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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 3599/82
of 21 December 1982
on temporary importation arrangements**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28, 43 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Community is based upon a customs union;

Whereas the establishment of that customs union is governed, in the main, by the provisions of Title I, Chapter I, of the second part of the Treaty; whereas that chapter contains a body of precise rules concerning in particular the elimination of customs duties between the Member States and the setting up and progressive introduction of the Common Customs Tariff, as well as the alteration or autonomous suspension thereof;

Whereas, except in particular circumstances established in accordance with the provisions of the Treaty, the duties under the Common Customs Tariff are applicable to all goods imported into the Community; whereas this is also true of agricultural levies and any other import duty;

Whereas, however, in a certain number of cases such charges are not justified for goods temporarily imported into the Community and ultimately intended for re-exportation without having been processed;

Whereas without prejudice to prohibitions or quantitative restrictions on imports justified under the Treaty or under provisions adopted by virtue of that Treaty, this should be the case for goods temporarily imported for a specific purpose, such as professional press, radio-

broadcasting, television, cinematographic and theatre equipment, goods intended for display or use at exhibitions or events, educational, scientific and cultural material, and in all other cases where temporary importation is justified;

Whereas temporary importation allowing the use without payment of import duties of certain imported goods which do not satisfy the conditions of Article 9 (2) of the Treaty, where such goods are intended for re-export in the same state, is provided for in the law of the majority of the Member States; whereas such arrangements are also the subject of several multilateral international conventions to which some or all the Member States are contracting parties; whereas application of these conventions within the Community, although advisable, presupposes the introduction of Community rules to ensure that they are applied uniformly as required under the customs union;

Whereas it is advisable to ensure that the importation of goods under the temporary importation arrangements does not put producers of similar goods or the users of products satisfying the conditions of Article 9 (2) of the Treaty in a difficult position; whereas, in certain circumstances, the absence of import duties could be such as to disturb the conditions of competition between users of goods placed under the temporary importation arrangements and the users of similar goods taken from the Community market; whereas, to this end, it is important to place time limits upon the use of goods benefiting under those arrangements and to provide in certain cases that part of the import duties be charged;

Whereas the correct administration of the arrangements requires administrative and technical surveillance, in particular to ensure that the goods are not used for purposes other than those which qualify them for the said arrangements, or that the duty applicable is charged in cases where temporarily imported goods are not re-exported; whereas, to that end, it is advisable to provide that the placing of goods under the arrangements be subject to authorizations granted by the competent authorities of the Member State where the goods are so placed and which lay down the conditions governing the stay of the said goods;

⁽¹⁾ OJ No C 172, 19. 7. 1978, p. 2.

⁽²⁾ OJ No C 296, 11. 12. 1978, p. 52.

⁽³⁾ OJ No C 133, 28. 5. 1979, p. 16.

Whereas temporary importation arrangements have to cover a wide variety of situations, and must accordingly be so adapted that on each occasion Community interests are adequately protected both from the economic and from the tariff point of view; whereas provision should therefore be made for granting total or partial relief from import duties depending on the uses to which goods qualifying for treatment under the arrangements are to be put;

Whereas, in order to ensure uniform application of this Regulation, provision should be made for a Community procedure whereby the relevant implementing provisions may be adopted within a suitable time; whereas to this end the Committee on Inward Processing set up by Article 26 of Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation, or administrative action in respect of inward processing⁽¹⁾, as last amended by Directive 76/119/EEC⁽²⁾, should be entrusted with the task of organizing close and effective cooperation in this field between the Member States and the Commission,

HAS ADOPTED THIS REGULATION:

TITLE I GENERAL

Article 1

1. Under temporary importation arrangements, goods which are intended to remain temporarily in the customs territory of the Community and to be re-exported may be imported, in accordance with the procedures and conditions laid down by this Regulation, with total or partial relief from import duties.

Temporary importation of means of transport shall be excluded from the scope of this Regulation.

2. For the purposes of this Regulation 'import duties' means customs duties and charges having equivalent effect, as well as agricultural levies and other import charges laid down within the framework of the common agricultural policy or of specific arrangements applicable under Article 235 of the Treaty to certain goods which result from the processing of agricultural products.

Article 2

1. The competent authorities of the Member State in which application is made for goods to become subject to the temporary importation arrangements

shall, using an authorization procedure, grant the benefit of the said arrangements to any natural or legal persons who, on their own responsibility, use the goods in question or cause them to be used.

2. They shall take all measures which they consider necessary to ensure that the goods can be identified and that the use to which they are put can be verified.

3. They shall withhold the benefit of the arrangements if it is considered impossible to identify the goods in question or to verify their use.

They may likewise withhold such benefit from persons who do not provide all the guarantees considered necessary, and in particular from persons who have previously made improper use of the temporary importation arrangements.

Article 3

1. With the exception of the cases to be determined in accordance with the procedure laid down in Article 33, the competent authorities shall, at the time when the goods are made subject to temporary importation arrangements, record the details of the taxation applicable to them and shall determine the amount of the security or the form of guarantee to be provided.

2. Until the exceptions referred to in paragraph 1 have been established the provisions in force in the Member State shall continue to apply.

Article 4

1. The competent authorities shall fix the period during which the goods may remain in the territory under the temporary importation arrangements by reference to the authorized use. Without prejudice to the special periods laid down in Articles 10, 11, 12, 14, 16 and 17, the maximum duration of this period shall be 24 months.

2. However, where exceptional circumstances so justify, the competent authorities may, at the request of the holder of the authorization extend within reasonable limits and subject to the conditions laid down by this Regulation the periods referred to in paragraph 1 in order to permit the authorized use.

Article 5

1. The competent authorities of the Member State in which the goods have been made subject to the temporary importation arrangements shall authorize the transfer of the benefit thereof to any other person, at that person's request, where he satisfies the conditions laid down by this Regulation and assumes the obligations incumbent on the holder of the original authorization, particularly those arising from the fixing of the period during which the goods remain under such arrangements.

⁽¹⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽²⁾ OJ No L 24, 30. 1. 1976, p. 58.

2. Where goods covered by Title III are transferred the import duties due under the arrangements for partial relief shall be charged to the former holder.

3. Transfer of the benefit of these arrangements shall not mean that the same relief arrangements must be applied for each of the periods of use to be taken into consideration.

Article 6

Persons benefiting from temporary importation arrangements shall be required to submit to any surveillance and inspection measures prescribed by the competent authorities.

Such authorities may revoke an authorization if they find that a person benefiting from the arrangements has not complied with one of the conditions under which the arrangements were granted.

TITLE II

TEMPORARY IMPORTATION ON A TOTAL RELIEF BASIS

Chapter 1

Professional equipment

Article 7

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted in respect of professional equipment.

2. 'Professional equipment' means the equipment and accessories needed for the exercise of his trade or profession by a natural or legal person established outside the customs territory of the Community, who is in the Community to perform a particular job of work.

The list of goods considered as 'professional equipment' for the purposes of this Regulation shall be drawn up and amended in accordance with the procedure laid down in Article 33.

3. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that the professional equipment is:

- (a) owned by a natural or legal person established outside the customs territory of the Community;
- (b) imported by a natural or legal person established outside the said territory;
- (c) to be used exclusively by the person entering the said territory or under his supervision.

However, the condition referred to in (c) shall not apply to cinematographic equipment imported for the purpose of producing films under a co-production contract concluded with a person established in the customs territory of the Community.

In the case of joint radio or television programme productions, professional equipment may be the subject of a hire or similar contract to which a person established in the customs territory of the Community is party.

Article 8

Spare parts subsequently imported for the repair of professional equipment which has been imported temporarily shall benefit from the advantages granted under the said arrangements in the same way as the equipment itself.

Chapter 2

Goods for display or use at an exhibition, fair, symposium or similar event

Article 9

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for:

- (a) goods intended for display or to be subject of a demonstration at an event;
- (b) goods intended for use at an event for the purpose of presenting imported products, such as:
 - goods necessary for demonstration of the imported machines or apparatus on exhibition,
 - equipment, including electrical fittings, used for constructing and decorating the temporary stands of a natural or legal person established outside the Community,
 - advertising material and demonstration and other equipment intended for use in publicizing the imported goods on exhibition, such as sound recordings, films and transparencies, together with the accessories required in connection with their use;
- (c) equipment, including interpreting installations, sound recording apparatus and educational, scientific or cultural films, intended for use at international meetings, conferences and symposia;
- (d) live animals intended for exhibition at, or participation in, an event;
- (e) products obtained during an event from goods, machinery, apparatus or animals imported temporarily.

2. An 'event' means :

- (a) a trade, industrial, agricultural or craft exhibition, fair, or similar show or display ;
- (b) an exhibition or meeting which is primarily organized for a charitable purpose ;
- (c) an exhibition or meeting which is primarily organized to promote any branch of learning, art, craft, sport or scientific, technical, educational, cultural, trade union or tourist activity, or to promote friendship between peoples or to promote religious knowledge or worship ;
- (d) a meeting of representatives of international organizations or international groups of organizations ;
- (e) a representative meeting of an official or commemorative character ;

except exhibitions organized for private purposes in shops or business premises with a view to sale of the goods imported.

Chapter 3

Teaching aids and scientific equipment

Article 10

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for :

- (a) teaching aids ;
- (b) spare parts and accessories for such aids ;
- (c) tools especially designed for the maintenance, checking, calibration or repair of such aids.

2. 'Teaching aid' means any aid intended for the exclusive purpose of teaching or vocational training, and in particular models, instruments, apparatus, machines and accessories thereof.

The list of goods considered as teaching aids for the purposes of this Regulation shall be drawn up and amended in accordance with the procedure laid down in Article 33.

3. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that the teaching aids, spare parts, accessories or tools :

- (a) are imported by approved establishments and are used under the supervision and responsibility of such establishments ;
- (b) are used for non-commercial purposes ;
- (c) are imported in reasonable quantities, having regard to their intended purpose ;
- (d) remain throughout their stay in the customs territory of the Community the property of a natural or legal person who is established outside the Community.

4. The period during which such teaching aids may remain under temporary importation arrangements may not exceed six months.

Article 11

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for :

- (a) scientific equipment and accessories ;
- (b) spare parts for such equipment ;
- (c) tools specially designed for the maintenance, checking, calibration or repair of scientific equipment used in the customs territory of the Community exclusively for purposes of scientific research or teaching.

2. 'Scientific' equipment' means instruments, apparatus, machines and accessories thereof used for the purpose of scientific research or teaching.

3. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that the scientific equipment, accessories, spare parts and tools :

- (a) are imported by approved establishments and are used under the supervision and responsibility of such establishments ;
- (b) are used for non-commercial purposes ;
- (c) are imported in reasonable numbers having regard to their intended purpose ;
- (d) remain throughout their stay in the customs territory of the Community the property of a natural or legal person who is established outside the Community.

4. The period during which such scientific equipment may remain under temporary importation arrangements may not exceed six months.

Chapter 4

Medical, surgical and laboratory equipment

Article 12

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for medical, surgical and laboratory equipment intended for hospitals and other medical institutions.

2. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that the said equipment :

- (a) has been dispatched on an occasional basis, on loan and free of charge ;
- (b) is intended for diagnostic and therapeutic purposes.

3. The period during which medical, surgical and laboratory equipment may remain under temporary importation arrangements may not exceed six months.

Chapter 5

Materials for use in countering the effects of disasters*Article 13*

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted in the case of materials for use in connection with measures taken to counter the effects of disasters affecting the customs territory of the Community.

2. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that such materials:

- have been imported on loan and free of charge,
- are intended for State bodies or bodies approved by the competent authorities.

Chapter 6

Packings*Article 14*

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for packings.

2. 'Packings' means:

- (a) holders used, or to be used, as external or internal coverings for goods;
 - (b) holders on which goods are, or are to be, rolled, wound or attached,
- but excluding packing materials such as straw, paper, glass wool and shavings when imported in bulk.

3. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that:

- (a) if the packings are imported filled, they are declared as being for re-exportation empty or filled;
- (b) if the packings are imported empty, they are declared as being for re-exportation filled.

4. Packings admitted under temporary arrangements cannot be used, even as an exception, between two points located within the customs territory of the Community, except with a view to the export of goods outside that territory. In the case of packings imported filled, this ban shall apply only from the time that their contents are emptied.

5. The period during which such packings may remain under temporary importation arrangements

may not exceed six months where they are imported filled or three months where they are imported empty.

Chapter 7

Other cases of temporary importation on a total relief basis*Article 15*

The benefit of temporary importation arrangements with total relief from import duties shall be granted for:

- (a) moulds, dies, blocks, drawings, sketches and other similar articles intended for a natural or legal person established in the customs territory of the Community, where at least 75 % of the production resulting from their use is exported from that territory;
- (b) measuring, checking and testing instruments and other similar articles intended for a natural or legal person established in the customs territory of the Community for use in a manufacturing process, where at least 75 % of the production resulting from their use is exported from that territory;
- (c) goods of any kind which are to be subjected to tests, experiments or demonstrations, including the tests and experiments required for type-approval procedures, but excluding any tests, experiments or demonstrations constituting a gainful activity;
- (d) goods of any kind to be used to carry out tests, experiments or demonstrations, but excluding any tests, experiments or demonstrations constituting a gainful activity;
- (e) samples which are representative of the particular category of goods and which are intended for demonstration purposes with a view to obtaining orders for similar goods;
- (f) special tools and instruments made available free of charge to a natural or legal person established in the customs territory of the Community for use in the manufacture of goods which are to be exported in their entirety, on condition that such special tools and instruments remain the property of the consignee of the said goods.

Article 16

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for:

- (a) second hand goods imported with a view to their sale by auction;
- (b) goods imported under a contract of sale, which are to be subjected to satisfactory acceptance tests;

- (c) works of art imported for the purposes of exhibition, with a view to possible sale;
- (d) consignments on approval of made-up articles of fur, precious stones, carpets and articles of jewellery provided that their particular characteristics prevent their being imported as samples.

2. The period during which the above goods may remain under temporary importation arrangements may not exceed six months in the case of (a), (b) and (c) and four weeks in that of (d).

Article 17

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for replacement means of production made temporarily available free of charge to the importer on the initiative of the supplier of similar means of production to be subsequently imported for release into free circulation or for means of production re-installed after repair.

2. The period during which these replacement means of production may remain under temporary importation arrangements may not exceed six months.

Article 18

The benefit of temporary importation arrangements with total relief from import duties shall be granted for:

- (a) positive cinematograph films, printed and developed, intended for projection prior to commercial use;
- (b) films, magnetic tapes and wires which are intended to be provided with a sound track, dubbed or copied;
- (c) films demonstrating the nature of products or the operation of foreign equipment, provided that they are not intended for public showing for charge;
- (d) carrier material for recorded sound and data-processing, including punched cards, made available free of charge to a person whether or not established in the customs territory of the Community.

Article 19

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted in respect of the personal effects which travellers are carrying on their person or in their personal luggage for the duration of their stay in the customs territory of the Community.

2. 'Personal effects' means any clothing and other new or used articles intended for the personal use of the traveller.

Article 20

The benefit of temporary importation arrangements with total relief from import duties shall be granted for:

- (a) live animals of any species imported for dressage, training or breeding purposes or in order to be given veterinary treatment;
- (b) live animals of any species imported for transhumance or grazing purposes;
- (c) draught animals and equipment belonging to natural or legal persons established outside but in close proximity to the customs territory of the Community provided that they are imported by such persons for working land located inside the customs territory of the Community, involving the performance of agricultural work or the unloading or transport of timber;
- (d) tourist publicity material. The list of goods to be considered as tourist publicity material shall be drawn up and amended in accordance with the procedure laid down in Article 33.

Article 21

1. The benefit of temporary importation arrangements with total relief from import duties shall be granted for welfare material for seafarers.

2. The following definitions shall apply:

- 'welfare material' means material intended for cultural, educational, recreational, religious or sporting activities by seafarers,
- 'seafarers' means all persons transported on board a vessel and responsible for tasks relating to the operation or servicing of the vessel at sea.

3. The list of goods to be considered as welfare material for seafarers shall be drawn up and amended in accordance with the procedure laid down in Article 33.

4. The temporary importation arrangements referred to in paragraph 1 shall be granted provided that the material is:

- (a) disembarked from a vessel for temporary use on land by the crew for a period not exceeding that of the vessel's stay in port;
- (b) imported for temporary use in cultural or social establishments for a period not exceeding six months. 'Cultural or social establishments' means hostels, clubs and recreational premises for seafarers, managed by either official bodies or religious or other non-profit-making organizations, and also places of worship where regular services are held for seafarers.

Article 22

The benefit of temporary importation arrangements with total relief from import duties shall be granted for the various equipment used, under the supervision and responsibility of a public authority, for the building, repair or maintenance of infrastructure of general importance in border zones.

Article 23

The benefit of temporary importation arrangements with total relief from import duties shall be granted for goods temporarily imported into the customs territory of the Community in particular circumstances which have no economic effect.

TITLE III

TEMPORARY IMPORTATION ON A PARTIAL RELIEF BASIS*Article 24*

1. Without prejudice to the provisions of paragraph 2, the benefit of temporary importation arrangements with partial relief from import duties shall be granted in accordance with the rules laid down in Articles 25 and 26 for goods which, while remaining the property of a natural or legal person established outside the customs territory of the Community, are not covered by Title II or which are covered by Title II but do not fulfil all the conditions provided for therein for the granting of temporary importation on a total relief basis.

2. The list of goods to be excluded from the possibility of benefiting from temporary importation arrangements with partial relief from import duties shall be drawn up in accordance with the procedure laid down in Article 33.

Article 25

The amount of import duties due in respect of goods placed under temporary importation arrangements with partial relief from import duties shall be fixed at 3 %, for every month or fraction of a month during which the goods have been placed under temporary importation arrangements, with partial relief, of the total duties which would have been charged for the said goods had they been released for free circulation as at the date on which they were placed under the temporary importation arrangements.

Article 26

1. The amount of import duties due under partial relief shall be levied by the competent authorities when the temporary importation arrangements are discharged under the rules laid down in Title IV of this Regulation.

2. The amount of import duties to be charged shall in no case exceed that which would have been charged if the goods concerned had been released for free circulation as at the date on which they were placed under the temporary importation arrangements.

3. The said amount shall be duly recorded by the competent authorities using the administrative methods set up for that purpose.

4. Where the goods placed under temporary importation arrangements with partial relief from import duties are used successively by several persons pursuant to Article 5, any fraction of a month of use shall be deemed to be a whole month, and that month shall no longer be taken into account when calculating the amount for which the next user is liable.

Article 27

1. Any Member State may decide to grant total instead of partial relief on goods imported into its territory on an occasional basis for a period not exceeding three months.

2. Details of the goods imported under this Article shall be reported to the Commission every six months. The Commission shall communicate these details to the Member States.

3. Following examination of the reported cases by the Committee on Inward Processing referred to in Article 32, provisions shall be adopted in accordance with the procedure laid down in Article 33 with a view to excluding from the application of paragraph 1 certain operations where it is found that these operations adversely affect the conditions of competition in the Community or are contrary to the interests of commercial operators established there.

TITLE IV

FINAL DISCHARGE OF THE ARRANGEMENTS*Article 28*

1. The temporary importation arrangements shall be finally discharged when, in accordance with the conditions laid down by the authorization, the goods subject to the said arrangements are exported outside the customs territory of the Community or placed, with a view to their subsequent exportation, under :

- warehouse arrangements,
- free zone arrangements, or
- external Community transit arrangements, or one of the sets of international transport arrangements referred to in Article 7 (1) of Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit⁽¹⁾, provided that Community law allows the use of such arrangements.

⁽¹⁾ OJ No L 38, 9. 2. 1977, p. 1.

2. The competent authorities may, in exceptional circumstances and in the cases referred to in Articles 9 and 16, authorize the release for free circulation or the destruction under customs control of goods placed under temporary importation arrangements, either directly or after they have been placed under one of the procedures referred to in paragraph 1.

3. Paragraphs 1 and 2 shall also apply, without prejudice to the implementation of provisions in force in respect of infringements of customs legislation, where an authorization has been revoked under Article 6.

4. The placing under another customs procedure of goods already subject to temporary importation arrangements with partial relief shall be conditional on the payment of any amount due under Articles 25 and 26.

Article 29

1. By way of derogation from Article 28, the temporary importation arrangements shall be deemed to have been finally discharged when goods imported with the benefit of the provisions of Article 9 have been consumed, destroyed or distributed free of charge to the public at an event.

The nature of these goods and products referred to in Article 9 (1) (e) must however correspond to the nature of the event, the number of visitors and the extent of the exhibitors' participation therein.

2. The provisions of paragraph 1 above shall not apply to alcoholic beverages, tobacco and fuels.

Article 30

1. Without prejudice to the implementation of provisions in respect of infringements of customs legislation and provisions on exemptions, import duties shall be charged on goods under temporary importation arrangements which are released for free circulation or in other cases in which a customs debt is incurred, in accordance with the measures taken by Member States to comply with the provisions of Council Directive 79/623/EEC of 25 June 1979 on the harmonization of provisions laid down by law, regulation or administrative action relating to customs debt⁽¹⁾. Such duties shall be charged on the basis of the details of taxation determined in accordance with the provisions of Article 3 of this Regulation irrespective of whether the goods are released for free circulation directly or after having been placed under one of the customs arrangements referred to in Article 28 (1).

⁽¹⁾ OJ No L 179, 17. 7. 1979, p. 31.

However, in the case of goods referred to in Articles 9 and 16 (1) (a), (c) and (d), the moment to be taken into consideration for the determination of the amount of the customs debt shall be that referred to in the provisions adopted by Member States to comply with Article 3 of Directive 79/623/EEC.

2. Release for free circulation of goods placed under temporary importation arrangements with partial relief shall be carried out after deduction of any amount paid under Articles 25 and 26.

Article 31

1. Where goods which are recoverable in the form of waste products resulting from duly authorized destruction are not re-exported, their release for free circulation may, notwithstanding the rules laid down in Article 30, be effected on the basis of the import duty and other particulars material to the calculation of duty applicable to them as recognized or accepted by the customs authority on the date of destruction.

2. In the case of goods imported on a partial relief basis, paragraph 1 shall apply only if the importer has already paid the amount of import duties determined in accordance with Article 25 in respect of the period during which the goods have remained under temporary importation arrangements with partial relief.

3. The deterioration or irretrievable loss of goods as a result of the actual nature of the goods or of unforeseeable circumstances or *force majeure*, shall be treated as authorized destruction.

For the purposes of the previous subparagraph, goods shall be irretrievably lost if, following their disappearance, they are incapable of being used by anyone.

TITLE V

FINAL PROVISIONS

Article 32

The Committee for Customs Processing Arrangements set up by Article 26 of Directive 69/73/EEC may examine any question concerning the application of this Regulation raised by its chairman, either on his own initiative or at the request of a representative of one of the Member States.

Article 33

The provisions necessary for implementation of this Regulation, with the exception of Articles 1, 8, 15, 17, 18, 19, 25, 26, 30, 32, 33 and 34, shall be adopted in accordance with the procedure laid down in Article 28 of Directive 69/73/EEC.

Article 34

This Regulation shall enter into force on 1 January 1983. It shall be implemented one year after the adoption of the implementing provisions which will be adopted for Articles 7 (2), 10 (2), 20 (d), 21 (3) and 24

(2), in accordance with the procedure stated in Article 33, and not before 1 July 1984.

Authorizations granted pursuant to national provisions before this Regulation is implemented shall be revoked no later than two years after its entry into force if they cannot be retained on the basis of this Regulation.

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

Done at Brussels, 21 December 1982.

For the Council

The President

O. MØLLER

COUNCIL REGULATION (EEC) No 3600/82

of 30 December 1982

on the granting of limited support in the field of transport infrastructure

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the proposal from the Commis-
sion ⁽¹⁾,

Having regard to the opinion of the European
Parliament ⁽²⁾,

Having regard to the opinion of the Economic and
Social Committee ⁽³⁾,

Whereas a limited amount of financial support in the
field of transport-infrastructure should be provided in
order to be able to use the whole of the operational
appropriations included in the 1982 budget;

Whereas the projects eligible for this limited support
should be of prime importance to Community traffic,

HAS ADOPTED THIS REGULATION:

Article 1

1. Within the limits of the appropriations available
under the 1982 budget, and on the terms set out

below, the Community shall grant financial support
for transport-infrastructure projects by contributing
towards the cost of the following projects:

ITALY:

Domodossola marshalling and Customs-Clearance
Yard — work;

GREECE:

Evzoni-Volos road — section between Klidi and
Axios;

UNITED KINGDOM/France:

Fixed cross-Channel link — work on the technical
aspects for use in appraisal of the project by the
banking institutions.

2. The amount of Community financial support for
the first two projects mentioned in paragraph 1 may
not exceed 15 % of the cost in each case.

Article 2

1. For the purposes of the granting of Community
financial support as mentioned in Article 1, the
Commission shall take the necessary steps for the
application of this Regulation in agreement with the
Member States involved and taking into account the
amounts estimated to be necessary.

2. On conclusion of the work which has received
Community support, the Commission shall submit a
report to the Council.

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

Done at Brussels, 30 December 1982.

For the Council

The President

O. MØLLER

⁽¹⁾ OJ No C 226, 31. 8. 1982, p. 14.

⁽²⁾ OJ No C 292, 8. 11. 1982, p. 103.

⁽³⁾ OJ No C 296, 12. 11. 1982, p. 5.

**COMMISSION REGULATION (EEC) No 3601/82
of 21 December 1982**

**on the communication by Member States to the Commission of data relating to
imports and exports of certain agricultural products**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 24 thereof, and the corresponding provisions of the other Regulations establishing a common organization of the markets in respect of agricultural products,

Whereas Community rules relating to various sectors covered by the common organization of agricultural markets require the Member States to send the Commission the information necessary for implementing the common agricultural policy;

Whereas, in order to simplify administration, a uniform procedure for the collection and transmission of data relating to imports and exports should be introduced;

Whereas Commission Regulation (EEC) No 1188/77 of 3 June 1977 on the communication by Member States to the Commission of data relating to imports and exports of certain agricultural products⁽³⁾, as last amended by Regulation (EEC) No 3283/81⁽⁴⁾, has been amended several times; whereas in the interests of clarity and administrative efficiency, that Regulation should be consolidated;

Whereas for certain products in the fruit and vegetable sector it is advisable to follow regularly and quickly the changes in importations from non-member countries;

Whereas certain definitions laid down in Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between the Member States⁽⁵⁾ should be used for this Regulation;

Whereas the Belgo-Luxembourg Economic Union (BLEU) is considered as a single territory for statistical purposes; whereas for the purpose of communications

to the Commission, it should be regarded as a single Member State;

Whereas, in the sugar sector, Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽⁶⁾ includes a quota arrangement with full financing by the producers themselves of the cost of disposal of sugar surpluses; whereas this arrangement can be properly administered only if information is available on all relevant points and in particular on trade in the products referred to in Article 1 (1) (d) of the said Regulation;

Whereas the measures provided for in this Regulation are in accordance with all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of each month of the calendar year Member States shall, not later than four weeks thereafter, communicate to the Commission the following particulars:

A. Trade with non-member countries:

- (a) for all the products referred to in Annex I, except point XIV. Fruit and vegetables: the quantities; and
- (b) for products mentioned under I. Pigmeat, II. Beef and veal, III. Eggs and poultry, VII. Seed, VIII. Hops, and XII. Sheepmeat and goatmeat, in Annex I: the statistical value,

broken down according to the harmonized nomenclature for external trade statistics of the Community and statistics of trade between Member States (NIMEXE).

Imports shall be broken down by country of origin and exports by country of destination.

B. Imports from non-member countries of products mentioned under XIV. Fruit and vegetables in Annex I: the quantities and the statistical value, broken down according to the NIMEXE nomenclature and by country of origin.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 138, 4. 6. 1977, p. 12.

⁽⁴⁾ OJ No L 331, 19. 11. 1981, p. 25.

⁽⁵⁾ OJ No L 183, 14. 7. 1975, p. 3.

⁽⁶⁾ OJ No L 177, 1. 7. 1981, p. 4.

C. Intra-Community trade in products coming under Article 9 (2) of the Treaty :

(a) for the products mentioned under :

- I. Pigmeat,
 - II. Beef and veal,
 - III. Eggs and poultry,
 - VII. Seed,
 - VIII. Hops, and
 - XII. Sheepmeat and goatmeat,
- in Annex I: the quantities and the statistical value ;

(b) for products mentioned under V. Cereals and rice, and IX. Sugar, in Annex I: the quantities,

broken down according to the NIMEXE nomenclature and by Member State of shipment, in the case of imports and by country of destination, in the case of exports.

2. In respect of each 10-day period, Member States shall, not later than 15 days thereafter, communicate to the Commission the following particulars :

- (a) for products mentioned under I. Pigmeat, II. Beef and veal, III. Eggs and poultry, and XII. Sheepmeat and goatmeat, in Annex I, imported from non-member countries: the quantities and the statistical value ;
- (b) for products mentioned under I. Pigmeat, and III. Eggs and poultry, in Annex I, exported to non-member countries: the quantities and the statistical value ;
- (c) for products mentioned under XIII. Raw tobacco, in Annex I, imported from non-member countries: the quantities,

broken down according to the NIMEXE nomenclature. Imports shall be broken down by country of origin and exports by country of destination.

3. The following particulars shall also be communicated :

A. The total import or export trade for each NIMEXE code, or, where appropriate, each tariff subheading of the Common Customs Tariff, during the reference period, subdivided into :

- intra-Community trade, and
- trade with non-member countries.

B. As regards the monthly communications, the particulars required by paragraph 1 and point A of this paragraph, cumulatively for the calendar year.

C. In respect of those products for which the statistical value is communicated, the unit value per 100 kilograms for each item required by paragraphs 1 and 2 and points A and B of this paragraph. However, in respect of products classified under

subheadings 01.05 A and 04.05 A I (a) of the Common Customs Tariff and mentioned under 'III. Eggs and poultry' in Annex I, the unit value shall be shown per 1 000 items.

4. The particulars referred to in paragraphs 1, 2 and 3 shall be communicated in accordance with the model layout shown in Annex III. They shall be broken down into the sectors shown in Annex I.

5. For the purpose of this Regulation :

- (a) the terms 'country of origin', 'country of consignment', 'country of destination' and 'statistical value' shall have the meaning of the corresponding terms as defined in Articles 9, 10, 12 and 17 of Regulation (EEC) No 1736/75 ;

- (b) '10-day period' shall be taken to mean :

- from the first to the 10th day of each month,
- from the 11th to the 20th day of each month,
- from the 21st to the last day of each month ;

- (c) 'quantities' shall be taken to mean the net weight and supplementary units as defined in Articles 15 (1) and 16 respectively of Regulation (EEC) No 1736/75.

Article 2

1. In respect of each 10-day period Member States shall, not later than 15 days thereafter, during the period from 1 March until 31 August each year, communicate to the Commission particulars of the quantities of the products mentioned in Annex II 'Edible fruit' imported from non-member countries, broken down according to the NIMEXE nomenclature and by country of origin.

2. Article 1 (4) and (5) shall apply in respect of the communication of the particulars referred to in paragraph 1.

Article 3

For the purposes of this Regulation, the Belgo-Luxembourg Economic Union (BLEU) shall be considered as a single Member State.

Article 4

Regulation (EEC) No 1188/77 is hereby repealed.

Article 5

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

It shall be applicable from 1 January 1983.

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

I. Pigmeat

CCT heading No	Description
ex 01.03	Live swine : A. Domestic species : II. Other (than pure-bred breeding animals)
ex 02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03, or 01.04, fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine B. Offals : II. Other (than for the manufacture of pharmaceutical products) : c) Of domestic swine
ex 02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked : A. Back-fat B. Pig fat, other than that falling within subheading A
ex 02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : B. Meat and edible meat offals of domestic swine
ex 15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted : A. Lard and other pig fat
16.01	Sausages and the like, of meat, meat offal or animal blood
ex 16.02	Other prepared or preserved meat or meat offal : A. Liver : II. Other (than goose or duck liver) B. Other : III. Other (than poultry, game or rabbit meat or offal) : a) Containing meat or offals of domestic swine

II. Beef and veal

CCT heading No	Description
ex 01.02	Live animals of the bovine species : A. Domestic species : II. Other

CCT heading No	Description
ex 02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : II. Of bovine animals B. Offals : II. Other (than for the manufacture of pharmaceutical products) : b) Of bovine animals
ex 02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : C. Other (than of domestic swine and certain horsemeat) : I. Of bovine animals
ex 15.02	Fats of bovine cattle, sheep or goats, unrendered ; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats : B. Other (than for certain industrial uses) : I. Unrendered fats of bovine cattle ; rendered or solvent-extracted fats (including 'premier jus') obtained from those fats
ex 16.02	Other prepared or preserved meat or meat offal : B III b) 1. Containing bovine meat or offals other than those containing meat or offals of domestic swine

III. Eggs and poultry

CCT heading No	Description
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen
ex 02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked : C. Poultry fat
ex 04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : b) Other (than eggs for hatching) B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption
ex 16.02	Other prepared or preserved meat or meat offal : B. Other (than liver) : I. Poultrymeat or offal
ex 35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin

IV. Milk and milk products

CCT heading No	Description
04.01	Milk and cream, fresh, not concentrated or sweetened
04.02	Milk and cream, preserved, concentrated or sweetened
04.03	Butter
04.04	Cheese and curd
ex 17.02	Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey (whether or not mixed with natural honey); caramel: A. Lactose and lactose syrup: II. Other (than that containing, in the dry state, 99 % or more by weight of the pure product)
ex 21.07	Food preparations not elsewhere specified or included: F. Flavoured or coloured sugar syrups: I. Lactose syrups
ex 23.07	Sweetened forage; other preparations of a kind used in animal feeding: B. Other, containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products: I. Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup: a) Containing no starch or containing 10 % or less by weight of starch: 3. Containing not less than 50 % but less than 75 % by weight of milk products 4. Containing not less than 75 % by weight of milk products b) Containing more than 10 % but not more than 30 % by weight of starch: 3. Containing not less than 50 % by weight of milk products c) Containing more than 30 % by weight of starch: 3. Containing not less than 50 % by weight of milk products II. Containing no starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup but containing milk products

V. Cereals and rice

CCT heading No	Description
07.06	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and other similar roots and tubers with high starch or inulin content, fresh or dried, whole or sliced; sago pith: A. Manioc, arrowroot, salep and other similar roots and tubers with high starch content, excluding sweet potatoes B. Other

CCT heading No	Description
ex 10.01	Wheat and meslin : B. Other (than spelt for sowing)
10.03	Barley
ex 10.05	Maize : B. Other (than hybrid for sowing)
ex 10.06	Rice : B. Other (than for sowing)
ex 10.07	Buckwheat, millet, canary seed and grain sorghum ; other cereals : C. Grain sorghum
ex 11.01	Cereal flours : A. Wheat or meslin flour
ex 11.04	Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8 ; flour and meal of sago and of roots and tubers falling within heading No 07.06 : C. Flour and meal of sago and of roots and tubers falling within heading No 07.06 : I. Denatured
ex 11.07	Malts, roasted or not : A. Unroasted : II. Other (than obtained from wheat) : b) Not elsewhere specified
ex 17.02	Other sugars, in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : B. Glucose and glucose syrup ; maltodextrine and maltodextrine syrup
ex 23.02	Bran, sharps and other residues derived from the sifting, milling or working of cereals or of leguminous vegetables : A. Of cereals
ex 23.03	Beet pulp, bagasse and other waste of sugar manufacture ; brewing and distilling dregs and waste ; residues of starch manufacture and similar residues : A. Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product : I. Exceeding 40 % by weight II. Not exceeding 40 % by weight B. Other : II. Other
ex 23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included : A. Acorns, horse-chestnuts and pomace or marc of fruit : II. Other

VI. Oils and fats ⁽¹⁾

CCT heading No	Description
ex 12.01	Oil seeds and oleaginous fruit, whole or broken : ex B. Other (than for sowing) : (IV) Soya beans (VII) Colza and rape seed (XI) Sunflower seed
ex 23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : ex B. Other (than oil-cake and other residues resulting from the extraction of olive oil) : (VI) Of soya beans (VIII) Of colza or rape seeds (IX) Of sunflower seeds

⁽¹⁾ For subdivisions in parentheses refer to NIMEXE.

VII. Seeds

CCT heading No	Description
ex 10.05	Maize : A. Hybrid, for sowing
ex 12.01	Oil seeds and oleaginous fruit, whole or broken : A. For sowing
ex 12.03	Seeds, fruit and spores, of a kind used for sowing : C. Grass and other herbage seeds

VIII. Hops

CCT heading No	Description
12.06	Hop cones and lupulin
ex 13.03	Vegetables saps and extracts ; pectic substances, pectinates and pectates ; agar-agar and other mucilages and thickeners, derived from vegetable products : A. Vegetable saps and extracts : VI. Of hops

IX. Sugar

CCT heading No	Description
17.01	Beet sugar and cane sugar, solid
ex 17.02	Other sugars, in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel : C. Maple sugar and syrup D. Other sugars and syrups E. Artificial honey, whether or not mixed with natural honey F. Caramel : I. Containing 50 % or more by weight of sucrose in the dry matter
17.03	Molasses
ex 21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose syrups IV. Other than lactose, glucose, maltodextrine or isoglucose

X. Flax and hemp ⁽¹⁾

CCT heading No	Description
ex 54.01	Flax; raw or processed but not spun: flax tow and waste (including pulled or garnetted rags): (B) Broken (C) Scutched flax (D) Hackled (combined) or otherwise processed (E) Flax tow (F) Flax waste, including pulled or garnetted rags

⁽¹⁾ For subdivisions in parentheses refer to NIMEXE.

XI. Other cereal substitutes ⁽¹⁾

CCT heading No	Description
ex 23.04	Oil-cake and other residues (except dregs) resulting from the extraction of olive oils : B. Other : (I) Of germ of maize
ex 23.06	Products of vegetable origin of a kind used for animal food, not elsewhere specified or included : B. Other (than acorns, horse-chestnuts and pomace or marc of fruit)

⁽¹⁾ For subdivisions in parentheses refer to NIMEXE.

XII. Sheepmeat and goatmeat

CCT heading No	Description
ex 01.04	Live sheep and goats : B. Other (than pure-bred breeding animals) : I. Sheep II. Goats
ex 02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : IV. Of sheep or goats
ex 02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : C. Other (than of domestic swine and certain horsemeats) : II. Of sheep and goats
ex 15.02	Fats of bovine cattle, sheep or goats, unrendered ; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats : B. Other (than those intended for industrial uses) : II. Unrendered fats of sheep or goats ; rendered or solvent-extracted fats (including 'premier jus') obtained from those fats
ex 16.02	Other prepared or preserved meat or meat offal : B III b) 2 aa) Of sheep or goats

XIII. Raw tobacco

CCT heading No	Description
24.01	Unmanufactured tobacco ; tobacco refuse

XIV. Fruit and vegetables ⁽¹⁾

CCT heading No	Description
ex 07.02	Vegetables (whether or not cooked), preserved by freezing : B. Other : (I) Deep-frozen peas (II) Deep-frozen beans (III) Deep-frozen mushrooms
ex 07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption : C. Onions D. Cucumbers and gherkins

⁽¹⁾ For subdivisions in parentheses refer to NIMEXE.

CCT heading No	Description
ex 07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared : A. Onions B. Other (than onions) : (I) Mushrooms and truffles
ex 08.04	Grapes, fresh or dried : B. Dried
ex 08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar : A. Strawberries, raspberries and black currants : (I) Deep-frozen black currants
ex 20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard : B. Cucumbers and gherkins
ex 20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid : D. Asparagus
ex 20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, whether or not containing added sugar : C. Other (than chestnut purée and paste and jams and marmalades of citrus fruit) : I. With a sugar content exceeding 30 % by weight : b) Other : (I) Strawberry jam (II) Raspberry jam

(¹) For subdivisions in parentheses refer to NIMEXE.

ANNEX II

Edible fruit

CCT heading No	Description
ex 08.06	Apples, pears and quinces, fresh : A. Apples : II. Other

ANNEX III

Monthly / 10 day⁽¹⁾ report on imports and exports of certain agricultural products

From :
(Member State)

Period :
(day) ⁽²⁾ (month) (year)

Sector :

Sent :
(date)

NIMEXE code or CCT reference ⁽³⁾	Country code ⁽⁴⁾	IMPORTS						EXPORTS					
		Reference period			Cumulative ⁽⁷⁾			Reference period			Cumulative ⁽⁷⁾		
		Quantities	Statistical value ⁽⁵⁾	Unit value per 100 kg/ items ⁽⁶⁾	Quantities	Statistical value ⁽⁵⁾	Unit value per 100 kg/ items ⁽⁶⁾	Quantities	Statistical value ⁽⁵⁾	Unit value per 100 kg/ items ⁽⁶⁾	Quantities	Statistical value ⁽⁵⁾	Unit value per 100 kg/ items ⁽⁶⁾
1	2	3	4	5	6	7	8	9	10	11	12	13	14
A. Trade between Member States													
Total for each code :													
B. Trade with third countries													
Total for each code :													
Total for A + B (for each code) :													

Notes :

⁽¹⁾ Delete as appropriate.

⁽²⁾ Only for use on 10-day reports.

⁽³⁾ Reports should be in NIMEXE code order and in country code order within each NIMEXE code. CCT reference is to be used only where data are given for subdivisions of NIMEXE positions.

⁽⁴⁾ NCP code number for countries of origin, provenance or destination.

⁽⁵⁾ Indicate currency in words at head of column.

⁽⁶⁾ Only for use where statistical value is required.

⁽⁷⁾ Indicate for monthly report the cumulative information for the calendar year.

**COMMISSION REGULATION (EEC) No 3602/82
of 21 December 1982**

**fixing coefficients for calculating levies on pigmeat products other than pig
carcasses, amending the Annex to Council Regulation (EEC) No 950/68 on the
Common Customs Tariff and repealing Regulation (EEC) No 747/79**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2759/75 of 29 October 1975 on the common organi-
zation of the market in pigmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 2966/80 ⁽²⁾, and in particular
Article 10 (4) thereof,

Whereas, as regards the products listed in Article
1 (1) (a) and (b) of Regulation (EEC) No 2759/75, other
than pig carcasses, the levy is to be derived from the
levy on pig carcasses on the basis of a coefficient
expressing the ratio in the Community between the
prices for such products and the price for pig carcasses ;

Whereas, as regards the products listed in Article
1 (1) (c) of Regulation (EEC) No 2759/75, the levy is
made up of two components, one of which is to be
derived from the levy on pig carcasses on the basis of a
coefficient expressing the ratio in the Community
between the prices for such products and the price of
pig carcasses ;

Whereas the coefficients for calculating levies on
pigmeat products other than pig carcasses were
established by Commission Regulation (EEC) No
747/79 ⁽³⁾; whereas experience has shown that the
spread of products in this sector could be simplified,
in particular by eliminating certain details for slightly
dried and slightly smoked products, and also by a new
description of certain products permitting at the same
time a more appropriate tariff treatment of the
products concerned without changing the general
economic conditions ;

Whereas a definition of pig carcasses falling within
subheading 02.01 A III a) 1 of the Common Customs
Tariff has been established by Council Regulation
(EEC) No 2791/82 of 18 October 1982 amending
Regulation (EEC) No 2764/75 laying down the rules

for calculating a component of the levy on pig carcasses
and Regulation (EEC) No 950/68 on the Common
Customs Tariff ⁽⁴⁾; whereas more detailed descriptions
of the other main products in the pigmeat sector
should also be introduced in order to ensure the
proper application of the levies on the products
concerned ;

Whereas for ease of administration Regulation (EEC)
No 747/79 and should be repealed and all rules on
coefficients for pigmeat products should be combined
in one Regulation ;

Whereas the tariff nomenclature resulting from the
application of Regulation (EEC) No 2759/75 forms
part of the Common Customs Tariff ; whereas the new
presentation of the list of products in the pigmeat
sector resulting from the present Regulation involves
an amendment to that tariff nomenclature ; whereas,
pursuant to Article 17 (1) of Regulation (EEC) No
2759/75, Council Regulation (EEC) No 950/68 of 28
June 1968 on the Common Customs Tariff ⁽⁵⁾, as last
amended by Regulation (EEC) No 3000/81 ⁽⁶⁾, should
be amended accordingly and the English version of
subheading 02.05 A adapted to that of the other lan-
guages ;

Whereas the Management Committee for Pigmeat has
not delivered an opinion within the time limit fixed
by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

1. The coefficients expressing the ratio referred to
in Article 10 (1) of Regulation (EEC) No 2759/75 are
hereby fixed as shown in Annex I.

2. The coefficients expressing the ratio referred to
Article 10 (2) (a) of Regulation (EEC) No 2759/75 are
hereby fixed as shown in Annex II.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 95, 16. 4. 1979, p. 5.

⁽⁴⁾ OJ No L 295, 21. 10. 1982, p. 4.

⁽⁵⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁶⁾ OJ No L 318, 13. 11. 1982, p. 1.

Article 2

1. The following expressions shall have the meanings hereunder assigned to them:

- (a) 'Legs', for the purposes of subheading 02.01 A III a) 2 and 'hams' for the purposes of subheadings 02.06 B I a) 3 and 02.06 B I b) 1 of the Common Customs Tariff: the posterior (caudal) part of the half-carcase including bones, with or without foot, shank, rind or subcutaneous fat.

The leg (ham) is separated from the rest of the half-carcase so that it includes, at most, the last lumbar vertebra;

- (b) 'Fore-ends', for the purposes of subheadings 02.01 A III a) 3, 02.06 B I a) 4 and 02.06 B I b) 2 of the Common Customs Tariff: the anterior (cranial) part of the half-carcase without the head, including bones, with or without foot, shank, rind or subcutaneous fat.

The fore-end is separated from the rest of the half-carcase so that it includes, at most, the fifth dorsal vertebra.

The upper (dorsal) part of the fore-end, whether or not containing the blade-bone and attached muscles (neck-end in fresh or collar in salted condition), is considered a cut of the loin, when it is separated from the lower (ventral) part of the fore-end, at most by a cut just below the vertebral column;

- (c) 'Shoulders', for the purposes of subheadings 02.01 A III a) 3, 02.06 B I a) 4 and 02.06 B I b) 2 of the Common Customs Tariff: the lower part of the fore-end whether or not containing the blade-bone and attached muscles, including bones, with or without foot, shank, rind or subcutaneous fat.

The blade-bone and attached muscles imported separately shall remain classified in this subheading as a part of the shoulder;

- (d) 'Loins', for the purposes of subheadings 02.01 A III a) 4, 02.06 B I a) 5 and 02.06 B I b) 3 of the Common Customs Tariff: the upper part of the half-carcase, extending from the first cervical vertebra to the caudal vertebrae, including bones, with or without the tenderloin, blade-bone, subcutaneous fat or rind.

The loin is separated from the lower part of the half-carcase by a cut just below the vertebral column;

- (e) 'Bellies', for the purposes of subheadings 02.01 A III a) 5, 02.06 B I a) 6 and 02.06 B I b) 4 of the Common Customs Tariff: the lower part of the half-carcase situated between the leg (ham) and the shoulder, commonly known as 'streaky', with or without bones, but with the rind and the subcutaneous fat;

- (f) 'Bacon sides', for the purposes of subheading 02.06 B I a) 1 of the Common Customs Tariff: the pig

half-carcase without the head, cheek, chap, feet, tail, flare fat, kidney, tenderloin, blade bone, sternum, vertebral column, pelvic bone and diaphragm;

- (g) 'Spencers', for the purposes of subheading 02.06 B I a) 1 of the Common Customs Tariff: the bacon side without the ham, whether or not boned;
- (h) '¾ sides', for the purposes of subheading 02.06 B I a) 2 of the Common Customs Tariff: the bacon side without the fore-end, whether or not boned;
- (i) 'Middles', for the purpose of subheading 02.06 B I a) 2 of the Common Customs Tariff: the bacon side without the ham and the fore-end, whether or not boned.

The subheading also includes cuts of middles containing tissue of loin and belly in natural proportion to the entire middles.

2. The parts of the cuts defined in paragraphs 1 (a), (b), (c) and (d) fall within the same subheadings only if they contain the muscle tissue and the bones in natural proportion to the entire cuts.

If the cuts falling under subheadings 02.06 B I a) 3 and B I a) 4 as well as 02.06 B I b) and B I b) 2 of the Common Customs Tariff are derived from a bacon side from which the bones indicated under paragraph 1 (f) have already been removed, the lines of cutting shall follow those defined under paragraph 1 (a), (b) and (c) respectively; in any case, these cuts or parts thereof shall contain bones.

3. For the purposes of subheadings 02.01 B II c) 1 and 02.06 B II a) of the Common Customs Tariff, 'Heads' shall have the meaning of heads or halves of heads of domestic swine, with or without the brains, cheeks or tongues.

The head is separated from the rest of the half-carcase by a straight cut parallel to the cranium.

The cheeks, snouts and ears as well as the meat attached to the head, particularly to the rear part (including the chaps), are considered parts of heads. The boneless meat of the fore-end (including the jowl) falls within subheadings 02.01 A III a) 6 aa), 02.06 B I a) 7 aa) and 02.06 B I b) 5 aa), as the case may be.

4. For the purposes of subheading 02.05 A of the Common Customs Tariff, 'Subcutaneous pig fat' shall have the meaning of the fatty tissue which accumulates under the rind of the pig and adheres to it, irrespective of the part of the pig from which it comes; in any case, the weight of the fatty tissue shall exceed the weight of the rind.

The subheading also includes subcutaneous pig fat from which the rind has been removed.

5. For the purposes of subheading 02.06 B I b) of the Common Customs Tariff, products in which the

water/protein ratio in the meat (nitrogen content $\times$ 6.25) is 2.8 or less shall be considered as 'dried or smoked'. The nitrogen content shall be determined according to ISO method 937-1978.

6. For the purposes of subheading 16.02 B III a) 1 of the Common Customs Tariff, the term 'uncooked' shall apply to products which have not been subjected to any heat treatment or which have been subjected to a heat treatment insufficient to ensure the coagulation of meat proteins in the whole of the product and which therefore show traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

7. For the purposes of subheadings 16.02 B III a) 2 aa) 11 and B III a) 2 aa) 22 of the Common Customs Tariff, the expression 'parts thereof' applies only to prepared or preserved meat which, due to the size and the characteristics of the coherent muscle-tissue, is identifiable as having been obtained from hams, loins, collars or shoulders of domestic swine, as the case may be.

Article 3

The Common Customs Tariff annexed to Regulation (EEC) No 950/68 is hereby amended as follows:

1. The following text is inserted as Additional Note No 2 to Chapter 2:

'2. A. The following expressions shall have the meanings hereunder assigned to them:

- (a) "Whole carcasses or half-carcasses", for the purposes of subheading 02.01 A III a) 1: Slaughtered pigs in the form of carcasses of domestic swine which have been bled and eviscerated and from which the bristles and hooves have been removed. Half-carcasses are derived from whole carcasses by division through the centre of each cervical, dorsal, lumbar and sacral vertebra and through the centre of the sternum and the ischio-pubic symphysis. These whole carcasses and half-carcasses may be with or without head, feet, flare fat, kidneys, tail or diaphragm. Half-carcasses may be with or without spinal cord, brain or tongue. Whole carcasses and half-carcasses of sows may be with or without udders (mammary glands);
- (b) "Legs", for the purposes of subheading 02.01 A III a) 2 and "hams", for the purposes of subheadings 02.06 B I a) 3 and 02.06 B I b) 1: the posterior (caudal) part of the half-carcass including bones, with or without foot, shank, rind or subcutaneous fat.
The leg (ham) is separated from the rest of the half-carcass so that it includes, at most, the last lumbar vertebra;
- (c) "Fore-ends", for the purposes of subheadings 02.01 A III a) 3, 02.06 B I a) 4 and 02.06 B I b) 2: the anterior (cranial) part of the half-carcass without the head, including bones, with or without foot, shank, rind or subcutaneous fat.
The fore-end is separated from the rest of the half-carcass so that it includes, at most, the fifth dorsal vertebra.
The upper (dorsal) part of the fore-end, whether or not containing the blade-bone and attached muscles (neck-end in fresh or collar in salted condition), is considered a cut of the loin, when it is separated from the lower (ventral) part of the fore-end, at most by a cut just below the vertebral column;
- (d) "Shoulders", for the purposes of subheadings 02.01 A III a) 3, 02.06 B I a) 4 and 02.06 B I b) 2: the lower part of the fore-end whether or not containing the blade-bone and attached muscles, including bones, with or without foot, shank, rind or subcutaneous fat.
The blade-bone and attached muscles imported separately shall remain classified in this subheading as a part of the shoulder;
- (e) "Loins", for the purposes of subheadings 02.01 A III a) 4, 02.06 B I a) 5 and 02.06 B I b) 3: the upper part of the half-carcass, extending from the first cervical vertebra to the caudal vertebrae, including bones, with or without the tenderloin, blade-bone, subcutaneous fat or rind.
The loin is separated from the lower part of the half-carcass by a cut just below the vertebral column;
- (f) "Bellies", for the purposes of subheadings 02.01 A III a) 5, 02.06 B I a) 6 and 02.06 B I b) 4: the lower part of the half-carcass situated between the leg (ham) and the shoulder, commonly known as "streaky", with or without bones, but with the rind and the subcutaneous fat;
- (g) "Bacon sides", for the purposes of subheading 02.06 B I a) 1: the pig half-carcass without the head, cheek, chap, feet, tail, flare fat, kidney, tenderloin, blade bone, sternum, vertebral column, pelvic bone and diaphragm;
- (h) "Spencers", for the purposes of subheading 02.06 B I a) 1: the bacon side without the ham, whether or not boned;

Heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Whole carcases or half carcases 2. Legs and parts thereof 3. Fore-ends or shoulders ; parts thereof 4. Loins and parts thereof 5. Bellies and parts thereof 6. Other : aa) Boned or boneless bb) Other	20 (L) 20 (L) 20 (L) 20 (L) 20 (L) 20 (L) 20 (L)	— — — — — — —

Heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
02.01 (cont'd)	B. Offals : II. Other : c) Of domestic swine : 1. Heads and parts thereof 2. Feet or tails 3. Kidneys 4. Liver 5. Hearts, tongues or lungs 6. Livers, hearts, tongues and lungs with windpipe and gullet all attached 7. Other	20 (L) 20 (L) 20 (L) 20 (L) 20 (L) 20 (L) 20 (L)	4 4 4 7 4 4 4
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked : B. Meat and edible meat offals of domestic swine : I. Meat : a) Salted or in brine : 1. Bacon sides or spencers 2. $\frac{3}{4}$ sides or middles 3. Hams and parts thereof 4. Fore-ends or shoulders; parts thereof 5. Loins and parts thereof 6. Bellies and parts thereof 7. Other : aa) Boned or boneless bb) Other b) Dried or smoked : 1. Hams and parts thereof 2. Fore-ends or shoulders; parts thereof 3. Loins and parts thereof 4. Bellies and parts thereof 5. Other : aa) Boned or boneless bb) Other II. Offals : a) Heads and parts thereof b) Feet or tails c) Kidneys d) Livers e) Hearts, tongues or lungs f) Livers, hearts, tongues and lungs with windpipe and gullet all attached g) Other	25 (L) 25 (L)	— —

6. In the English version, subheading 02.05 A is amended to read as follows :

'02.05 (unchanged)

A. Subcutaneous pig fat :'

7. The present Additional Note to Chapter 16 becomes Additional Note No 1 to Chapter 16.

8. The following text is inserted as Additional Note No 2 to Chapter 16 :

Member of the Commission

[illegible]

CCT heading No	Description	Coefficients
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :	
	B. Of domestic swine :	
	I. Meat :	
	a) Salted or in brine :	
	1. Bacon sides or spencers	1.28
	2. $\frac{3}{4}$ sides or middles	1.40
	3. Hams and parts thereof	1.45
	4. Fore-ends or shoulders ; parts thereof	1.12
	5. Loins and parts thereof	1.62
	6. Bellies and parts thereof	0.87
	7. Other :	
	aa) Boned or boneless	1.62
	bb) Other	1.62
	b) Dried or smoked :	
	1. Hams and parts thereof	2.82
	2. Fore-ends or shoulders ; parts thereof	2.22
	3. Loins and parts thereof	2.79
	4. Bellies and parts thereof	1.45
	5. Other :	
	aa) Boned or boneless	2.82
	bb) Other	2.82
	II. Offals :	
	a) Heads and parts thereof	0.32
	b) Feet or tails	0.09
	c) Kidneys	1.05
	d) Livers	1.21
	e) Hearts, tongues or lungs	0.60
	f) Livers, hearts, tongues and lungs with windpipe and gullet all attached	0.88
	g) Other	0.88
15.01	Lard, other pig fat and poultry fat, rendered or solvent extracted :	
	A. Lard and other pig fat :	
	I. For industrial uses other than the manufacture of food-stuffs for human consumption (a)	0.32
	II. Other	0.32

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

ANNEX II

Coefficients for calculating the levies on products mentioned in Article 10 (2) (a) of Regulation (EEC) No 2759/75

CCT heading No	Description	Coefficients
16.01	Sausages and the like, of meat, meat offal or animal blood : A. Liver sausages B. Other (a) : I. Sausages, dry or for spreading, uncooked II. Other	1.40 2.35 1.60
16.02	Other prepared or preserved meat or meat offal : A. Liver : II. Other B. Other : III. Other : a) Containing meat or offal of domestic swine : 1. Containing bovine meat, uncooked 2. Other, containing by weight : aa) 80 % or more of meat or offal, of any kind, including fats of any kind or origin : 11. Hams or loins (excluding collars) ; parts thereof 22. Collars or shoulders ; parts thereof 33. Other bb) 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin cc) Less than 40 % of meat or offal, of any kind, including fats of any kind or origin	1.30 4.00 2.45 2.05 1.35 1.12 0.67

(a) The levy applicable to sausages imported in containers which also contain preservative liquid is collected on the net weight, i.e. after deduction of the weight of the liquid.

COMMISSION REGULATION (EEC) No 3603/82
of 23 December 1982
amending Regulation (EEC) No 3316/82 fixing the free-at-frontier reference
prices applicable to wine imports from 16 December 1982

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 337/79
of 5 February 1979 on the common organization of
the market in wine ⁽¹⁾, as last amended by Regulation
(EEC) No 3082/82 ⁽²⁾, and in particular Article 18 (8)
thereof,

Whereas the arrangements for wine imports from
Algeria for 1983 were laid down by Council Regula-
tion (EEC) No 3594/82 of 21 December 1982 ⁽³⁾;
whereas provision must accordingly be made for the
free-at-frontier reference prices fixed for these wine

imports until 31 December 1982 by Commission
Regulation (EEC) No 3316/82 of 6 December 1982 ⁽⁴⁾
to continue to apply from 1 January 1983,

HAS ADOPTED THIS REGULATION :

Article 1

In the Annex to Regulation (EEC) No 3316/82, the
asterisk in the column headed 'Algeria' is deleted.

Article 2

This Regulation shall enter into force on 1 January
1983.

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

Done at Brussels, 23 December 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 326, 23. 11. 1982, p. 1.

⁽³⁾ OJ No L 375, 31. 12. 1982, p. 33.

⁽⁴⁾ OJ No L 351, 11. 12. 1982, p. 1.

COMMISSION REGULATION (EEC) No 3604/82
of 23 December 1982
on the application of Article 85 (3) of the Treaty to categories of specialization agreements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 87 thereof,

Having regard to Council Regulation (EEC) No 2821/71 of 20 December 1971 on the application of Article 85 (3) of the Treaty to categories of agreements, decisions and concerted practices⁽¹⁾, as amended by Regulation (EEC) No 2743/72⁽²⁾ and by the Acts concerning the conditions of accession and the adjustments to the Treaties of 1979⁽³⁾, and in particular Article 1 thereof,

Having published the draft of this Regulation,

Having consulted the Advisory Committee, on Restrictive Practices and Dominant Positions,

1. Whereas Regulation (EEC) No 2821/71 empowers the Commission to apply Article 85 (3) of the Treaty by Regulation to certain categories of agreements, decisions and concerted practices concerning specialization, including agreements necessary for achieving it, which fall within Article 85 (1);

2. Whereas agreements for the specialization of present or future production may fall within the prohibition contained in Article 85 (1);

3. Whereas agreements for the specialization of production lead in general to an improvement in the production or distribution of goods, because the undertakings can concentrate on the manufacture of certain products, thus operate on a more rational basis and offer these products at more favourable prices; whereas it is to be anticipated that, with effective competition, consumers will receive a fair share of the profit resulting therefrom;

4. Whereas these advantages arise in the same way out of agreements whereby each participant gives up manufacture of certain products in favour of another as out of agreements whereby participants undertake to only manufacture or have manufactured certain products jointly;

5. Whereas this Regulation must determine what restrictions on competition may be included in a specialization agreement; whereas the restrictions on competition, going beyond reciprocal giving up of manufacture, which are thus permitted are normally essential for the entering into, and implementation of, the agreement; whereas these restrictions are therefore, in general, indispensable for the purpose of ensuring that the desired benefits accrue to undertakings and consumers; whereas it may be left to the contracting parties to decide which of these provisions they include in their agreements;

6. Whereas, in order to ensure that competition is not eliminated in respect of a substantial part of the goods in question, this Regulation applies only if the share of the market held by the participating undertakings and the size of the undertakings themselves do not exceed a specified limit;

7. Whereas, in order to facilitate the conclusion of long-term specialization agreements, which can have an impact on the structure of the participating undertakings, it is appropriate to fix the period of validity of the Regulation at 15 years; whereas, if the circumstances on the basis of which this Regulation was adopted should change within this period, the Commission will undertake the necessary amendments;

8. Whereas agreements, decisions and concerted practices which satisfy the conditions set out in this Regulation need not be notified; whereas an undertaking may nonetheless in a particular case, where justified doubt exists, require the Commission to declare whether its agreements comply with this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 85 (3) of the Treaty and subject to the provisions of this Regulation, it is hereby declared that Article 85 (1) of the Treaty shall not apply to any agreement whereby, with the object of specialization and for the duration of the agreement, undertakings mutually undertake either:

- (a) not to manufacture themselves, or to have manufactured by other undertakings, certain products

⁽¹⁾ OJ No L 285, 29. 12. 1971, p. 46.

⁽²⁾ OJ No L 291, 28. 2. 1972, p. 144.

⁽³⁾ OJ No L 291, 19. 11. 1979, p. 94.

and to leave to other contracting parties the task of manufacturing, or of having manufactured, such products ; or

- (b) to only manufacture or have manufactured certain products jointly.

Article 2

1. Apart from the obligation referred to in Article 1, no restriction on competition shall be imposed on the contracting parties other than :

- (a) the obligation not to conclude with other undertakings specialization agreements relating to identical products or to products considered by users to be similar by reason of their characteristics, price or use, except with the consent of the other contracting parties ;
- (b) the obligation to supply the other contracting parties with the products which are the subject of specialization, and in so doing to observe minimum standards of quality ;
- (c) the obligation to purchase products, which are the subject of specialization, solely from another contracting party or from an undertaking which the contracting parties jointly charged with the manufacture, except where more favourable terms of purchase are available elsewhere and the other contracting party, or the undertaking charged with manufacture, are not prepared to offer the same terms ;
- (d) the obligation to grant to other contracting parties the exclusive right to distribute the products which are the subject of specialization provided that intermediaries and users can also obtain these products from other suppliers and that the contracting parties do not render it difficult for intermediaries or users to thus obtain the products.

2. Article 1 shall apply notwithstanding that the following obligations are imposed :

- (a) the obligation to maintain minimum stocks of the products which are the subject of the specialization and of replacement parts for them ;
- (b) the obligation to provide customer and guarantee services for the products which are the subject of the specialization.

Article 3

Article 1 shall apply only :

- (a) if the products which are the subject of the specialization and other products of the participating undertakings considered by users to be similar by

reason of their characteristics, price or use do not represent, in a substantial part of the common market, more than 15 % of the market for all such products ; and

- (b) if the total annual turnover of the participating undertakings does not exceed 300 million ECU.

Article 4

1. For the purposes of Article 3 (b) of this Regulation, the ECU is the unit of account used for drawing up the budget of the Community pursuant to Articles 207 and 209 of the Treaty.

2. Article 1 of this Regulation shall remain applicable where during any period of two consecutive financial years the share of the market or the turnover referred to in Article 3 is exceeded by no more than 10 %.

3. For the purpose of calculating total annual turnover within the meaning of Article 3 (b), the turnovers achieved during the last financial year by the participating undertakings in respect of all goods and services excluding all taxes and duties shall be added together. In this connection, no account shall be taken of dealings between the participating undertakings or between these undertakings and the undertaking charged with manufacture.

Article 5

For the purposes of Articles 3 (1) (a) and (b) and 4 (3), participating undertakings are :

- (a) the undertakings party to the agreement ;
- (b) undertakings in which a party to the agreement, directly or indirectly :
- owns more than half the capital or business assets, or
 - has more than half the voting rights, or
 - is able to appoint at least half the members of the supervisory board, board of management or bodies legally representing the undertaking, or
 - is able to manage the affairs ;
- (c) undertakings which directly or indirectly have in or over the undertakings party to the agreement, the rights or powers listed in (b) ;
- (d) undertakings in which an undertaking referred to in (c) directly or indirectly has the rights or powers listed in (b).

Article 6

The Commission may withdraw the benefit of this Regulation pursuant to Article 7 of Regulation (EEC) No 2821/71 when it finds in a particular case that an agreement exempted by this Regulation nevertheless has effects which are incompatible with the conditions set out in Article 85 (3) of the Treaty and in particular where the specialization is not yielding significant results or that consumers are not receiving a fair share of the resulting profit.

Article 7

This Regulation shall apply by analogy to the categories of decisions of associations of undertakings and concerted practices defined in Article 1.

Article 8

This Regulation shall enter into force on 1 January 1983.

It shall apply until 31 December 1997.

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

Done at Brussels, 23 December 1982.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION REGULATION (EEC) No 3605/82

of 30 December 1982

making the import of certain textile products originating in Argentina subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, and in particular Article 10 thereof,

After consulting the advisory committee established under the said Regulation,

Whereas imports into the Community of textile products originating in Argentina and a large number of other supplier countries in a situation similar to Argentina have been subject to a special import regime under the terms of bilateral agreements expiring on 31 December 1982; whereas such agreements provided *inter alia* procedures whereby imports of such products could be limited and monitored;

Whereas the Community has negotiated new bilateral agreements with the other supplier countries whereby imports of textiles products are subject to a similar special import regime with effect from 1 January 1983;

Whereas there is no such agreement with Argentina; whereas imports of such products are not subject to specific common import rules from 1 January 1983;

Whereas there is therefore a threat that imports of textile products originating in Argentina will cause injury to Community producers of like or directly competing products; whereas the interests of the Community require that imports of textile products originating in Argentina should not be on more favourable terms than those applying to imports originating in the other supplier countries,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1983, placing in free circulation in the Community of the products set out in the Annex and originating in Argentina is hereby made subject to prior Community surveillance in accordance

with Articles 11 and 14 of Regulation (EEC) No 288/82.

Article 2

The products to which Article 1 applies may be put into free circulation in a Member State only on production of an import document. This document shall be issued or endorsed by the competent authority of the Member State of import, free of charge, for the quantities requested and within a maximum of five working days following the submission of a declaration or application by a Community importer and shall be valid for six months from the date of issue.

Article 3

The declaration or application by the importer to the competent authority of the Member State for issue of an import document shall bear:

- (a) the names of the importer and exporter;
- (b) a statement that the products originate in Argentina and, where different, the country of export or of purchase;
- (c) a description of the products, including:
 - their commercial designation,
 - a description of the products and the Common Customs Tariff heading or subheading and/or the NIMEXE statistical code as specified in the Annex;
- (d) the appropriate category and the quantity, in an appropriate unit, as indicated in the Annex;
- (e) where appropriate, dates of payment and delivery and a copy of the bill of lading and of the purchase contract;
- (f) any internal code used for administrative purposes;
- (g) the date and the signature of the importer.

It shall be accompanied by a certified copy of the bill of lading, letter of credit, contract or any other commercial document indicating a firm intention to carry out the importation.

Article 4

1. Member States shall communicate to the Commission within 10 days after the end of each

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

month the quantities of products in respect of which import documents were issued or endorsed during such month, broken down by country of origin and category and in the units specified in the Annex.

2. Member States shall communicate to the Commission within 30 days after the end of each month the quantities of the products to which Article 1 applies imported during such month, broken down by country of origin and NIMEXE code, in the units specified in the Annex.

Article 5

This Regulation shall enter into force on 6 January 1983 and shall apply until 30 June 1983.

However, imports of products which were in the course of shipment to the Community before the date of entry into force of this Regulation shall continue to be subject to the presentation of the same import documents, and to the same import conditions, as before that date.

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

Done at Brussels, 30 December 1982.

For the Commission

Étienne DAVIGNON

Vice-President

ANNEX

Category	CCT heading No	NIMEXE code (1983)	Description	Units
1	55.05	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 51; 53; 55; 57; 61; 65; 67; 69; 72; 78; 81; 83; 85; 87	Cotton yarn, not put up for retail sale	Tonnes
46	ex 53.05	53.05-10; 22; 29; 32; 39	Sheep's or lambs' wool or other animal hair (fine or coarse), carded or combed : Carded or combed sheep's or lambs' wool or other fine animal hair	Tonnes
50	53.11	53.11-01; 03; 07; 11; 13; 17; 20; 30; 40; 52; 54; 58; 72; 74; 75; 82; 84; 88; 91; 93; 97	Woven fabrics of sheep's or lambs' wool or of fine animal hair	Tonnes

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