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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2838/89

of 18 September 1989

on the implementation of Decision No 1/89 of the EEC-Austria Joint Committee amending Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation and establishing provisions for the implementation of the Joint Declaration annexed to Decision No 1/88 of the EEC-Austria Joint Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Republic of Austria was signed on 22 July 1972 and entered into force on 1 January 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No 1/89 amending Protocol 3;

Whereas the Joint Declaration annexed to Decision No 1/88 of the EEC-Austria Joint Committee implemented in the Community by Regulation (EEC) No 1598/88 ⁽¹⁾ provides, under certain conditions, for a review of the changes made to the rules of origin following the introduction of the Harmonized System; whereas, by virtue of that Joint Declaration, the Joint Committee must take a decision within a period of three months of a request being made to it by either of the parties to the Agreement;

Whereas this review concerns cases where the transposition of the existing rules of origin into the Harmonized System was not entirely neutral and where it is necessary to restore the substance of previous former rules of origin;

Whereas for the purposes of the Decisions to be taken by the Joint Committee, a common position has to be reached by the Community; whereas it is then necessary to make these Decisions applicable in the Community;

Whereas this decision-making process makes it impossible to comply with the three-month time limit laid down in the Joint Declaration; whereas the procedure should therefore be speeded up and the Community's common position should be adopted by the Commission according to the procedure set out in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾, as last amended by Commission Regulation (EEC) No 3860/87 ⁽³⁾; whereas it is also necessary to confer on the Commission the power to adopt the necessary measures to make the Joint Committee's Decisions applicable in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/89 of the EEC-Austria Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

The following shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68:

- (a) the Community's common position for the purposes of the Decisions of the EEC-Austria Joint Committee concerning a review of the changes made to the rules of

⁽¹⁾ OJ No L 149, 15. 6. 1988, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 30.

origin following the introduction of the Harmonized System pursuant to the Joint Declaration annexed to Decision No 1/88 of the said Joint Committee;

- (b) implementation in the Community of the Decisions referred to under (a).

Article 3

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

Article 1 shall apply with effect from 1 January 1988.

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

Done at Brussels, 18 September 1989.

For the Council
The President
H. CURIEN

DECISION No 1/89 OF THE EEC-AUSTRIA JOINT COMMITTEE

of 20 July 1989

amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria, signed in Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Joint Declaration annexed to Decision No 1/88 of the Joint Committee provides for a review of the changes made to the rules of origin following the introduction of the Harmonized System where the amendments result in a situation prejudicial to the interest of the sectors concerned; whereas it also provides for the substance of the rule of origin concerned to be restored as from 1 January 1988;

Whereas the rule of origin concerning cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared, which was established by Decision No 1/88 of the Joint Committee, should be amended to restore the substance

of this rule as it was before the introduction of the Harmonized System,

HAS DECIDED AS FOLLOWS:

Article 1

In Annex III to Protocol 3 to the Agreement between the European Economic Community and the Republic of Austria the wording of the entry relating to HS heading No 1904 is hereby replaced by that set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 20 July 1989.

For the Joint Committee

The President

G. WAAS

ANNEX

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: — Not containing cocoa: — Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared — Other — Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No 0710 may not be used Manufacture in which: — all the cereals and their derivatives (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials not classified within heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product

COUNCIL REGULATION (EEC) No 2839/89

of 18 September 1989

on the implementation of Decision No 2/89 of the EEC-Finland Joint Committee amending Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation and establishing provisions for the implementation of the Joint Declaration annexed to Decision No 1/88 of the EEC-Finland Joint Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Republic of Finland was signed on 5 October 1973 and entered into force on 1 January 1974;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No 2/89 amending Protocol 3;

Whereas the Joint Declaration annexed to Decision No 1/88 of the EEC-Finland Joint Committee implemented in the Community by Regulation (EEC) No 1599/88 ⁽¹⁾ provides, under certain conditions, for a review of the changes made to the rules of origin following the introduction of the Harmonized System; whereas, by virtue of that Joint Declaration, the Joint Committee must take a decision within a period of three months of a request being made to it by either of the parties to the Agreement;

Whereas this review concerns cases where the transposition of the existing rules of origin into the Harmonized System was not entirely neutral and where it is necessary to restore the substance of previous former rules of origin;

Whereas for the purposes of the Decisions to be taken by the Joint Committee, a common position has to be reached by the Community; whereas it is then necessary to make these Decisions applicable in the Community;

Whereas this decision-making process makes it impossible to comply with the three-month time limit laid down in the Joint Declaration; whereas the procedure should therefore be speeded up and the Community's common position should be adopted by the Commission according to the procedure set out in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of

the origin of goods ⁽²⁾, as last amended by Commission Regulation (EEC) No 3860/87 ⁽³⁾; whereas it is also necessary to confer on the Commission the power to adopt the necessary measures to make the Joint Committee's Decisions applicable in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/89 of the EEC-Finland Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

The following shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68:

- (a) the Community's common position for the purposes of the Decisions of the EEC-Finland Joint Committee concerning a review of the changes made to the rules of origin following the introduction of the Harmonized System pursuant to the Joint Declaration annexed to Decision No 1/88 of the said Joint Committee;
- (b) implementation in the Community of the Decisions referred to under (a).

Article 3

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

Article 1 shall apply with effect from 1 January 1988.

⁽¹⁾ OJ No L 149, 15. 6. 1988, p. 71.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 30.

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

Done at Brussels, 18 September 1989.

For the Council

The President

H. CURIEN

DECISION No 2/89 OF THE EEC-FINLAND JOINT COMMITTEE

of 28 June 1989

amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Finland, signed in Brussels on 5 October 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Joint Declaration annexed to Decision No 1/88 of the Joint Committee provides for a review of the changes made to the rules of origin following the introduction of the Harmonized System where the amendments result in a situation prejudicial to the interest of the sectors concerned; whereas it also provides for the substance of the rule of origin concerned to be restored as from 1 January 1988;

Whereas the rule of origin concerning cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared, which was established by Decision No 1/88 of the Joint Committee, should be amended to restore the substance

of this rule as it was before the introduction of the Harmonized System,

HAS DECIDED AS FOLLOWS:

Article 1

In Annex III to Protocol 3 to the Agreement between the European Economic Community and the Republic of Finland the wording of the entry relating to HS heading No 1904 is hereby replaced by that set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 28 June 1989.

*For the Joint Committee**The President*

P. BENAVIDES

ANNEX

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: — Not containing cocoa: — Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared — Other — Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No 0710 may not be used Manufacture in which: — all the cereals and their derivatives (except maize of the species <i>Zea mays</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials not classified within heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product

COUNCIL REGULATION (EEC) No 2840/89

of 18 September 1989

on the implementation of Decision No 1/89 of the EEC-Iceland Joint Committee amending Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation and establishing provisions for the implementation of the Joint Declaration annexed to Decision No 1/88 of the EEC-Iceland Joint Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission;

Whereas the Agreement between the European Economic Community and the Republic of Iceland was signed on 22 July 1972 and entered into force on 1 April 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No 1/89 amending Protocol 3;

Whereas the Joint Declaration annexed to Decision No 1/88 of the EEC-Iceland Joint Committee implemented in the Community by Regulation (EEC) No 1957/88 ⁽¹⁾ provides, under certain conditions, for a review of the changes made to the rules of origin following the introduction of the Harmonized System; whereas, by virtue of that Joint Declaration, the Joint Committee must take a decision within a period of three months of a request being made to it by either of the parties to the Agreement;

Whereas this review concerns cases where the transposition of the existing rules of origin into the Harmonized System was not entirely neutral and where it is necessary to restore the substance of previous former rules of origin;

Whereas for the purposes of the Decisions to be taken by the Joint Committee, a common position has to be reached by the Community; whereas it is then necessary to make these Decisions applicable in the Community;

Whereas this decision-making process makes it impossible to comply with the three-month time limit laid down in the Joint Declaration; whereas the procedure should therefore be speeded up and the Community's common position should be adopted by the Commission according to the procedure set out in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of

the origin of goods ⁽²⁾, as last amended by Commission Regulation (EEC) No 3860/87 ⁽³⁾; whereas it is also necessary to confer on the Commission the power to adopt the necessary measures to make the Joint Committee's Decisions applicable in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/89 of the EEC-Iceland Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

The following shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68:

- (a) the Community's common position for the purposes of the Decisions of the EEC-Iceland Joint Committee concerning a review of the changes made to the rules of origin following the introduction of the Harmonized System pursuant to the Joint Declaration annexed to Decision No 1/88 of the said Joint Committee;
- (b) implementation in the Community of the Decisions referred to under (a).

Article 3

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

Article 1 shall apply with effect from 1 January 1988.

⁽¹⁾ OJ No L 180, 9. 7. 1988, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 30.

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

Done at Brussels, 18 September 1989.

For the Council
The President
H. CURIEN

DECISION No 1/89 OF THE EEC-ICELAND JOINT COMMITTEE

of 31 July 1989

amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Iceland, signed in Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Joint Declaration annexed to Decision No 1/88 of the Joint Committee provides for a review of the changes made to the rules of origin following the introduction of the Harmonized System where the amendments result in a situation prejudicial to the interest of the sectors concerned; whereas it also provides for the substance of the rule of origin concerned to be restored as from 1 January 1988;

Whereas the rule of origin concerning cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared, which was established by Decision No 1/88 of the Joint Committee, should be amended to restore the substance

of this rule as it was before the introduction of the Harmonized System,

HAS DECIDED AS FOLLOWS:

Article 1

In Annex III to Protocol 3 to the Agreement between the European Economic Community and the Republic of Iceland the wording of the entry relating to HS heading No 1904 is hereby replaced by that set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 31 July 1989.

*For the Joint Committee**The President*

P. BENAVIDES

ANNEX

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: — Not containing cocoa: — Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared — Other — Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No 0710 may not be used Manufacture in which: — all the cereals and their derivatives (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials not classified within heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product

COUNCIL REGULATION (EEC) No 2841/89

of 18 September 1989

on the implementation of Decision No 1/89 of the EEC-Norway Joint Committee amending Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation and establishing provisions for the implementation of the Joint Declaration annexed to Decision No 1/88 of the EEC-Norway Joint Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Kingdom of Norway was signed on 14 May 1973 and entered into force on 1 July 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No 1/89 amending Protocol 3;

Whereas the Joint Declaration annexed to Decision No 1/88 of the EEC-Norway Joint Committee implemented in the Community by Regulation (EEC) No 1958/88 ⁽¹⁾ provides, under certain conditions, for a review of the changes made to the rules of origin following the introduction of the Harmonized System; whereas, by virtue of that Joint Declaration, the Joint Committee must take a decision within a period of three months of a request being made to it by either of the parties to the Agreement;

Whereas this review concerns cases where the transposition of the existing rules of origin into the Harmonized System was not entirely neutral and where it is necessary to restore the substance of previous former rules of origin;

Whereas for the purposes of the Decisions to be taken by the Joint Committee, a common position has to be reached by the Community; whereas it is then necessary to make these Decisions applicable in the Community;

Whereas this decision-making process makes it impossible to comply with the three-month time limit laid down in the Joint Declaration; whereas the procedure should therefore be speeded up and the Community's common position should be adopted by the Commission according to the procedure set out in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of

the origin of goods ⁽²⁾, as last amended by Commission Regulation (EEC) No 3860/87 ⁽³⁾; whereas it is also necessary to confer on the Commission the power to adopt the necessary measures to make the Joint Committee's Decisions applicable in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/89 of the EEC-Norway Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

The following shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68:

- (a) the Community's common position for the purposes of the Decisions of the EEC-Norway Joint Committee concerning a review of the changes made to the rules of origin following the introduction of the Harmonized System pursuant to the Joint Declaration annexed to Decision No 1/88 of the said Joint Committee;
- (b) implementation in the Community of the Decisions referred to under (a).

Article 3

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

Article 1 shall apply with effect from 1 January 1988.

⁽¹⁾ OJ No L 180, 9. 7. 1988, p. 71.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 30.

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

Done at Brussels, 18 September 1989.

For the Council

The President

H. CURIEN

DECISION No 1/89 OF THE EEC-NORWAY JOINT COMMITTEE

of 20 July 1989

amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Norway, signed in Brussels on 14 May 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Joint Declaration annexed to Decision No 1/88 of the Joint Committee provides for a review of the changes made to the rules of origin following the introduction of the Harmonized System where the amendments result in a situation prejudicial to the interest of the sectors concerned; whereas it also provides for the substance of the rule of origin concerned to be restored as from 1 January 1988;

Whereas the rule of origin concerning cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared, which was established by Decision No 1/88 of the Joint Committee, should be amended to restore the substance

of this rule as it was before the introduction of the Harmonized System,

HAS DECIDED AS FOLLOWS:

Article 1

In Annex III to Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Norway the wording of the entry relating to HS heading No 1904 is hereby replaced by that set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 20 July 1989.

*For the Joint Committee**The President*

E. BERG

ANNEX

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: — Not containing cocoa: — Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared — Other — Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No 0710 may not be used Manufacture in which: — all the cereals and their derivatives (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials not classified within heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product

COUNCIL REGULATION (EEC) No 2842/89

of 18 September 1989

on the implementation of Decision No 1/89 of the EEC-Sweden Joint Committee amending Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation and establishing provisions for the implementation of the Joint Declaration annexed to Decision No 1/88 of the EEC-Sweden Joint Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Kingdom of Sweden was signed on 22 July 1972 and entered into force on 1 January 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No 1/89 amending Protocol 3;

Whereas the Joint Declaration annexed to Decision No 1/88 of the EEC-Sweden Joint Committee implemented in the Community by Regulation (EEC) No 2426/88 ⁽¹⁾ provides, under certain conditions, for a review of the changes made to the rules of origin following the introduction of the Harmonized System; whereas, by virtue of that Joint Declaration, the Joint Committee must take a decision within a period of three months of a request being made to it by either of the parties to the Agreement;

Whereas this review concerns cases where the transposition of the existing rules of origin into the Harmonized System was not entirely neutral and where it is necessary to restore the substance of previous former rules of origin;

Whereas for the purposes of the Decisions to be taken by the Joint Committee, a common position has to be reached by the Community; whereas it is then necessary to make these Decisions applicable in the Community;

Whereas this decision-making process makes it impossible to comply with the three-month time limit laid down in the Joint Declaration; whereas the procedure should therefore be speeded up and the Community's common position should be adopted by the Commission according to the procedure set out in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of

the origin of goods ⁽²⁾, as last amended by Commission Regulation (EEC) No 3860/87 ⁽³⁾; whereas it is also necessary to confer on the Commission the power to adopt the necessary measures to make the Joint Committee's Decisions applicable in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/89 of the EEC-Sweden Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

The following shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68:

- (a) the Community's common position for the purposes of the Decisions of the EEC-Sweden Joint Committee concerning a review of the changes made to the rules of origin following the introduction of the Harmonized System pursuant to the Joint Declaration annexed to Decision No 1/88 of the said Joint Committee;
- (b) implementation in the Community of the Decisions referred to under (a).

Article 3

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

Article 1 shall apply with effect from 1 January 1988.

⁽¹⁾ OJ No L 216, 8. 8. 1988, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 30.

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

Done at Brussels, 18 September 1989.

For the Council
The President
H. CURIEN

DECISION No 1/89 OF THE EEC-SWEDEN JOINT COMMITTEE

of 19 June 1989

amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Sweden, signed in Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Joint Declaration annexed to Decision No 1/88 of the Joint Committee provides for a review of the changes made to the rules of origin following the introduction of the Harmonized System where the amendments result in a situation prejudicial to the interest of the sectors concerned; whereas it also provides for the substance of the rule of origin concerned to be restored as from 1 January 1988;

Whereas the rule of origin concerning cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared, which was established by Decision No 1/88 of the Joint Committee, should be amended to restore the substance

of this rule as it was before the introduction of the Harmonized System,

HAS DECIDED AS FOLLOWS:

Article 1

In Annex III to Protocol 3 to the Agreement between the European Economic Community and the Kingdom of Sweden the wording of the entry relating to HS heading No 1904 is hereby replaced by that set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 19 June 1989.

*For the Joint Committee**The President*

S. BRATTSTRÖM

ANNEX

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: — Not containing cocoa: — Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared — Other — Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No 0710 may not be used Manufacture in which: — all the cereals and their derivatives (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials not classified within heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product

COUNCIL REGULATION (EEC) No 2843/89

of 18 September 1989

on the implementation of Decision No 1/89 of the EEC-Switzerland Joint Committee amending Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation and establishing provisions for the implementation of the Joint Declaration annexed to Decision No 1/88 of the EEC-Switzerland Joint Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Swiss Confederation was signed on 22 July 1972 and entered into force on 1 January 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No 1/89 amending Protocol 3;

Whereas the Joint Declaration annexed to Decision No 1/88 of the EEC-Switzerland Joint Committee implemented in the Community by Regulation (EEC) No 2427/88 ⁽¹⁾ provides, under certain conditions, for a review of the changes made to the rules of origin following the introduction of the Harmonized System; whereas, by virtue of that Joint Declaration, the Joint Committee must take a decision within a period of three months of a request being made to it by either of the parties to the Agreement;

Whereas this review concerns cases where the transposition of the existing rules of origin into the Harmonized System was not entirely neutral and where it is necessary to restore the substance of previous former rules of origin;

Whereas for the purposes of the Decisions to be taken by the Joint Committee, a common position has to be reached by the Community; whereas it is then necessary to make these Decisions applicable in the Community;

Whereas this decision-making process makes it impossible to comply with the three-month time limit laid down in the Joint Declaration; whereas the procedure should therefore be speeded up and the Community's common position should be adopted by the Commission according to the procedure set out in Article 14 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of

the origin of goods ⁽²⁾, as last amended by Commission Regulation (EEC) No 3860/87 ⁽³⁾; whereas it is also necessary to confer on the Commission the power to adopt the necessary measures to make the Joint Committee's Decisions applicable in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/89 of the EEC-Switzerland Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

The following shall be adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68:

- (a) the Community's common position for the purposes of the Decisions of the EEC-Switzerland Joint Committee concerning a review of the changes made to the rules of origin following the introduction of the Harmonized System pursuant to the Joint Declaration annexed to Decision No 1/88 of the said Joint Committee;
- (b) implementation in the Community of the Decisions referred to under (a).

Article 3

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

Article 1 shall apply with effect from 1 January 1988.

⁽¹⁾ OJ No L 216, 8. 8. 1988, p. 71.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 363, 23. 12. 1987, p. 30.

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

Done at Brussels, 18 September 1989.

For the Council
The President
H. CURIEN

DECISION No 1/89 OF THE EEC-SWITZERLAND JOINT COMMITTEE

of 26 June 1989

amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation, signed in Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Joint Declaration annexed to Decision No 1/88 of the Joint Committee provides for a review of the changes made to the rules of origin following the introduction of the Harmonized System where the amendments result in a situation prejudicial to the interest of the sectors concerned; whereas it also provides for the substance of the rule of origin concerned to be restored as from 1 January 1988;

Whereas the rule of origin concerning cereals other than maize (corn), in grain form, pre-cooked or otherwise prepared, which was established by Decision No 1/88 of the Joint Committee, should be amended to restore the substance

of this rule as it was before the introduction of the Harmonized System,

HAS DECIDED AS FOLLOWS:

Article 1

In Annex III to Protocol 3 to the Agreement between the European Economic Community and the Swiss Confederation the wording of the entry relating to HS heading No 1904 is hereby replaced by that set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on 1 January 1988.

Done at Brussels, 26 June 1989.

*For the Joint Committee**The President*

B. DE TSCHARNER

ANNEX

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared: — Not containing cocoa: — Cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared — Other — Containing cocoa	Manufacture from materials of any heading. However, grains and cobs of sweet corn, prepared or preserved, of heading Nos 2001, 2004 and 2005 and uncooked, boiled or steamed sweet corn, frozen, of heading No 0710 may not be used Manufacture in which: — all the cereals and their derivatives (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials not classified within heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product