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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 4128/87

of 9 December 1987

laying down conditions for the entry of flue-cured Virginia type, light air-cured Burley type (including Burley hybrids), light air-cured Maryland type and fire-cured tobacco, falling within subheadings 2401 10 10 to 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof;

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 3035/79 ⁽⁶⁾, as last amended by Regulation (EEC) No 2946/86 ⁽⁷⁾, laid down conditions for the entry of flue-cured Virginia type, light air-cured Burley type (including Burley hybrids), light air-cured Maryland type and fire-cured tobacco, falling within subheading 24.01 A of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No

97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 3035/79 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 refers in subheadings 2401 10 10 to 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature to flue-cured Virginia type and light air-cured Burley type (including Burley hybrids), light air-cured Maryland type and fire-cured tobacco; whereas entry under this subheading is subject to conditions laid down in the relevant Community provisions; whereas, in order to ensure uniform application of the nomenclature of the combined nomenclature, provisions specifying those conditions must be laid down;

Whereas identification of the above products presents certain difficulties; whereas it can be considerably simplified if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, entry of a product under the subheading mentioned above should be authorized only where such product is accompanied by a certificate of authenticity which is delivered by an issuing authority recognized as such by the exporting country and which provides such assurance;

Whereas it is appropriate to provide that tobacco having the characteristics indicated in the text of subheadings 2401 10 10 to 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature shall be classified in those subheadings even if it is not accompanied by a certificate of authenticity, provided that it can be put into free circulation without payment of customs duty by virtue of another Community provision;

Whereas it is appropriate to forbid the issue or acceptance of certificates of authenticity, especially because of the difficulties it could cause in the application on the combined

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 341, 31. 12. 1979, p. 26.

⁽⁷⁾ OJ No L 275, 26. 9. 1986, p. 8.

nomenclature, when various types of the abovementioned tobacco are presented in the same immediate packing;

Whereas it is appropriate to specify the form which such a certificate must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the Community to keep check upon the conditions of issue of the said certificate; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas the certificate of authenticity should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. The entry under subheadings 2401 10 10 to 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature of flue-cured Virginia type and light air-cured Burley type (including Burley hybrids), light air-cured Maryland type and fire-cured tobacco, shall be subject to presentation of a certificate of authenticity meeting the requirements specified in this Regulation.

However, tobacco as described in the first subparagraph which, by virtue of a Community provision, is free of customs duty at the time of its entry into free circulation, shall be classified under subheadings 2401 10 10 to 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature without a certificate of authenticity.

The aforementioned certificate may be neither issued nor accepted for the types of tobacco referred to above when more than one of them are put in the same immediate packing.

2. For the purposes of this Regulation:

- (a) flue-cured Virginia type tobacco means tobacco which has been cured under artificial atmospheric conditions by a process of regulating the heat and ventilation without allowing smoke and fumes to come in contact with the tobacco leaves; the colour of the cured tobacco normally ranges from lemon to very dark orange or red. Other colours and combinations of colours frequently result from variations in maturity of cultural and curing techniques;
- (b) light air-cured Burley type tobacco (including Burley hybrids) means tobacco which has been cured under natural atmospheric conditions and does not carry the odour of smoke or fumes if supplemental heat or air circulation has been applied; the leaves normally range from light tan to reddish colour. Other colours and

combinations of colours frequently result from variations in maturity or cultural and curing techniques;

- (c) light air-cured Maryland type tobacco means tobacco which has been cured under natural atmospheric conditions and does not carry the odour of smoke or fumes if supplemental heat or air circulation has been applied; the leaves normally range from a light-yellow to deep cherry red colour. Other colours and combinations of colours frequently result from variations in maturity or cultural and curing techniques;
- (d) fire-cured tobacco means tobacco which has been cured under artificial atmospheric conditions by the use of open fires from which wood smoke has been partly absorbed by the tobacco. Fire-cured tobacco leaves are normally thicker than leaves of Burley, flue-cured, or Maryland from the corresponding stalk position. Colours normally range from yellowish-brown to very dark brown. Other colours and combinations of colours frequently result from variations in maturity or cultural and curing techniques.

Article 2

1. The certificate corresponding to the specimen in Annex I shall be printed and drawn up in one of the official languages of the European Economic Community and, where appropriate, an official language of the exporting country. The size of the certificate shall be approximately 210 × 297 millimetres. The paper used shall be white and weigh not less than 40 grams per square metre.

2. Each certificate shall bear an individual serial number given by the issuing authority.

3. The customs authorities of the Member State in which the tobacco is presented may require a translation of the certificate.

Article 3

The certificate shall be completed either in typescript or in manuscript. In the latter case, it must be completed in ink and block letters.

Article 4

The certificate or, where the consignment has been split, a photocopy of the certificate, as provided for in Article 9, shall be presented within 24 months of the date of issue of the certificate to the customs authorities of the importing Member State, together with the goods to which it relates.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an authority appearing on the list in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue, and bears the stamp of the issuing authority and the signature of the person or persons authorized to sign it.

Article 6

1. An issuing authority can appear on the list only if:
 - (a) it is recognized as such by the exporting country;
 - (b) it undertakes to verify the particulars shown in certificates;
 - (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.
2. This list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing authority fails to fulfil one or more of the obligations incumbent upon it.

Article 7

Invoices produced in support of declarations of entry for free circulation shall bear the serial number of the corresponding certificate.

Article 8

The countries listed in Annex II shall send the Commission specimens of the stamps used by their issuing authorities and

where appropriate their authorized agents. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Where a consignment is split, the original certificate shall be photocopied for each part consignment. The photocopies and the original certificate shall be presented to the customs office at which the goods are situated.

Each photocopy shall indicate the name and address of the consignee and be marked in red 'Extract valid for ... kg' (in figures and letters) together with the place and date of the splitting. These statements shall be authenticated by the customs office stamp and the signature of the customs official responsible. The original certificate shall be inscribed with the particulars relating to the splitting of the consignment and shall be retained by the competent customs office.

Article 10

Regulation (EEC) No 3035/79 is hereby repealed.

Article 11

This Regulation shall enter into force on 1 January 1988.

However, until 31 December 1989, the abovementioned tobacco shall be admitted under the relevant subheadings listed in Article 1 on presentation of a certificate of authenticity of the kind used until 31 December 1987.

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

Done at Brussels, 9 December 1987.

For the Commission
COCKFIELD
Vice-President

1 Exporter	2 Number	ORIGINAL	
	3 ISSUING AUTHORITY		
4 Consignee	5 CERTIFICATE OF AUTHENTICITY TOBACCO (Subheadings 2401 10 10 to 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature)		
7 Marks and numbers, number and kind of packages		8 Gross weight (kg)	9 Net weight (kg)
		10 Net weight (kg) (in words)	
11 CERTIFICATE OF THE ISSUING AUTHORITY I hereby certify that the tobacco described in this certificate is flue-cured Virginia type tobacco — light air-cured Burley type tobacco (including Burley hybrids) — light air-cured Maryland type tobacco — fire-cured tobacco (*) within the meaning of Article 1 (2) of Regulation (EEC) No 4128/87 Place Date Stamp (or printed seal) and signature			

ANNEX II

Exporting country	Issuing authority	
	Name	Place where established (main office)
1	2	3
United States of America	Tobacco Association of the United States or its authorized agents ⁽¹⁾	Raleigh, North Carolina
Canada	Directorate General Food Production and Inspection, Agriculture Branch, Canada or its authorized agents ⁽¹⁾	Ottawa
	Direction générale de la production et de l'inspection, Section Agriculture Canada or its authorized agents ⁽¹⁾	
Argentina	Cámara del Tabaco del Salta or its authorized agents ⁽¹⁾	Salta
Bangladesh	Tobacco Development Board or its authorized agents ⁽¹⁾	Dacca
Brazil	Carteira de Comércio Exterior do Banco do Brasil or its authorized agents ⁽¹⁾	Rio de Janeiro
China	Shanghai Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Shanghai
	Shandong Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Qingdao
	Hubei Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Hankou
	Guangdong Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Guangzhou
	Liaoning Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Dalian
	Yunnan Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Kunming
	Shenzhen Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Shenzhen
	Hainan Import and Export Commodity Inspection Bureau of the People's Republic of China or its authorized agents ⁽¹⁾	Hainan
Colombia	Superintendencia de Industria y Comercio — División de Control de Normas y Calidades or its authorized agents ⁽¹⁾	Bogota
Guatemala	Dirección de Comercio Interior y Exterior del Ministerio de Economía or its authorized agents ⁽¹⁾	Guatemala City
India	Tobacco Board or its authorized agents ⁽¹⁾	Guntur

Exporting country	Issuing authority	
	Name	Place where established (main office)
1	2	3
Indonesia	Lembaga Tembakau or its authorized agents ⁽¹⁾ : — Lembaga Tembakau Sumatra Utara — Lembaga Tembakau Jawa Tengah — Lembaga Tembakau Jawa Timur I — Lembaga Tembakau Jawa Timur II	Medan Sala Surabaya Jembery
Mexico	Secretaría de Comercio or its authorized agents ⁽¹⁾	Mexico-City
Philippines	Philippine Virginia Tobacco Administration or its authorized agents ⁽¹⁾	Quezon City
South Korea	Office of Korean Monopoly Corporation or its authorized agents ⁽¹⁾	Sintanjin
Sri Lanka	Department of Commerce or its authorized agents ⁽¹⁾	Colombo
Thailand	Ministry of Commerce or its authorized agents ⁽¹⁾	Bangkok
Yugoslavia	Institut za Duvan or its authorized agents ⁽¹⁾	Belgrad

⁽¹⁾ When the office of an 'authorized agent' is in a place other than that given in column 3 as the place where the main office of the relevant issuing authority is established, the State concerned shall send the name and address of this authorized agent to the Commission of the European Communities, which shall inform the customs authorities of the Member States thereof.

COMMISSION REGULATION (EEC) No 4129/87

of 9 December 1987

specifying the conditions for the inclusion of certain live animals of the domestic bovine species and certain meat of the bovine species under the combined nomenclature subheadings listed in Annex C to the Agreement between the European Economic Community and Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff⁽²⁾, as last amended by Regulation (EEC) No 3529/87⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84⁽⁵⁾, Commission Regulation (EEC) No 1725/80⁽⁶⁾, specified the conditions for the inclusion of certain live animals of the domestic bovine species and certain meat of the bovine species under subheadings 01.02 A II a), 02.01 A II a) 1 aa), 02.01 A II a) 2 aa) and 02.01 A II a) 3 aa) of the Common Customs Tariff as listed in Annex C to the Interim Agreement between the European Economic Community and Yugoslavia;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 1725/80 by a new regulation taking over the new nomenclature as well as the new legal base;

Whereas the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia approved by Council Regulation (EEC) No

314/83⁽⁷⁾, lists in Annex C the following products under subheadings 0102 90 31 to 37, 0201 10 90, 0201 20 11, 0201 20 31, 0201 20 39, 0201 20 51 and 0201 20 59 of the domestic bovine species, respectively:

1. live animals including buffalo other than purebred breeding animals, not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 450 kg in respect of male animals, or of not less than 320 kg but not more than 420 kg in respect of female animals;
2. carcasses, fresh or chilled, of a weight of not less than 180 kg but not more than 270 kg, and half carcasses or 'compensated' quarters of bovine animals other than calves, fresh or chilled, of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (in particular those of the symphysis pubis and the vertebral apophyses), the meat of which is a light pink colour and the fat of which, of extremely fine texture, is white to light yellow in colour;
3. forequarters, fresh or chilled, of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (in particular those of the vertebral apophyses), the meat of which is a light pink colour and the fat of which, of extremely fine texture, is white to light yellow in colour;
4. hindquarters, fresh or chilled, of a weight of not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (in particular those of the vertebral apophyses), the meat of which is a light pink colour and the fat of which, of extremely fine texture, is white to light yellow in colour;

Whereas inclusion under those subheadings is subject to production of the certificate referred to in Article 24 (2) (c) of the aforementioned Agreement; whereas the certificate must show that the goods to which it relates correspond exactly to the wording of those subheadings and that they originated in and come from Yugoslavia;

Whereas, pursuant to Article 9 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 170, 3. 7. 1980, p. 4.

⁽⁷⁾ OJ No L 41, 14. 2. 1983, p. 1.

concept of the origin of goods ⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, the certificate must comply with certain conditions;

Whereas it is appropriate to specify the form which such certificate must take and the conditions for its use; whereas it is appropriate to lay down certain rules governing the appointment of issuing bodies so as to enable the Community to ensure that the conditions of issue of certificates are observed;

Whereas the wording of the certificate and the conditions for issue and use thereof were determined by mutual agreement with the competent authorities of Yugoslavia; whereas those authorities have communicated the name of the issuing body;

Whereas, pursuant to Article 20 (1) of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽²⁾, as last amended by Regulation (EEC) No 467/87 ⁽³⁾, the general rules for the interpretation of the combined nomenclature and detailed rules for the application thereof apply to the classification of products covered by that Regulation;

Whereas the certificate should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The inclusion of certain live animals of the domestic bovine species and certain meat of the bovine species under subheadings:

- ex 0102 90 31 to 37
- ex 0201 10 90 and ex 0201 20 11
- ex 0201 20 31 and ex 0201 20 39
- ex 0201 20 51 and ex 0201 20 59

referred to in Annex C to the Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia shall be subject to the conditions laid down in this Regulation.

Article 2

Without prejudice to the provisions of Article 9 (2) of Regulation (EEC) No 802/68, a certificate issued in Yugoslavia and fulfilling the requirements laid down in this Regulation shall be submitted when the products referred to in Article 1 are placed in free circulation in the Community.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 48, 17. 2. 1987, p. 1.

Article 3

1. The certificate, corresponding to the specimen in Annex I, shall be prepared in one original and two copies. It shall be printed and completed in one of the official languages of the Community and also, where appropriate, in the official language or one of the official languages of the exporting country.

The competent authority of the Member State in which the products are presented may require a translation of the certificate.

2. The original and the copies thereof shall be typewritten or completed by hand. In the latter case they must be completed in ink and in block capitals.

3. The size of the certificate shall be about 210 × 297 mm. The paper used shall weigh not less than 40 grams per square metre. White paper shall be used for the original, pink for the first copy and yellow for the second copy.

4. Each certificate shall bear an individual serial number followed by the nationality symbol 'YU'.

The copies shall bear the same serial number and the same nationality symbol as the original.

Article 4

1. The original and the first copy of the certificate shall be submitted, with the products to which they refer and within 12 days of the date of issue, to the customs authorities of the Member State in which the products are placed in free circulation.

2. The second copy of the certificate shall be sent by the issuing body direct to the competent authorities of the Member State in which the products are placed in free circulation.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an issuing body appearing in the list in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorized to sign it.

Article 6

1. An issuing agency may appear on the list only if:

- (a) it is recognized as such by the exporting country;
- (b) it undertakes to verify the particulars shown in the certificates;
- (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates;
- (d) it undertakes to send to the authorities indicated in Article 4 (2) the second copy of each authenticated certificate within three days of the date of issue.

2. The list shall be revised where the condition specified in paragraph 1 (a) is no longer satisfied or where an issuing body does not fulfil any of the obligations which it has undertaken.

Article 7

Invoices produced in support of customs declarations shall bear the serial number(s) of the corresponding certificate(s).

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

Done at Brussels, 9 December 1987.

Article 8

Yugoslavia shall send the Commission of the European Communities specimens of the stamps used by its issuing authorities. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Regulation (EEC) No 1725/80 is hereby repealed.

Article 10

This Regulation shall enter into force on 1 January 1988.

However, until 31 March 1988, the products covered by this Regulation shall also be admitted under the relevant subheadings listed in Article 1 on presentation of a certificate of the kind used until 31 December 1987.

For the Commission
COCKFIELD
Vice-President

1 Consignor (full name and address)	CERTIFICATE No 0000 ORIGINAL			YU
2 Consignee (full name and address)	CERTIFICATE FOR EXPORTS TO THE EEC OF BOVINE ANIMALS AND MEAT OF BOVINE ANIMALS (Application of Article 24 (2) (c) of the Agreement between the EEC and Yugoslavia)			
NOTES A This certificate shall be prepared in one original and two copies. B The original and its two copies shall be typewritten or completed by hand; in the latter case, they must be completed in block letters in ink. C The original and the first copy of the certificate shall be submitted, with the products to which they refer, to the customs authorities of the Member State in which the products are placed in free circulation within 12 days of the date of issue.				
3 Item number; marks, numbers, number and kind of packages or head of cattle; description of goods	4 Combined nomenclature subheading	5 Gross weight (kg)	6 Net weight (kg)	
7 Net weight (kg) (in words)				
8 I, the undersigned _____, acting on behalf of the authorized issuing body (box No 9) certify that the goods described above were subjected to health inspection at _____. In accordance with the attached veterinary certificate of _____, originate in and come from Yugoslavia and correspond exactly to the definition contained in Annex C to the Interim Agreement of 24 January 1983 between the EEC and Yugoslavia.				
9 Authorized issuing body	Place:		Date:	
	_____ (Stamp of issuing body)		_____ (Signature)	

ANNEX II

Issuing body: SAVEZNI TRŽIŠNI INSPEKTORAT BEOGRAD

COMMISSION REGULATION (EEC) No 4230/87

of 9 December 1987

laying down conditions for the entry of fresh table grapes of the variety Emperor (*Vitis vinifera cv*) falling within subheading 0806 10 11 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 3034/79 ⁽⁶⁾, as last amended by the Act of Accession of Spain and Portugal, laid down conditions for the entry of fresh table grapes of the variety Emperor (*Vitis vinifera cv*) falling within subheading 08.04 A I a) 1 of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 3034/79 by a new regulation taking over the new nomenclature as well as the new legal base;

Whereas Regulation (EEC) No 2658/87 covers fresh table grapes of the variety Emperor (*Vitis vinifera cv*) falling within subheading 0806 10 11 of the combined nomenclature; whereas entry under this subheading is subject to conditions laid down in the relevant Community

provisions; whereas in order to ensure uniform application of the nomenclature of the combined nomenclature, provision specifying those conditions must be laid down;

Whereas identification of the above products presents certain difficulties; whereas it can be considerably simplified if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, entry of a product under the subheading mentioned above should be authorized only where such product is accompanied by a certificate of authenticity which is issued by an authority acting under the responsibility of the exporting country and which provides such assurance;

Whereas it is appropriate to specify the form which such certificate must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the Community to keep check upon the conditions of issue of the said certificate; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas the certificate of authenticity should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The entry under subheading 0806 10 11 of the combined nomenclature of fresh table grapes of the variety Emperor (*Vitis vinifera cv*) shall be subject to presentation of a certificate of authenticity meeting the requirements specified in this Regulation.

Article 2

1. The certificate corresponding to the specimen in Annex I shall be printed and drawn up in one of the official languages of the European Economic Community and, where appropriate, an official language of the exporting country. The size of the certificate shall be approximately 210 × 297 millimetres. The paper used shall be white and weigh not less than 40 grams per square metre.

2. Each certificate shall bear an individual serial number by the issuing authority.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 341, 31. 12. 1979, p. 20.

3. The competent authorities of the Member States in which the products are presented may require a translation of the certificate.

Article 3

The certificate shall be completed either in typescript or in manuscript. In the latter case, it must be completed in ink and block letters.

Article 4

The certificate or, when the consignment is split, the photocopy of the certificate referred to in Article 7, shall be submitted to the customs authorities of the importing Member State within three months of its date of issue, together with the goods to which it relates.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an authority appearing on the list in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing authority and the signature of the person or persons authorized to sign it.

Article 6

1. An issuing authority can appear on the list only if:

- (a) it is recognized as such by the exporting country;
- (b) it undertakes to verify the particulars shown in certificates;
- (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.

2. The list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing authority fails to fulfil one or more of the obligations incumbent upon it.

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

Done at Brussels, 9 December 1987.

Article 7

When the consignment is split, the original certificate shall be photocopied for each part consignment. The photocopies and the original certificate shall be presented to the customs office at which the goods are situated.

Each photocopy shall indicate the name and address of the consignee and be marked in red 'Extract valid for ... kg' (in figures and letters) together with the place and date of the splitting. These statements shall be authenticated by the customs office stamp and the signature of the officer responsible. The original certificate shall be noted with the particulars relevant to the splitting of the consignment and shall be retained by the competent customs office.

Article 8

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 9

The country listed in Annex II shall send the Commission specimens of the stamps used by their issuing authorities and where appropriate their authorized agents. The Commission shall forward this information to the customs authorities of the Member States.

Article 10

Regulation (EEC) No 3034/79 is hereby repealed.

Article 11

This Regulation shall enter into force on 1 January 1988.

However until 31 December 1988, the aforementioned grapes shall be admitted under the subheading referred to in Article 1 on presentation of a certificate of the kind used until 31 December 1987.

For the Commission
COCKFIELD
Vice-President

1 Exporter (*)	2 Number	ORIGINAL	
4 Consignee (*)	3 ISSUING AUTHORITY		
	5 CERTIFICATE OF AUTHENTICITY FRESH 'EMPEROR' TABLE GRAPES (Combined nomenclature subheading 0806 10 11)		
6 Means of transport (*)	8 Marks and numbers, number and kind of packages		
7 Place of unloading (*)			
11 Net weight (kg) (in words)			
12 CERTIFICATE BY THE ISSUING AUTHORITY I hereby certify that the grapes described in this certificate are fresh table grapes of the variety 'Emperor' (<i>Vitis vinifera cv</i>) Place Date Stamp (or printed seal) and signature			

ANNEX II

Exporting country	Leasing authority	
	Name	Place where established
United States of America	United States Department of Agriculture or its authorized State offices	Washington DC

COMMISSION REGULATION (EEC) No 4131/87

of 9 December 1987

determining the conditions of entry of port, Madeira, sherry, Setubal muscatel and Tokay (Aszu and Szamorodni) wines falling within subheadings 2204 21 41, 2204 21 51, 2204 29 41, 2204 29 45, 2204 29 51 and 2204 29 55 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 1120/75 ⁽⁶⁾, as last amended by Regulation (EEC) No 3391/83 ⁽⁷⁾, determined the conditions for the entry of port, Madeira, sherry, Setubal muscatel and Tokay (Aszu and Szamorodni) wines falling within subheadings 22.05 C III a) 1, 22.05 C III b) 1, 22.05 C III b) 2, and 22.05 C IV a) 1 and b) 1 and 2 of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 1120/75 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 covers

— port, Madeira, sherry and Setubal muscatel wines falling within subheadings 2204 21 41 and 2204 21 51, and

— Tokay (Aszu and Szamorodni) wine falling within subheadings 2204 29 45 and 2204 29 55;

— port, Madeira, sherry and Setubal Muscatel wines falling within subheadings 2204 29 41 and 2204 29 51

of the combined nomenclature;

Whereas entry under these subheadings is subject to conditions laid down in the relevant Community provisions; whereas, in order to ensure uniform application of the combined nomenclature, provisions specifying those conditions must be laid down;

Whereas identification of the above wines presents certain difficulties; whereas it can be considerably simplified if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, entry of a product under the subheadings mentioned above should be authorized only where such product is accompanied by a certificate of designation of origin which is issued by an authority acting under the responsibility of the exporting country and which provides such assurance;

Whereas it is appropriate to specify the form which such certificates must take and the conditions for their use; whereas, furthermore, measures must be introduced to enable the Community to keep check upon the conditions of issue of the said certificates and to prevent falsification; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas the certificate of authenticity should be drawn up in one of the official Community languages and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The admission under combined nomenclature subheading 2204 21 41, 2204 21 51, 2204 29 41, 2204 29 45,

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 111, 30. 4. 1975, p. 19.

⁽⁷⁾ OJ No L 336, 1. 12. 1983, p. 55.

2204 29 51 and 2204 29 55 of port, Madeira, sherry, Setubal muscatel and Tokay (Aszu and Szamorodni) wines shall be subject to presentation of a certificate of designation of origin meeting the requirements specified in this Regulation.

Article 2

1. The certificate shall be in one of the forms set out in Annexes I to V to this Regulation, as indicated in the following table:

CN code	Name of wine	No of Annex
2204 21 41	port	I
2204 21 51		
2204 29 45		
2204 29 51		
2204 29 51	Madeira	II
2204 29 51	sherry	III
2204 29 51	Setubal muscatel	IV
2204 21 41	Tokay (Aszu, Szamorodni)	V
2204 21 51		
2204 29 45		
2204 29 55		

The certificate shall be printed and drawn up in one of the official languages of the European Economic Community and, where appropriate, in an official language of the exporting country.

The competent authority of the Member State in which the products are presented may require a translation of the certificate.

2. The paper used shall be white, free of mechanical pulp, dressed for writing purposes and weigh not less than 55 g/m² and not more than 65 g/m². The front of the certificate shall have a printed guilloche pattern background in pink, such as to reveal any falsification by mechanical or chemical means.

3. The size of the certificate shall be 210 × 297 mm. The borders of the certificate may bear decorative designs on their outer edge in a band not exceeding 13 mm in width.

4. Each certificate shall bear an individual serial number given by the issuing authority.

Article 3

The certificate shall be completed either in typescript or in manuscript. In the latter case, it must be completed in ink and in block letters.

Article 4

The certificate shall be submitted to the customs authorities

of the importing Member State within three months of its date of issue, together with the goods to which it relates.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an authority appearing on the list in Annex VI.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing authority and the signature of the person or persons authorized to sign it.

Article 6

1. An issuing authority may appear on the list only if:

- (a) it is recognized as such by the exporting country;
- (b) it undertakes to verify the particulars shown in certificates;
- (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.

2. The list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing authority fails to fulfil one or more of the obligations incumbent upon it.

Article 7

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 8

The countries listed in Annex VI shall send the Commission specimens of the stamps used by their issuing authorities. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Regulation (EEC) No 1120/75 is hereby repealed.

Article 10

This Regulation shall enter into force on 1 January 1988.

However, until 31 December 1988, the wines specified in Article 1 shall be admitted under the subheadings listed in that Article on presentation alternatively of a certificate of the kind used before 31 December 1987.

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

Done at Brussels, 9 December 1987.

For the Commission

COCKFIELD

Vice-President

1 Exporter (full name and address)		CERTIFICATE OF DESIGNATION OF ORIGIN PORT WINE	
		No.	ORIGINAL
2 Consignee (full name and address)		3 ISSUING AUTHORITY Ministério da Economia Secretaria da Estado do Comércio Instituto do vinho do Porto Porto	
4 Means of transport		OBSERVATIONS	
5 Place of unloading			
6 Marks and numbers, number and kind of packages		7 Gross mass (kg)	
		8 Litres	
9 Litres (in words)			
10 CERTIFICATE OF THE ISSUING AUTHORITY We hereby certify that the wine described in this certificate is wine produced within the wine district of the 'generoso' wines of Douro and is considered by Portuguese legislation as genuine PORT WINE. This wine conforms to the definition of liqueur wine set out in Additional Note 4 (b) to Chapter 22 of the combined nomenclature of the European Economic Community. Place and date: Signature: Stamp:			
11 FOR USE OF THE CUSTOMS AUTHORITIES IN THE COUNTRY OF DESTINATION			

1 Exporter (full name and address)	CERTIFICATE OF DESIGNATION OF ORIGIN MADEIRA WINE No. _____ ORIGINAL	
2 Consignee (full name and address)	3 ISSUING AUTHORITY Ministério da Economia JUNTA NACIONAL DO VINHO Delegação na Região Vinícola da Madeira FUNCHAL	
4 Means of transport	OBSERVATIONS	
5 Place of unloading		
6 Marks and numbers, number and kind of packages		7 Gross mass (kg)
		8 Litres
9 Litres (in words)		
10 CERTIFICATE OF THE ISSUING AUTHORITY We hereby certify that the wine described in this certificate is 'generoso' wine produced within the wine district of Madeira and is considered by Portuguese legislation as genuine MADEIRA WINE. This wine conforms to the definition of liqueur wine set out in Additional Note 4 (c) to Chapter 22 of the combined nomenclature of the European Economic Community. Place and date: _____ Signature: _____ Stamp: _____		
11 FOR USE OF THE CUSTOMS AUTHORITIES IN THE COUNTRY OF DESTINATION		

1 Exporter (full name and address)	CERTIFICATE OF DESIGNATION OF ORIGIN SHERRY No _____ ORIGINAL	
2 Consignee (full name and address)	3 ISSUING AUTHORITY Consejo Regulador de la Denominacion de origen Jerez-Xérès-Sherry JEREZ DE LA FRONTERA	
	OBSERVATIONS	
5 Place of unloading	7 Gross mass (kg) 8 Litres	
6 Marks and numbers, number and kind of packages		
9 Litres (in words)		
10 CERTIFICATE OF THE ISSUING AUTHORITY We hereby certify that the wine described in this certificate is wine produced within the wine district of Jerez or Xeres and is considered by Spanish legislation as entitled to the designation of origin 'JEREZ' or 'XERES' or 'SHERRY'. The alcohol added to this wine is alcohol of vinous origin. Place and date: _____ Signature: _____ Stamp: _____		
11 FOR USE OF THE CUSTOMS AUTHORITIES IN THE COUNTRY OF DESTINATION		

1 Exporter (full name and address)	CERTIFICATE OF DESIGNATION OF ORIGIN SETUBAL MUSCATEL No _____ ORIGINAL	
2 Consignee (full name and address)	3 ISSUING AUTHORITY Ministério da Economia JUNTA NACIONAL DO VINHO Delegacao en Azeitao AZEITATO	
4 Means of transport	OBSERVATIONS	
5 Place of unloading		
6 Marks and numbers, number and kind of packages		7 Gross mass (kg)
		8 Litres
9 Litres (in words)		
10 CERTIFICATE OF THE ISSUING AUTHORITY We hereby certify that the wine described in this certificate is wine produced within the wine district of Setubal muscatel and is considered by Portuguese legislation as genuine SETUBAL MUSCATEL. This wine conforms to the definition of liqueur wine set out in Additional Note 4 (c) to Chapter 22 of the combined nomenclature of the European Economic Community. Place and date: Signature: Stamp:		
11. FOR USE OF THE CUSTOMS AUTHORITIES IN THE COUNTRY OF DESTINATION		

1 Exporter (full name and address)	CERTIFICATE OF DESIGNATION OF ORIGIN TOKAY WINE (ASZU, SZAMORODNI) No _____ ORIGINAL	
2 Consignee (full name and address)	3 ISSUING AUTHORITY ORSZAGOS BORMINOSITO INTEZET Budapest 11, Franke 1 Leo Utca 1	
	OBSERVATIONS	
5 Place of unloading	7 Gross mass (kg) 8 Litres	
6 Marks and numbers, number and kind of packages		
9 Litres (in words)		
10 CERTIFICATE OF THE ISSUING AUTHORITY We hereby certify that the wine described in this certificate is wine produced within the Tokay wine district and is considered by Hungarian legislation as genuine TOKAY (Aszu, Szamorodni). This wine conforms to the definition of liqueur wine set out in Additional Note 4 (c) to Chapter 22 of the combined nomenclature of the European Economic Community. Place and date: Signature: Stamp:		
11. FOR USE OF THE CUSTOMS AUTHORITIES IN THE COUNTRY OF DESTINATION		

ANNEX VI

Exporting country	Name of wine	Issuing authority	
		Name	Place where established
(A) Portugal	Port	Instituto do vinho do porto Entrepoto da Gaia	Porto
(B) Portugal	Madeira	Instituto do vinho da Madeira	Funchal
(C) Spain	Sherry	Consejo regulador de la Denominacion de origen Jerez-Hérès-Sherry	Jerez de la Frontera
(D) Portugal	Setubal muscatel	Junta Nacional do Vinho, Delegação em Azeitão	Azeitão
(E) Hungary	Tokay (Aszu, Szamorodni)	Országos Borminósító Intézet Budapest II, Frenkel, Leo Utca 1 (National Institute for the Approval of Wines)	Budapest

COMMISSION REGULATION (EEC) No 4132/87

of 9 December 1987

determining the conditions for the inclusion of bourbon whiskey under subheadings
2208 30 11 and 2208 30 19 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾ and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 2552/69 ⁽⁶⁾, as last amended by the Act of Accession of Spain and Portugal, determined the conditions for the inclusion of bourbon whiskey under subheading 22.09 C III a) of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 2552/69 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 covers bourbon whiskey under subheadings 2208 30 11 and 2208 30 19; whereas inclusion under that subheading is subject to conditions laid down in the relevant Community provisions;

whereas, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions are required to determine those conditions;

Whereas identification of bourbon whiskey is particularly difficult; whereas it can be made considerably easier if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, a product should not be included under the abovementioned subheadings unless it is accompanied by a certificate of authenticity which, being issued by a body acting under the responsibility of the exporting country, provides such an assurance;

Whereas it is appropriate to specify the form which such certificate must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the Community to keep check upon the conditions of issue of the said certificate; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas the certificate of authenticity should be drawn up in one of the official Community languages and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The inclusion of bourbon whiskey under subheadings 2208 30 11 and 2208 30 19 of the combined nomenclature shall be subject to presentation of a certificate of authenticity meeting the requirements specified in this Regulation.

Article 2

1. The certificate corresponding to the specimen in Annex I shall be printed and drawn up in one of the official languages of the European Economic Community and, where appropriate, an official language of the exporting country. The size of the certificate shall be approximately 210 × 297 millimetres. The paper used shall be white with a yellow border and weigh not less than 40 grams per square metre.

2. Each certificate shall bear an individual serial number given by the issuing authority.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 320, 20. 12. 1969, p. 19.

3. The Customs authority of the Member State in which the products are presented may require a translation of the certificate.

Article 3

The certificate shall be completed either by typing or in manuscript. In the latter case, it must be completed in ink and in block capitals.

Article 4

The certificate shall be submitted to the customs authorities of the importing Member State within three months of its date of issue, together with the goods to which it refers.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an issuing body appearing on the list in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorized to sign it.

Article 6

1. An issuing body may appear on the list only if:
- (a) it is recognized as such by the exporting country;
 - (b) it undertakes to verify the particulars shown in certificates;

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

Done at Brussels, 9 December 1987.

(c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.

2. The list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing body does not fulfil any of the obligations which it has undertaken.

Article 7

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 8

The country listed in Annex II shall send the Commission of the European Communities specimens of the stamps used by their issuing authorities and where appropriate their authorized agents. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Régulation (EEC) No 2552/69 is hereby repealed.

Article 10

This Regulation shall enter into force on 1 January 1988.

However, until 31 December 1988, bourbon whiskey shall also be admitted under the subheadings listed in Article 1 on presentation of a certificate of the kind used until 31 December 1987.

For the Commission

COCKFIELD

Vice-President

1 Consignor (full name and address)	CERTIFICATE OF AUTHENTICITY BOURBON WHISKEY No _____ ORIGINAL		
2 Consignee (full name and address)	3 ISSUING BODY United States Department of the Treasury Bureau of Alcohol, Tobacco and Firearms		
	NOTES		
4 Means of transport Shipped by S/S: by air:			
5 Serial numbers and marks — Number and kind of packages	6 Gross mass (kg)		
	7 Net mass (kg)		
	8 Number of casks		
	9 Number of bottles		
	10 Quantity in litres		
11 Observations			
12 THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS certifies that the above Bourbon whiskey was distilled in the United States at not exceeding 160° proof (80° Gay-Lussac) from a fermented mash of grain of which not less than 51% was corn grain (maize) and aged for not less than two years in charred new oak containers. Place and date: _____ Signature of authorized Bureau Officer: _____ Seal of the Department of the Treasury: _____			
13 RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY			

ANNEX II

Issuing body	Exporting country
United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Washington DC or its authorized regional Offices	United States of America

COMMISSION REGULATION (EEC) No 4133/87

of 9 December 1987

determining the conditions for the admission of vodka of combined nomenclature subheadings 2208 90 31 and 2208 90 59, imported into the Community, to the tariff conditions provided for in the agreement between the European Economic Community and the Republic of Finland on mutual trade in wines and spirituous beverages

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 4133/86 ⁽⁶⁾, determined the conditions for the admission of vodka of Common Customs Tariff subheadings 22.09 C IV a) and 22.09 C V a), imported into the Community, to the tariff conditions provided for in the agreement between the European Economic Community and the Republic of Finland on mutual trade in wines and spirituous beverages;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 4133/86 by a new regulation taking over the new nomenclature as well as the new legal base;

Whereas the agreement between the European Economic Community and the Republic of Finland concerning the

mutual trade in wines and spirituous beverages ⁽⁷⁾ envisages a special tariff on import into the Community of vodka of combined nomenclature subheadings 2208 90 31 and 2209 90 53 when the vodka originates in Finland and is accompanied by an approved certificate of authenticity;

Whereas it is appropriate to specify the form which the certificate must take and the conditions for its use; whereas it is appropriate to lay down certain rules governing the appointment of issuing bodies so as to enable the Community to ensure that the conditions of issue of certificates are observed;

Whereas the certificate of authenticity should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The admission of vodka of combined nomenclature subheadings 2208 90 31 and 2208 90 53, on importation into the Community, to the tariff conditions provided for in the agreement between the European Economic Community and the Republic of Finland on mutual trade in wines and spirits shall be subject to the presentation of a certificate of authenticity meeting the requirements specified in this Regulation.

Article 2

1. The certificate shall be prepared on a form corresponding to the specimen in Annex I. The form shall be printed and drawn up in one of the official languages of the European Economic Community. It shall measure 210 × 297 mm. The paper used shall be white writing paper, sized and weighing not less than 40 grammes per square metre. The form shall have a yellow border of a width of approximately 3 mm.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 383, 31. 12. 1986, p. 40.

⁽⁷⁾ OJ No L 383, 31. 12. 1986, p. 47.

2. The form shall be completed either in typescript or in manuscript. In the latter case, it must be completed in ink and in block letters.

3. Each certificate shall bear an individual serial number given by the issuing body.

4. The customs authority of the Member State in which the products are presented may require a translation of the certificate.

Article 3

The certificate shall be submitted to the customs authorities of the importing Member State within six months of its date of issue, together with the goods to which it refers.

Article 4

1. A certificate shall be valid only if it is duly authenticated by the issuing body appearing in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorized to sign it.

3. Finland shall send to the Commission specimens of the Stamps used by their issuing body. The Commission shall forward this information to the customs authorities of the Member States.

Article 5

1. An issuing body may only appear in Annex II if:

- (a) it is recognized as such by the Finnish authorities;
- (b) it undertakes to verify the particulars shown in certificates;
- (c) it undertakes to provide the Commission and Member States on request with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.

2. Annex II shall be revised when the condition specified in paragraph I (a) is no longer satisfied or when an issuing body does not fulfil all of the obligations which it has undertaken.

Article 6

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 7

Regulation (EEC) No 4133/86 is hereby repealed.

Article 8

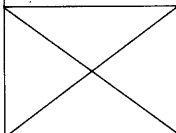
This Regulation shall enter into force on 1 January 1988.

However, until 31 December 1988, the af abovementioned vodka shall be admitted under the subheadings listed in Article 1 on presentation of a certificate of the kind used until 31 December 1987.

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

Done at Brussels, 9 December 1987.

For the Commission
COCKFIELD
Vice-President

1 Exporter	CERTIFICATE OF AUTHENTICITY FOR FINNISH VODKA No _____ ORIGINAL	
2 Consignee	3 ISSUING BODY	
4 Means of transport		
5 Marks and numbers — Number and kind of packages — Description of goods	6 Commodity code	
		7 Gross mass (kg)
		8 Net mass (kg)
	9 Quantity (litres)	
10 Remarks		
NOTE This certificate must be presented to the Customs authorities in the importing Member State within six months from the date of its issue together with the goods to which it refers.		
11 CERTIFICATION This is to certify that the vodka described above originates in Finland, has an alcoholic strength of 60% vol or less and is obtained exclusively by distillation of fermented mash of cereals. It complies also with any provisions applicable in the Community or its Member States.		
12 FOR COMPETENT AUTHORITIES IN THE COMMUNITY	Place and date: Signature and name of authorized person:	

ANNEX II

Exporting country	Issuing authority	
	Name	Place where established
Finland	ALKO Limited	Salmisaarenranta, 7 00100 Helsinki 10 Finland

COMMISSION REGULATION (EEC) No 4134/87

of 9 December 1987

determining the conditions of entry of preparations known as cheese fondues to be included under subheading 2106 90 10 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾ and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in Customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 1062/69 ⁽⁶⁾, as last amended by the Act of Accession of Spain and Portugal, specified the requirements relating to certificates which must be produced in order for preparations known as cheese fondues to be included under subheading 21.07 E of the Common Customs Tariff and Commission Regulation (EEC) No 1063/69 ⁽⁷⁾ established the list of issuing bodies referred to in Regulation (EEC) No 1062/69;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently shown to be appropriate, for reasons of clarity, to replace Regulation (EEC) No 1062/69 and (EEC) No 1063/69 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas the maximum rate of duty on preparations known as cheese fondues in subheading 2106 90 10 of the

combined nomenclature annexed to Regulation (EEC) No 2658/87, is 35 ECU per 100 kilograms net; whereas it appears from Additional Note 1 to Chapter 21 of that nomenclature that the inclusion of preparations known as cheese fondues under that subheading is subject to production of a certificate issued under the conditions laid down in the relevant Community provisions;

Whereas subheading 2106 90 10 of the combined nomenclature relates to goods covered by Council Regulation (EEC) No 3033/80 of 11 November 1980 determining the system of trade applicable to certain goods resulting from the processing of agricultural products ⁽⁸⁾; whereas in accordance with the second subparagraph of Article 8 of that Regulation, where the application of the maximum rate of charge is subject to specific conditions, such conditions must be determined in accordance with the procedure laid down in Article 11 of Regulation (EEC) No 2658/87; whereas the requirements applicable to certificates which must be produced in order for preparations known as cheese fondues to be included under combined nomenclature subheading 2106 90 10 must therefore be defined in accordance with that procedure;

Whereas it is appropriate to specify the form which such a certificate must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the Community to keep check upon the conditions of issue of the said certificate and to prevent falsification; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas the certificate should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The entry under subheading 2106 90 10 of the combined nomenclature of preparations known as cheese fondues shall be subject to presentation of a certificate of authenticity meeting the requirements of this Regulation.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 141, 12. 6. 1969, p. 31.

⁽⁷⁾ OJ No L 141, 12. 6. 1969, p. 34.

⁽⁸⁾ OJ No L 323, 29. 11. 1980, p. 1.

Article 2

1. The certificate corresponding to the specimen in Annex I shall be printed and drawn up in one of the official languages of the European Communities and, where appropriate, an official language of the exporting country. The size of the certificate shall be approximately 210 × 297 millimetres. The paper used shall be white and weigh not less than 40 grams per square metre. Pink paper shall be used for the first copy and yellow for the second copy.

2. Each certificate shall bear an individual serial number given by the issuing authority, followed by the nationality symbol appropriate to that body.

The copies shall bear the same serial number and the same nationality symbol as the original.

3. The customs authority of the Member State in which the products are presented may require a translation of the certificate.

Article 3

The original and copies thereof shall be completed in one operation by duplication, either typewritten or by hand. In the latter case, the original must be completed in ink and in block capitals.

Article 4

1. The original and the first copy of the certificate shall be submitted to the customs authorities of the importing Member State within two months of the date of issue of the certificate together with the goods to which they relate.

2. The second copy of the certificate shall be sent direct by the issuing body to the competent authorities of the importing Member State.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an issuing authority appearing in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorized to sign it.

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

Done at Brussels, 9 December 1987.

Article 6

1. An issuing body may appear on the list only if:

- (a) it is recognized as such by the exporting country;
- (b) it undertakes to verify the particulars shown in the certificates;
- (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates;
- (d) it undertakes to send to the competent authorities of the importing Member State the second copy of each authenticated certificate within three days of the date of issue.

2. The list shall be revised where the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing body does not fulfil any of the obligations which it has undertaken.

Article 7

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 8

The countries listed in Annex II shall send the Commission specimens of the stamps used by their issuing authorities. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Regulation (EEC) No 1062/69 and (EEC) No 1063/69 are hereby repealed.

Article 10

This Regulation shall enter into force on 1 January 1988.

However, until 31 December 1988, the aforementioned fondues shall also be admitted under the subheading listed in Article 1 on presentation of a certificate of the kind used until 31 December 1987.

For the Commission

COCKFIELD

Vice President

1 Exporter (full name and address)	CERTIFICATE FOR PREPARATIONS KNOWN AS 'CHEESE FONDUES' (CN subheading 2106 90 10) No _____ ORIGINAL	
2 Consignee (full name and address)	3 ISSUING BODY	
NOTES		
5 Serial numbers and marks — Number and kind of packages		6 Gross mass (kg)
		7 Net mass (kg)
8 CERTIFICATE OF THE ISSUING BODY It is certified that the product contained in the parcels covered by the present certificate: — has a milk fat content equal to or exceeding 12% and less than 18% by weight, — was prepared with processed cheeses made exclusively from Emmental or Gruyère cheese with added white wine, kirsch, starch and spices, and — that the Emmental and Gruyère cheeses used in its manufacture were made in the exporting country. Place and date: _____ Signature(s): _____ Stamp of issuing body: _____		
9 RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY		

ANNEX II

Issuing Body	Country
Union suisse du commerce de fromage SA/Schweizerische Käseunion AG/Unione svizzera per il commercio del formaggio SA, Berne	Switzerland
Österreichische Hartkäse Export GmbH — Innsbruck	Austria

COMMISSION REGULATION (EEC) No 4135/87

of 9 December 1987

determining the conditions of entry of natural sodium nitrate and natural potassic sodium nitrate falling within subheadings 3102 50 10 and 3105 90 10 respectively of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 3039/79 ⁽⁶⁾, as last amended by Regulation (EEC) No 122/82 ⁽⁷⁾, determined the conditions of entry of natural sodium nitrate and natural potassic sodium nitrate falling within subheadings 31.02 A and 31.05 A III a) respectively of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 3039/79 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 covers:

- natural sodium nitrate falling within subheading 3102 50 10

- natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of potassium nitrate may be as high as 44 %), of a total nitrogen content not exceeding 16,3 % by weight on the dry anhydrous product, falling within subheading 3105 90 10

of the combined nomenclature;

Whereas entry under these subheadings is subject to conditions laid down in the relevant Community provisions; whereas, in order to ensure uniform application of the nomenclature of the combined nomenclature, provisions specifying those conditions must be laid down;

Whereas identification of the above products presents certain difficulties; whereas it can be considerably simplified if the exporting country gives an assurance that the product exported corresponds to the description of the product in question; whereas, consequently, entry of a product under the subheadings mentioned above should be authorized only where such product is accompanied by a certificate of quality which is issued by an authority acting under the responsibility of the exporting country and which provides such assurance;

Whereas it is appropriate to specify the form which such certificate must take and the conditions for its use; whereas, furthermore, measures must be introduced to enable the Community to check the conditions of issue of the said certificate and to prevent falsification; whereas accordingly certain obligations should be imposed on the issuing authority;

Whereas the certificate of quality should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The entry under subheadings:

- 3102 50 10 of natural sodium nitrate
- 3105 90 10 of natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 314, 31. 12. 1979, p. 46.

⁽⁷⁾ OJ No L 16, 22. 1. 1982, p. 10.

nitrate (the proportion of potassium nitrate may be as high as 44 %), of a total nitrogen content not exceeding 16,3 % by weight on the dry anhydrous product

of the combined nomenclature shall be subject to presentation of a certificate of quality meeting the requirements specified in this Regulation.

Article 2

1. The certificate corresponding to the specimen in Annex I shall be printed and drawn up in one of the official languages of the Community and, where appropriate, an official language of the exporting country. The size of the certificate shall be approximately 210 × 297 millimetres. The paper used shall be white and weigh not less than 40 grams per square metre.

2. Each certificate shall bear an individual serial number given by the issuing authority.

3. The customs authorities of the Member State in which the products are presented may require a translation of the certificate.

Article 3

The certificate shall be completed either in typescript or in manuscript. In the latter case, it must be completed in ink and block letters.

Article 4

The certificate or, where the consignment has been split, a photocopy of the certificate, as provided for in Article 9, shall be submitted to the customs authorities of the importing Member State within six months of its date of issue, together with the goods to which it relates.

Article 5

1. A certificate shall be valid only if it is duly endorsed by an issuing authority appearing on the list in Annex II.

2. A duly endorsed certificate shall show the place and date of issue and bear the stamp of the issuing authority and the signature of the person or persons authorized to sign it.

Article 6

1. An issuing authority can appear on the list only if:

(a) it is recognized as such by the exporting country;

(b) it undertakes to verify the particulars shown in certificates;

(c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates.

2. This list shall be revised when the condition specified in paragraph 1 (a) is no longer satisfied or when an issuing authority fails to fulfil one or more of the obligations incumbent upon it.

Article 7

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 8

Chile shall send the Commission specimens of the stamps used by their issuing authorities. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Where a consignment is split, the original certificate shall be photocopied for each part consignment. The photocopies and the original certificate shall be presented to the customs office at which the goods are situated.

Each photocopy shall indicate the name and address of the consignee and be marked in red 'Extract valid for . . . kg' (in figures and letters) together with the place and date of the splitting. These statements shall be authenticated by the customs office stamp and the signature of the customs official responsible. The original certificate shall be inscribed with the particulars relating to the splitting of the consignment and shall be retained by the competent customs office.

Article 10

Regulation (EEC) No 3039/79 is hereby repealed.

Article 11

This Regulation shall enter into force on 1 January 1988.

However, until 31 December 1988, natural sodium nitrate and natural potassic sodium nitrate shall be admitted under the relevant subheadings listed in Article 1 on presentation of a certificate of the kind used until 31 December 1987.

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

Done at Brussels, 9 December 1987.

For the Commission

COCKFIELD

Vice-President

1 Consignor (full name and address)	CERTIFICATE OF QUALITY NITRATE FROM CHILE (CN subheadings 3102 50 10 and 3105 90 10) No _____ ORIGINAL	
2 Consignee (full name and address)	3 ISSUING BODY Republica de Chile Servicio Nacional de Geologia y Minería	
4 Ship	NOTES	
5 Port of embarkation		
6 Bill of lading		
7 Marks, numbers and number of sacks or indication 'loose'		8 Quantity in metric tonnes
9 Quantity (metric tonnes) in words		
10 CERTIFICATE OF THE ISSUING AUTHORITY The Servicio Nacional de Geologia y Minería hereby certifies that the cargo of nitrate described above consists of: — natural Chilean sodium nitrate of a nitrogen content not exceeding 16,3 % by weight, — natural Chilean potassic sodium nitrate consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44 %) of a total nitrogen content not exceeding 16,3 % by weight, produced in Chile by extraction from the nitrate mineral called 'caliche' by lixiviation with a water solution, followed by crystallization by differential cooling and/or solar evaporation (*). Place and date: Signature: Stamp:		
11 RESERVED FOR THE CUSTOMS AUTHORITY IN THE COMMUNITY		

ANNEX II

Exporting country	Name of product	Issuing authority	
		Name	Place where established
Republic of Chile	— Natural sodium nitrate (subheading 3102 50 10 of the combined nomenclature) — Natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of the latter element may be as high as 44 %), of a total nitrogen content not exceeding 16,3 % by weight on the dry anhydrous product (subheading 3105 90 10 of the combined nomenclature)	Servicio Nacional de Geología y Minería	Santiago

COMMISSION REGULATION (EEC) No 4136/87

of 9 December 1987

determining the conditions of entry of horses intended for slaughter under subheading
0101 19 10 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 485/79 ⁽⁶⁾ determined the conditions of entry of horses intended for slaughter under subheading 01.01 A II of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 485/79 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 refers in subheading 0101 19 10 to horses for slaughter; whereas entry of such horses under this subheading is subject to conditions laid down in the relevant Community provisions; whereas, in order to ensure uniform application of the nomenclature and rates of duty of the combined nomenclature, provisions are necessary to fix those conditions;

Whereas since the tariff reduction on the slaughter of imported horses is high, it is necessary to make provision, in particular, for:

1. the importer to be required to ensure that the horses are slaughtered, as well as to give security for and, where necessary, to pay the difference between the customs duty under subheading 0101 19 90 and that under subheading 0101 19 10 of the combined nomenclature;
2. the horses to be identified in such a manner that they may be traced continuously from the time they enter into free circulation until their slaughter;
3. conveyance of horses between the customs office and the slaughterhouse to be by duly sealed means of transport;
4. proof to be produced that the horses have been slaughtered in accordance with the conditions laid down in this Regulation.

Whereas while there is no harmonization at Community level of health provisions relating to horses intended for slaughter, such horses are not in practice removed from one Member State to another; whereas under these conditions it does not appear necessary to lay down provisions concerning the transfer of such horses from one Member State to another;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The entry under subheading 0101 19 10 of the combined nomenclature of horses intended for slaughter shall be subject to the conditions of Articles 2 to 7.

Article 2

1. At the time of entry into free circulation, each horse must be identified to the satisfaction of the competent authorities by a clearly legible mark resulting from the removal of hair, by means of scissors or otherwise, from the left shoulder, comprising the mark 'X' to indicate that the horse is intended for slaughter, and a number to enable a horse to be identified from the time of entry into free circulation to the time of slaughter.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.⁽⁶⁾ OJ No L 64, 14. 3. 1979, p. 49.

This marking must be done either before or at the time of release of the horses for free circulation.

2. The details of the marking shall be given in the entry for free circulation of the horses concerned. A copy of this entry shall accompany the horses, and must reach the authority referred to in Article 4 (1).

Article 3

1. After completion of the customs formalities relating to entry into free circulation, the horses must be brought directly by means of transport duly sealed by the competent authority, without prejudice to any national provisions concerning the breaking and replacement of seals in cases of emergency, to a slaughterhouse recognized by the competent authorities, to be slaughtered.

2. On arrival at the slaughterhouse, the vehicle must be unsealed and the horses discharged in the presence of the competent authority.

3. However, the provisions of paragraphs 1 and 2 do not apply when the customs office where the formalities referred to in paragraph 1 are completed is in the slaughterhouse, if the horses are immediately taken into the charge of the authority referred to in Article 4 (1).

Moreover, when the customs office at which the formalities referred to in paragraph 1 are completed is in the immediate vicinity of the slaughterhouse, the competent authority may, instead of using seals, take appropriate control measures to ensure that the horses are transferred directly to the slaughterhouse and are taken into the charge of the authority referred to in Article 4 (1).

Article 4

1. Proof that the horses have been slaughtered must be supplied, either by a certificate issued by the authority empowered to do so, or by an endorsement added by that authority to the copy entry referred to in Article 2 (2) which establishes that the identity of the slaughtered animals conforms with the details set out on the entry into free circulation.

2. Within 18 days from the date of acceptance of the entry into free circulation of the horses, proof that slaughter has taken place must reach the customs office where the said entry was presented, either directly from the authority referred to in paragraph 1, or, on its behalf, from the importer, in accordance with the decision of the Member State concerned.

Article 5

If on arrival at the slaughterhouse the horse cannot be identified, or the provisions of Article 3 have not been

fulfilled, the competent authority must immediately inform the competent customs authority, which shall take action as necessary.

Article 6

1. The importer shall:

- (a) ensure that the horses are slaughtered in accordance with the conditions laid down in this Regulation;
- (b) provide security, the form of which shall be specified by the competent authorities, in respect of the difference between the amount resulting from the application, at the date of acceptance by the competent authorities of the entry for release of the horses into free circulation, of the customs duty under subheading 0101 19 90 and that under subheading 0101 19 10 of the combined nomenclature;
- (c) pay the difference referred to in (b) where the conditions laid down in this Regulation have not been complied with, except where in the opinion of the competent authorities there are no grounds for considering that a fraudulent act has been committed;
- (d) at their request, allow the competent authorities to inspect all books, documents and accounts relating to the horses in question;
- (e) submit to any measure of control which the competent authorities may deem appropriate to check the actual slaughter of the horses.

2. The security shall be released immediately after either provision of proof of slaughter under the conditions laid down in this Regulation, or payment of the difference referred to in paragraph 1 (b).

Article 7

For the purposes of this Regulation, the territory of the Benelux Economic Union shall be considered to be a single Member State.

Article 8

Regulation (EEC) No 485/79 is hereby repealed.

Article 9

Each Member State shall inform the Commission of the steps taken by its central administration for the purpose of applying this Regulation.

The Commission shall forthwith communicate this information to the other Member States.

Article 10

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 9 December 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 4137/87

of 9 December 1987

determining the conditions of entry of goods under subheadings 0408 11 90, 0408 19 90, 0408 91 90, 0408 99 90, 1106 20 10, ex 2501 00 51, 3502 10 10 and 3502 90 10 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 2696/77 ⁽⁶⁾, as last amended by Regulation (EEC) No 1284/80 ⁽⁷⁾, determined the conditions of entry of goods under subheadings 04.05 B II, 11.04 ex B I and C I, 25.01 A II a) and 35.02 A I, of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System, and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently shown to be appropriate, for reasons of clarity, to replace Regulation (EEC) No 2696/77 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 refers to:

- eggs not in shell and egg yolks, other than suitable for human consumption, of subheadings 0408 11 90, 0408 19 90, 0408 91 90 and 0408 99 90;

- flour and meal of sago and of roots and tubers falling within heading No 0714, denatured, of subheading 1106 20 10,

- common salt (including table salt) and pure sodium chloride, whether or not in aqueous solution, denatured, of subheading ex 2501 00 51,

- albumins to be rendered unfit for human consumption, of subheadings 3502 10 10 and 3502 90 10

of the combined nomenclature;

Whereas entry under these subheadings is subject to conditions laid down in the relevant Community provisions;

Whereas, in the circumstances, these conditions would inevitably involve denaturing with a view to rendering these products unfit for human consumption;

Whereas for such denaturing, in order to avoid, on the one hand, disparities in the application of the combined nomenclature as well as deflections of trade and economic activity within the Community and to permit, on the other hand, the free circulation of denatured products, it is agreed, in the interests of all concerned and in order to lighten as far as possible the burden falling on national administrations, Community methods of denaturing should be established;

Whereas, to this end, a mandatory list should be drawn up of denaturants possessing, where necessary, specific properties; whereas this list should include an indication of the minimum quantity of denaturant to be used for the purpose of denaturing a specified quantity of the product; whereas, however, in order to allow for any unforeseen needs which might arise in a Member State, provision should be made to enable the State concerned to permit the temporary use of another denaturant;

Whereas the denatured products in question are normally used in industries other than the animal feed-manufacturing industry; whereas, moreover, when such products are used in the latter industry or are consumed as such by animals, it is necessary to ensure that denaturing takes place in accordance with the provisions of Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽⁸⁾, as last amended by Directive 87/317/EEC ⁽⁹⁾;

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 314, 8. 12. 1977, p. 17.

⁽⁷⁾ OJ No L 132, 29. 5. 1980, p. 11.

⁽⁸⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽⁹⁾ OJ No L 160, 20. 6. 1987, p. 34.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The entry of:

- eggs not in shell and egg yolks, other than suitable for human consumption,
- flour and meal of sago and of roots and tubers falling within heading No 0714,
- denatured common salt (including table salt) and pure sodium chloride, whether or not in aqueous solution, denatured,
- albumins to be rendered unfit for human consumption,

falling respectively within subheadings:

- 0408 11 90, 0408 19 90, 0408 91 90 and 0408 99 90,
- 1106 20 10,
- ex 2501 00 51,
- ex 3502 10 10 and ex 3502 90 10,

of the combined nomenclature shall be subject to the condition that these goods are denatured so as to make them unfit for human consumption by means of one of the denaturants referred to in Annexes A, B, C and D respectively.

Article 2

The denaturing of the products referred to in Article 1 shall be carried out by using the quantities of denaturant referred to in the Annexes to this Regulation in respect of each denaturant.

Denaturing shall be carried out in such a way as to ensure that the product to be denatured and the denaturant are homogeneously mixed and cannot be separated again in a manner which is economically viable.

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

Done at Brussels, 9 December 1987.

Article 3

Notwithstanding Article 1, any Member State may temporarily approve the use of a denaturant not specified in the Annexes to this Regulation. In such a case, a notification shall be sent to the Commission within 30 days, giving detailed particulars of such denaturants and of the quantities used. The Commission shall inform the other Member States as soon as possible.

The Nomenclature Committee shall take up the question under the provisions of Article 8 and, if appropriate, Article 11 of Regulation (EEC) No 2658/87.

If, on expiry of 18 months from the date of receipt by the Commission of the notification, the Committee has not delivered an opinion to the effect that the denaturant in question be included in an Annex to this Regulation, then use of such denaturant shall forthwith cease in all Member States.

Article 4

This Regulation shall apply without prejudice to the provisions of Directive 70/524/EEC.

Article 5

Regulation (EEC) No 2696/77 is hereby repealed.

Article 6

Each Member State shall inform the Commission of the steps taken by its central administration for the purposes of applying this Regulation.

The Commission shall forthwith communicate this information to the other Member States.

Article 7

This Regulation shall enter into force on 1 January 1988.

For the Commission
COCKFIELD
Vice-President

ANNEX A

Product to be denatured	Denaturant	
	Name	Minimum quantity to be used in g per 100 kg of product to be denatured
Eggs not in shell and egg yolks, other than suitable for human consumption (subheadings 0408 11 90, 0408 19 90, 0408 91 90, 0408 99 90 of the combined nomenclature)	Spirit of turpentine	500
	Essence of lavender	100
	Oil of rosemary	150
	Birch oil	100
	Fish meal of subheading 2301 20 00 of the combined nomenclature, having a characteristic odour and containing by weight in the dry matter at least: — 62,5 % crude protein and — 6 % crude lipids (fatty matter)	5 000

ANNEX B

Product to be denatured	Denaturant	
	Name	Minimum quantity to be used in g per 100 kg of product to be denatured
Flour and meal of sago and of roots and tubers falling within heading No 0714 of the combined nomenclature, denatured (subheading 1106 20 10 of the combined nomenclature)	Fish oil or fish liver oil, filtered but not deodorized or decolorized, with no additives	1 000
	Fish meal of subheading 2301 20 00 of the combined nomenclature, having a characteristic odour and containing by weight in the dry matter at least: — 62,5 % crude protein and — 6 % crude lipids (fatty matter)	5 000

ANNEX C

Product to be denatured	Denaturant			
	Name			Minimum quantity to be used in g per 100 kg or product to be denatured
	Chemical name or description	Common name	Colour index ⁽¹⁾	
Common salt (including table salt) and pure sodium chloride, whether or not in aqueous solution, denatured (subheading ex 2501 00 51 of the combined nomenclature)	Sodium salt of 4-sulphobenzeneazoresorcinol, or 2,4-dihydroxybenzene-4-sulphonic acid (colour: yellow)	Chrysoine S	14 270	6
	Disodium salt of 1-(4-sulpho-1-phenylazo)-4-aminobenzene-5-sulphonic acid (colour: yellow)	Fast yellow AB	13 015	6
	Tetrasodium salt of 1-(4-sulpho-1-naphthylazo)-2-naphthol-3,6,8-trisulphonic acid (colour: red)	Ponceau 6R	16 290	1
	Tetrabromofluorescein (colour: fluorescent yellow)	Eosine	45 380	0,5
	Naphthalene	Naphthalene	—	250
	Powdered soap	Powdered soap	—	1 000
	Sodium or potassium dichromate (colour: yellow)	Sodium or potassium dichromate	—	30
	Iron oxide containing not less than 50 % of Fe ₂ O ₃ by weight	Iron oxide	45 380	250
	The iron oxide should be dark red to brown, and should take the form of a fine powder of which at least 90 % passes through a sieve having a mesh of 0,10 mm			
	Sodium hypochlorite	Sodium hypochlorite	—	3 000

⁽¹⁾ This column contains the corresponding numbers of the 'Rowe Colour Index' third edition, 1971, Bradford, England.

ANNEX D

Product to be denatured	Denaturant	
	Name	Minimum quantity to be used in g per 100 kg of product to be denatured
Albumins to be rendered unfit for human consumption (subheadings 3502 10 10 and 3502 90 10 of the combined nomenclature)	Oil of rosemary (for liquid albumins only)	150
	Crude oil of camphor (for liquid and solid albumins)	2 000
	White oil of camphor (for liquid and solid albumins)	2 000
	Sodium azide (for liquid and solid albumins)	100
	Diethanolamine (for solid albumins only)	6 000

COMMISSION REGULATION (EEC) No 4138/87

of 9 December 1987

determining the conditions under which certain potatoes, sweet corn, cereals, oil seeds and oleaginous fruit, for sowing, are eligible on import for a favourable tariff arrangement by reason of their end-use.

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987, on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article II thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968 on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 1536/77 ⁽⁶⁾, as last amended by Regulation (EEC) No 1259/82 ⁽⁷⁾, determined the condition of entry of seeds under subheadings 07.01 A I, 10.01 A, 10.05 A, 10.06 A and 12.01 A of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 1536/77 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reason, it is appropriate to incorporate in this new text all the amendments made to date; whereas it is also appropriate to add sorghum for which a new tariff line has recently been created;

Whereas Regulation (EEC) No 2658/87 refers in the subheadings reproduced in Article 1 to potatoes, cereals, oils

seeds and oleaginous fruit, indicated in the respective subheadings; whereas entry under these subheadings is subject to the conditions laid down in the relevant Community provisions; whereas, in order to ensure uniform application of the Common Customs Tariff, provisions specifying those conditions must be laid down;

Whereas the Council has adopted Directive 66/403/EEC of 14 June 1966 on the marketing of seed potatoes ⁽⁸⁾, as last amended by Directive 87/374/EEC ⁽⁹⁾, Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽¹⁰⁾, as last amended by Directive 87/120/EEC ⁽¹¹⁾ and which also refers to sweet corn seed and Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants ⁽¹²⁾, as last amended by Directive 87/120/EEC;

Whereas Articles 15, 16 and 15 respectively of these Directives provide that the Council shall determine whether seeds harvested in a third country and affording the same assurances as regards their characteristics and the arrangements for their examination, for ensuring identity, for marking and for control are equivalent in these respects to seeds harvested within the Community and complying with the provisions of the Directive concerned;

Whereas the Council has made such determinations with regard to certain non-member countries,

- in the case of seed potatoes, by its Fourth Council Decision 81/956/EEC of 16 November 1981, on the equivalence of seed potatoes produced in third countries ⁽¹³⁾, as last amended by Decision 87/144/EEC ⁽¹⁴⁾,
- in the case of spelt, hybrid maize seed, rice straw, grain sorghum and oil seeds and oleaginous fruit, by its Seventh Council Decision 85/356/EEC of 27 June 1985, on the equivalence of seeds produced in third countries ⁽¹⁵⁾, as last amended by Decision 87/521/EEC ⁽¹⁶⁾ and by its

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 171, 9. 7. 1977, p. 13.

⁽⁷⁾ OJ No L 147, 26. 5. 1982, p. 10.

⁽⁸⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽⁹⁾ OJ No L 197, 19. 7. 1987, p. 36.

⁽¹⁰⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽¹¹⁾ OJ No L 49, 18. 2. 1987, p. 39.

⁽¹²⁾ OJ No L 169, 10. 7. 1969, p. 3.

⁽¹³⁾ OJ No L 351, 7. 12. 1981, p. 1.

⁽¹⁴⁾ OJ No L 57, 27. 2. 1987, p. 5.

⁽¹⁵⁾ OJ No L 195, 26. 7. 1985, p. 20.

⁽¹⁶⁾ OJ No L 304, 27. 10. 1987, p. 42.

Seventh Council Decision 85/355/EEC of 27 June 1985 on the equivalence of field inspections carried out in third countries on seed producing crops ⁽¹⁾ as last amended by Decision 87/520/EEC ⁽²⁾.

Whereas it follows from the very terms in which the three abovementioned subheadings are drawn that products may be entered under one of these subheadings only if they have specific characteristics which make them suitable for sowing;

Whereas certain specific characteristics were prescribed by the Council when it determined that there was equivalence between the plants and seeds in question produced in certain non-member countries and plants and seeds of the same kind harvested within the Community; whereas the said characteristics should therefore constitute the conditions of entry under the subheadings concerned;

Whereas, as regards spelt, rice, maize, sorghum, oil seeds and oleaginous fruit of a kind to which the provisions of Directives 66/402/EEC and 69/208/EEC do not apply, it is appropriate, pending harmonization at Community level of provisions for these goods and given that there is little trade in them, to make their entry under their respective subheadings referred to in Article 1 respectively subject to conditions to be established by the competent authorities of the Member States;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The entry of potatoes, sweet corn, cereals, oil seeds and oleaginous fruit, listed below, under their respective subheadings in the combined nomenclature shall be subject to the conditions laid down in Articles 2 to 5:

Description	CN code
Seed potatoes	0701 10 00
Sweet corn, hybrids for sowing	0712 90 11
Cereals:	
— Spelt for sowing	1001 90 10
— Hybrid maize seed	1005 10 11
	1005 10 13
	1005 10 15
	1005 10 19
— Rice for sowing	1006 10 10
— Sorghum hybrid for sowing	1007 00 10

⁽¹⁾ OJ No L 195, 26. 7. 1985, p. 1.

⁽²⁾ OJ No L 304, 27. 10. 1987, p. 40.

Description	CN code
Oil seeds and fruits, whether or not broken:	
— Soya beans for sowing	1201 00 10
— Groundnuts for sowing	1202 10 10
— Linseed for sowing	1204 00 10
— Pope or colza seeds for sowing	1205 00 10
— Sunflower seeds for sowing	1206 00 10
— Palm nuts and kernels for sowing	1207 10 10
— Cotton seeds for sowing	1207 20 10
— Castor oil seeds for sowing	1207 30 10
— Sesamum seeds for sowing	1207 40 10
— Mustard seeds for sowing	1207 50 10
— Safflower seeds for sowing	1207 60 10
— Poppy seeds for sowing	1207 91 10
— Shea nuts (karite nuts) for sowing	1207 92 10
— Other seeds for sowing	1207 99 10

Article 2

Seed potatoes shall satisfy the conditions laid down in accordance with Article 15 of Directive 66/403/EEC.

Article 3

Sweet corn, spelt, hybrid maize, rice and sorghum hybrid for sowing shall satisfy the conditions laid down in accordance with Article 16 of Directive 66/402/EEC.

Article 4

Oil seeds and oleaginous fruits for sowing shall satisfy the conditions laid down in accordance with Article 15 of Directive 69/208/EEC.

Article 5

Sweet corn, spelt, hybrid maize, rice, sorghum hybrid, oil seeds and oleaginous fruit of a kind to which the provisions of Directives 66/402/EEC and 69/208/EEC do not apply shall only be entered under the subheadings indicated in Article 1 if the party concerned proves to the satisfaction of the competent authorities of the Member States that these products are in practice intended for sowing.

Article 6

Regulation (EEC) No 1536/77 is hereby repealed.

Article 7

Each Member State shall inform the Commission of the steps taken by its central administration for the purposes of applying this Regulation.

The Commission shall forthwith communicate this information to the other Member States.

Article 8

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 9 December 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 4139/87

of 9 December 1987

determining the conditions under which certain petroleum products are eligible on import for a favourable tariff arrangement by reason of their end-use

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968, on the Common Customs Tariff⁽²⁾, as last amended by Regulation (EEC) No 3529/87⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969, on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84⁽⁵⁾, Commission Regulation (EEC) No 1775/77⁽⁶⁾, determined the conditions under which certain petroleum products are eligible on import for a favourable tariff arrangement by reason of their end-use;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 1775/77 by a new regulation taking over the new nomenclature as well as the new legal base;

Whereas Regulation (EEC) No 2658/87 lays down that, in respect of the products listed in the Annex to this Regulation:

- there shall be exemption from duty where such products are intended to be used otherwise than as power or heating fuels (subheadings 2707 10 90, 2707 20 90, 2707 30 90, 2707 50 91, 2707 50 99, 2711 12 19,

2901 10 90, 2902 20 90, 2902 30 90, 2902 44 90 of the combined nomenclature, or for the manufacture of products of heading No 2803 (subheadings 2707 99 91 and 2713 90 10 of the combined nomenclature),

- duties shall be reduced on lubricating oils and other products intended to be mixed in accordance with the terms of Additional Note 6 to Chapter 27 (subheading 2710 00 95 of the combined nomenclature),
- duties shall be suspended on products intended to undergo a specific process or chemical transformation, such operations being defined in Additional Note 4 to Chapter 27 or in the Explanatory Notes to the combined nomenclature relating to Additional Notes 4 and 5 to this Chapter;

Whereas the eligibility of these products on import for such exemption, reduction or suspension of duty is subject to conditions laid down in the relevant Community provisions;

Whereas, in order to ensure uniform application of the combined nomenclature, the said conditions must be laid down by Community provisions;

Whereas Commission Regulation (EEC) No 4142/87 of 9 December 1987 determining the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use⁽⁷⁾ sets out both the general and minimum conditions governing such goods; whereas that Regulation is also applicable to the petroleum products in question;

Whereas, however, in view of the special requirements arising out of the particular nature and end-use of the products in question, and of the characteristics of the operations to which they are subjected, special provisions are needed as regards the imposition on the person concerned of certain special obligations and as regards common storage; whereas, moreover, cases coming within Additional Notes 4 (n) and 5 to Chapter 27 of the combined nomenclature, the period within which end-use must take place should remain at six months;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 195, 2. 8. 1977, p. 5.

⁽⁷⁾ See page 81 of this Official Journal.

HAS ADOPTED THIS REGULATION:

Article 1

1. Subject to the provisions of Articles 2 to 5 of this Regulation, Commission Regulation (EEC) No 4142 shall apply to petroleum products.

2. For the purposes of this Regulation, petroleum products shall mean the goods listed in the Annex hereto.

Article 2

The person concerned shall be required to furnish the competent authorities, at their request, with the following information:

- (a) at the time of the application for authorization, a brief description of the plant to be used for the proposed treatments;
- (b) the nature of the proposed treatments;
- (c) the description and quantity of the products to be used;
- (d) in cases where Additional Notes 4 (n) and 5 to Chapter 27 of the combined nomenclature apply, the description, quantity and tariff classification of the products obtained.

The person concerned shall, in addition, enable the competent authorities, to their satisfaction, to trace the products in the establishment or establishments of the undertaking during the course of the treatment.

Article 3

The provisions of Article 5 of Regulation (EEC) No 4142/87 shall apply to petroleum products, save as otherwise provided in Additional Notes 4 (n) and 5 to Chapter 27 of the combined nomenclature.

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

Done at Brussels, 9 December 1987.

Article 4

1. Notwithstanding Article 6 (3) of Regulation (EEC) No 4142/87, the competent authorities may authorize the common storage of petroleum products, put into free circulation in conformity with the provisions of this Regulation, in a mixture with other petroleum products or with crude petroleum oils of subheading 2709 00 00 of the combined nomenclature.

2. Common storage in accordance with paragraph 1 of products not of the same kind and quality and not having the same technical or physical characteristics may be authorized only if the whole mixture is intended to undergo one of the treatments referred to in Additional Notes 4 and 5 to Chapter 27 of the combined nomenclature.

Article 5

Article 11. (1) of Regulation (EEC) No 4142/87 shall not apply to products stored in a mixture as referred to in Article 4 (2) unless the whole mixture is exported or destroyed.

Article 6

Regulation (EEC) No 1775/77 is hereby repealed.

Article 7

Each Member State shall inform the Commission of the steps taken by its central administration for the purposes of applying this Regulation. The Commission shall forthwith communicate this information to the other Member States.

Article 8

This Regulation shall enter into force on 1 January 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

CN-codes	Description of goods
ex Chapter 27: Miscellaneous	Certain cases referred to in Additional Notes 4 (n) and (5)
2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents:
2707 10	– Benzole:
2707 10 90	– – For other purposes
2707 20	– Toluole:
2707 20 90	– – For other purposes
2707 30	– Xylole:
2707 30 90	– – For other purposes
2707 50	– Other aromatic hydrocarbon mixtures of which 65 % or more by volume (including losses) distils at 250 °C by the ASTM D 86 method:
	– – For other purposes:
2707 50 91	– – – Solvent naphtha
2707 50 99	– – – Other
	– Other:
2707 99	– – Other:
	– – – Other:
2707 99 91	– – – – For the manufacture of products of heading No 2803
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:
	– Light oils:
2710 00 11	– – For undergoing a specific process
2710 00 15	– – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 11
	– Medium oils:
2710 00 41	– – For undergoing a specific process
2710 00 45	– – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 41
	– Heavy oils:
	– – Gas oils:
2710 00 61	– – – For undergoing a specific process
2710 00 65	– – – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 61
	– – Fuel oils:
2710 00 71	– – – For undergoing a specific process
2710 00 75	– – – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 71
	– – Lubricating oils; other oils:
2710 00 91	– – – For undergoing a specific process
2710 00 93	– – – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 91
2710 00 95	– – – To be mixed in accordance with the terms of Additional Notes 6 (CCT) to this chapter
2711	Petroleum gases and other gaseous hydrocarbons:
	– Liquefied:

CN-codes	Description of goods
2711 12	— — Propane:
	— — — Propane of a purity not less than 99%:
2711 12 19	— — — — For other purposes
	— — — — Other:
2711 12 91	— — — — For undergoing a specific process
2711 12 93	— — — For undergoing chemical transformation by a process other than those specified in respect of subheading 2711 12 91
2711 13	— — Butanes:
2711 13 10	— — — For undergoing a specific process
2711 13 30	— — — For undergoing chemical transformation by a process other than those specified in respect of subheading 2711 13 10
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured:
2712 90	— Other:
	— — Other:
	— — — Crude:
2712 90 31	— — — — For undergoing a specific process
2712 90 33	— — — — For undergoing chemical transformation by a process other than those specified in respect of subheading 2712 90 31
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals:
2713 90	— Other residues of petroleum oils or of oils obtained from bituminous minerals:
2713 90 10	— — For the manufacture of the products of heading No 2803
Chapter 29	Organic chemicals
2901	Acyclic hydrocarbons:
2901 10	— Saturated:
2901 10 90	— — For other purposes
2902	Cyclic hydrocarbons:
2902 20	— Benzene:
2902 20 90	— — For other purposes
2902 30	— Toluene:
2902 30 90	— — For other purposes
2902 44	— — Mixed xylene isomers:
2902 44 90	— — — For other purposes

COMMISSION REGULATION (EEC) No 4140/87

of 9 December 1987

determining the conditions of entry of bolting cloth, not made up, under subheading
5911 20 00 of the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968, on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 1537/77 ⁽⁶⁾, determined the conditions of entry of bolting cloth, not made up, under subheading 59.17 B of the Common Customs Tariff;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 1537/77 by a new regulation taking over the new nomenclature as well as the new legal base;

Whereas Regulation (EEC) No 2658/87 refers under subheading 5911 20 00 of the combined nomenclature to bolting cloth, whether or not made up;

Whereas entry of bolting cloth, not made up, under this subheading is subject to conditions laid down in the relevant Community provisions; whereas, in order to ensure uniform application of the combined nomenclature, provisions specifying those conditions must be laid down;

Whereas, in order to achieve the objective in view, marking in accordance with precise technical instructions need be the only condition;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The entry of bolting cloth, not made up, under subheading 5911 20 00 of the combined nomenclature shall be subject to the condition that it is marked in the manner shown in the Annex.

Article 2

Regulation (EEC) No 1537/77 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 9 December 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

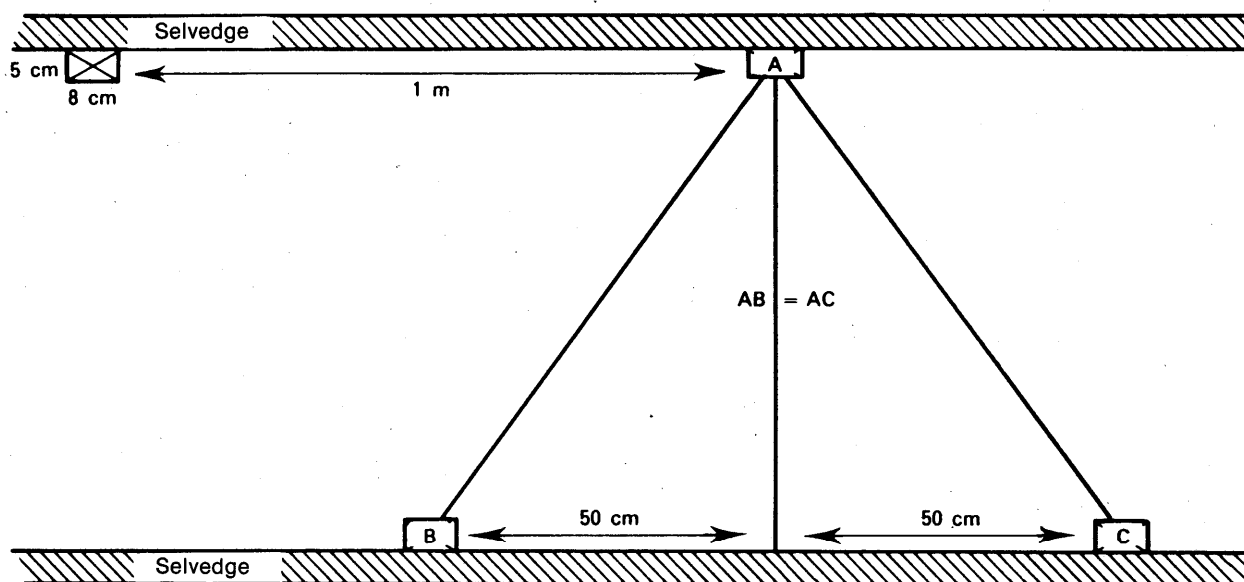
⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 171, 9. 7. 1977, p. 15.

ANNEX

Marking of bolting cloth, not made up

A mark consisting of a rectangle and its diagonals must be reproduced at regular intervals along both edges of the fabric — without encroaching on the selvages — in such a way that the distance between two consecutive marks, measured between the adjacent ends, of the rectangles, is not more than one metre and that the marks on one edge are staggered so as to be half way between those on the other edge (the centre of each mark must be equidistant from the centre of the two nearest marks on the opposite edge). Each mark is to be so positioned that the long sides of the rectangle are parallel to the warp of the fabric (see sketch below).



The thickness of the lines forming the sides of the rectangle must be 5 mm, and that of the diagonals 7 mm. The rectangle measured from the outer edge of the lines must be at least 8 cm in length and 5 cm in width.

The marks must be printed in a single colour contrasting with the colour of the fabric and must be indelible.

COMMISSION REGULATION (EEC) No 4141/87

of 9 December 1987

determining the conditions under which goods for certain categories of aircraft and ships are eligible on import for a favourable tariff arrangement by season of their sub-use

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit ⁽²⁾, as last amended by Regulation (EEC) No 1674/87 ⁽³⁾ and in particular Article 57 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968, on the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 3529/87 ⁽⁵⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas, on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁶⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁷⁾, Commission Regulation (EEC) No 2695/77 ⁽⁸⁾, as last amended by the Act of Accession of Spain and Portugal, determined the conditions under which goods for certain categories of aircraft and ships are eligible on import for a favourable tariff arrangement;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 2695/77 by a new regulation taking over the new nomenclature as well as the

new legal base; whereas, for the same reason, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas Regulation (EEC) No 2658/87 lays down that duties on products specified in Section A of Annex 1 to this Regulation are suspended when the products are intended to be fitted in aircraft imported duty free or built within the Community; whereas the suspension shall be subject to conditions laid down in the relevant Community provisions; whereas such conditions shall also apply to the granting of a favourable tariff arrangement to goods intended for use in civil aircraft and for incorporation therein in the course of their manufacture, repair, maintenance, rebuilding, modification or conversion, covered by Section II B of the Preliminary Provisions of the combined nomenclature, or by autonomous Community tariff suspensions;

Whereas, in Section II (A) of its preliminary provisions, the combined nomenclature also provides that customs duties are suspended in respect of goods intended for incorporation in certain categories of ships, boats or other vessels, for the purposes of their construction, repair, maintenance or conversion, and in respect of goods intended for fitting to or equipping such ships, boats or other vessels; whereas the suspension shall be subject to conditions laid down in the relevant Community provisions with a view to customs control of the use of such goods;

Whereas, in order to ensure uniform application of the combined nomenclature, provisions are necessary for fixing those conditions;

Whereas Commission Regulation (EEC) No 4142/87 of 9 December 1987 determining the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use ⁽⁹⁾, sets out both the general and minimum conditions governing such goods; whereas that Regulation should be applied to the products referred to above;

Whereas, nevertheless, for goods for the maintenance or repair of aircraft, consigned by air from one Member State to another by airlines engaged in international traffic, whether the goods are to be transferred for the airlines' own needs or under the terms of exchange agreements; it is necessary to simplify the formalities involved in the internal Community transit procedure under which these goods are consigned, and in view of the specialized nature of these movements of goods, more flexible arrangements than those of Control Copy T 5 are necessary;

⁽⁹⁾ See page 81 of this Official Journal.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 38, 9. 2. 1977, p. 1.

⁽³⁾ OJ No L 157, 17. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁶⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁷⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁸⁾ OJ No L 314, 8. 12. 1977, p. 14.

Whereas, however, in view of the special requirements arising out of the particular end-use of the products in question, special provisions are needed to cover, on the one hand, an extension of the period within which the goods must be used and, on the other hand, a broadening of the scope of the provisions whereby the goods may be put to a use other than the end-use provided for or may be exported outside the customs territory of the Community;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Nomenclature Committee and of the Committee on the Movement of Goods,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of Articles 2 to 10 hereunder, Commission Regulation (EEC) No 4142/87 shall apply to the products listed in Annexes I and II to this Regulation.

Article 2

Notwithstanding Article 5 of Regulation (EEC) No 4142/87, the period within which the goods must be put to the prescribed use shall be five years.

Article 3

Notwithstanding Article 9 of Regulation (EEC) No 4142/87, but without prejudice to the provisions in force regarding the control of goods on importation and exportation, Control Copy T 5 need not be used in the case of goods for the maintenance and repair of aircraft, consigned by air from one Member State to another, whether under the terms of exchange agreements or for airlines' own needs, by airlines engaged in international traffic. Furthermore, the provisions relating to the internal Community transit procedure for these goods shall be simplified in accordance with the provisions of Article 4 to 8.

Article 4

The air way-bill or equivalent document shall be treated as equivalent to a T 2 declaration or document provided that it contains at least the following particulars:

- (a) the name of the consigning airline;
- (b) the name of the airport of departure;
- (c) the name of the receiving airline;
- (d) the name of the airport of destination;
- (e) the description of the goods;
- (f) the number of articles.

The particulars referred to in the preceding paragraph, may, alternatively, be given in coded form or by reference to an attached document.

In addition the air way-bill or equivalent document must bear on its face one of the following statements in printed characters:

- T 2 — DESTINO ESPECIAL,
- T 2 — SÆRLIGT ANVENDELSESFORMÅL,
- T 2 — BESONDERE VERWENDUNG,
- T 2 — ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ
- T 2 — END-USE,
- T 2 — DESTINATION PARTICULIÈRE,
- T 2 — DESTINAZIONE PARTICOLARE,
- T 2 — BIJZONDERE BESTEMMING,
- T 2 — DESTINO ESPECIAL.

Article 5

The airline consigning the goods shall be the principal for the transport operation.

Article 6

In each Member State each airline consigning or receiving the goods referred to in Article 3 shall make available to the competent customs authorities for the purposes of control of Community transit operations the records required to be kept under Article 3 (2) (c) of Regulation (EEC) No 4142/87.

Article 7

1. The consigning airline shall retain a copy of the air way-bill or equivalent document as part of its records and shall, in the manner prescribed by the customs authorities of the Member State of departure, make a further copy available to the office of departure.

2. The receiving airline shall retain a copy of the air way-bill or equivalent document as part of its records and shall in the manner prescribed by the customs authorities of the Member State of destination, present a further copy to the office of destination.

3. Without prejudice to the provisions of Article 3 (2) (e) of Regulation (EEC) No 4142/87, the goods referred to in Article 3 which move under the procedure provided for in this Regulation need not be produced at either the office of departure or the office of destination.

Article 8

1. The principal shall have fulfilled the obligations imposed on him by Article 13 (a) of Regulation (EEC) No 222/77 at the time when the goods intact and the copies of the air way-bill or equivalent document, as referred to in Article 7 (2), which accompanied them have been delivered

to the receiving airline in the places specified by the customs authorities in the Member State of destination and the goods have been entered in the records specified in Article 3 (2) (c) of Regulation (EEC) No 4142/87.

2. The delivery of the goods and the copies of the air way-bill or equivalent document and the entry referred to in paragraph 1 must take place within a period of five days from the date of departure of the aircraft carrying the goods.

Article 9

Notwithstanding Article 9 (5) of Regulation (EEC) No 4142/87, the obligations arising under that Regulation shall pass from the consigning airline to the receiving airline at the time referred to in Article 8.

Article 10

Notwithstanding the first paragraph of Article 10 and paragraph 1 of Article 11 of Regulation (EEC) No 4142/87, the competent authorities may authorize the use of the goods

other than as provided for under the favourable tariff arrangement referred to in Article 1 of that Regulation, or the exportation of the goods outside the customs territory of the Community, if they consider such authorization justified on economic grounds.

Article 11

Regulation (EEC) No 2695/77 is hereby repealed.

Article 12

Each Member State shall inform the Commission of the steps taken by its central administration for the purposes of applying this Regulation. The Commission shall forthwith communicate this information to the other Member States.

Article 13

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 9 December 1987.

For the Commission

COCKFIELD

Vice-President

ANNEX I

Code Nos	Description of goods
	SECTION A
8407	Spark-ignition reciprocating or rotary internal combustion piston engines:
8407 10	— Aircraft engines:
8407 10 90	— — Other ⁽¹⁾
8409	Parts suitable for use solely or principally with the engines of heading No 8407 or 8408:
8409 10	— For aircraft engines:
8409 10 90	— — Other ⁽¹⁾
8411	Turbo-jets, turbo-propellers and other gas turbines:
	— Turbo-jets:
8411 11	— — Of a thrust not exceeding 25 kN:
8411 11 90	— — — Other ⁽¹⁾
8411 12	— — Of thrust exceeding 25 kN:
8411 12 90	— — — Other ⁽¹⁾
	— Turbo-propellers:
8411 21	— — Of a power not exceeding 1 100 kW:
8411 21 90	— — — Other ⁽¹⁾
8411 22	— — Of a power exceeding 1 100 kW:
8411 22 90	— — — Other ⁽¹⁾
	— Parts:
8411 91	— — Of turbo-jets or turbo-propellers:
8411 91 90	— — — Other ⁽¹⁾
8412	Other engines and motors
8412 10	— Reaction engines other than turbo-jets:
8412 10 90	— — Other ⁽¹⁾
8412 90	— Parts:
	— — Other:
8412 90 30	— — — Of reaction engines other than turbo-jets ⁽¹⁾
8803	Parts of goods of heading No 8801 or 8802:
8803 10	— Propellers and rotors and parts thereof:
8803 10 90	— — Other ⁽¹⁾
8803 20	— Under-carriages and parts thereof:
8803 20 90	— — Other ⁽¹⁾
8803 30	— Other parts of aeroplanes or helicopters:
8803 30 90	— — Other ⁽¹⁾
8803 90	— Other:
	— — Other:
8803 90 99	— — — Other ⁽¹⁾
	SECTION B
Miscellaneous	Goods referred to in Section II B of the 'Preliminary Provisions' of the combined nomenclature other than civil aircraft and ground flight simulators
	SECTION C
Miscellaneous	Goods intended for use in the construction, maintenance and repair of aircraft, covered by autonomous Community tariff suspensions

⁽¹⁾ This includes only articles imported and intended to be fitted in aircraft imported duty free or built within the Community.

ANNEX II

Code Nos	Description of goods
Miscellaneous	Goods intended for incorporation in the ships, boats or other vessels falling within subheadings 8901 10 10, 8901 20 10, 8901 30 10, 8901 90 10, 8902 00 11, 8902 00 19, 8903 91 10, 8903 92 10, 8904 00 10, 8904 00 91, 8905 10 10, 8905 90 10, 8906 00 10, 8906 00 91 of the combined nomenclature for the purposes of their construction, repair, maintenance or conversion or for the purposes of fitting to or equipping such ships, boats or other vessels (Section II A of the Preliminary Provisions and subheadings 8408 10 10 to 8408 10 90 of the combined nomenclature).

COMMISSION REGULATION (EEC) No 4142/87

of 9 December 1987

determining the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾ and in particular Article 11 thereof,

Whereas Council Regulation (EEC) No 950/68 of 28 June 1968, on the Common Customs Tariff ⁽²⁾, as last amended by Regulation (EEC) No 3529/87 ⁽³⁾, established the Common Customs Tariff on the basis of the nomenclature of the Convention of 15 December 1950 concerning the nomenclature to be used for the classification of goods in customs tariffs;

Whereas on the basis of Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for the uniform application of the nomenclature of the Common Customs Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No 2055/84 ⁽⁵⁾, Commission Regulation (EEC) No 1535/77 ⁽⁶⁾, as last amended by the Act of Accession of Spain and Portugal, determined the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use;

Whereas Regulation (EEC) No 2658/87 has repealed and replaced, on the one hand, Regulation (EEC) No 950/68 in adopting the new tariff and statistical nomenclature (combined nomenclature) based on the International Convention on the Harmonized Commodity Description and Coding System and, on the other hand, Regulation (EEC) No 97/69; whereas it is consequently appropriate, for reasons of clarity, to replace Regulation (EEC) No 1535/77 by a new regulation taking over the new nomenclature as well as the new legal base; whereas, for the same reasons, it is appropriate to incorporate in this new text all the amendments made to date;

Whereas certain provisions of Regulation (EEC) No 2658/87 and other Community provisions, such as those which relate to tariff suspensions or quotas, to the common

agricultural policy or to the application of international agreements concluded by the European Communities, make the eligibility of goods for a favourable tariff arrangement on import, by reason of their end-use, subject to conditions laid down in Community legislation;

Whereas steps should be taken to avoid that these conditions, which traditionally take the form of administrative formalities and controls, differ between Member States, a situation liable to give rise to disparities in the application of the combined nomenclature and to deflections of trade and economic activity; whereas, in the interests of all concerned and in order to lighten as far as possible the burden falling on national administrations, there should be established a Community control procedure for the end-use in goods;

Whereas, in accordance with customary practice, it is necessary to provide that the goods can be transferred within the Community; whereas it is moreover appropriate that, having regard to the objectives of this Regulation, there should be provision that, when consigned from one Member State to another, the goods should be accompanied, as far as the competent customs office in the Member State of destination where the customs formalities are carried out which enable the transferee to take charge of the goods, by the control copy T 5 — provided for in Commission Regulation (EEC) No 2823/87 of 18 September 1987 on documents to be used for the application of Community measures involving the control of the use and/or destination of goods ⁽⁷⁾;

Whereas, in view of the tariff benefit attaching to the particular end-use concerned, importers are normally in a position to put the goods into free circulation in full knowledge of the circumstances; whereas the declaration that the goods will be put to the prescribed end-use must, in principle, be of an irreversible nature; whereas, however, where for reasons relating either to the circumstances of the holder of the authorization or to the goods themselves it is impossible for the goods to be put to the prescribed end-use, provision should be made for such goods to be admitted for normal home use or exported outside Community customs territory or destroyed under customs supervision;

Whereas it is necessary to provide that goods for a specified end use be classified under the correct subheading of the combined nomenclature, even if their classification under another subheading would give rise to the same benefit; whereas, in such a case, the provisions of this Regulation should not be applied to such goods;

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽³⁾ OJ No L 336, 26. 11. 1987, p. 3.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽⁵⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽⁶⁾ OJ No L 171, 9. 7. 1977, p. 1.

⁽⁷⁾ OJ No L 270, 23. 9. 1987, p. 1.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation determines the conditions to be applied to the admission of goods put into free circulation under a favourable tariff arrangement by reason of their end-use.

However, this Regulation does not apply to goods listed in the Annex.

2. All goods for a specified end-use for which the import duties applicable in the end-use regime are not lower than those which would be due if that arrangement did not apply shall be classified in the end-use tariff subheading of the combined nomenclature, without application of the provisions of this Regulation.

Article 2

For the purposes of this Regulation, 'amount of uncollected import duties' shall mean the difference between, on the one hand, the amount of import duties which result from the application of the favourable tariff arrangement referred to in Article 1 and, on the other hand, the amount of import duties which would be due if that arrangement did not apply. The operative date for determining the amount of uncollected import duties shall be the date of acceptance by the competent authorities of the entry for release of the goods into free circulation.

For the purposes of this Article, 'import duties' shall include customs duties and charges having equivalent effect, agricultural levies and other import charges provided for under the common agricultural policy or under the specific arrangements applicable, in pursuance of Article 235 of the Treaty, to certain goods resulting from the processing of agricultural products.

Article 3

1. The benefit of the tariff arrangement referred to in Article 1 shall be conditional upon the granting by the competent authorities of the Member State in which the goods are declared for entry into free circulation, of a written authorization to the person importing those goods into free circulation or having them so imported.

2. Without prejudice to the provisions of the following Articles, the granting of the authorization provided for in paragraph 1 shall impose an obligation to:

- (a) put the goods to the prescribed end-use;
 - (b) pay the amount of uncollected import duties if the goods are not put to the prescribed end-use;
 - (c) keep records such as to enable the competent authorities to carry out any checks which they consider necessary to ensure that the goods are put to the prescribed end-use, and to preserve such records for such period as is required under the relevant provisions in force;
 - (d) permit inspection of the records provided for in subparagraph (c); and
 - (e) submit to any other measure of control which the competent authorities may deem appropriate to check the actual use of the goods and provide any information required for that purpose.
3. The competent authorities may withhold the authorization from persons unable to offer the safeguards considered necessary.
4. The granting of the authorization may be subject to the provision of security fixed by the competent authorities.

Article 4

1. The competent authorities may, if they consider it necessary, limit the period of validity of any authorization granted in accordance with Article 3.
2. The authorization granted in accordance with Article 3 may be revoked by the competent authorities if the holder of the authorization no longer fulfils one or more of the obligations or conditions provided for in this Regulation, or if he can no longer offer the safeguards considered necessary by the competent authorities.
3. In cases where the authorization is revoked by the competent authorities, the holder shall immediately pay the amount of uncollected import duties for those goods which have not yet been put to the prescribed end-use.

Article 5

The goods must have been put to the prescribed end-use within one year from the date of acceptance by the competent authorities of the entry for their release into free circulation. The competent authorities may however, extend the period if the goods have not been put to the end-use on account either of inevitable accident or of *force majeure* or for reasons inherent in the processing of the goods.

Article 6

1. If, without prejudice to the provisions of Articles 7 and 11, the goods have not been put to the prescribed end-use on expiry of the period referred to in Article 5, the amount of uncollected import duties shall be paid, without prejudice to any default interest chargeable, to the competent authorities of the Member State in which the goods were declared for entry into free circulation or, where Article 9 applies, were last placed under customs control.

2. Waste and scrap which result necessarily from the normal working or processing of the goods, together with losses due to natural causes, shall be regarded as goods having been put to the end-use unless Community legislation provides otherwise.

3. In cases of necessity, duly justified by the holder of the authorization, the competent authorities may authorize the common storage of goods as referred to in the first paragraph of Article 1 with goods of the same kind and quality and having the same technical and physical characteristics. Where goods are stored in accordance with the preceding subparagraph, this Regulation shall apply to a quantity of goods equivalent to that imported under this Regulation.

Article 7

The goods referred to in the first paragraph of Article 1 may be transferred within the Community. The transferee must hold an authorization granted in accordance with Article 3.

Notwithstanding the provisions of Article 5, all the goods must have been put to the prescribed end-use within one year from the date of transfer. This period may, however, be extended as provided for in Article 5.

Article 8

All transfers within a Member State shall be notified to the competent authorities. The form of the notification, the period of time in which it must be made and any other requirements shall be determined by the competent authorities. The notification shall state clearly the date of the transfer of the goods.

With effect from this date the transferee shall assume the obligations arising under this Regulation in respect of the transferred goods.

Article 9

1. Where goods as referred to in the first paragraph of Article 1 are consigned from one Member State to another

the competent office in the Member State of departure shall issue a control copy T 5, in accordance with the procedure laid down in Regulation (EEC) No 2823/87.

2. One of the following statements shall be inserted in capital letters in the box reserved for the description of the goods on the customs document relating to the consignment of the goods:

- DESTINO ESPECIAL,
- SÆRLIGT ANVENDELSESFORMÅL,
- BESONDERE VERWENDUNG,
- ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ,
- END USE,
- DESTINATION PARTICULIÈRE,
- DESTINAZIONE PARTICOLARE,
- BIJZONDERE BESTEMMING,
- DESTINO ESPECIAL.

3. The control copy T 5 shall accompany the goods as far as the competent office where the customs formalities are carried out which enable the transferee to take charge of the goods.

This control copy shall include:

- in boxes 31 and 33, respectively, the description of the goods as at the time of consignment and the appropriate combined nomenclature heading or subheading,
- in box 104, one of the following statements in capital letters:
 - DESTINO ESPECIAL: REGLAMENTO (CEE) N° 4142/87
 - SÆRLIGT ANVENDELSESFORMÅL: FORORDNING (EØF) Nr. 4142/87
 - BESONDERE VERWENDUNG: VERORDNUNG (EWG) Nr. 4142/87
 - ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ: ΚΑΝΟΝΙΣΜΟΣ (ΕΟΚ) αριθ. 4142/87
 - END USE: REGULATION (EEC) No 4142/87
 - DESTINATION PARTICULIÈRE: RÈGLEMENT (CEE) N° 4142/87
 - DESTINAZIONE PARTICOLARE: REGOLAMENTO (CEE) n. 4142/87
 - BIJZONDERE BESTEMMING: VERORDENING (EEG) Nr. 4142/87
 - DESTINO ESPECIAL: REGULAMENTO (CEE) N° 4142/87
- in box 106;
 - (a) in cases where the goods have undergone any manufacturing or processing operations after being admitted to free circulation, the description

and heading or subheading in the combined nomenclature applicable to them at the time of their admission to free circulation;

- (b) the registered number and date of the declaration for entry into free circulation and the name and address of the customs office where the declaration was made.

4. The provisions of this Article shall apply equally to goods referred to in the first paragraph of Article 1 which in the course of transport between two points within the Community cross the territory of Austria or Switzerland and are re-consigned from one of those territories.

Notwithstanding the provisions of Article 11 (3) of Regulation (EEC) No 2823/77 the original of the control copy T 5 shall accompany the goods to the customs office referred to in the first subparagraph of paragraph 3.

The office of departure shall specify the period within which the goods must be re-entered at the customs office referred to in the first subparagraph of paragraph 3.

5. Without prejudice to the application of the transit provisions, and in particular Council Regulation (EEC) No 222/77 the obligations of the transferor deriving from this Regulation shall pass to the transferee on the date on which the goods are placed at the disposal of the latter by the competent customs office.

6. The control copy T 5 shall be sent without delay to the office of departure after having been endorsed under 'Remarks' in the box entitled 'Control as to use and/or destination' by the customs office referred to in the first subparagraph of paragraph 3 with one of the following statements:

- MERCANCIAS PUESTAS A DISPOSICIÓN DEL CESIONARIO EL ⁽¹⁾
- VARERNE STILLET TIL RÅDIGHED FOR MODTAGEREN DEN ⁽¹⁾
- WAREN DEM ÜBERNEHMER ZUR VERFÜGUNG GESTELLT AM ⁽¹⁾
- ΕΜΠΟΡΕΥΜΑΤΑ ΤΕΘΕΝΤΑ ΣΤΗ ΔΙΑΘΕΣΗ ΕΚΕΙΝΟΥ ΠΡΟΣ ΤΟΝ ΟΠΟΙΟ ΕΚΧΩΡΗΘΗΚΑΝ ΤΗΝ ⁽¹⁾
- GOODS TRANSFERRED TO THE TRANSFEREE ON ⁽¹⁾
- MARCHANDISES MISES À LA DISPOSITION DU CESSIONNAIRE LE ⁽¹⁾
- MERCI MESSE A DISPOSIZIONE DEL CESSIONARIO IL ⁽¹⁾
- GOEDEREN TER BESCHIKKING GESTELD VAN DEGENE DIE OVERNEEMT OP ⁽¹⁾
- MERCADORIAS POSTAS À DISPOSIÇÃO DO CESSIONÁRIO EM ⁽¹⁾

⁽¹⁾ Date referred to in paragraph 5 of this Article.

Article 10

The competent authorities shall not approve the use of the goods, otherwise than as provided for by the favourable tariff arrangement referred to in Article 1, unless the holder of the authorization can prove to their satisfaction that it has been impossible for reasons relating to his circumstances or to the goods themselves for the goods to be put to the prescribed end-use.

The approval referred to in the preceding paragraph shall be conditional on the holder of the authorization paying the amount of the uncollected import duties, without prejudice to any default interest chargeable.

Article 11

1. The competent authorities shall not approve the export of the goods outside the customs territory of the Community or the destruction of the goods under customs supervision unless the holder of the authorization can prove to their satisfaction that it has been impossible for reasons relating to his circumstances or to the goods themselves for the goods to be put to the prescribed end-use.

In neither case shall the amount of uncollected import duties be payable.

2. Where the goods are destroyed, any resulting products which are not exported outside the customs territory of the Community, shall be charged with import duty at the rates applicable on the date when the goods were destroyed.

Article 12

For the purposes of this Regulation, the territory of the Benelux Economic Union shall be considered to be a single Member State.

Article 13

Regulation (EEC) No 1535/77 is hereby repealed.

Article 14

Each Member State shall inform the Commission of the steps taken by its central administration for the purposes of applying this Regulation.

The Commission shall forthwith communicate this information to the other Member States.

Article 15

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 9 December 1987.

For the Commission
COCKFIELD
Vice-President

ANNEX

CN code	Description
0101	Live horses, asses, mules and hinnies:
	– Horses:
0101 11 00	– – Pure-bred breeding animals
0101 19	– – Other:
0101 19 10	– – – For slaughter
0102	Live bovine animals:
0102 10 00	– Pure-bred breeding animals
0102 90	– Other:
	– – Domestic species:
ex 0102 90 10	– Young male animals, intended for fattening, of a live weight of 300 kg or less
ex 0102 90 35	
ex 0102 90 37	
ex 0102 90 31	– Not yet having any permanent teeth, of a weight of not less than 350 kg but not more
to	than 450 kg, in the case of male animals, or of not less than 320 kg but not more than
ex 0102 90 37	420 kg in the case of female animals
0103	Live swine:
0103 10 00	– Pure-bred breeding animals
0104	Live sheep and goats:
0104 10	– Sheep:
0104 10 10	– – Pure-bred breeding animals
0104 20	– Goats:
0104 20 10	– – Pure-bred breeding animals
0201	Meat of bovine animals, fresh or chilled:
ex 0201	'High-quality' meat imported within the limits of a global annual Community tariff quota
ex 0201 10 90	Carcases of a weight of not less than 180 kg but not more than 270 kg and half-carcases or
ex 0201 20 11	'compensated' quarters, of a weight of not less than 90 kg but not more than 135 kg, with a low degree of ossification of the cartilages (more especially those of the symphysis pubis and the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour
ex 0201 20 31	Separated forequarters of a weight of not less than 45 kg but not more than 68 kg, with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour
ex 0201 20 39	
ex 0201 20 51	Separated hindquarters of a weight not less than 45 kg but not more than 68 kg (not less than 38 kg but not more than 61 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (more especially those of the vertebral apophyses), the meat of which is of a light pink colour and the fat of which, of extremely fine structure, is white to light yellow in colour
ex 0201 20 59	
0202	Meat of bovine animals, frozen:
ex 0202	'High-quality' meats imported within the limits of a global annual Community tariff quota
ex 0202 20 30	Meat intended for processing subject to Article 14 of Council Regulation (EEC) No 805/68 ⁽¹⁾
ex 0202 30 10	
ex 0202 30 50	
ex 0202 30 90	
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter:
	– In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1,5%:
0402 29	– – Other:
	– – – Of a fat content, by weight, not exceeding 27%:

CN code	Description
0402 29 11	— — — Special milk, for infants, in hermetically sealed containers of a net content not exceeding 500 g of a fat content, by weight, exceeding 10 %
0406	Cheese and curd:
0406 20	— Grated or powdered cheese, of all kinds:
0406 20 10	— — Glarus herb cheese (known as Schabziger) made from skimmed milk and mixed with finely ground herbs
0406 30	— Processed cheese, not grated or powdered:
0406 30 10	— — In the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale, of a fat content by weight in the dry matter, not exceeding 56 %
0406 40 00	— Blue-veined cheese
0406 90	— Other cheese:
0406 90 11	— — For processing ⁽²⁾
	— — Other:
0406 90 13	— — — Emmental
0406 90 15	— — — Gruyère, Sbrinz
0406 90 17	— — — Bergkäse, Appenzell, Vacherin fribourgeois, Vacherin Mont d'Or and Tête de Moine
0406 90 19	— — — Glarus herb cheese (known als Schabziger) made from skimmed milk and mixed with finely ground herbs
0406 90 21	— — — Cheddar
0406 90 23	— — — Edam
0406 90 25	— — — Tilsit
0406 90 27	— — — Butterkäse
0406 90 29	— — — Kashkaval
	— — — Feta:
0406 90 31	— — — — Of sheep's milk or buffalo milk in containers containing brine, or in sheep or goatskin bottles
0406 90 33	— — — — Other
0406 90 35	— — — Kefalotyri
0406 90 37	— — — Finlandia
0406 90 39	— — — Jarlsberg
	— — — Other:
0406 90 50	— — — — Cheese of sheep's milk or buffalo milk in containers containing brine, or in sheep or goatskin bottles
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:
	— Of poultry:
	— — For hatching:
0407 00 11	— — — of turkeys or geese
0407 00 19	— — — others
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:
	— Egg yolks:
0408 11	— — Dried:
0408 11 90	— — — Other
0408 19	— — Other:
0408 19 90	— — — Other
	— Other:

CN code	Description
0408 91	— — Dried:
0408 91 90	— — — Other
0408 99	— — Other:
0408 99 90	— — — Other
0701	Potatoes, fresh or chilled:
0701 10 00	— Seed
0712	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared:
0712 90	— Other vegetables; mixtures of vegetables:
	— — Sweet corn (<i>Zea mays</i> var. <i>saccharata</i>):
0712 90 11	— — — Hybrids for sowing
0806	Grapes, fresh or dried:
0806 10	— Fresh:
	— — Table grapes:
	— — — From 1 November to 14 July:
0806 10 11	— — — — Of the variety Emperor (<i>Vitis vinifera</i> cv.), from 1 December to 31 January
1001	Wheat and meslin:
1001 90	— Other:
1001 90 10	— — Spelt for sowing
1005	Maize (corn):
1005 10	— Seed:
	— — Hybrid:
1005 10 11	— — — Double hybrids and top cross hybrids
1005 10 13	— — — Three-cross hybrids
1005 10 15	— — — Simple hybrids
1005 10 19	— — — Other
1006	Rice:
1006 10	— Rice in the husk (paddy or rough):
1006 10 10	— — For sowing
1007 00	Grain sorghum:
1007 00 10	— Hybrids for sowing
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714; flour, meal and powder of the products of Chapter 8:
1106 20	— Flour and meal of sago, roots or tubers of heading No 0714:
1106 20 10	— — Denatured
1201 00	Soya beans, whether or not broken:
1201 00 10	— For sowing
1202	Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken:
1202 10	— In shell:
1202 10 10	— — For sowing
1204 00	Linseed, whether or not broken:
1204 00 10	— For sowing

CN code	Description
1205 00	Rape or colza seeds, whether or not broken:
1205 00 10	— For sowing
1206 00	Sunflower seeds, whether or not broken:
1206 00 10	— For sowing
1207	Other oil seeds and oleaginous fruits, whether or not broken:
1207 10	— Palm nuts and kernels:
1207 10 10	— — For sowing
1207 20	— Cotton seeds:
1207 20 10	— — For sowing
1207 30	— Castor oil seeds:
1207 30 10	— — For sowing
1207 40	— Sesamum seeds:
1207 40 10	— — For sowing
1207 50	— Mustard seeds:
1207 50 10	— — For sowing
1207 60	— Safflower seeds:
1207 60 10	— — For sowing
	— Other:
1207 91	— — Poppy seeds:
1207 91 10	— — — For sowing
1207 92	— — Shea nuts (karite nuts):
1207 92 10	— — For sowing
1207 99	— — Other:
1207 99 10	— — — For sowing
1701	Cane or beet sugar and chemically pure sucrose; in solid form:
	— Raw sugar not containing added flavouring or colouring matter:
1701 11	— — Cane sugar:
1701 11 10	— — — For refining
1701 12	— — Beet sugar:
1701 12 10	— — — For refining
2106	Food preparations not elsewhere specified or included:
2106 90	— Other:
2106 90 10	— — Cheese fondues
2204	Wine of fresh grapes, including fortified wines; grape must other than that of heading No 2009:
	— Other wine; grape must with fermentation prevented or arrested by the addition of alcohol:
2204 21	— — In containers holding 2 litres or less:
	— — — Other:
	— — — — Of a actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol:
2204 21 41	— — — — — Port, Madeira, Sherry, Tokay (Aszu and Szamorodni) and Setubal muscatel
	— — — — — Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol:
2204 21 51	— — — — — Port, Madeira, Sherry, Tokay (Aszu and Szamorodni) and Setubal muscatel
2204 29	— — Other:
	— — — Other:
	— — — — Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol:

CN code	Description
2204 29 41	— — — — — Port, Madeira, Sherry and Setubal muscatel
2204 29 45	— — — — — Tokay (Aszu and Szamorodni)
	— — — — — Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol:
2204 29 51	— — — — — Port, Madeira, Sherry and Setubal muscatel
2204 29 55	— — — — — Tokay (Aszu and Szamorodni)
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages:
2208 30	— Whiskies:
	— — Bourbon whiskey, in containers holding:
2208 30 11	— — — 2 litres or less
2208 30 19	— — — more than 2 litres
2208 90	— Other:
	— — Vodka of an alcoholic strength by volume of 45,4 % vol or less and plum, pear or cherry spirit (excluding liqueurs), in containers holding:
	— — — 2 litres or less:
2208 90 31	— — — — Vodka
	— — Other spirituous beverages in containers holding:
	— — — 2 litres or less:
	— — — — Spirits:
2208 90 53	— — — — — Other
2401	Unmanufactured tobacco; tobacco refuse:
2401 10	— Tobacco, not stemmed/stripped:
	— — Flue-cured Virginia type and light air-cured Burley type tobacco (including Burley hybrids); light air-cured Maryland type and fire-cured tobacco:
2401 10 10	— — — Flue-cured Virginia type
2401 10 20	— — — Light air-cured Burley type (including Burley hybrids)
2401 10 30	— — — Light air-cured Maryland type
	— — — Fire-cured tobacco:
2401 10 41	— — — — Kentucky type
2401 10 49	— — — — Other
2401 20	— Tobacco, partly or wholly stemmed/stripped:
	— — Flue-cured Virginia type and light air-cured Burley type tobacco (including Burley hybrids); light air-cured Maryland type and fire-cured tobacco:
2401 20 10	— — — Flue-cured Virginia type
2401 20 20	— — — Light air-cured Burley type (including Burley hybrids)
2401 20 30	— — — Light air-cured Maryland type
	— — — Fire-cured tobacco:
2401 20 41	— — — — Kentucky type
2401 20 49	— — — — Other
2501 00	Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution; sea water:
	— Common salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution:
	— — Other:
ex 2501 00 51	— — — Denatured

CN code	Description
ex Chapter 27: Miscellaneous	Certain cases referred to in Additional Notes 4 (n) and 5
2707	Oils and other products of the distillation of high temperature coal tar; similar products in which the weight of the aromatic constituent exceeds that of the non-aromatic constituents:
2707 10	– Benzole:
2707 10 90	– – For other purposes
2707 20	– Toluole:
2707 20 90	– – For other purposes
2707 30	– Xylole:
2707 30 90	– – For other purposes
2707 50	– Other aromatic hydrocarbon mixtures of which 65 % or more by volume (including losses) distils at 250 °C by the ASTM D 86 method:
	– – For other purposes:
2707 50 91	– – – Solvent-naphtha
2707 50 99	– – – Other
	– Other:
2707 99	– – Other:
	– – – Other:
2707 99 91	– – – – For the manufacture of the products of heading No 2803
2710 00	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:
	– Light oils:
2710 00 11	– – For undergoing a specific process
2710 00 15	– – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 11
	– Medium oils:
2710 00 41	– – For undergoing a specific process
2710 00 45	– – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 41
	– Heavy oils:
	– – Gas oils:
2710 00 61	– – – For undergoing a specific process
2710 00 65	– – – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 61
	– – Fuel oils:
2710 00 71	– – – For undergoing a specific process
2710 00 75	– – – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 71
	– – Lubricating oils; other oils:
2710 00 91	– – – For undergoing a specific process
2710 00 93	– – – For undergoing chemical transformation by a process other than those specified in respect of subheading 2710 00 91
2710 00 95	– – – To be mixed in accordance with the terms of additional note 6 to this chapter
2711	Petroleum gases and other gaseous hydrocarbons:
	– Liquefied:
2711 12	– – Propane:
	– – – Propane of a purity not less than 99 %:

CN code	Description
2711 12 19	— — — — For other purposes
	— — — Other:
2711 12 91	— — — — For undergoing a specific process
2711 12 93	— — — — For undergoing chemical transformation by a process other than those specified in respect of subheading 2711 12 91
2711 13	— — Butanes:
2711 13 10	— — — For undergoing a specific process
2711 13 30	— — — For undergoing chemical transformation by a process other than those specified in respect of subheading 2711 13 10
2712	Petroleum jelly; paraffin wax, microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products obtained by synthesis or by other processes, whether or not coloured:
2712 90	— Other:
	— — Other:
	— — — Crude:
2712 90 31	— — — — For undergoing a specific process
2712 90 33	— — — — For undergoing chemical transformation by a process other than those specified in respect of subheading 2712 90 31
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals:
2713 90	— Other residues of petroleum oils or of oils obtained from bituminous minerals:
2713 90 10	— — For the manufacture of the products of heading No 2803
Chapter 29	Organic chemicals
2901	Acyclic hydrocarbons:
2901 10	— Saturated:
2901 10 90	— — For other purposes
2902	Cyclic hydrocarbons:
2902 20	— Benzene:
2902 20 90	— — For other purposes
2902 30	— Toluene:
2902 30 90	— — For other purposes
2902 44	— — Mixed xylene isomers
2902 44 90	— — For other purposes
3102	Mineral or chemical fertilizers, nitrogenous:
3102 50	— Sodium nitrate:
3102 50 10	— — Natural sodium nitrate
3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium; other fertilizers; goods of this chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg:
3105 90	— Other:
3105 90 10	— — Natural potassic sodium nitrate, consisting of a natural mixture of sodium nitrate and potassium nitrate (the proportion of potassium nitrate may be as high as 44 %), of a total nitrogen content not exceeding 16,3 % by weight on the dry anhydrous product
3502	Albumins, albuminates and other albumin derivatives:
3502 10	— Egg albumin:

CN code	Description
ex 3502 10 10	– – To be rendered unfit for human consumption
3502 90	– Other:
	– – Albumins other than egg albumin:
ex 3502 90 10	– – – To be rendered unfit for human consumption
5911	Textile products and articles, for technical uses, specified in note 7 to this chapter:
ex 5911 20 00	– Bolting cloth, whether or not made up
8407	Spark-ignition reciprocating or rotary internal combustion piston engines:
8407 10	– Aircraft engines:
8407 10 90	– – Others ⁽³⁾
8409	Parts suitable for use solely or principally with the engines of heading Nos 8407 or 8408:
8409 10	– For aircraft engines:
8409 10 90	– – Other ⁽³⁾
8411	Turbo-jets, turbo-propellers and other gas turbines:
	– Turbo-jets:
8411 11	– – Of a thrust not exceeding 25 kN:
8411 11 90	– – – Other ⁽³⁾
8411 12	– – Of a thrust exceeding 25 kN:
8411 12 90	– – – Other ⁽³⁾
	– Turbo-propellers:
8411 21	– – Of a power not exceeding 1 100 kW:
8411 21 90	– – – Other ⁽³⁾
8411 22	– – Of a power exceeding 1 100 kW:
8411 22 90	– – – Other ⁽³⁾
	– Parts:
8411 91	– – Of turbo-jets or turbo-propellers:
8411 91 90	– – – Other ⁽³⁾
8412	Other engines and motors:
8412 10	– Reaction engines other than turbo-jets:
8412 10 90	– – Other ⁽³⁾
8412 90	– Parts:
	– – Other:
8412 90 30	– – – Of reaction engines other than turbo-jets ⁽³⁾
8803	Parts of goods of heading Nos 8801 or 8802:
8803 10	– Propellers and rotors and parts thereof:
8803 10 90	– – Other ⁽³⁾
8803 20	– Under-carriages and parts thereof:
8803 20 90	– – Other ⁽³⁾
8803 30	– Other parts of aeroplanes or helicopters:
8803 30 90	– – Other ⁽³⁾
8803 90	– Other:
	– – Other
8803 90 99	– – – Other ⁽³⁾
Miscellaneous	Goods referred to in Section II B of the 'Preliminary Provisions' of the combined nomenclature other than civil aircraft and ground flight simulators

CN code	Description
Miscellaneous	Goods intended for use in the construction, maintenance and repair of aircraft, covered by autonomous Community tariff suspensions
Miscellaneous	Goods intended for incorporation in the ships, boats or other vessels falling within subheadings 8901 10 10, 8901 20 10, 8901 30 10, 8901 90 10, 8902 00 11, 8902 00 19, 8903 91 10, 8903 92 10, 8904 00 10, 8904 00 91, 8905 10 10, 8905 90 10, 8906 00 10, 8906 00 91 of the combined nomenclature for the purposes of their construction, repair, maintenance or conversion and for products intended for fitting to or equipping such ships, boats or other vessels (Section II A of the Preliminary Provisions and subheadings 8408 10 10 to 8408 10 90 of the combined nomenclature).

(¹) OJ No L 148, 28. 6. 1968, p. 24.

(²) The inclusion in this annex of this subheading is to be understood to refer to the obligation to present a certificate within the context of annual Community tariff quotas. The provisions of this Regulation shall apply to cheeses intended for processing provided that no other Community provision provides otherwise.

(³) This includes only articles imported and intended to be fitted in aircraft imported duty free or built within the Community.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL

of 22 December 1987

determining the conditions under which certain ECSC products are eligible upon importation for a
favourable tariff arrangement by reason of their end-use

(87/606/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN
COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Commission Regulation (EEC) No 4142/87 of 9 December 1987, determining the conditions under which certain goods are eligible upon importation for a favourable tariff arrangement by reason of their end-use⁽¹⁾ shall apply to the importation under subheading 7208 12 10, 7208 13 10, 7208 14 10, 7208 22 10, 7208 23 10 and 7208 24 10 of the combined nomenclature of flat rolled products, of iron or non-alloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated, in coils, not further worked than hot rolled, of a thickness of less than 3 mm and having a minimum yield point of 275 MPa or of a thickness of 3 mm or more and having a minimum yield point of 355 MPa or other, in coils, not further worked than hot-rolled, of a thickness not exceeding 10 mm, intended for re-rolling (ECSC).

Article 2

Commission Regulation (EEC) No 4141/87 of 9 December 1987, determining the conditions under which goods for certain categories of aircraft and ships are eligible upon importation for a favourable tariff arrangement⁽²⁾ shall apply to products covered by the Treaty establishing the European Coal and Steel Community intended for incorporation in the ships, boats and other vessels falling within subheadings 8901 10 10, 8901 20 10, 8901 30 10, 8901 90 10, 8902 00 11, 8902 00 19, 8903 91 10, 8903 92 10, 8904 00 10, 8904 00 91, 8905 10 10, 8905 90 10, 8906 00 10 and 8906 00 91 of the combined nomenclature for the purposes of their construction, repair, maintenance or conversion as well as to products intended for fitting to or equipping such ships, boats and other vessels.

⁽¹⁾ See page 81 of this Official Journal.

⁽²⁾ See page 76 of this Official Journal.

Article 3

Decision ECSC No 79/34 ⁽¹⁾ is hereby revoked.

Article 4

Member States shall take the measures necessary to implement this Decision.

Article 5

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 22 December 1987.

The President
N. WILHELM

⁽¹⁾ OJ No L 10, 16. 1. 1979, p. 12.