte Étienne Davignon,
Vice-President of the Commission of
the European Communities,
rue de la Loi, 200,
B-1049 Brussels

Washington, 21 October 1982

Dear Mr Vice President,

I have received your letter of 21 October 1982 worded as follows:

'As we have discussed, the European Coal and Steel Community and the European Economic Community (EC) are prepared to restrain certain steel exports to the United States.

It is our understanding that, in conjunction with such action by the EC, the United States Government is prepared to undertake certain other actions *vis-à-vis* trade in these products.

The elements of our programme and a description of the complementary US actions are set forth in the enclosed text (the Arrangement).

In entering into this Arrangement, the EC does not admit to having bestowed subsidies on the manufacture, production or exportation of the products that are the subject of the countervailing duty petitions to be withdrawn or that any such subsidies have caused any material injury in the USA. Neither does it admit that its enterprises have engaged in dumping practices which are the subject of the anti-dumping duty petitions to be withdrawn or that any such practices have caused any material injury in the USA.

This Arrangement is entered into without prejudice to the rights of the US Government and of the EC under GATT.

We understand that the US Government recognizes the implications of this Arrangement *vis-à-vis* trade in certain steel products, as defined in the Arrangement with the EC, for international competitiveness, national economic and security interests, and trade in capital goods, and will be fully cognizant of these implications in exercising its discretionary authority under Section 337 of the Tariff Act of 1930, Sections 201 and 301 of the Trade Act of 1974, Section 232 of the Trade Expansion Act of 1962, and Section 103 of the Revenue Act of 1971 with regard to such products and shall do so only after consultations with the EC.

The independent forecaster for the purposes of Article 5 of the Arrangement shall be Data Resources, Inc.

Consultations between the EC and the US will be held in 1985 to review the desirability of extending and possibly modifying the Arrangement.

I look forward to hearing from you at your early convenience.'

I have the honour to confirm the agreement of the US Government with the contents of your letter.

Very truly yours,

Malcolm BALDRIDGE
Secretary of Commerce

COMMISSION DECISION No 2872/82/ECSC

of 28 October 1982

on the restriction of exports of certain steel products to the United States of America

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 the Community has concluded an Arrangement⁽¹⁾ (hereinafter referred to as 'the Arrangement') with the United States of America under which, on the one hand, certain anti-dumping, countervailing duty and other procedures are to be terminated and, on the other, the amount of exports, to the United States, of certain steel products originating in the Community are to be limited to certain levels over an agreed period; whereas, moreover, it is necessary, pursuant to this Arrangement, to introduce in the Community measures to restrict the amount of these steel products exported to the United States;

Whereas this Decision does not affect the powers of the Member States in matters of commercial policy referred to in Article 71 of the Treaty;

Whereas, in accordance with the Arrangement, the export restrictions cover steel products originating in the Community; whereas the origin of these products is determined in accordance with applicable Community legislation, that is to say Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽²⁾, as last amended by Regulation (EEC) No 1318/71⁽³⁾;

Whereas, for practical and management reasons, the quantitative export limits agreed by the Community must be allocated among the Member States; whereas, in order to do so, an allocation method must be established; whereas, thereafter, the Member States must share out the amounts allocated to them among undertakings in accordance with objective criteria;

Whereas utilization of the Community limits, based on allocations among Member States made in this way, would seem to be in keeping with the Community nature of these limits, considering that in addition a Community reserve is to be established;

Whereas a Community reserve will allow certain effects of the allocation method to be corrected and ensure a maximum use of export possibilities;

Whereas the allocation among the Member States of the total export possibilities which the Arrangement affords should be based upon traditional trade patterns, having regard to the possible repercussions of American measures upon the import of steel products from the various Member States;

Whereas, as provided for in the Arrangement, measures must be taken to avoid abnormal concentrations at certain times in exports to the United States;

Whereas the Community steel policy aims, in particular, at allowing the Community steel industry to adapt to the conditions of international competition; whereas bearing in mind, on the one hand, the links between the industry's restructuring efforts and the needs to which the Arrangement responds, and, on the other, that the Arrangement is limited to products originating in the Community, it is necessary to provide that export licences issued to undertakings shall indicate the undertaking engaged in production of steel within the Community, and established in the issuing Member State that is holding the allocation against which the licence is issued;

Whereas, in order to take account of the interests of distributive undertakings, it must be possible for these licences to be transferred not only between steel undertakings but also by steel undertakings to distributive undertakings, in particular where the steel undertakings decide to sell their products to such distributive undertakings;

Whereas it appears necessary, and for the moment sufficient, that Member States ensure compliance with the different provisions of the regime laid down by applying the various penalties provided for in their laws;

Whereas, in order to facilitate the application of the envisaged provisions, it is appropriate to set up a

⁽¹⁾ See page 13 of this Official Journal.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 139, 25. 6. 1971, p. 6.

procedure establishing close cooperation between Member States and the Commission in the framework of a Committee; whereas, to that end, it is necessary to establish an Arrangement Committee;

Having consulted the Consultative Committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

1. Community export limits are hereby established for the period 1 November 1982 to 31 December 1983 (hereinafter referred to as 'the initial period') and for the years 1984 and 1985 for exports effected after 1 November 1982 from the Community to the United States of America (hereinafter referred to as 'the United States') of the steel products originating in the Community which are listed and described in Annex I.

For the purposes of this Decision, the United States shall comprise United States customs territory and United States foreign trade zones as described in Annex II.

2. The origin of the products covered by this Decision shall be determined in accordance with the rules in force in the Community.

Article 2

1. Community export limits per product category shall be calculated by the Commission for the initial period and for the years 1984 and 1985 by application to the United States apparent consumption within the meaning of Article 5 of the Arrangement of the following percentages:

<i>Product category</i>	<i>Percentage</i>
1. Hot-rolled sheet and strip	6.81 %
2. Cold-rolled sheet	5.11 %
3. Plate	5.36 %
4. Structural	9.91 %
5. Wire rod	4.29 %
6. Hot-rolled bars	2.38 %
7. Coated sheet	3.27 %
8. Tin plate	2.20 %
9. Rails	8.90 %
10. Sheet piling	21.85 %

2. The Community export limits calculated pursuant to paragraph 1 shall be adjusted by the Commission to take account of revisions of the said United States apparent consumption.

3. These limits may also be adjusted by the Commission, after consultation of the Arrangement Committee:

- for advance use or carry-over of licences,
- to enable transfers between product categories,
- for additional quotas in case of short-supply,
- to take account of possible aberrations, during August, September and October 1982, from seasonal trade patterns,

under the conditions provided for in the Arrangement.

Article 3

1. The Community quantitative export limits established and calculated pursuant to Article 2 shall be allocated for the initial period and for 1984 and for 1985 by the Commission in accordance with Annex III.

2. The Commission shall hold periodic consultations with the Arrangement Committee on the situation regarding licences issued and on the measures to be taken to ensure optimum use of the overall limit.

Article 4

Member States shall transfer to a Community reserve, within the first eight days of the third month of each quarter, the fraction of the allocation for which they did not issue licences. The Commission shall allot this Community reserve, after consultations of the Arrangement Committee, to one or more Member States to the extent that the optimum use of the quantitative export limits or possible administration problems for the system call for the allocation to be adjusted.

The Commission may establish the technical conditions upon which licences are to be issued by the Member States in respect of such additional allocation or allocations.

Article 5

1. The Community exports described in Article 1 shall, from 1 November 1982 to 31 December 1985, be subject to the production to the competent customs office in the Community of an export licence to be issued by the relevant authorities of each Member State

within the limits of the amounts allocated to it pursuant to Article 3 and, where relevant, Article 4, and of an export certificate.

Member States shall fix the tonnage for which they anticipate that licence will be issued in each quarter for each product category; they shall inform the Commission thereof in the first 15 days of the relevant quarter. In doing so, they shall make sure that the export licence issues for each quarter ensure an adequate spread of exports over the whole year, taking into account the seasonal variations in trade of the product category in question. However, Member States shall not, without the prior authorization of the Commission, issue in any two consecutive quarters licences for amounts which exceed 55 % of their allocation in the initial period or 65 % of their allocation in 1984 and 1985.

Member States may, subject to the second subparagraph hereof, issue further licences in the initial period, 1984 and 1985 respectively, in respect of the unutilized part of licences issued which have been returned to their competent authorities in the initial period, in 1984 or in 1985.

2. Licences shall be issued according to the following criteria:

- compliance with the rules prescribed by this Decision, in particular those concerning the quota allocated by the Commission pursuant to Article 3,
- compliance with the traditional export patterns of undertakings during the period 1977 to 1981, taking account of the reduction principles established by this Decision,
- compliance with the rates of exports to the United States as traditionally spread out over the year,
- optimum use and administration of the export possibilities afforded by this Decision,
- compliance with the possibilities afforded by Article 4 of this Decision,
- optimum use being made of any new possibilities provided for, where appropriate, by this Decision.

Each licence shall indicate the undertaking engaged in production of steel within the Community and established in the issuing Member State that is holding the allocation against which the licence is issued.

3. Transfers of export licences between steel undertakings or by steel undertakings to distributive undertakings may take place provided they concern the

same product category and after prior notification to the authorities of the Member State in which the undertaking transferring the licence is established. Such transfer may take place between undertakings established in different Member States.

4. Licences issued in one Member State of the Community shall be valid throughout the Community.

5. Member States shall ensure that appropriate sanctions are applied in respect of all exports effected without production of the licence required hereunder and in respect of any other breaches of the provisions relating to such licences. Member States shall keep the Commission informed of all breaches of such measures, and of all sanctions imposed in respect thereof, at intervals to be specified by the Commission.

6. The Commission may lay down detailed rules for the implementation of paragraphs 1 to 4 of this Article and specify the information to be provided to the Commission concerning the licences and exports.

Article 6

1. Member States shall charge the amounts set out on the licences issued by them against their respective allocations made pursuant to Article 3 and, where relevant, Article 4, including all licences subsequently transferred to an undertaking of another Member State.

2. Member States shall keep records of the exports of the products covered by this Decision. The products shall be deemed to be so exported, as at the date of acceptance, by the customs authorities of the Member State of export, of the export declaration or of the document provided for in Article 18 of Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods ⁽¹⁾.

3. The extent to which a Member State has used up its allocation shall be determined on the basis of licences issued in accordance with Article 5.

Article 7

1. Temporary exports to the United States of products which are to be re-exported from the United States in the same form or without having been subject to substantial transformation shall be charged against the allocation on the Member State whose authorities issued the licence. Upon production to the authorities of such Member State of proof of such re-exportation from

⁽¹⁾ OJ No L 83, 30. 3. 1981, p. 40.

the United States, the allocation of that Member State for the period when such proof is presented shall be increased by the same amount.

2. The Commission may lay down detailed rules for the implementation of this Article.

Article 8

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

It shall apply from 1 November 1982.

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

Done at Brussels, 28 October 1982.

For the Commission

Wilhelm HAERKAMP

Vice-President

ANNEX I

List of products

Description	NIMEXE code	TSUSA number
Hot-rolled carbon steel sheet and strip	73.08-03	607.66-10
	73.08-05	607.67-00
	73.08-07	607.83-42
	73.08-21	608.19-20
	73.08-25	608.21-20
	73.08-29	608.23-20
	73.08-41	
	73.08-45	
	73.08-49	
	73.12-19	
	73.13-21	
	73.13-23	
	73.13-26	
	73.13-32	
	73.13-34	
	73.13-36	
	73.62-10	
	73.64-20	
	73.65-23	
	73.65-25	
Hot-rolled alloy steel sheet and strip	73.72-19	607.81-00
	73.74-29	608.38-20 ⁽¹⁾
	73.75-34	608.55-20 ⁽¹⁾
	73.75-39	608.67-20 ⁽¹⁾
	73.75-44	
	73.75-49	
Cold-rolled alloy steel sheet	73.13-43	607.83-20
	73.13-45	607.83-44
	73.13-47	
	73.13-49	
	73.13-50	
	73.65-55	
Cold-rolled alloy steel sheet	73.75-64	607.93-20
	73.75-69	
Carbon steel plate	73.09-00	607.66-15 ⁽²⁾
	73.13-17	607.94-00
	73.13-19	608.07-10
	73.13-78	608.11-00
	73.13-79	
	73.62-30	
	73.64-72	
	73.65-21	
Alloy steel plate	73.72-39	607.78-00 ⁽²⁾
	73.75-24	607.91-00
	73.75-29	608.14-20

⁽¹⁾ Covered if hot-rolled.⁽²⁾ Excluding semi-finished products, of a thickness of more than six inches, obtained by slabbing.

Description	NIMEXE code	TSUSA number
Coated sheet (galvanized and other) of carbon steel	73.12-71 ⁽¹⁾	608.07-30
	73.13-67	608.13-00
	73.13-68	
	73.13-72	
	73.13-88	
	73.65-70	
Alloy steel coated sheet, and terne plate	73.13-74	608.01-00
	73.74-72 ⁽¹⁾	608.14-40
	73.75-79	
Tin plate (not including blackplate)	73.12-51 ⁽¹⁾	607.96-00
	73.13-64	607.97-00
	73.13-65	607.99-00
Carbon steel structural shapes	73.11-12	609.80-05
	73.11-14	609.80-15
	73.11-16	609.80-35
	73.11-19	609.80-41
	73.63-29 ⁽²⁾	609.80-45
Alloy steel structural shapes	73.73-34 ⁽²⁾	609.82-00
	73.73-35 ⁽²⁾	
	73.73-36 ⁽²⁾	
	73.73-39 ⁽²⁾	
Wire rod	73.10-11	607.14-00
	73.10-16 ⁽³⁾	607.17-00
	73.63-21	607.22-00
	73.63-29 ⁽³⁾	607.23-00
	73.73-25 ⁽⁴⁾	
	73.73-35 ⁽³⁾ ⁽⁴⁾	
Hot-rolled carbon steel bars	73.10-16 ⁽⁵⁾	606.83-10
	73.10-42 ⁽⁶⁾	606.83-30
	73.63-29 ⁽⁷⁾	606.83-50
	73.63-72 ⁽⁶⁾	
	73.73-35 ⁽⁴⁾ ⁽⁵⁾	
Hot-rolled alloy steel bars	73.73-34 ⁽⁸⁾	606.97-00
	73.73-35 ⁽⁹⁾	
	73.73-36 ⁽⁸⁾	
	73.73-39 ⁽⁸⁾	
	73.73-72 ⁽⁶⁾	
Carbon steel and alloy steel	73.16-14	610.20-10
	73.16-16	610.20-20
	73.16-17	610.21-00
	73.16-20	
Carbon steel and alloy steel sheet piling	73.11-50	609.96-00
		609.98-00

⁽¹⁾ Covered if width greater than 12 inches.

⁽²⁾ Covered if structural shapes.

⁽³⁾ Covered only if coiled bar of a diameter of 13 to 18.8 mm.

⁽⁴⁾ Covered only if containing 0.35 % or less of lead or sulphur.

⁽⁵⁾ Excluding coiled bars of a diameter of 13 to 18.8 mm.

⁽⁶⁾ Not covered if coated, plated or clad.

⁽⁷⁾ Covered if hot-rolled, excluding coiled bars of a diameter of 13 to 18.8 m.

⁽⁸⁾ Covered if hot-rolled bar.

⁽⁹⁾ Covered if hot-rolled bar and 0.35 % or more of lead or sulphur.

*ANNEX II***United States customs territory and United States foreign trade zones**

The United States customs territory shall comprise the States, the district of Columbia, and Puerto Rico.

A US foreign trade zone shall be defined as follows:

It is an isolated, enclosed and policed area, operated as a public utility, in or adjacent to a port of entry, furnished with facilities for loading, unloading, handling, storing, manipulating, manufacturing and exhibiting goods and for reshipping them by land, water or air. Any foreign and domestic merchandise, except such as is prohibited by law or such as the Board may order to be excluded as detrimental to the public interest, health or safety, may be brought into a zone without being subject to the customs laws of the United States governing the entry of goods or the payment of duty thereon; and such merchandise permitted in a zone may be stored, exhibited, manufactured, mixed or manipulated in any manner, except as provided in the act and other applicable laws or regulations. The merchandise may be exported, destroyed or sent into customs territory from the zone, in the original package or otherwise. It is subject to customs duties if sent into customs territory, but not if reshipped to foreign points.

ANNEX III

Allocation among Member States

Description	Member State	Percentage
Hot-rolled sheet and strip	Germany	33.06
	France	32.98
	Italy	8.81
	Netherlands	19.96
	Belgium	3.75
	Luxembourg	0.56
	United Kingdom	0.88
	Greece	—
	Denmark	—
	Ireland	—
Cold-rolled sheet	Germany	43.29
	France	15.98
	Italy	9.60
	Netherlands	16.21
	Belgium	8.99
	Luxembourg	0.27
	United Kingdom	2.37
	Greece	3.29
	Denmark	—
	Ireland	—
Plate	Germany	22.45
	France	3.68
	Italy	10.39
	Netherlands	0.92
	Belgium	46.87
	Luxembourg	—
	United Kingdom	13.93
	Greece	—
	Denmark	1.77
	Ireland	—
Structurals	Germany	22.19
	France	11.09
	Italy	0.64
	Netherlands	—
	Belgium	24.78
	Luxembourg	17.79
	United Kingdom	23.51
	Greece	—
	Denmark	—
	Ireland	—
Wire rod	Germany	15.63
	France	47.85
	Italy	0.01
	Netherlands	1.29
	Belgium	8.44
	Luxembourg	0.03
	United Kingdom	26.75
	Greece	—
	Denmark	—
	Ireland	—

Description	Member State	Percentage
Hot-rolled bars	Germany	8.65
	France	13.88
	Italy	3.43
	Netherlands	0.30
	Belgium	24.91
	Luxembourg	
	United Kingdom	48.83
	Greece	—
	Denmark	—
	Ireland	—
Coated sheet	Germany	56.89
	France	23.38
	Italy	8.71
	Netherlands	4.16
	Belgium	3.89
	Luxembourg	0.43
	United Kingdom	2.54
	Greece	—
	Denmark	—
	Ireland	—
Tin plate	Germany	54.28
	France	27.91
	Italy	—
	Netherlands	12.94
	Belgium	4.03
	Luxembourg	—
	United Kingdom	0.84
	Greece	—
	Denmark	—
	Ireland	—
Rails	Germany	58.54
	France	14.36
	Italy	—
	Netherlands	—
	Belgium	—
	Luxembourg	20.77
	United Kingdom	6.33
	Greece	—
	Denmark	—
	Ireland	—
Sheet piling	Germany	27.6
	France	25.1
	Italy	—
	Netherlands	—
	Belgium	—
	Luxembourg	30.7
	United Kingdom	16.6
	Greece	—
	Denmark	—
	Ireland	—

COMMISSION DECISION No 2873/82/ECSC

of 28 October 1982

on the monitoring by the Community of exports of certain steel products to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision No 2872/82/ECSC of 28 October 1982 on the restriction of exports of certain steel products to the United States of America ⁽¹⁾, and in particular Article 5 (6) thereof,

Whereas:

1. the putting into force of the Arrangement over a period of time, particularly as regards the distribution of exports, makes it necessary to provide for fixed periods during which licences may be issued;
2. to allow for optimum utilization of all the export possibilities provided for in the Arrangement, the licensing system should be drawn up so as to monitor the development of exports as closely as possible;
3. it is necessary to authorize the competent authorities of Member States to take the appropriate measures in cases of loss, theft or destruction of a licence or certificate,

HAS ADOPTED THIS DECISION:

Article 1

1. For each of the categories of products originating in the Community, such categories being defined in Annex I, export licences as provided for in Article 5 of Decision No 2872/82/ECSC shall be issued free of charge by the competent authorities in the Member States (hereinafter referred to as 'the issuing authorities'), subject to the conditions provided for by the said Article 5. Licences shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions laid down in Annex IV.

For each export of the products under the abovementioned categories, the exporter must make out a certificate on a form conforming to the specimen set out in Annex III and respecting the provisions laid down in Annex IV.

2. A licence shall be issued within 15 working days of the day of the receipt of the exporter's application.

A licence may be issued only until the end of the second month of each calendar quarter. The licence shall be valid for three months from the date of issue. However, export licences shall only be valid for exports to be carried out during the initial period as defined in Article 1 of Decision No 2872/82/ECSC, or during 1984 or 1985 to which it refers.

Nevertheless, where the Commission decides to apply Article 2 (3) of Decision No 2872/82/ECSC:

- in cases of anticipated use of licences, exports may be carried out during December 1983 and December 1984; the endorsement 'Anticipated issue' shall be stamped on the certificates corresponding to these licences,
- in the case of carry-over of licences, the period of validity of licences expiring on 31 December 1983 and 31 December 1984 may be prolonged by two months by the authority which issued them,
- where supplementary allocations are made in cases of shortages, licences valid for a period of six months may be issued; the endorsement 'Special issue' shall be stamped on the certificates corresponding to these licences.

Article 2

At the request of the titular holder of the export licence, and upon production of the licence, the competent authorities of Member States may issue one or several extracts from the export licence. These extracts shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions of Annex IV.

⁽¹⁾ See page 27 of this Official Journal.

Extracts may not be used as the basis for issuing further extracts.

At the time the extracts are issued, the quantities of products covered by the said extracts shall be deducted from the quantities indicated on the licence from which it has been issued.

Extracts shall have the same legal effects as the export licences from which they have been issued and to which they refer.

Article 3

1. Export licences may be transferred in whole or in part by their titular holder (hereinafter referred to as 'the transferer') to other steel undertakings or distribution undertakings (hereinafter referred to as 'the transferees') subject to the conditions laid down in Article 5 (3) of Decision No 2872/82/ECSC.

2. The authority which issued the licence must be informed of such transfer by both the transferer and transferee. That authority shall, without delay, certify the transfer on the export licence or on the extract and inform the Commission. Transfer shall take effect from the date of this certification.

3. In cases where only a part of an export licence is transferred, an extract from the export licence should be issued in respect of this part.

4. Where a licence has been transferred to a transferee in a Member State other than that which issued the licence, the authority which certified the transfer shall, without delay, inform the competent authority of the Member State in which the transferee is situated.

5. Each licence may be transferred only once.

Article 4

Licences, extracts from licences and certificates issued by the authorities of a Member State, as well as declarations and certifications accompanied by the stamp of these authorities, shall have the same legal value in each of the other Member States as such documents issued by the authorities of these Member States as well as declarations and certifications accompanied by the stamp of these authorities.

Article 5

1. Fully used licences shall be returned at the latest on the eighth working day of their fully used period to the

competent authority in the Member State which issued them.

2. Unused or partially used licences shall be returned at the latest on the eighth working day of expiry of their period of validity to the authority in the Member State which issued them.

Article 6

The original of the export licence and certificate must be presented in support of the export declaration to the customs office in the Community in which formalities regarding exports of steel products to the United States of America are completed.

This office shall:

- (a) attribute the quantity to be exported from the original of the licence;
- (b) endorse the original and copies of the certificate, return the original to the titular holder of the licence or to his representative so that it may be presented to the customs authorities of the United States of America on importation, keep their own copy and forward the copies destined for the issuing authority of the export licence and the Commission.

Member States may provide for the forwarding of copies to the Commission to take place through a central organization appointed for this purpose.

The copies of the certificates should be forwarded to the Commission within three working days following the week in which the abovementioned customs office endorsed them.

Article 7

1. The licence application must include the following information:

- a description of the products, specifying the category and the NIMEXE code, in accordance with Annex I,
- the quantity of products (in tonnes),
- the exporter's name or trade-name, address and telephone and telex numbers,
- the consignee's name or trade-name and address,
- scheduled date(s) of export,

— where appropriate, an indication that the products are intended for temporary importation into the United States of America and re-export in the same state or without having been subject to substantial transformation.

2. The exporter must declare that the goods are of Community origin and that the information on his licence application is accurate.

Article 8

In the case of loss, theft or destruction of the original of an export licence or certificate, the competent authorities which issued or endorsed the said documents may issue or endorse a duplicate.

Licences so issued and certificates so endorsed should bear the endorsement 'Duplicata' in red.

Article 9

1. Within the first 10 days of each month the Member States shall notify the Commission of:

- (a) the tonnages in respect of which licences were issued during the preceding month;
- (b) the tonnages exported in the month preceding that referred to in paragraph (a) above.

2. The notifications from the Member States shall include:

- (a) a breakdown of the products by category in accordance with Annex I, and in respect of the information referred to in paragraph 1 (b), moreover by NIMEXE code;
- (b) a breakdown by licence-holder;
- (c) an indication (in tonnes) for each product destined to be temporarily imported into the United States of America for re-export in the same state or without having been subject to substantial transformation there.

3. Within the first 15 days of each month the Member States shall inform the Commission of the tonnages in respect of which licences expired in the preceding month.

4. The Member States shall forward to the Commission, without delay, a copy of each licence and extract once it has been issued.

5. At the same time as they submit the monthly notifications provided for in paragraph 1, the Member States shall send to the Commission all relevant information concerning infringements of Decision No 2872/82/ECSC and of this Decision and any penalties thereby imposed.

Article 10

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

It shall apply from 1 November 1982.

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

Done at Brussels, 28 October 1982.

For the Commission
Wilhelm HAFERKAMP
Vice-President

ANNEX I

CCT heading No	NIMEXE code	Description	TSUSA No	Description
CATEGORY 1: HOT-ROLLED SHEET AND STRIP (CARBON STEEL)				
		<i>Iron or steel coils for re-rolling</i>		Plates, sheets and strip of iron and steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
		Less than 1.50 m in width intended for re-rolling:		Not coated or plated with metal and not clad:
		Other than for 'electrical' sheets and plates, of a thickness of:		Other than black plate:
73.08 A II a)	73.08-03	— More than 4.75 mm	607.66-10	Not pickled:
b)	73.08-05	— Not less than 3 mm but not more than 4.75 mm	607.67-00	— Plates in coils
c)	73.08-07	— Less than 3 mm	607.83-42	— Sheets
		Less than 1.50 m in width, not intended for re-rolling, of a thickness of:		Sheets pickled
B I a)	73.08-21	— More than 4.75 mm	608.19-20	Hot rolled strip:
b)	73.08-25	— Not less than 3 mm but not more than 4.75 mm	608.21-20	— Not over 0.01 inch in thickness
c)	73.08-29	— Less than 3 mm	608.23-20	— Over 0.01 but not over 0.05 inch in thickness
		1.50 m or more in width, of a thickness of:		— Over 0.05 inch in thickness
B II a)	73.08-41	— More than 4.75 mm		
b)	73.08-45	— Not less than 3 mm but not more than 4.75 mm		
c)	73.08-49	— Less than 3 mm		
		<i>Hoop and strip</i>		
73.12 A II	73.12-19	Not further worked than hot-rolled, other than 'electrical'		
		Sheets and plates of iron or steel, hot-rolled or cold-rolled:		
		Non-electrical sheets and plates, not further worked than hot-rolled, of a thickness of 2 mm or more:		
		Not less than 3 mm but not more than 4.75 mm:		
73.13 B I a) 2 aa)	73.13-21	— With raised or indented patterns		
a) 2 bb)	73.13-23	— Other		
a) 3	73.13-26	— Not less than 2 mm but not more than 4.75 mm		
		Less than 2 mm:		
73.13 B I b) 1	73.13-32	— More than 1 mm but less than 2 mm		
b) 2	73.13-34	— Not less than 0.5 mm but not more than 1 mm		
b) 3	73.13-36	— Less than 0.5 mm		
		<i>High carbon steel</i>		
73.15 A III	73.62-10	— Coils for re-rolling		
73.15 A VI a)	73.64-20	— Hoop and strip, not further worked than hot-rolled		
		Sheets and plates, of a thickness of:		
73.15 A VII a) 2	73.65-23	— Not less than 3 mm but not more than 4.75 mm		
73.15 A VII a) 3	73.65-25	— Less than 3 mm		

CCT heading No	NIMEXE code	Description	TSUSA No	Description
73.15 B III c)	73.72-19	<i>Alloy steel</i> Coils for re-rolling: Other than for 'electrical' sheets and plates or than 'stainless or heat-resisting'	607.81-00	Sheets and strip of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17), other than of tool steel or of stainless steel:
73.15 B VI a) 3	73.74-29	Hoop and strip: Not further worked than hot-rolled: Other than for 'electrical' sheets and plates or than 'stainless or heat-resisting'	608.38-20 ⁽¹⁾ 608.55-20 ⁽¹⁾	Sheets, not coated or plated with metal and not clad, other than black plate, not pickled: Strip: — Not over 0.01 inch in thickness — Over 0.01 but not over 0.05 inch in thickness
73.15 B VII b) 1 bb) 22 73.15 B VII b) 1 bb) 33	73.75-34 73.75-39	Sheets and plates: Other than 'electrical': Not further worked than hot-rolled: Of a thickness of not less than 3 mm but not more than 4.75 mm: — High-speed steel — Other than high-speed steel or than stainless or heat-resisting	608.67-20 ⁽¹⁾	— Over 0.05 inch in thickness
73.15 B VII b) 1 cc) 22 73.15 B VII b) 1 cc) 33	73.75-44 73.75-49	Of a thickness of less than 3 mm: — High-speed steel — Other than high-speed steel or than stainless or heat-resisting		

CATEGORY 2: COLD-ROLLED SHEET (CARBON STEEL)

73.13 B II b) 1 b) 2 c) 1 c) 2	73.13-43 73.13-45 73.13-47 73.13-49	<i>Sheets and plates, of iron or steel, cold-rolled</i> Non-electrical sheets and plates: Not further worked than cold-rolled, of a thickness of: — Not less than 2 mm but less than 3 mm — More than 1 mm but less than 2 mm — Not less than 0.5 mm but not more than 1.0 mm — Less than 0.5 mm	607.83-20 607.83-44	Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): Not coated or plated with metal and not clad, other than black plate Plates, pickled or cold-rolled Sheets, other than pickled
73.13 B III	73.13-50	— Not further worked than burnished, polished or glazed Not further worked than cold-rolled, of a thickness of:		
73.15 A VII b) 2	73.65-55	— Less than 3 mm (high carbon steel)		
73.15 B VII b) 2 22 73.15 B VII b) 2 33	73.75-64 73.75-69	<i>Alloy steel</i> Sheets and plates, other than 'electrical', not further worked than cold-rolled, of a thickness of less than 3 mm: — High-speed steel — Other than high-speed steel or than stainless or heat-resisting	607.93-20	Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): Not coated or plated with metal and not clad: Other than black plate: Pickled or cold-rolled: Other than of tool steel and of stainless steel: Sheets, other than silicon electrical steel or than heat-resisting steel

⁽¹⁾ Covered if hot-rolled

CCT heading No	NIMEXE code	Description	TSUSA No	Description
CATEGORY 3: HOT-ROLLED PLATE (CARBON STEEL)				
73.09	73.09-00	<i>Universal plates of iron or steel, non-electrical</i> Sheets and plates of iron or steel, hot-rolled: Not further worked than hot-rolled, of a thickness of more than 4.75 mm:		Plates of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): Not coated or plated with metal and not clad:
73.13 B I a) 1 aa)	73.13-17	— With raised or indented patterns	607.66-15 ⁽¹⁾	Other than black plate: Not pickled:
a) 1 bb)	73.13-19	— Other	607.94-00	Plates, other than in coils Clad:
73.13 B IV d) 2 aa)	73.13-78	Clad, of a thickness of: — 3 mm or more		Coated or plated with metal:
	73.13-79	— Less than 3 mm		Other than tin plate, tin coated sheets, terne plate and terne coated sheets:
73.15 A IV	73.62-30	<i>High carbon steel</i>	608.07-10	— Plates, valued not over 10 cents per pound
73.15 A VI c) 1 aa)	73.64-72	Universal plates Hoop and strip: Not further worked than clad, hot-rolled	608.11-00	— Plates, valued over 10 cents per pound
73.15 A VII a) 1	73.65-21	Sheets and plates: Not further worked than hot-rolled, of a thickness of more than 4.75 mm		
		<i>Alloy steel</i> Universal plates: Other than stainless or heat-resisting	607.78-00 ⁽¹⁾	Plates of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): — Not coated or plated with metal and not clad, Other than black plate, Not pickled, Other than of tool steel and of stainless steel
73.15 B IV b)	73.72-39	Sheets and plates: Other than 'electrical': Not further worked than hot-rolled:		— Not coated or plated with metal and not clad, Other than black plate, Pickled, Other than of tool steel or of stainless steel
73.15 B VII b) 1 aa) 22	73.75-24	Of a thickness of more than 4.75 mm:	607.91-00	Coated or plated with metal, other than tin plate, tin coated sheets, terne plate and terne coated sheets
73.15 B VII b) 1 aa) 33	73.75-29	— High-speed-steel — Other than high-speed steel or than stainless or heat-resisting	608.14-20	

CATEGORY 4: STRUCTURAL SHAPES (CARBON STEEL)

73.11 A I a) 2 aa)	73.11-12	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished: Angles, shapes and sections, not further worked than hot-rolled or extruded: U, I or H sections, of a height of 80 mm or more:		Angles, shapes and sections, all the foregoing of iron or steel, hot-rolled, forged, extruded, or drawn, or cold-formed or cold-finished, whether or not drilled, punched or otherwise advanced: Hot-rolled or cold-formed and weighing over 0.29 pound per linear foot: Not drilled, not punched and not otherwise advanced: Having a maximum cross-sectional dimension of three inches or more: Wide-flange shapes or sections
a) 2 bb) 11	73.11-14	H sections (broad-flanged beams), U or I sections:	609.80-05	H-piles
a) 2 bb) 22	73.11-16	— With parallel flange faces	609.80-15	Other
b)	73.11-19	— Other — Other angles, shapes and sections	609.80-35	Other than wide-flange shapes or sections
			609.80-41	Angles
			609.80-45	Channels
				Other

⁽¹⁾ Excluding semi-finished products, over six inches in thickness, produced by rolling on a primary (slabbing) mill.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
73.15 A V b) 2	73.63-29 ⁽¹⁾	<i>High carbon steel</i> Bars and rods and hollow mining drill steel; angles, shapes and sections: Not further worked than hot-rolled or extruded: — Other than wire rod	609.82-00	Angles, shapes and sections, all the foregoing of iron or steel, hot-rolled, forged, extruded, or drawn, or cold-formed or cold-finished, whether or not drilled, punched or otherwise advanced: Hot-rolled or cold-formed and weighing over 0.29 pound per linear foot: Not drilled, not punched and not otherwise advanced
73.15 B V b) 2 bb)	73.73-34 ⁽¹⁾	<i>Alloy steel</i> Bars and rods and hollow mining drill steel; angles, shapes and sections: Not further worked than hot-rolled or extruded: Other than wire rod: — High-speed steel		
73.15 B V b) 2 cc)	73.73-35 ⁽¹⁾	— S, Pb and P steels (free-cutting and other)		
73.15 B V b) 2 dd)	73.73-36 ⁽¹⁾	— Mangano-silicon		
73.15 B V b) 2 ee)	73.73-39 ⁽¹⁾	— Other than those under the three preceding indents and other than stainless or heat-resisting		

CATEGORY 5: WIRE ROD

73.10 A I	73.10-11	Wire rod:		Wire rods of iron or steel, other than alloy:
73.10 A II b)	73.10-16 ⁽²⁾	— Bars and rods, other than concrete reinforcing bars	607.14-00 607.17-00	Not tempered, not treated and partly manufactured: — Valued not over four cents per pound — Valued over four cents per pound
73.15 A V b) 1	73.63-21	<i>High carbon steel</i> Wire rod	607.22-00 607.23-00	Tempered, treated, or partly manufactured: — Valued not over four cents per pound — Valued over four cents per pound
73.15 A V b) 2	73.63-29 ⁽²⁾	Bars and rods and hollow mining drill steel; angles, shapes and sections: Not further worked than hot-rolled or extruded: Other than wire rod		
73.15 B V b) 1 cc)	73.73-25 ⁽³⁾	<i>Alloy steel</i> Bars and rods and hollow mining drill steel; angles, shapes and sections: Not further worked than hot-rolled or extruded: Wire rod: S, Pb and P steels (free-cutting and other)		
73.15 B V b) 2 cc)	73.73-35 ⁽²⁾ ⁽³⁾	Other than wire rod: S, Pb and P steels (free-cutting and other)		

⁽¹⁾ Covered if structural shapes.⁽²⁾ Covered only if coiled bar from 13 to 18.8 mm in diameter.⁽³⁾ Covered only if contains up to 0.35 % of lead or sulphur.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
CATEGORY 6: HOT-ROLLED BARS (CARBON STEEL)				
73.10 A II b)	73.10-16 ⁽¹⁾	Hot-rolled bars and rods, other than concrete reinforcing bars:		Bars of steel (other than deformed concrete reinforcing bars):
73.10 D I a)	73.10-42 ⁽²⁾	— Clad, hot-rolled or extruded		Not cold formed, coated or plated with metal:
		<i>High carbon steel</i>	606.83-10 606.83-30 606.83-50	Flats Rounds Others
		Bars and rods and hollow mining drill steel; angles, shapes and sections:		
		Not further worked than hot-rolled or extruded:		
73.15 A V b) 2	73.63-29 ⁽³⁾	— Other than wire rod		
		Not further worked than clad:		
73.15 A V d) 1 aa)	73.63-72 ⁽²⁾	— Hot-rolled or extruded		
73.15 B V b) 2 cc)	73.73-35 ⁽¹⁾ ⁽⁴⁾	— Bars and rods and hollow mining drill steel; angles, shapes and sections:		
		Not further worked than hot-rolled or extruded:		
		Other than wire rod:		
		S, Pb and P steels (free-cutting and other)		
		<i>Alloy steel</i>		Bars of steel:
		Bars and rods and hollow mining drill steel; angles, shapes and sections:		Other than deformed concrete reinforcing bars:
		Not further worked than hot-rolled or extruded:	606.97-00	Other than stainless or tool steel:
		Other than wire rod:		Not cold-formed
73.15 B V b) 2 bb)	73.73-34 ⁽⁵⁾	— High-speed steel		
73.15 B V b) 2 cc)	73.73-35 ⁽⁶⁾	— S, Pb and P steels (free-cutting and other)		
73.15 B V b) 2 dd)	73.73-36 ⁽⁵⁾	— Mangano-silicon		
73.15 B V b) 2 ee)	73.73-39 ⁽⁵⁾	— Other than those under the three preceding indents and other than stainless or heat-resisting		
73.15 B V d) 1 aa)	73.73-72 ⁽²⁾	Not further worked than clad:		
		Hot-rolled or extruded		

⁽¹⁾ Excluding coiled bar from 13 to 18·8 mm in diameter.

⁽²⁾ Not covered if coated, plated or clad.

⁽³⁾ Covered if hot-rolled bar, excluding coiled bar from 13 to 18·8 mm diameter.

⁽⁴⁾ Covered only if contains up to 0·35 % lead or sulphur

⁽⁵⁾ Covered if hot-rolled bar.

⁽⁶⁾ Covered if hot-rolled bar, and 0·35 % or more lead or sulphur.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
-------------------	----------------	-------------	-------------	-------------

CATEGORY 7: COATED SHEET (ALLOY STEEL) AND TERNE PLATE AND SHEET

73.13 B IV c) 3	73.13-74	<i>Alloy steel</i> Sheets and plates, other than 'electrical', lead-coated		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.15 B VI c) 1 aa)	73.74-72 ⁽¹⁾	Hoop and strip, not further worked than clad, hot-rolled	608.01-00	Coated or plated with metal: Terne plate and terne coated sheets
		Sheets and plates, other than 'electrical', polished, clad, coated or otherwise surface-treated:		Sheets of alloy iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.15 B VII b) 3 bb)	73.75-79	Other than stainless or heat-resisting	608.14-40	Coated or plated with metal, other than tin plate, tin coated sheets, terne plate and terne coated sheets
		<i>Carbon steel</i>		Sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.12 C V a) 1	73.12-71 ⁽¹⁾	Hoop and strip, not further worked than clad, hot-rolled		Coated or plated with metal:
		Sheets and plates, other than 'electrical':		Other than tin plate, tin coated sheets, terne plate and terne coated sheets:
73.13 B IV c) 1	73.13-67	Clad or coated or otherwise surface-treated: — Electrolytically zinc coated (electro-galvanized)	608.07-30 608.13-00	— Valued not over 10 cents per pound — Sheets valued over 10 cents per pound
		Otherwise zinc coated (including hot-dipped-galvanized):		
73.13 B IV c) 2 aa)	73.13-68	— Corrugated		
c) 2 bb)	73.13-72	— Other		
73.13 B IV d) 3 bb) 44	73.13-88	— Lacquered, varnished, painted or plastic coated		
73.15 A VII c)	73.65-70	— Polished clad, coated or otherwise surface-treated		

CATEGORY 8: TIN PLATE (NOT INCLUDING BLACK PLATE)

73.12 C III a)	73.12-51 ⁽¹⁾	Hoop or strip of iron or steel, hot-rolled or cold-rolled: — Tin plate		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
		Sheets and plates, clad coated or otherwise surface-treated:		Coated or plated with metal
		Tinned:	607.96-00	Tin plate and tin coated sheets:
73.13 B IV b) 1	73.13-64	— Tin plate		Imported for use in manufacture of maple sap evaporators
73.13 B IV b) 2	73.13-65	— Other	607.97-00 607.99-00	Other, valued not over 10 cents per pound Other, valued over 10 cents per pound

CATEGORY 9: RAILS

		Railway and tramway track construction material of iron or steel, the following: rails, check-rails, rack rails, chairs, chair wedges, (base plates), and other material specialized for joining or fixing rails:	610.20-10 610.20-20 610.21-00	Rails of steel: Other than alloy steel: — Standard T rails over 60 pounds per yard — Other — Alloy steel
--	--	---	-------------------------------------	--

⁽¹⁾ Covered if over 12 inches in width.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
73.16 A II a) 1	73.16-14	Rails other than current conducting, with parts of non-ferrous metal: New: — With a weight per meter of not less than 20 kg		
a) 2	73.16-16	— With a weight per meter of less than 20 kg		
b)	73.16-17	— Used		
73.16 B	73.16-20	— Check-rails		

CATEGORY 10: SHEET PILING (CARBON AND ALLOY STEEL)

73.11 B	73.11-50	Sheet piling	609.96-00 609.98-00	Sheet piling of iron or steel — Other than alloy iron or steel — Alloy iron or steel
---------	----------	--------------	------------------------	--

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / ORIGINAL	
2 EXTRACT of export licence no /		3 Period of validity from until included	
5 Licence transferred to (full name and address)		4 Quota year	
with effect from Signature: Stamp of competent authority:		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT	
		NOTE This licence and a certificate for the export of iron and steel products must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.	
7 Category and detailed description of iron and steel products		8 NIMEXE Codes	
		9 Quantity (metric tonnes)	
10 Place of issue:		11 Period of validity extended	
Date of issue: Signature: Stamp of competent authority:		until included Signature: Stamp of competent authority:	

ATtribution of quantities exported or for which an extract is issued

12	Quantities (metric tonnes)	13	Customs export document (type, number and date) or extract (number and date)	14	Name, Member State, signature and stamp of attributing authority
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				

[illegible]

NOTES

- 5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products**

6 Quantity (metric tonnes)

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed to the export licence shown in box no 3 to the extract shown in box no 4. *)

Customs export document:
type:

Signature:

Stamp:

number:

date:

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

EUROPEAN COMMUNITY

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No COPY	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	--

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3

☐ to the extract shown in box no 4. *)

Customs export document: Signature: Stamp:

type:

number:

date:

--	--	--	--

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

ANNEX IV

Technical provisions relating to export licences, extracts thereof, and certificate forms

1. Licences, extracts thereof and forms shall be made up in sets containing at least one original, a copy for the issuing authority and a copy for the Commission.

Certificate forms shall be made up in sets containing at least one original, a copy for the customs, a copy for the authority issuing the export licence or the extract thereof and a copy for the Commission.

2. Forms referred to in point 1 shall be printed on white paper, dressed for writing, and weighing at least 40 g/m². Their size shall be 210 × 297 mm.
3. The Member States shall be responsible for having the forms referred to in point 1 printed. These may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address, or a mark enabling the printer to be identified, and an individual serial number.

The number shall be preceded by the following letters according to the country in which the forms are utilized: 'BE' for Belgium, 'DK' for Denmark, 'DE' for the Federal Republic of Germany, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands and 'GB' for the United Kingdom.

4. Licences, extracts thereof and forms shall be printed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State.

Certificates shall be printed in English.

COMMISSION REGULATION (EEC) No 2874/82

of 28 October 1982

on the monitoring by the Community of exports of certain steel products to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2870/82 of 21 October 1982 on the restriction of exports of certain steel products to the United States of America ⁽¹⁾, and in particular Article 5 (6) thereof,

Whereas:

1. the putting into force of the Arrangement over a period of time, particularly as regards the distribution of exports, makes it necessary to provide for fixed periods during which licences may be issued;
2. to allow for optimum utilization of all the export possibilities provided for in the Arrangement, the licensing system should be drawn up so as to monitor the development of exports as closely as possible;
3. it is necessary to authorize the competent authorities of Member States to take the appropriate measures in cases of loss, theft or destruction of a licence or certificate,

HAS ADOPTED THIS REGULATION:

Article 1

1. For each of the categories of products originating in the Community, such categories being defined in Annex I, export licences as provided for in Article 5 of Regulation (EEC) No 2870/82 shall be issued free of charge by the competent authorities in the Member States (hereinafter referred to as 'the issuing authorities'), subject to the conditions provided for by the said Article 5. Licences shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions laid down in Annex IV.

For each export of the products under abovementioned categories, the exporter must make out a certificate on a form conforming to the specimen set out in Annex III and respecting the provisions laid down in Annex IV.

2. A licence shall be issued within 15 working days of the day of the receipt of the exporter's application.

A licence may be issued only until the end of the second month of each calendar quarter. The licence shall be valid for three months from the date of issue. However, export licences shall only be valid for exports to be carried out during the initial period as defined in Article 1 of Regulation (EEC) No 2870/82, or during 1984 or 1985 to which it refers.

Nevertheless, where the Commission decides to apply Article 2 (3) of Regulation (EEC) No 2870/82:

- in cases of anticipated use of licences, exports may be carried out during December 1983 and December 1984; the endorsement 'Anticipated issue' shall be stamped on the certificates corresponding to these licences,
- in the case of carry-over of licences, the period of validity of licences expiring on 31 December 1983 and 31 December 1984 may be prolonged by two months by the authority which issued them,
- where supplementary allocations are made in cases of shortages, licences valid for a period of six months may be issued; the endorsement 'Special issue' shall be stamped on the certificates corresponding to these licences.

Article 2

At the request of the titular holder of the export licence, and upon production of the licence, the competent authorities of Member States may issue one or several extracts from the export licence. These extracts shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions of Annex IV.

⁽¹⁾ See page 3 of this Official Journal.

Extracts may not be used as the basis for issuing further extracts.

At the time the extracts are issued, the quantities of products covered by the said extracts shall be deducted from the quantities indicated on the licence from which it has been issued.

Extracts shall have the same legal effects as the export licences from which they have been issued and to which they refer.

Article 3

1. Export licences may be transferred in whole or in part by their titular holder (hereinafter referred to as 'the transferer') to other steel undertakings or distribution undertakings (hereinafter referred to as 'the transferees') subject to the conditions laid down in Article 5 (3) of Regulation (EEC) No 2870/82.

2. The authority which issued the licence must be informed of such transfer by both the transferer and transferee. That authority shall, without delay, certify the transfer on the export licence or on the extract and inform the Commission. Transfer shall take effect from the date of this certification.

3. In cases where only a part of an export licence is transferred, an extract from the export licence should be issued in respect of this part.

4. Where a licence has been transferred to a transferee in a Member State other than that which issued the licence, the authority which certified the transfer shall, without delay, inform the competent authority of the Member State in which the transferee is situated.

5. Each licence may be transferred only once.

Article 4

Licences, extracts from licences and certificates issued by the authorities of a Member State, as well as declarations and certifications accompanied by the stamp of these authorities, shall have the same legal value in each of the other Member States as such documents issued by the authorities of these Member States as well as declarations and certifications accompanied by the stamp of these authorities.

Article 5

1. Fully used licences shall be returned at the latest on the eighth working day of their fully used period to the

competent authority in the Member State which issued them.

2. Unused or partially used licences shall be returned at the latest on the eighth working day of expiry of their period of validity to the authority in the Member State which issued them.

Article 6

The original of the export licence and certificate must be presented in support of the export declaration to the customs office in the Community in which formalities regarding exports of steel products to the United States of America are completed.

This office shall:

- (a) attribute the quantity to be exported from the original of the licence;
- (b) endorse the original and copies of the certificate, return the original to the titular holder of the licence or to his representative so that it may be presented to the customs authorities of the United States of America on importation, keep their own copy and forward the copies destined for the issuing authority of the export licence and the Commission.

Member States may provide for the forwarding of copies to the Commission to take place through a central organization appointed for this purpose.

The copies of the certificates should be forwarded to the Commission within three working days following the week in which the abovementioned customs office endorsed them.

Article 7

1. The licence application must include the following information:

- a description of the products, specifying the category and the NIMEXE code, in accordance with Annex I,
- the quantity of products (in tonnes),
- the exporter's name or trade-name, address and telephone and telex number,
- the consignee's name or trade-name and address,
- scheduled date(s) of export,

— where appropriate, an indication that the products are intended for temporary importation into the United States of America and re-export in the same state or without having been subject to substantial transformation.

2. The exporter must declare that the goods are of Community origin and that the information on his licence application is accurate.

Article 8

In the case of loss, theft or destruction of the original of an export licence or certificate, the competent authorities which issued or endorsed the said documents may issue or endorse a duplicate.

Licences so issued and certificates so endorsed should bear the endorsement 'Duplicata' in red.

Article 9

1. Within the first 10 days of each month the Member States shall notify the Commission of:

- (a) the tonnages in respect of which licences were issued during the preceding month;
- (b) the tonnages exported in the month preceding that referred to in paragraph (a) above.

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

Done at Brussels, 28 October 1982.

2. The notifications from the Member States shall include:

- (a) a breakdown of the products by category in accordance with Annex I, and in respect of the information referred to in paragraph 1 (b), moreover by NIMEXE code;
- (b) a breakdown by licence-holder;
- (c) an indication (in tonnes) for each product destined to be temporarily imported into the United States of America for re-export in the same state or without having been subject to substantial transformation there.

3. Within the first 15 days of each month the Member States shall inform the Commission of the tonnages in respect of which licences expired in the preceding month.

4. The Member States shall forward to the Commission, without delay, a copy of each licence and extract once it has been issued.

5. At the same time as they submit the monthly notifications provided for in paragraph 1, the Member States shall send to the Commission all relevant information concerning infringements of Regulation (EEC) No 2870/82 and of this Regulation and any penalties thereby imposed.

Article 10

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

It shall apply from 1 November 1982.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX I

CCT heading No	NIMEXE code	Description	TSUSA No	Description
CATEGORY: COLD-ROLLED SHEET (CARBON STEEL)				
73.12 B II b)	73.12-29 ⁽¹⁾	Hoop and strip, not further worked than cold-rolled: Other than in coils, for the manufacture of tin plate and other than 'electrical'	607.83-20 607.83-44	Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): Hot coated or plated with metal and not clad: Other than black plate: Plates, pickled or cold-rolled Sheets, other than pickled
73.13 B II a)	73.13-41	Non-electrical sheets and plates of iron and steel, not further worked than cold-rolled, of a thickness of 3 mm or more		
73.15 A VI b)	73.64-50 ⁽¹⁾	<i>High carbon steel</i> Hoop and strip, not further worked than cold-rolled		
73.15 A VII b) 1	73.65-53	Sheets and plates: Not further worked than cold-rolled, of a thickness of 3 mm or more		

CATEGORY: COLD-ROLLED SHEET (ALLOY STEEL)

73.15 B VI b) 3	73.74-54 ⁽¹⁾	Hoop and strip, not further worked than cold-rolled: — High-speed steel	607.93-20	Sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): Not coated 'or plated with metal and not clad: Other than black plate, pickled or cold-rolled: Other than of tool or stainless steel: Other than silicon electrical steel: Other than heat-resisting steel
73.15 B VI b) 4	73.74-59 ⁽¹⁾	— Other than high-speed steel, stainless or heat-resisting or 'electrical'		
73.15 B VII b) 2 aa) 22	73.75-54	Sheets and plates, other than 'electrical', not further worked than cold-rolled, of a thickness of 3 mm or more: — High-speed steel		
73.15 B VII b) 2 aa) 33	73.75-59	— Other than high-speed steel, or stainless or heat-resisting		

CATEGORY: PLATE (CARBON STEEL)

73.15 A VI c) 1 bb)	73.64-75	Hoop and strip, not further worked than clad, cold-rolled	607.66-15 ⁽²⁾	Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17): — Not coated or plated with metal and not clad: Other than black plate: Not pickled and not cold-rolled:

⁽¹⁾ Covered if over 12 inches in width.⁽²⁾ Excluding semi-finished products, over six inches in thickness, produced by rolling on a primary (slabbing) mill.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
			607.94-00	Plates: Other than in coils — Clad Plates: Coated or plated with metal other than tin plate, tin coated sheets, terne plate and terne coated sheets:
			608.07-10	— Valued not over 10 cents per pound
			608.11-00	— Valued over 10 cents per pound

CATEGORY: STRUCTURAL SHAPES (CARBON STEEL)

73.11 A II	73.11-20	Angles, shapes and sections of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished:		Angles, shapes and sections, all the foregoing of iron or steel, hot-rolled, forged, extruded or drawn, or cold-formed or cold-finished, whether or not drilled, punched or otherwise advanced:
III a)	73.11-31	— Not further worked than forged		Hot-rolled or cold-formed and weighing over 0.29 pound per linear foot:
		— Not further worked than cold-formed or cold-finished:		Not drilled, not punched and not otherwise advanced:
III b)	73.11-39	From coils for re-rolling, universal plates, hoop, strip, sheets or plates		Having a maximum cross sectional dimension of three inches or more:
		— Other than:		Wide-flange shapes or sections:
73.15 A V a)	73.63-10	From coils for re-rolling, universal plates, hoop, strip, sheets or plates	609.80-05	— H-piles
		— Not further worked than forged (high carbon steel)	609.80-15	— Other
73.15 A V c)	73.63-50	— Not further worked than cold-formed or cold-finished (high carbon steel)	609.80-35	Other than wide-flange shapes or sections:
			609.80-41	— Angles
			609.80-45	— Channels
				— Other

CATEGORY: STRUCTURAL SHAPES (ALLOY STEEL)

73.15 B V a) 2	73.73-14 ⁽¹⁾	Bars and rods and hollow mining drill steel; angles, shapes and sections:	609.82-00	Angles, shapes and sections, all the foregoing of iron or steel, hot-rolled, forged, extruded, or drawn, or cold-formed or cold-finished, whether or not drilled, punched, or otherwise advanced:
73.15 B V a) 3	73.73-19 ⁽¹⁾	Not further worked than forged:		Hot-rolled or cold-formed and weighing over 0.29 pound per linear foot:
		— High-speed steel		Not drilled, not punched and not otherwise advanced
		— Other than high-speed steel or than stainless or heat-resisting		
		Not further worked than cold-formed or cold-finished:		
73.15 B V c) 1 bb)	73.73-49	Angles, shapes and sections, made from coils for re-rolling, universal plates, hoop, strip, sheets or plates:		
		— Other than stainless or heat-resisting		
		— Other angles, shapes and sections; bars and rods:		

⁽¹⁾ Covered if structural shapes.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
73.15 B V c) 2 bb)	73.73-54	— Other angles, shapes and sections; bars and rods:		
73.15 B V c) 2 cc)	73.73-55 ⁽¹⁾	— High-speed steel		
		— S, Pb and P steels (free-cutting and other)		
73.15 B V c) 2 dd)	73.73-59	— Other than those under the preceding indent, than stainless or heat-resisting or high-speed steel		

CATEGORY: HOT-ROLLED BARS (CARBON STEEL)

73.10 D II	73.10-49 ⁽²⁾	Bars and rods, further worked than clad		Bars of steel (other than deformed concrete reinforcing bars):
73.15 A V d) 2	73.63-79 ⁽²⁾	Bars and rods, further worked than clad (high carbon steel)		Not cold-formed:
			606.83-10	Not coated or plated with metal:
			606.83-30	— Flats
			606.83-50	— Rounds
				— Other

CATEGORY: HOT-ROLLED BARS (ALLOY STEEL)

73.15 B V a) 2	73.73-14 ⁽³⁾	Bars and rods and hollow mining drill steel; angles, shapes and sections:	606.97-00	Bars of steel (other than deformed concrete reinforcing bars):
		Not further worked than forged:		Other than stainless or tool steel:
		— High-speed steel		Not cold-formed
73.15 B V a) 3	73.73-19 ⁽³⁾	— Other than high-speed or than stainless or heat-resisting		
73.15 B V d) 2 bb)	73.73-89 ⁽²⁾	Further worked than clad:		
		— Other than stainless or heat-resisting		

CATEGORY: COATED SHEET (GALVANIZED AND OTHER) (CARBON STEEL)

		Hoop and strip:		Sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.12 C II	73.12-40 ⁽⁴⁾	— Enamelled		Coated or plated with metal:
73.12 C IV a)	73.12-61 ⁽⁴⁾	— Electrolytically zinc-coated (electro-galvanized)		Other than tin plate, tin coated sheets, terne plate and terne coated sheets:
73.12 C IV b)	73.12-63 ⁽⁴⁾	— Zinc-coated otherwise than electrolytically		— Valued not over 10 cents per pound
73.12 C V a) 2	73.12-75 ⁽⁴⁾	Not further worked than clad: cold-rolled	608.07-30	— Valued over 10 cents per pound
73.12 C V b) 2 dd)	73.12-88 ⁽⁴⁾	— Lacquered, varnished, painted or plastic-coated	608.13-00	
73.15 A VI c) 2	73.64-79 ⁽⁴⁾	— Further worked than clad (high carbon steel)		

⁽¹⁾ Covered if structural shapes.⁽²⁾ Excluded if cold-finished.⁽³⁾ Covered if hot-rolled bar.⁽⁴⁾ Covered if over 12 inches in width.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
CATEGORY: COATED SHEET (ALLOY STEEL) AND TERNE PLATE AND SHEET				
73.12 C IV c)	73.12-65 ⁽¹⁾	Hoop and strip: — Lead-coated		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.15 B VI c) 1 bb)	73.74-74 ⁽¹⁾	— Not further worked than clad: cold-rolled (alloy steel)		Coated or plated with metal:
73.15 B VI c) 2 bb)	73.74-89 ⁽¹⁾	— Further worked than clad: other than stainless or heat-resisting	608.01-00	Terne plate and terne coated sheets
			608.14-40	Sheets of alloy iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
				Coated or plated with metal other than tin plate, tin coated sheets, terne plate and terne coated sheets

CATEGORY: TIN PLATE (NOT INCLUDING BLACK PLATE)

73.12 C III b)	73.12-59	Hoop and strip, tinned, other than tin plate		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
			607.96-00	Coated or plated with metal:
			607.97-00	Tin plate and tin coated sheets:
			607.99-00	— Imported for use in the manufacture of maple sap evaporators
				— Other, valued not over 10 cents per pound
				— Other, valued over 10 cents per pound

CATEGORY: RAILS

73.16 A I	73.16-11	Railway and tramway track construction material of iron or steel, the following: rails, rack rails, chairs, chair wedges and other material specialized for joining or fixing rails:	610.20-10	Rails of steel:
		Rails current-conducting, with parts of non-ferrous metal	610.20-20	Other than alloy steel:
			610.21-00	— Standard T rails over 60 pounds per yard
				— Other
				— Alloy steel

⁽¹⁾ Covered if over 12 inches in width.

[illegible]

ATTRIBUTION OF QUANTITIES EXPORTED OR FOR WHICH AN EXTRACT IS ISSUED

[illegible]

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA									
		No /	COPY								
2 EXTRACT of export licence no /		3 Period of validity from <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> until <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> included									4 Quota year
5 Licence transferred to (full name and address)		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT									
with effect from <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> Signature: Stamp of competent authority:						NOTE This licence and a certificate for the export of iron and steel products must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.					
7 Category and detailed description of iron and steel products		8 NIMEXE Codes	9 Quantity (metric tonnes)								
10 Place of issue:		11 Period of validity extended									
Date of issue: <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> Signature: Stamp of competent authority:						until <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> included Signature: Stamp of competent authority:					

NOTES

A. This certificate must be completed on a typewriter and in English.

B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.

C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products	6 Quantity (metric tonnes)

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed to the export licence shown in box no 3
 to the extract shown in box no 4. *)

Customs export document: _____ Signature: _____ Stamp: _____
type: _____
number: _____
date:

Customs office: _____

Member State: _____

*) The appropriate box to be indicated like this: ☒

EUROPEAN COMMUNITY

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No COPY	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	----------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3

☐ to the extract shown in box no 4. *)

Customs export document: Signature: Stamp:

type:

number:

date:

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

ANNEX IV

Technical provisions relating to export licences, extracts thereof, and certificate forms

1. Licences, extracts thereof and forms shall be made up in sets containing at least one original, a copy for the issuing authority and a copy for the Commission.

Certificate forms shall be made up in sets containing at least one original, a copy for the customs, a copy for the authority issuing the export licence or the extract thereof and a copy for the Commission.

2. Forms referred to in point 1 shall be printed on white paper dressed for writing and weighing at least 40 g/m². Their size shall be 210 × 297 mm.
3. The Member States shall be responsible for having the forms referred to in point 1 printed. These may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address, or a mark enabling the printer to be identified, and an individual serial number.

The number shall be preceded by the following letters according to the country in which the forms are utilized: 'BE' for Belgium, 'DK' for Denmark, 'DE' for the Federal Republic of Germany, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands and 'GB' for the United Kingdom.

4. Licences, extracts thereof and forms shall be printed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State.

Certificates shall be printed in English.

NOTE TO THE READER

By Commission Decision No 2872/82/ECSC of 28 October 1982 and Council Regulation (EEC) No 2870/82 of 21 October 1982 systems have been set up to restrict exports of certain steel products to the United States of America. These systems have been established pursuant to the Arrangement with the USA, approved by Commission Decision No 2871/82/ECSC of 21 October 1982 and Council Regulation (EEC) No 2869/82 of 21 October 1982.

Article 1 of each Act defines the steel products covered by reference to each Annex I thereto. Since it is provided in Annex B to the said Arrangement that certain verifications and amendments may be made to the list of covered products by 1 November 1982, the Commission hereby informs all persons concerned, as from now, that it intends to propose certain amendments to the abovementioned Annexes.

Article 3 of each Act provides that the Community quantitative export limits will be allocated between the Member States in accordance with each Annex III thereto. All persons concerned are also warned as from now that the Commission intends to make certain amendments to those allocations and therefore to propose, in the near future, that amendments be made to each of those Annexes.
