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► **B** **COMMISSION REGULATION (EEC) No 2454/93**
of 2 July 1993
laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 estab-
lishing the Community Customs Code
(OJ L 253, 11.10.1993, p. 1)

Amended by:

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► M1 Commission Regulation (EC) No 3665/93 of 21 December 1993	L 335	1	31.12.1993
► M2 Commission Regulation (EC) No 665/94 of 24 March 1994	L 82	15	25.3.1994
► M3 Council Regulation (EC) No 1500/94 of 21 June 1994	L 162	1	30.6.1994
► M4 Commission Regulation (EC) No 2193/94 of 8 September 1994	L 235	6	9.9.1994
► M5 Commission Regulation (EC) No 3254/94 of 19 December 1994	L 346	1	31.12.1994
► M6 Commission Regulation (EC) No 1762/95 of 19 July 1995	L 171	8	21.7.1995
► M7 Commission Regulation (EC) No 482/96 of 19 March 1996	L 70	4	20.3.1996
► M8 Commission Regulation (EC) No 1676/96 of 30 July 1996	L 218	1	28.8.1996
► M9 Council Regulation (EC) No 2153/96 of 25 October 1996	L 289	1	12.11.1996
► M10 Commission Regulation (EC) No 12/97 of 18 December 1996	L 9	1	13.1.1997
► M11 Commission Regulation (EC) No 89/97 of 20 January 1997	L 17	28	21.1.1997
► M12 Commission Regulation (EC) No 1427/97 of 23 July 1997	L 196	31	24.7.1997
► M13 Commission Regulation (EC) No 75/98 of 12 January 1998	L 7	3	13.1.1998
► M14 Commission Regulation (EC) No 1677/98 of 29 July 1998	L 212	18	30.7.1998
► M15 Commission Regulation (EC) No 46/1999 of 8 January 1999	L 10	1	15.1.1999
► M16 Commission Regulation (EC) No 502/1999 of 12 February 1999	L 65	1	12.3.1999
► M17 Commission Regulation (EC) No 1662/1999 of 28 July 1999	L 197	25	29.7.1999
► M18 Commission Regulation (EC) No 1602/2000 of 24 July 2000	L 188	1	26.7.2000
► M19 Commission Regulation (EC) No 2787/2000 of 15 December 2000	L 330	1	27.12.2000
► M20 Commission Regulation (EC) No 993/2001 of 4 May 2001	L 141	1	28.5.2001
► M21 Commission Regulation (EC) No 444/2002 of 11 March 2002	L 68	11	12.3.2002
► M22 Commission Regulation (EC) No 881/2003 of 21 May 2003	L 134	1	29.5.2003
► M23 Commission Regulation (EC) No 1335/2003 of 25 July 2003	L 187	16	26.7.2003
► M24 Commission Regulation (EC) No 2286/2003 of 18 December 2003	L 343	1	31.12.2003

Amended by:

► A1 Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995

- **A2** Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded L 236 33 23.9.2003

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- **C1** Corrigendum, OJ L 268, 19.10.1994, p. 32 (2454/93)
► **C2** Corrigendum, OJ L 180, 19.7.1996, p. 34 (2454/93)
► **C3** Corrigendum, OJ L 156, 13.6.1997, p. 59 (2454/93)
► **C4** Corrigendum, OJ L 111, 29.4.1999, p. 88 (2454/93)
► **C5** Corrigendum, OJ L 271, 21.10.1999, p. 47 (502/1999)
► **C6** Corrigendum, OJ L 163, 20.6.2001, p. 34 (1602/2000)
► **C7** Corrigendum, OJ L 20, 23.1.2002, p. 11 (2787/2000)
► **C8** Corrigendum, OJ L 175, 28.6.2001, p. 27 (993/2001)
► **C9** Corrigendum, OJ L 257, 26.9.2001, p. 10 (993/2001)
► **C10** Corrigendum, OJ L 32, 5.2.2004, p. 34 (2286/2003)

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COMMISSION REGULATION (EEC) No 2454/93
of 2 July 1993

laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, hereinafter referred to as the 'Code', and in particular Article 249 thereof,

Whereas the Code assembled all existing customs legislation in a single legal instrument; whereas at the same time the Code made certain modifications to this legislation to make it more coherent, to simplify it and to plug certain loopholes; whereas it therefore constitutes complete Community legislation in this area;

Whereas the same reasons which led to the adoption of the Code apply equally to the customs implementing legislation; whereas it is therefore desirable to bring together in a single regulation those customs implementing provisions which (SIC! which) are currently scattered over a large number of Community regulations and directives;

Whereas the implementing code for the Community Customs Code hereby established should set out existing customs implementing rules; whereas it is nevertheless necessary, in the light of experience:

- to make some amendments in order to adapt the said rules to the provisions of the Code,
- to extend the scope of certain provisions which currently apply only to specific customs procedures in order to take account of the Code's comprehensive application,
- to formulate certain rules more precisely in order to achieve greater legal security in their application;

Whereas the changes made relate mainly to the provisions concerning customs debt;

Whereas it is appropriate to limit the application of Article 791 (2) until 1 January 1995 and to review the subject matter in the light of experience gained before that time;

Whereas the measures provided for by this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

PART I

GENERAL IMPLEMENTING PROVISIONS

TITLE I

GENERAL

CHAPTER 1

Definitions

Article 1

For the purposes of this Regulation:

1. *Code means:*

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

▼B

Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing a Community Customs Code ⁽¹⁾;

▼M6

2. *ATA carnet* means:

the international customs document for temporary importation established by virtue of the ATA Convention or the Istanbul Convention;

▼M21

3. *Committee* means:

the Customs Code Committee established by Articles 247a and 248a of the Code;

▼B

4. *Customs Cooperation Council* means:

the organization set up by the Convention establishing a Customs Cooperation Council, done at Brussels on 15 December 1950;

5. *Particulars required for identification of the goods* means:

on the one hand, the particulars used to identify the goods commercially allowing the customs authorities to determine the tariff classification and, on the other hand, the quantity of the goods;

6. *Goods of a non-commercial nature* means:

goods whose entry for the customs procedure in question is on an occasional basis and whose nature and quantity indicate that they are intended for the private, personal or family use of the consignees or persons carrying them, or which are clearly intended as gifts;

7. *Commercial policy measures* means:

non-tariff measures established, as part of the common commercial policy, in the form of Community provisions governing the import and export of goods, such as surveillance or safeguard measures, quantitative restrictions or limits and import or export prohibitions;

8. *Customs nomenclature* means:

one of the nomenclatures referred to in Article 20 (6) of the Code;

9. *Harmonized System* means:

the Harmonized Commodity Description and Coding System;

▼M21

10. *Treaty* means:

the Treaty establishing the European Community;

▼M6

11. *Istanbul Convention* means:

the Convention on Temporary Admission agreed at Istanbul on 26 June 1990.

▼M18*Article 1a*

For the purposes of applying Articles 291 to 300, the countries of the Benelux Economic Union shall be considered as a single Member State.

▼B*CHAPTER 2**Decisions**Article 2*

Where a person making a request for a decision is not in a position to provide all the documents and information necessary to give a ruling,

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

▼B

the customs authorities shall provide the documents and information at their disposal.

Article 3

A decision concerning security favourable to a person who has signed an undertaking to pay the sums due at the first written request of the customs authorities, shall be revoked where the said undertaking is not fulfilled.

Article 4

A revocation shall not affect goods which, at the moment of its entry into effect, have already been placed under a procedure by virtue of the revoked authorization.

However, the customs authorities may require that such goods be assigned to a permitted customs-approved treatment or use within the period which they shall set.

▼M1*CHAPTER 3**Data-processing techniques**Article 4a*

1. Under the conditions and in the manner which they shall determine, and with due regard to the principles laid down by customs rules, the customs authorities may provide that formalities shall be carried out by a data-processing technique.

For this purpose:

- ‘a data-processing technique’ means:
 - (a) the exchange of EDI standard messages with the customs authorities;
 - (b) the introduction of information required for completion of the formalities concerned into customs data-processing systems;
- ‘EDI’ (electronic data interchange) means, the transmission of data structured according to agreed message standards, between one computer system and another, by electronic means,
- ‘standard message’ means a predefined structure recognized for the electronic transmission of data.

2. The conditions laid down for carrying out formalities by a data-processing technique shall include *inter alia* measures for checking the source of data and for protecting data against the risk of unauthorized access, loss, alteration or destruction.

Article 4b

Where formalities are carried out by a data-processing technique, the customs authorities shall determine the rules for replacement of the handwritten signature by another technique which may be based on the use of codes.

▼M19*Article 4c*

For test programmes using data-processing techniques designed to evaluate possible simplifications, the customs authorities may, for the period strictly necessary to carry out the programme, waive the requirement to provide the following information:

- (a) the declaration provided for in Article 178(1);
- (b) by way of derogation from Article 222(1), the particulars relating to certain boxes of the Single Administrative Document which are not necessary for the identification of the goods and which are not

▼ M19

the factors on the basis of which import or export duties are applied.

However, the information shall be available on request in the framework of a control operation.

The amount of import duties to be charged in the period covered by a derogation granted pursuant to the first subparagraph shall not be lower than that which would be levied in the absence of a derogation.

Member States wishing to engage in such test programmes shall provide the Commission in advance with full details of the proposed test programme, including its intended duration. They shall also keep the Commission informed of actual implementation and results. The Commission shall inform all the other Member States.

▼ M10

TITLE II
BINDING INFORMATION

CHAPTER 1

Definitions

Article 5

For the purpose of this Title:

1. *binding information*:

means tariff information or origin information binding on the administrations of all Community Member States when the conditions laid down in Articles 6 and 7 are fulfilled;

2. *applicant*:

- tariff matters: means a person who has applied to the customs authorities for binding tariff information,
- origin matters: means a person who has applied to the customs authorities for binding origin information and has valid reasons to do so,

3. *holder*:

means the person in whose name the binding information is issued.

CHAPTER 2

Procedure for obtaining binding information — Notification of information to applicants and transmission to the Commission

Article 6

1. Applications for binding information shall be made in writing, either to the competent customs authorities in the Member State or Member States in which the information is to be used, or to the competent customs authorities in the Member State in which the applicant is established.

▼ M18

Applications for binding tariff information shall be made by means of a form conforming to the specimen shown in Annex 1B.

▼ M10

2. An application for binding tariff information shall relate to only one type of goods. An application for binding origin information shall relate to only one type of goods and one set of circumstances conferring origin.

3. (A) Applications for binding tariff information shall include the following particulars:

- (a) the holder's name and address;

▼ M10

- (b) the name and address of the applicant where that person is not the holder;
- (c) the customs nomenclature in which the goods are to be classified. Where an applicant wishes to obtain the classification of goods in one of the nomenclatures referred to in Article 20 (3) (b) and (6) (b) of the Code, the application for binding tariff information shall make express mention of the nomenclature in question;
- (d) a detailed description of the goods permitting their identification and the determination of their classification in the customs nomenclature;
- (e) the composition of the goods and any methods of examination used to determine this, where the classification depends on it;
- (f) any samples, photographs, plans, catalogues or other documents available which may assist the customs authorities in determining the correct classification of the goods in the customs nomenclature, to be attached as annexes;
- (g) the classification envisaged;
- (h) agreement to supply a translation of any attached document into the official language (or one of the official languages) of the Member State concerned if requested by the customs authorities;
- (i) any particulars to be treated as confidential;
- (j) indication by the applicant whether, to his knowledge, binding tariff information for identical or similar goods has already been applied for, or issued in the Community;

▼ M24

- (k) acceptance that the information supplied may be stored on a database of the Commission and that the particulars of the binding tariff information, including any photograph(s), sketch(es), brochure(s) etc., may be disclosed to the public via the Internet, with the exception of the information which the applicant has marked as confidential; the provisions governing the protection of information in force shall apply.

▼ M10

- (B) Applications for binding origin information shall include the following particulars:
 - (a) the holder's name and address;
 - (b) the name and address of the applicant where that person is not the holder;
 - (c) the applicable legal basis, for the purposes of Articles 22 and 27 of the Code;
 - (d) a detailed description of the goods and their tariff classification;
 - (e) the composition of the goods and any methods of examination used to determine this and their ex-works price, as necessary;
 - (f) the conditions enabling origin to be determined, the materials used and their origin, tariff classification, corresponding values and a description of the circumstances (rules on change of tariff heading, value added, description of the operation or process, or any other specific rule) enabling the conditions in question to be met; in particular the exact rule of origin applied and the origin envisaged for the goods shall be mentioned;
 - (g) any samples, photographs, plans, catalogues or other documents available on the composition of the goods and their component materials and which may assist in describing the manufacturing process or the processing undergone by the materials;

▼ **M10**

- (h) agreement to supply a translation of any attached document into the official language (or one of the official languages) of the Member State concerned if requested by the customs authorities;
- (i) any particulars to be treated as confidential, whether in relation to the public or the administrations;
- (j) indication by the applicant whether, to his knowledge, binding tariff information or binding origin information for goods or materials identical or similar to those referred to under points (d) or (f) have already been applied for or issued in the Community;
- (k) acceptance that the information supplied may be stored on a public-access database of the Commission; however, apart from Article 15 of the Code, the provisions governing the protection of information in force in the Member States shall apply.

4. Where, on receipt of the application, the customs authorities consider that it does not contain all the particulars required to give an informed opinion, the customs authorities shall ask the applicant to supply the required information. The time limits of three months and 150 days referred to in Article 7 shall run from the moment when the customs authorities have all the information needed to reach a decision; the customs authorities shall notify the applicant that the application has been received and the date from which the said time limit will run.

5. The list of customs authorities designated by the Member States to receive applications for or to issue binding information shall be published in the 'C' series of the *Official Journal of the European Communities*.

Article 7

1. Binding information shall be notified to the applicant as soon as possible.
 - (a) Tariff matters: if it has not been possible to notify binding tariff information to the applicant within three months of acceptance of the application, the customs authorities shall contact the applicant to explain the reason for the delay and indicate when they expect to be able to notify the information.
 - (b) Origin matters: information shall be notified within a time limit of 150 days from the date when the application was accepted.
2. Binding information shall be notified by means of a form conforming to the specimen shown at Annex 1 (binding tariff information) or Annex 1A (binding origin information). The notification shall indicate what particulars will be treated as confidential. The right of appeal referred to in Article 243 of the Code shall be mentioned.

▼ **M24***Article 8*

1. In the case of binding tariff information, the customs authorities of the Member States shall, without delay, transmit to the Commission the following:
 - (a) a copy of the application for binding tariff information (set out in Annex 1B);
 - (b) a copy of the binding tariff information notified (copy No 2 set out in Annex 1);
 - (c) the data as given on copy No 4 set out in Annex 1.

In the case of binding origin information they shall, without delay, transmit to the Commission the relevant details of the binding origin information notified.

Such transmission shall be effected by electronic means.

▼ M24

2. Where a Member State so requests, the Commission shall send it without delay the particulars obtained in accordance with paragraph 1. Such transmission shall be effected by electronic means.

3. The electronically transmitted data of the application for binding tariff information, the binding tariff information notified and the data as given on copy No 4 of Annex 1 shall be stored in a central database of the Commission. The data of the binding tariff information, including any photograph(s), sketch(es), brochure(s) and so forth, may be disclosed to the public via the Internet, with the exception of the confidential information contained in boxes 3 and 8 of the binding tariff information notified.

▼ M10*CHAPTER 3**Provisions applying in the event of inconsistencies in binding information**Article 9*

1. Where different binding information exists:
 - the Commission shall, on its own initiative or at the request of the representative of a Member State, place the item on the agenda of the Committee for discussion at the meeting to be held the following month or, failing that, the next meeting,
 - in accordance with the Committee procedure, the Commission shall adopt a measure to ensure the uniform application of nomenclature or origin rules, as applicable, as soon as possible and within six months following the meeting referred to in the first indent.
2. For the purpose of applying paragraph 1, binding origin information shall be deemed to be different where it confers different origin on goods which:
 - fall under the same tariff heading and whose origin was determined in accordance with the same origin rules and,
 - have been obtained using the same manufacturing process.

*CHAPTER 4**Legal effect of binding information**Article 10*

1. Without prejudice to Articles 5 and 64 of the Code, binding information may be invoked only by the holder.
2. (a) Tariff matters: the customs authorities may require the holder, when fulfilling customs formalities, to inform the customs authorities that he is in possession of binding tariff information in respect of the goods being cleared through customs.
 - (b) Origin matters: the authorities responsible for checking the applicability of binding origin information may require the holder, when completing any formalities, to inform the said authorities that he is in possession of binding origin information covering the goods in respect of which the formalities are being completed.
3. The holder of binding information may use it in respect of particular goods only where it is established:
 - (a) tariff matters: to the satisfaction of the customs authorities that the goods in question conform in all respects to those described in the information presented;
 - (b) origin matters: to the satisfaction of the authorities referred to in paragraph 2 (b) that the goods in question and the circumstances determining their origin conform in all respect to those described in the information presented.

▼ **M10**

4. The customs authorities (for binding tariff information) or the authorities referred to in paragraph 2 (b) (for binding origin information) may ask for the information to be translated into the official language or one of the official languages of the Member State concerned.

Article 11

Binding tariff information supplied by the customs authorities of a Member State since 1 January 1991 shall become binding on the competent authorities of all the Member States under the same conditions.

Article 12

1. On adoption of one of the acts or measures referred to in Article 12 (5) of the Code, the customs authorities shall take the necessary steps to ensure that binding information shall thenceforth be issued only in conformity with the act or measure in question.

2. (a) For binding tariff information, for the purposes of paragraph 1 above, the date to be taken into consideration shall be as follows:

- for the Regulations provided for in Article 12 (5) (a) (i) of the Code concerning amendments to the customs nomenclature, the date of their applicability,
- for the Regulations provided for in Article 12 (5) (a) (i) of the Code and establishing or affecting the classification of goods in the customs nomenclature, the date of their publication in the ‘L’ series of the *Official Journal of the European Communities*,
- for the Regulations provided for in Article 12 (5) (a) (ii) of the Code concerning amendments to the explanatory notes to the combined nomenclature, the date of their publication in the ‘C’ series of the *Official Journal of the European Communities*,
- for judgments of the Court of Justice of the European Communities provided for in Article 12 (5) (a) (ii) of the Code, the date of the judgment,
- for the measures provided for in Article 12 (5) (a) (ii) of the Code concerning the adoption of a classification opinion, or amendments to the explanatory notes to the Harmonized System Nomenclature by the World Customs Organization, the date of the Commission communication in the ‘C’ series of the *Official Journal of the European Communities*.

(b) For binding origin information, for the purposes of paragraph 1, the date to be taken into consideration shall be as follows:

- for the Regulations provided for in Article 12 (5) (b) (i) of the Code concerning the determination of the origin of goods and the rules provided for in Article 12 (5) (b) (ii), the date of their applicability,
- for the measures provided for in Article 12 (5) (b) (ii) of the Code concerning amendments to the explanatory notes and opinions adopted at Community level, the date of their publication in the ‘C’ series of the *Official Journal of the European Communities*,
- for judgments of the Court of Justice of the European Communities provided for in Article 12 (5) (b) (ii) of the Code, the date of the judgment,
- for the measures provided for in Article 12 (5) (b) (ii) of the Code concerning opinions on origin or explanatory notes adopted by the World Trade Organization, the date given in the Commission communication in the ‘C’ series of the *Official Journal of the European Communities*,
- for the measures provided for in Article 12 (5) (b) (ii) of the Code concerning the Annex to the World Trade Organiza-

▼ **M10**

tion's Agreement on rules of origin and those adopted under international agreements, the date of their applicability.

3. The Commission shall communicate the dates of adoption of the measures and acts referred to in this Article to the customs authorities as soon as possible.

*CHAPTER 5****Provisions applying in the event of expiry of binding information****Article 13*

Where, pursuant to the second sentence of Article 12 (4) and Article 12 (5) of the Code, binding information is void or ceases to be valid, the customs authority which supplied it shall notify the Commission as soon as possible

Article 14

1. When a holder of binding information which has ceased to be valid for reasons referred to in Article 12 (5) of the Code, wishes to make use of the possibility of invoking such information during a given period pursuant to paragraph 6 of that Article, he shall notify the customs authorities, providing any necessary supporting documents to enable a check to be made that the relevant conditions have been satisfied.

2. In exceptional cases where the Commission, in accordance with the second subparagraph of Article 12 (7) of the Code, adopts a measure derogating from the provisions of paragraph 6 of that Article, or where the conditions referred to in paragraph 1 of this Article concerning the possibility of continuing to invoke binding tariff information or binding origin information have not been fulfilled, the customs authorities shall notify the holder in writing.

▼ **M18**▼ **B**

TITLE IV

ORIGIN OF GOODS*CHAPTER 1****Non-preferential origin***

Section 1

Working or processing conferring origin*Article 35*

This chapter lays down, for textiles and textile articles falling within Section XI of the combined nomenclature, and for certain products other than textiles and textile articles, the working or processing which shall be regarded as satisfying the criteria laid down in Article 24 of the Code and shall confer on the products concerned the origin of the country in which they were carried out.

‘Country’ means either a third country or the Community as appropriate.

Subsection 1

Textiles and textile articles falling within Section XI of the combined nomenclature*Article 36*

For textiles and textile articles falling within Section XI of the combined nomenclature, a complete process, as specified in Article

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37, shall be regarded as a working or processing conferring origin in terms of Article 24 of the Code.

Article 37

Working or processing as a result of which the products obtained receive a classification under a heading of the combined nomenclature other than those covering the various non-originating materials used shall be regarded as complete processes.

However, for products listed in Annex 10, only the specific processes referred to in column 3 of that Annex in connection with each product obtained shall be regarded as complete, whether or not they involve a change of heading.

The method of applying the rules in Annex 10 is described in the introductory notes in Annex 9.

Article 38

For the purposes of the preceding Article, the following shall in any event be considered as insufficient working or processing to confer the status of originating products whether or not there is a change of heading:

- (a) operations to ensure the preservation of products in good condition during transport and storage (ventilation, spreading out, drying, removal of damaged parts and like operations);
- (b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making-up of sets of articles), washing, cutting up;
- (c) (i) changes of packing and breaking-up and assembly of consignments;
(ii) simple placing in bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations;
- (d) the affixing of marks, labels or other like distinguishing signs on products or their packaging;
- (e) simple assembly of parts of products to constitute a complete product;
- (f) a combination of two or more operations specified in (a) to (e).

Subsection 2

Products other than textiles and textile articles falling within Section XI of the combined nomenclature*Article 39*

In the case of products obtained which are listed in Annex 11, the working or processing referred to in column 3 of the Annex shall be regarded as a process or operation conferring origin under Article 24 of the Code.

The method of applying the rules set out in Annex 11 is described in the introductory notes in Annex 9.

Subsection 3

Common provisions for all products*Article 40*

Where the lists in Annexes 10 and 11 provide that origin is conferred if the value of the non-originating materials used does not exceed a given percentage of the ex-works price of the products obtained, such percentage shall be calculated as follows:

- ‘value’ means the customs value at the time of import of the non-originating materials used or, if this is not known and cannot be

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ascertained, the first ascertainable price paid for such materials in the country of processing,

- ‘ex-works price’ means the ex-works price of the product obtained minus any internal taxes which are, or may be, repaid when such product is exported,
- ‘value acquired as a result of assembly operations’ means the increase in value resulting from the assembly itself, together with any finishing and checking operations, and from the incorporation of any parts originating in the country where the operations in question were carried out, including profit and the general costs borne in that country as a result of the operations.

Section 2

Implementing provisions relating to spare parts*Article 41***▼M1**

1. Accessories, spare parts or tools delivered with any piece of equipment, machine, apparatus or vehicle which form part of its standard equipment shall be deemed to have the same origin as that piece of equipment, machine, apparatus or vehicle.

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- M1** 2. ◀ Essential spare parts for use with any piece of equipment, machine, apparatus or vehicle put into free circulation or previously exported shall be deemed to have the same origin as that piece of equipment, machine, apparatus or vehicle provided the conditions laid down in this section are fulfilled.

Article 42

The presumption of origin referred to in the preceding Article shall be accepted only:

- if this is necessary for importation into the country of destination,
- if the incorporation of the said essential spare parts in the piece of equipment, machine, apparatus or vehicle concerned at the production stage would not have prevented the piece of equipment, machine, apparatus or vehicle from having Community origin or that of the country of manufacture.

Article 43

For the purposes of Article 41:

- (a) ‘piece of equipment, machine, apparatus or vehicle’ means goods listed in Sections XVI, XVII and XVIII of the combined nomenclature;
- (b) ‘essential spare parts’ means parts which are:
 - components without which the proper operation of the goods referred to in (a) which have been put into free circulation or previously exported cannot be ensured, and
 - characteristic of those goods, and
 - intended for their normal maintenance and to replace parts of the same kind which are damaged or have become unserviceable.

Article 44

Where an application is presented to the competent authorities or authorized agencies of the Member States for a certificate of origin for essential spare parts within the meaning of Article 41, box 6 (Item number, marks, numbers, number and kind of packages, description of goods) of that certificate and the application relating thereto shall include a declaration by the person concerned that the goods mentioned therein are intended for the normal maintenance of a piece of equipment, machine, apparatus or vehicle previously exported, together

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with the exact particulars of the said piece of equipment, machine, apparatus or vehicle.

Whenever possible, the person concerned shall also give the particulars of the certificate of origin (issuing authority, number and date of certificate) under cover of which was exported the piece of equipment, machine, apparatus or vehicle for whose maintenance the parts are intended.

Article 45

Where the origin of essential spare parts within the meaning of Article 41 must be proved for their release for free circulation in the Community by the production of a certificate of origin, the certificate shall include the particulars referred to in Article 44.

Article 46

In order to ensure application of the rules laid down in this section, the competent authorities of the Member States may require additional proof, in particular:

- production of the invoice or a copy of the invoice relating to the piece of equipment, machine, apparatus or vehicle put into free circulation or previously exported,
- the contract or a copy of the contract or any other document showing that delivery is being made as part of the normal maintenance service.

Section 3

Implementing provisions relating to certificates of origin

Subsection 1

Provisions relating to universal certificates of origin*Article 47*

When the origin of a product is or has to be proved on importation by the production of a certificate of origin, that certificate shall fulfil the following conditions:

- (a) it shall be made out by a reliable authority or agency duly authorized for that purpose by the country of issue;
- (b) it shall contain all the particulars necessary for identifying the product to which it relates, in particular:
 - the number of packages, their nature, and the marks and numbers they bear,
 - the type of product,
 - the gross and net weight of the product; these particulars may, however, be replaced by others, such as the number or volume, when the product is subject to appreciable changes in weight during carriage or when its weight cannot be ascertained or when it is normally identified by such other particulars,
 - the name of the consignor;
- (c) it shall certify unambiguously that the product to which it relates originated in a specific country.

Article 48

1. A certificate of origin issued by the competent authorities or authorized agencies of the Member States shall comply with the conditions prescribed by Article 47 (a) and (b).
2. The certificates and the applications relating to them shall be made out on forms corresponding to the specimens in Annex 12.
3. Such certificates of origin shall certify that the goods originated in the Community.

▼B

However, when the exigencies of export trade so require, they may certify that the goods originated in a particular Member State.

If the conditions of Article 24 of the Code are fulfilled only as a result of a series of operations or processes carried out in different Member States, the goods may only be certified as being of Community origin.

Article 49

Certificates of origin shall be issued upon written request of the person concerned.

Where the circumstances so warrant, in particular where the applicant maintains a regular flow of exports, the Member States may decide not to require an application for each export operation, on condition that the provisions concerning origin are complied with.

Where the exigencies of trade so require, one or more extra copies of an origin certificate may be issued.

Such copies shall be made out on forms corresponding to the specimen in Annex 12.

Article 50

1. The certificate shall measure 210 × 297 mm. A tolerance of up to minus 5 mm or plus 8 mm in the length shall be allowed. The paper used shall be white, free of mechanical pulp, dressed for writing purposes and weigh at least 64 g/m² or between 25 and 30 g/m² where air-mail paper is used. It shall have a printed guilloche pattern background in sepia such as to reveal any falsification by mechanical or chemical means.

2. The application form shall be printed in the official language or in one or more of the official languages of the exporting Member State. The certificate of origin form shall be printed in one or more of the official languages of the Community or, depending on the practice and requirements of trade, in any other language.

3. Member States may reserve the right to print the certificate of origin forms or may have them printed by approved printers. In the latter case, each certificate must bear a reference to such approval. Each certificate of origin form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or stamped, by which it can be identified.

Article 51

The application form and the certificate of origin shall be completed in typescript or by hand in block capitals, in an identical manner, in one of the official languages of the Community or, depending on the practice and requirements of trade, in any other languages.

Article 52

Each origin certificate referred to in Article 48 shall bear a serial number by which it can be identified. The application for the certificate and all copies of the certificate itself shall bear the same number.

In addition, the competent authorities or authorized agencies of the Member States may number such documents by order of issue.

Article 53

The competent authorities of the Member States shall determine what additional particulars, if any, are to be given in the application. Such additional particulars shall be kept to a strict minimum.

Each Member State shall inform the Commission of the provisions it adopts in pursuance of the preceding paragraph. The Commission shall immediately communicate this information to the other Member States.

▼B*Article 54*

The competent authorities or authorized agencies of the Member States which have issued certificates of origin shall retain the applications for a minimum of two years.

However, applications may also be retained in the form of copies thereof, provided that these have the same probative value under the law of the Member State concerned.

Subsection 2

Specific provisions relating to certificates of origin for certain agricultural products subject to special import arrangements*Article 55*

Articles 56 to 65 lay down the conditions for use of certificates of origin relating to agricultural products originating in third countries for which special non-preferential import arrangements have been established, in so far as these arrangements refer to the following provisions.

(a) *Certificates of origin**Article 56*

1. Certificates of origin relating to agricultural products originating in third countries for which special non-preferential import arrangements are established shall be made out on a form conforming to the specimen in Annex 13.
2. Such certificates shall be issued by the competent governmental authorities of the third countries concerned, hereinafter referred to as the issuing authorities, if the products to which the certificates relate can be considered as products originating in those countries within the meaning of the rules in force in the Community.
3. Such certificates shall also certify all necessary information provided for in the Community legislation governing the special import arrangements referred to in Article 55.
4. Without prejudice to specific provisions under the special import arrangements referred to in Article 55 the period of validity of the certificates of origin shall be ten months from the date of issue by the issuing authorities.

Article 57

1. Certificates of origin drawn up in accordance with the provisions of this subsection shall consist only of a single sheet identified by the word 'original' next to the title of the document.

If additional copies are necessary, they shall bear the designation 'copy' next to the title of the document.

2. The competent authorities in the Community shall accept as valid only the original of the certificate of origin.

Article 58

1. The certificate of origin shall measure 210 × 297 mm; a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used shall be white, not containing mechanical pulp, and shall weigh not less than 40 g/m². The face of the original shall have a printed yellow guilloche pattern background making any falsification by mechanical or chemical means apparent.
2. The certificates shall be printed and completed in one of the official languages of the Community.

▼B*Article 59*

1. The certificate shall be completed in typescript or by means of a mechanical data-processing system, or similar procedure.
2. Entries must not be erased or overwritten. Any changes shall be made by crossing out the wrong entry and if necessary adding the correct particulars. Such changes shall be initialled by the person making them and endorsed by the issuing authorities.

Article 60

1. Box 5 of the certificates of origin issued in accordance with Articles 56 to 59 shall contain any additional particulars which may be required for the implementation of the special import arrangements to which they relate as referred to in Article 56 (3).
2. Unused spaces in boxes 5, 6 and 7 shall be struck through in such a way that nothing can be added at a later stage.

Article 61

Each certificate of origin shall bear a serial number, whether or not printed, by which it can be identified, and shall be stamped by the issuing authority and signed by the person or persons empowered to do so.

The certificate shall be issued when the products to which it relates are exported, and the issuing authority shall keep a copy of each certificate issued.

Article 62

Exceptionally, the certificates of origin referred to above may be issued after the export of the products to which they relate, where the failure to issue them at the time of such export was a result of involuntary error or omission or special circumstances.

The issuing authorities may not issue retrospectively a certificate of origin provided for in Articles 56 to 61 until they have checked that the particulars in the exporter's application correspond to those in the relevant export file.

Certificates issued retrospectively shall bear one of the following:

- expedido *a posteriori*,
- udstedt efterfølgende,
- Nachträglich ausgestellt,
- Εκδοθέν εκ των υστέρων,
- Issued retrospectively,
- Délivré *a posteriori*,
- rilasciato *a posteriori*,
- afgegeven *a posteriori*,
- emitido *a posteriori*,

▼A1

- annettu jälkikäteen — utfärdat i efterhand,
- utfärdat i efterhand,

▼A2

- Vystaveno dodatečně,
- Vālja antud tagasiulatuvalt,
- Izsniegts retrospektīvi,
- Retrospektyvūsis išdavimas,
- Kiadva visszamenőleges hatállyal,
- Mahruğ retrospektivament,
- Wystawione retrospektywnie,
- Izdano naknadno,
- Vydané dodatočne,

▼B

in the 'Remarks' box.

(b) *Administrative cooperation**Article 63*

1. Where the special import arrangements for certain agricultural products provide for the use of the certificate of origin laid down in Articles 56 to 62, the entitlement to use such arrangements shall be subject to the setting up of an administrative cooperation procedure unless specified otherwise in the arrangements concerned.

To this end the third countries concerned shall send the Commission of the European Communities:

- the names and addresses of the issuing authorities for certificates of origin together with specimens of the stamps used by the said authorities,
- the names and addresses of the government authorities to which requests for the subsequent verification of origin certificates provided for in Article 64 below should be sent.

The Commission shall transmit all the above information to the competent authorities of the Member States.

2. Where the third countries in question fail to send the Commission the information specified in paragraph 1, the competent authorities in the Community shall refuse access entitlement to the special import arrangements.

Article 64

1. Subsequent verification of the certificates of origin referred to in Articles 56 to 62 shall be carried out at random and whenever reasonable doubt has arisen as to the authenticity of the certificate or the accuracy of the information it contains.

For origin matters the verification shall be carried out on the initiative of the customs authorities.

For the purposes of agricultural rules, the verification may be carried out, where appropriate, by other competent authorities.

2. For the purposes of paragraph 1, the competent authorities in the Community shall return the certificate of origin or a copy thereof to the governmental authority designated by the exporting country, giving, where appropriate, the reasons of form or substance for an enquiry. If the invoice has been produced, the original or a copy thereof shall be attached to the returned certificate. The authorities shall also provide any information that has been obtained suggesting that the particulars given on the certificates are inaccurate or that the certificate is not authentic.

Should the customs authorities in the Community decide to suspend the application of the special import arrangements concerned pending the results of the verification they shall grant release of the products subject to such precautions as they consider necessary.

Article 65

1. The results of subsequent verifications shall be communicated to the competent authorities in the Community as soon as possible.

The said results must make it possible to determine whether the origin certificates remitted in the conditions laid down in Article 64 above apply to the goods actually exported and whether the latter may actually give rise to application of the special importation arrangements concerned.

2. If there is no reply within a maximum time limit of six months to requests for subsequent verification, the competent authorities in the Community shall definitively refuse to grant entitlement to the special import arrangements.

▼ **M18***CHAPTER 2****Preferential origin****Article 66*

For the purposes of this Chapter:

- (a) ‘manufacture’ means any kind of working or processing including assembly or specific operations;
- (b) ‘material’ means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- (c) ‘product’ means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- (d) ‘goods’ means both materials and products;
- (e) ‘customs value’ means the value as determined in accordance with the 1994 Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade (WTO Agreement on customs valuation);
- (f) ‘ex-works price’ in the list in Annex 15 means the price paid for the product ex-works to the manufacturer in whose undertaking the last working or processing is carried out, provided that the price includes the value of all the materials used, minus any internal taxes which are, or may be, repaid when the product obtained is exported;
- (g) ‘value of materials’ in the list in Annex 15 means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the Community or the beneficiary country within the meaning of Article 67(1) or in the beneficiary republic within the meaning of Article 98(1). Where the value of the originating materials used needs to be established, this subparagraph shall be applied *mutatis mutandis*;
- (h) ‘chapters’ and ‘headings’ mean the chapters and the headings (four-digit codes) used in the nomenclature which makes up the Harmonised System;
- (i) ‘classified’ refers to the classification of a product or material under a particular heading;
- (j) ‘consignment’ means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such document, by a single invoice.

Section 1

Generalised system of preferences

Subsection 1

Definition of the concept of originating products*Article 67*

1. For the purposes of the provisions concerning generalised tariff preferences granted by the Community to products originating in developing countries (hereinafter referred to as ‘beneficiary countries’), the following products shall be considered as originating in a beneficiary country:

- (a) products wholly obtained in that country within the meaning of Article 68;
- (b) products obtained in that country in the manufacture of which products other than those referred to in (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 69.

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2. For the purposes of this section, products originating in the Community, within the meaning of paragraph 3, which are subject in a beneficiary country to working or processing going beyond that described in Article 70 shall be considered as originating in that beneficiary country.

3. Paragraph 1 shall apply *mutatis mutandis* in order to establish the origin of the products obtained in the Community.

4. In so far as Norway and Switzerland grant generalised tariff preferences to products originating in the beneficiary countries referred to in paragraph 1 and apply a definition of the concept of origin corresponding to that set out in this section, products originating in the Community, Norway or Switzerland which are subject in a beneficiary country to working or processing going beyond that described in Article 70 shall be considered as originating in that beneficiary country.

The provisions of the first subparagraph shall apply only to products originating in the Community, Norway or Switzerland (according to the rules of origin relative to the tariff preferences in question) which are exported direct to the beneficiary country.

The provisions of the first subparagraph shall not apply to products falling within Chapters 1 to 24 of the Harmonised System.

The Commission shall publish in the *Official Journal of the European Communities* (C series) the date from which the provisions laid down in the first and second subparagraphs shall apply.

5. The provisions of paragraph 4 shall apply on condition that Norway and Switzerland grant, by reciprocity, the same treatment to Community products.

Article 68

1. The following shall be considered as wholly obtained in a beneficiary country or in the Community:

- (a) mineral products extracted from its soil or from its seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;
- (d) products from live animals raised there;
- (e) products obtained by hunting or fishing conducted there;
- (f) products of sea fishing and other products taken from the sea outside its territorial waters by its vessels;
- (g) products made on board its factory ships exclusively from the products referred to in (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted there;
- (j) products extracted from the seabed or below the seabed which is situated outside its territorial waters but where it has exclusive exploitation rights;
- (k) goods produced there exclusively from products specified in (a) to (j).

2. The terms 'its vessels' and 'its factory ships' in paragraph 1(f) and (g) shall apply only to vessels and factory ships:

- which are registered or recorded in the beneficiary country or in a Member State,
- which sail under the flag of a beneficiary country or of a Member State,
- which are at least 50 % owned by nationals of the beneficiary country or of Member States or by a company having its head office in that country or in one of those Member States, of which

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- the manager or managers, Chairman of the Board of Directors or of the Supervisory Board, and the majority of the members of such boards are nationals of that beneficiary country or of the Member States and of which, in addition, in the case of companies, at least half the capital belongs to that beneficiary country or to the Member States or to public bodies or nationals of that beneficiary country or of the Member States,
- of which the master and officers are nationals of the beneficiary country or of the Member States, and
 - of which at least 75 % of the crew are nationals of the beneficiary country or of the Member States.
3. The terms 'beneficiary country' and 'Community' shall also cover the territorial waters of that country or of the Member States.
4. Vessels operating on the high seas, including factory ships on which the fish caught is worked or processed, shall be considered as part of the territory of the beneficiary country or of the Member State to which they belong, provided that they satisfy the conditions set out in paragraph 2.

Article 69

For the purposes of Article 67, products which are not wholly obtained in a beneficiary country or in the Community are considered to be sufficiently worked or processed when the conditions set out in the list in Annex 15 are fulfilled.

Those conditions indicate, for all products covered by this section, the working or processing which must be carried out on non-originating materials used in manufacturing, and apply only in relation to such materials.

If a product which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated shall not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

Article 70▼ **M22**

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 69 are satisfied:
- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
 - (b) breaking-up and assembly of packages;
 - (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
 - (d) ironing or pressing of textiles;
 - (e) simple painting and polishing operations;
 - (f) husking, partial or total milling, polishing and glazing of cereals and rice;
 - (g) operations to colour sugar or form sugar lumps; partial or total milling of sugar;
 - (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
 - (i) sharpening, simple grinding or simple cutting;
 - (j) sifting, screening, sorting, classifying, grading, matching; (including the making-up of sets of articles);
 - (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
 - (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;

▼ M22

- (m) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this section to enable them to be considered as originating in a beneficiary country or in the Community;
- (n) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (o) a combination of two or more of the operations specified in points (a) to (n);
- (p) slaughter of animals.

▼ M18

2. All the operations carried out in either a beneficiary country or the Community on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

Article 70a

1. The unit of qualification for the application of the provisions of this section shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonised System.

Accordingly, it follows that:

- (a) when a product composed of a group or assembly of articles is classified under the terms of the Harmonised System in a single heading, the whole constitutes the unit of qualification;
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each product must be taken individually when applying the provisions of this section.

2. Where, under general rule 5 of the Harmonised System, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

Article 71

1. By way of derogation from the provisions of Article 69, non-originating materials may be used in the manufacture of a given product, provided that their total value does not exceed 10 % of the ex-works price of the product.

Where, in the list, one or several percentage are given for the maximum value of non-originating materials, such percentages must not be exceeded through the application of the first subparagraph.

2. Paragraph 1 shall not apply to products falling within Chapters 50 to 63 of the Harmonised System.

Article 72

1. By way of derogation from Article 67, for the purposes of determining whether a product manufactured in a beneficiary country which is a member of a regional group originates therein with the meaning of that Article, products originating in any of the countries of that regional group and used in further manufacture in another country of the group shall be treated as if they originated in the country of further manufacture (regional cumulation).

2. The country of origin of the final product shall be determined in accordance with Article 72a.

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3. Regional cumulation shall apply to three separate regional groups of beneficiary countries benefiting from the generalised system of preferences:

- (a) Group I: Brunei-Darussalam, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, Vietnam;
- (b) Group II: Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Peru, Venezuela;
- (c) Group III: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka.

4. The expression 'regional group' shall be taken to mean Group I, Group II or Group III, as the case may be.

▼M18*Article 72a*

1. When goods originating in a country which is a member of a regional group are worked or processed in another country of the same regional group, they shall have the origin of the country of the regional group where the last working or processing was carried out, provided that:

- (a) the value added there, as defined in paragraph 3, is greater than the highest customs value of the products used originating in any one of the other countries of the regional group, and
- (b) the working or processing carried out there exceeds that set out in Article 70 and, in the case of textile products, also those operations referred to at Annex 16.

2. When the conditions of origin in paragraph 1(a) and (b) are not satisfied, the products shall have the origin of the country of the regional group which accounts for the highest customs value of the originating products coming from other countries of the regional group.

3. 'Value added' means the ex-works price minus the customs value of each of the products incorporated which originated in another country of the regional group.

4. Proof of the originating status of goods exported from a country of a regional group to another country of the same group to be used in further working or processing, or to be re-exported where no further working or processing takes place, shall be established by a certificate of origin Form A issued in the first country.

5. Proof of the originating status, acquired or retained under the terms of Article 72, this Article and Article 72b, of goods exported from a country of a regional group to the Community, shall be established by a certificate of origin Form A issued or an invoice declaration made out in that country on the basis of a certificate of origin Form A issued according to the provisions of paragraph 4.

6. The country of origin shall be marked in box 12 of the certificate of origin Form A or on the invoice declaration, that country being:

- in the case of products exported without further working or processing according to paragraph 4, the country of manufacture;
- in the case of products exported after further working or processing, the country of origin as determined in accordance with paragraph 1.

Article 72b

1. Articles 72 and 72a shall apply only where:

- (a) the rules regulating trade in the context of regional cumulation, as between the countries of the regional group, are identical to those laid down in this section;
- (b) each country of the regional group has undertaken to comply or ensure compliance with the terms of this section and to provide the administrative cooperation necessary both to the Community and to the other countries of the regional group in order to ensure

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the correct issue of certificates of origin Form A and the verification of certificates of origin Form A and invoice declarations.

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This undertaking shall be transmitted to the Commission through the following Secretariats, as the case may be:

- (i) Group I: the General Secretariat of the Association of South-East Asian Nations (ASEAN);
- (ii) Group II: the Andean Community — Central American Common Market and Panama Permanent Joint Committee on Origin (Comité Conjunto Permanente de Origen Comunidad Andina - Mercado Común Centroamericano y Panamá);
- (iii) Group III: the Secretariat of the South Asian Association for Regional Cooperation (SAARC).

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2. The Commission shall inform the Member States when the conditions set out in paragraph 1 have been satisfied, in the case of each regional group.

3. Article 78(1)(b) shall not apply to products originating in any of the countries of the regional group when they pass through the territory of any of the other countries of the regional group, whether or not further working or processing take place there.

Article 73

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 74

Sets, as defined in general rule 3 of the Harmonised System, shall be regarded as originating when all the component products are originating products. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15 % of the ex-works price of the set.

Article 75

In order to determine whether a product is an originating product, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment;
- (c) machines and tools;
- (d) goods which do not enter, and which are not intended to enter, into the final composition of the product.

Article 76

1. Derogations from the provisions of this section may be made in favour of the least-developed beneficiary countries benefiting from the generalised system of preferences when the development of existing industries or the creation of new industries justifies them. The least-developed beneficiary countries are listed in the Council Regulations and the ECSC Decision concerning the application of generalised tariff preferences. For this purpose, the country concerned shall submit to the Community a request for a derogation together with the reasons for the request in accordance with paragraph 3.

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2. The examination of requests shall, in particular, take into account:
- (a) cases where the application of existing rules of origin would affect significantly the ability of an existing industry in the country concerned to continue its exports to the Community, with particular reference to cases where this could lead to business closures;
 - (b) specific cases where it can be clearly demonstrated that significant investment in an industry could be deterred by the rules of origin and where a derogation encouraging implementation of the investment programme would enable the rules to be satisfied by stages;
 - (c) the economic and social impact of the decision to be taken especially in respect of employment in the beneficiary countries and the Community.
3. In order to facilitate the examination of requests for derogation, the country making the request shall furnish in support of its request the fullest possible information, covering in particular the points listed below:
- description of the finished product,
 - nature and quantity of materials originating in a third country,
 - manufacturing process,
 - value added,
 - the number of employees in the enterprise concerned,
 - the anticipated volume of the exports to the Community,
 - other possible sources of supply for raw materials,
 - reasons for the duration requested,
 - other observations.
4. The Commission shall present the derogation-request to the Committee. ► **M22** It shall be decided on in accordance with the committee procedure. ◀
5. Where use is made of a derogation, the following phrase must appear in box 4 of the certificate of origin Form A, or on the invoice declaration laid down in Article 89:
- ‘Derogation - Regulation (EC) No .../...’.
6. The provisions of paragraphs 1 to 5 shall apply to any prolongations.

Article 77

The conditions set out in this section for acquiring originating status must continue to be fulfilled at all times in the beneficiary country or in the Community.

If originating products exported from the beneficiary country or from the Community to another country are returned, they must be considered as non-originating unless it can be demonstrated to the satisfaction of the competent authorities that:

- the products returned are the same as those which were exported, and
- they have not undergone any operations beyond that necessary to preserve them in good condition while in that country or while being exported.

Article 78

1. The following shall be considered as transported direct from the beneficiary country to the Community or from the Community to the beneficiary country:

- (a) products transported without passing through the territory of any other country, except in the case of the territory of another country of the same regional group where Article 72 is applied;
- (b) products constituting one single consignment transported through the territory of countries other than the beneficiary country or the Community, with, should the occasion arise, trans-shipment or

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temporary warehousing in those countries, provided that the products remain under the surveillance of the customs authorities in the country of transit or of warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition;

- (c) products transported through the territory of Norway or Switzerland and subsequently re-exported in full or in part to the Community or to the beneficiary country, provided that the products remain under the surveillance of the customs authorities of the country of transit or of warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition;
- (d) products which are transported by pipeline without interruption across a territory other than that of the exporting beneficiary country or of the Community.

2. Evidence that the conditions specified in paragraph 1(b) and (c) have been fulfilled shall be supplied to the competent customs authorities by the production of:

- (a) a single transport document covering the passage from the exporting country through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:
 - giving an exact description of the products,
 - stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used, and
 - certifying the conditions under which the products remained in the country of transit;
- (c) or, failing these, any substantiating documents.

Article 79

1. Originating products sent from a beneficiary country for exhibition in another country and sold after the exhibition for importation into the Community shall benefit, on importation, from the tariff preferences referred to in Article 67, provided that the products meet the requirements of this section entitling them to be recognised as originating in the beneficiary country and provided that it is shown to the satisfaction of the competent Community customs authorities that:

- (a) an exporter has consigned these products from the beneficiary country directly to the country in which the exhibition is held and has exhibited them there;
- (b) the products have been sold or otherwise disposed of by that exporter to a person in the Community;
- (c) the products have been consigned during the exhibition or immediately thereafter to the Community in the state in which they were sent for exhibition;
- (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A certificate of origin Form A shall be submitted to the Community customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the products and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

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Subsection 2

Proof of origin*Article 80*

Products originating in the beneficiary country shall benefit from the ► **C6** tariff preferences ◀ referred to in Article 67, on submission of either:

- (a) a certificate of origin Form A, a specimen of which appears in Annex 17; or
- (b) in the cases specified in Article 89(1), a declaration, the text of which appears in Annex 18, given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified (hereinafter referred to as the 'invoice declaration').

(a) ***CERTIFICATE OF ORIGIN FORM A****Article 81*

1. Originating products within the meaning of this section shall be eligible, on importation into the Community, to benefit from the tariff preferences referred to in Article 67, provided that they have been transported directly within the meaning of Article 78, on submission of a certificate of origin Form A, issued by the customs authorities or by other competent governmental authorities of the beneficiary country, provided that the latter country:

- has communicated to the Commission the information required by Article 93, and
- assists the Community by allowing the customs authorities of Member States to verify the authenticity of the document or the accuracy of the information regarding the true origin of the products in question.

2. A certificate of origin Form A may be issued only where it can serve as the documentary evidence required for the purposes of the tariff preferences referred to in Article 67.

3. A certificate of origin Form A shall be issued only on written application from the exporter or his authorised representative.

4. The exporter or his authorised representative shall submit with his application any appropriate supporting documents proving that the products to be exported qualify for the issue of a certificate of origin Form A.

5. The certificate shall be issued by the competent governmental authorities of the beneficiary country if the products to be exported can be considered as products originating in that country within the meaning of Subsection 1. The certificate shall be made available to the exporter as soon as the export has taken place or is ensured.

6. For the purposes of verifying whether the conditions set out in paragraph 5 have been met, the competent governmental authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

7. It shall be the responsibility of the competent governmental authorities of the beneficiary country to ensure that certificates and applications are duly completed.

8. The completion of box 2 of the certificate of origin Form A shall be optional. Box 12 shall be duly completed by indicating 'European Community' or one of the Member States.

9. The date of issue of the certificate of origin Form A shall be indicated in box 11. The signature to be entered in that box, which is reserved for the competent governmental authorities issuing the certificate, shall be handwritten.

▼ **M18***Article 82*

Where, at the request of the importer and on the conditions laid down by the customs authorities of the importing country, dismantled or non-assembled products within the meaning of general rule 2(a) of the Harmonised System and falling within Section XVI or XVII or heading No 7308 or 9406 of the Harmonised System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities on importation of the first instalment.

Article 83

Since the certificate of origin Form A constitutes the documentary evidence for the application of provisions concerning the tariff preferences referred to in Article 67, it shall be the responsibility of the competent governmental authorities of the exporting country to take any steps necessary to verify the origin of the products and to check the other statements on the certificate.

Article 84

Proofs of origin shall be submitted to the customs authorities of the Member States of importation in accordance with the procedures laid down in Article 62 of the Code. The said authorities may require a translation of a proof of origin and may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the application of this section.

Article 85

1. By way of derogation from Article 81(5), a certificate of origin Form A may exceptionally be issued after exportation of the products to which it relates, if:

- (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
- (b) it is demonstrated to the satisfaction of the competent governmental authorities that a certificate of origin Form A was issued but was not accepted at importation for technical reasons.

2. The competent governmental authorities may issue a certificate retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding export file and that a certificate of origin Form A satisfying the provisions of this section was not issued when the products in question were exported.

3. Box 4 of certificates of origin Form A issued retrospectively must contain the endorsement 'Issued retrospectively' or 'Délivré a posteriori'.

Article 86

1. In the event of the theft, loss or destruction of a certificate of origin Form A, the exporter may apply, to the competent governmental authorities which issued it, for a duplicate to be made out on the basis of the export documents in their possession. Box 4 of a duplicate Form A issued in this way must be endorsed with the word 'Duplicate' or 'Duplicata', together with the date of issue and the serial number of the original certificate.

2. For the purposes of Article 90b, the duplicate shall take effect from the date of the original.

Article 87

1. When originating products are placed under the control of a customs office in the Community, it shall be possible to replace the original proof of origin by one or more certificates of origin Form A for the purpose of sending all or some of these products elsewhere within the Community or to Switzerland or Norway. The replacement

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certificate(s) of origin Form A shall be issued by the customs office under whose control the products are placed.

2. The replacement certificate issued in application of paragraph 1 or Article 88 shall be regarded as the definitive certificate of origin for the products to which it refers. The replacement certificate shall be made out on the basis of a written request by the re-exporter.

3. The top right-hand box of the replacement certificate shall indicate the name of the intermediary country where it is issued.

Box 4 shall contain the words 'Replacement certificate' or ► **C6** 'Certificat de remplacement', ◀ as well as the date of issue of the original certificate of origin and its serial number.

The name of the re-exporter shall be given in box 1.

The name of the final consignee may be given in box 2.

► **C6** All particulars of ◀ the re-exported products appearing on the original certificate shall be transferred to boxes 3 to 9.

► **C6** References to the ◀ re-exporter's invoice shall be given in box 10.

The customs authorities which issued the replacement certificate shall endorse box 11. The responsibility of the authorities is confined to the issue of the replacement certificate. The particulars in box 12 concerning the country of origin and the country of destination shall be taken from the original certificate. This box shall be signed by the re-exporter. A re-exporter who signs this box in good faith shall not be responsible for the accuracy of the particulars entered on the original certificate.

4. The customs office which is requested to perform the operation referred to in paragraph 1 should note on the original certificate the weights, numbers and nature of the products forwarded and indicate thereon the serial numbers of the corresponding replacement certificate or certificates. It shall keep the original certificate for at least three years.

5. A photocopy of the original certificate may be annexed to the replacement certificate.

6. In the case of products which benefit from the tariff preferences referred to in Article 67, under a derogation granted in accordance with the provisions of Article 76, the procedure laid down in this Article shall apply only when such products are intended for the Community.

Article 88

Originating products within the meaning of this section shall be eligible on importation into the Community to benefit from the tariff preferences referred to in Article 67 on production of a replacement certificate of origin Form A issued by the customs authorities of Norway or Switzerland on the basis of a certificate of origin Form A issued by the competent governmental authorities of the beneficiary country, provided that the conditions laid down in Article 78 have been satisfied and provided that Norway or Switzerland assists the Community by allowing its customs authorities to verify the authenticity and accuracy of the certificates issued. The verification procedure laid down in Article 94 shall apply *mutatis mutandis*. The time limit laid down in Article 94(3) shall be extended to eight months.

(b) **INVOICE DECLARATION**

Article 89

1. The invoice declaration may be made out:

(a) by an approved Community exporter within the meaning of Article 90, or

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(b) by any exporter for any consignment consisting of one or more packages containing originating products whose total value does not exceed EUR 6 000, and provided that the assistance referred to in Article 81(1) shall apply to this procedure.

2. An invoice declaration may be made out if the products concerned can be considered as originating in the Community or in a beneficiary country, and fulfil the other requirements of this section.

3. The exporter making out an invoice declaration shall be prepared to submit at any time, at the request of the customs or other competent governmental authorities of the exporting country, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this section.

4. An invoice declaration shall be made out by the exporter in either French or English by typing, stamping or printing on the invoice, the delivery note or any other commercial document, the declaration, the text of which appears in Annex 18. If the declaration is handwritten, it shall be written in ink in printed characters.

5. Invoice declarations shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 90 shall not be required to sign such declarations provided that he gives the customs authorities a written undertaking that he accepts full responsibility for any invoice declaration which identifies him as if it had been signed in manuscript by him.

6. In the cases referred to in paragraph 1(b), the use of an invoice declaration shall be subject to the following special conditions:

- (a) one invoice declaration shall be made out for each consignment;
- (b) if the goods contained in the consignment have already been subject to verification in the exporting country by reference to the definition of 'originating products', the exporter may refer to this check in the invoice declaration.

The provisions of the first subparagraph shall not exempt exporters from complying with any other formalities required under customs or postal regulations.

Article 90

1. The customs authorities of the Community may authorise any exporter, hereinafter referred to as an 'approved exporter', who makes frequent shipments of products originating in the Community within the meaning of Article 67(2), and who offers, to the satisfaction of the customs authorities, all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of this section, to make out invoice declarations, irrespective of the value of the products concerned.

2. The customs authorities may grant the status of approved exporter subject to any conditions which they consider appropriate.

3. The customs authorities shall grant ► **C6** to the approved exporter ◀ a customs authorisation number which shall appear on the invoice declaration.

4. The customs authorities shall monitor the use of the authorisation by the approved exporter.

5. The customs authorities may withdraw the authorisation at any time. They shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, does not fulfil the conditions referred to in paragraph 2 or otherwise makes improper use of the authorisation.

▼ **M18***Article 90a*

1. Evidence of the originating status of Community products within the meaning of Article 67(2) shall be furnished by either:

- (a) the production of ► **C6** a movement certificate EUR.1 ◀, a specimen of which is set out in Annex 21; or
- (b) the production of a declaration as referred to in Article 89.

2. The exporter or his authorised representative shall enter 'GSP beneficiary countries' and 'EC', or 'Pays bénéficiaires du SPG' and 'CE', in box 2 of the movement certificate EUR.1.

3. The provisions of this section concerning the issue, use and subsequent verification of certificates of origin Form A shall apply *mutatis mutandis* to ► **C6** movement certificates EUR.1 ◀ and, with the exception of the provisions concerning their issue, to invoice declarations.

Article 90b

1. A proof of origin shall be valid for 10 months from the date of issue in the exporting country, and shall be submitted within the said period to the customs authorities of the importing country.

2. Proofs of origin which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying the tariff preferences referred to in Article 67, where the failure to submit these documents by the final date set is due to exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing country may accept the proofs of origin where the products have been submitted before the said final date.

4. At the request of the importer and having regard to the conditions laid down by the customs authorities of the importing Member State, a single proof of origin may be submitted to the customs authorities at the importation of the first consignment when the goods:

- (a) are imported within the framework of frequent and continuous trade flows of a significant commercial value;
- (b) are the subject of the same contract of sale, the parties of this contract established in the exporting country or in the Community;
- (c) are classified in the same code (eight digits) of the Combined Nomenclature;
- (d) come exclusively from the same exporter, are destined for the same importer, and are made the subject of entry formalities at the same customs office in the Community.

This procedure shall be applicable for the quantities and a period determined by the competent customs authorities. This period cannot, in any circumstances, exceed three months.

Article 90c

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products benefiting from the tariff preferences referred to in Article 67 without requiring the presentation of a certificate of origin Form A or an invoice declaration, provided that such products are not imported by way of trade and have been declared as meeting the conditions required for the application of this section and where there is no doubt as to the veracity of such a declaration.

2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.

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Furthermore, the total value of these products shall not exceed EUR 500 in the case of small packages or EUR 1 200 in the case of products forming part of travellers' personal luggage.

Article 91

1. When Article 67(2), (3) or (4) applies, the competent governmental authorities of the beneficiary country called on to issue a certificate of origin Form A for products in the manufacture of which materials originating in the Community, Norway or Switzerland are used shall rely on the ► **C6** movement certificate EUR.1 ◀ or, where necessary, the invoice declaration.

2. Box 4 of certificates of origin Form A issued in the cases set out in paragraph 1 shall contain the remark 'EC cumulation', 'Norway cumulation', 'Switzerland cumulation', or 'Cumul CE', 'Cumul Norvège', 'Cumul Suisse'.

Article 92

The discovery of slight discrepancies between the statements made in the certificate of origin Form A, in the ► **C6** movement certificate EUR.1 ◀ or in an invoice declaration, and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the certificate or declaration null and void if it is duly established that that document does correspond to the products submitted.

Obvious formal errors such as typing errors on a certificate of origin Form A, ► **C6** a movement certificate EUR.1 ◀ or an invoice declaration should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in that document.

Subsection 3

Methods of administrative cooperation*Article 93*

1. The beneficiary countries shall inform the Commission of the names and addresses of the governmental authorities situated in their territory which are empowered to issue certificates of origin Form A, together with specimen impressions of the stamps used by those authorities, and the names and addresses of the relevant governmental authorities responsible for the control of the certificates of origin Form A and the invoice declarations. The stamps shall be valid as from the date of receipt by the Commission of the specimens. The Commission shall forward this information to the customs authorities of the Member States. When these communications are made within the framework of an amendment of previous communications, the Commission shall indicate the date of entry into use of those new stamps according to the instructions given by the competent governmental authorities of the beneficiary countries. This information is for official use; however, when goods are to be released for free circulation, the customs authorities in question may allow the importer or his duly authorised representative to consult the specimen impressions of the stamps mentioned in this paragraph.

2. The Commission shall publish, in the *Official Journal of the European Communities* ('C' series), the date on which the new beneficiary countries referred to in Article 97 met the obligations set out in paragraph 1.

3. The Commission shall send, to the beneficiary countries, specimen impressions of the stamps used by the customs authorities of the Member States for the issue of ► **C6** movement certificates EUR.1 ◀.

▼ **M18***Article 93a*

For the purposes of the provisions concerning the tariff preferences referred to in Article 67, every beneficiary country shall comply or ensure compliance with the rules concerning the origin of the products, the completion and issue of certificates of origin Form A, the conditions for the use of invoice declarations and those concerning methods of administrative cooperation.

Article 94

1. Subsequent verifications of certificates of origin Form A and invoice declarations shall be carried out at random or whenever the customs authorities in the Community have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this section.

2. For the purposes of implementing the provisions of paragraph 1, the customs authorities in the Community shall return the certificate of origin Form A and the invoice, if it has been submitted, the invoice declaration, or a copy of these documents, to the competent governmental authorities in the exporting beneficiary country giving, where appropriate, the reasons for the enquiry. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.

If the said authorities decide to suspend the granting of the tariff preferences referred to in Article 67 while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

3. When an application for subsequent verification has been made in accordance with paragraph 1, such verification shall be carried out and its results communicated to the customs authorities in the Community within a maximum of six months. The results shall be such as to establish whether the proof of origin in question applies to the products actually exported and whether these products can be considered as products originating in the beneficiary country or in the Community.

4. In the case of certificates of origin Form A issued in accordance with Article 91, the reply shall include a copy (copies) of the ► **C6** movement certificate(s) EUR.1 ◀ or, where necessary, of the corresponding invoice declaration(s).

5. If in cases of reasonable doubt there is no reply within the six months specified in paragraph 3 or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, a second communication shall be ► **C6** sent to ◀ the competent authorities. If after the second communication the results of the verification are not communicated to the requesting authorities within four months, or if these results do not allow the authenticity of the document in question or the real origin of the products to be determined, the requesting authorities shall, except in exceptional circumstances, refuse entitlement to the tariff preferences.

The provisions of the first subparagraph shall apply between the countries of the same regional group for the purposes of the subsequent verification of the certificates of origin Form A issued in accordance with this section.

6. Where the verification procedure or any other available information appears to indicate that the provisions of this section are being contravened, the exporting beneficiary country shall, on its own initiative or at the request of the Community, carry out appropriate inquiries or arrange for such inquiries to be carried out with due urgency to identify and prevent such contraventions. For this purpose, the Community may participate in the inquiries.

7. For the purposes of the subsequent verification of certificates of origin Form A, copies of the certificates, as well as any export docu-

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ments referring to them, shall be kept for at least three years by the competent governmental authorities of the exporting beneficiary country.

Article 95

Article 78(1)(c) and Article 88 shall apply only in so far as Norway and Switzerland, in the context of tariff preferences granted by them to certain products originating in developing countries, apply provisions similar to those of the Community.

The Commission shall inform the Member States' customs authorities of the adoption by Norway and Switzerland of such provisions and shall notify them of the date from which the provisions of Article 78(1)(c) and Article 88, and the similar provisions adopted by Norway and Switzerland, are applied.

These provisions shall apply on condition that the Community, Norway and Switzerland have concluded an agreement stating, among other things, that they shall provide each other with the necessary mutual assistance in matters of administrative cooperation.

Subsection 4

Ceuta and Melilla*Article 96*

1. The term 'Community' used in this section shall not cover Ceuta and Melilla. The term 'products originating in the Community' shall not cover products originating in Ceuta and Melilla.
2. This Section shall apply *mutatis mutandis* in determining whether products may be regarded as originating in the exporting beneficiary country benefiting from the generalised system of preferences when imported into Ceuta and Melilla or as originating in Ceuta and Melilla.
3. Ceuta and Melilla shall be regarded as a single territory.
4. The provisions of this section concerning the issue, use and subsequent verification of certificates of origin Form A shall apply *mutatis mutandis* to products originating in Ceuta and Melilla.
5. The Spanish customs authorities shall be responsible for the application of this section in Ceuta and Melilla.

Subsection 5

Final provision*Article 97*

When a country or territory is admitted or readmitted as a beneficiary country in respect of products referred to in the relevant Council Regulations or the ECSC Decision, goods originating in that country or territory may benefit from the generalised system of preferences on condition that they were exported from the beneficiary country or territory on or after the date referred to in Article 93(2).

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Section 2

▼ **M21**

Beneficiary countries or territories to which preferential tariff measures adopted unilaterally by the Community for certain countries or territories apply

▼ **M18**

Subsection 1

Definition of the concept of originating products*Article 98*▼ **M21**

1. For the purposes of the provisions concerning preferential tariff measures adopted unilaterally by the Community for certain countries, groups of countries or territories (hereinafter referred to as 'beneficiary countries or territories'), with the exception of those referred to in Section 1 of this Chapter and the overseas countries and territories associated with the Community, the following products shall be considered as products originating in a beneficiary country or territory:

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- (a) products wholly obtained in that ► **M21** beneficiary country or territory ◀ with the meaning of Article 99;
 - (b) products obtained in that ► **M21** beneficiary country or territory ◀, in the manufacture of which products other than those referred to in (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 100.
2. For the purposes of this section, products originating in the Community, within the meaning of paragraph 3, which are subject in a ► **M21** beneficiary country or territory ◀ to working or processing going beyond that described in Article 101 shall be considered as originating in that ► **M21** beneficiary country or territory ◀.
3. Paragraph 1 shall apply *mutatis mutandis* in establishing the origin of the products obtained in the Community.

Article 99

1. The following shall be considered as wholly obtained in a ► **M21** beneficiary country or territory ◀ or in the Community:
- (a) mineral products extracted ► **C6** from its soil or ◀ from its seabed;
 - (b) vegetable products harvested there;
 - (c) live animals born and raised there;
 - (d) products from live animals raised there;
 - (e) products obtained by hunting or fishing conducted there;
 - (f) products of sea-fishing and other products taken from the sea outside the territorial waters by its vessels;
 - (g) products made on board its factory ships exclusively from the products referred to in (f);
 - (h) used articles collected there, fit only for the recovery of raw materials;
 - (i) waste and scrap resulting from manufacturing operations conducted there;
 - (j) products extracted from the seabed or below the seabed which is situated outside its territorial waters but where it has exclusive exploitation rights;
 - (k) goods produced there exclusively from products specified in (a) to (j).

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2. The terms ‘its vessels’ and ‘its factory ships’ in paragraph 1(f) and (g) shall apply only to vessels and factory ships:
- which are registered or recorded in the ►**M21** beneficiary country or territory ◀ or in a Member State,
 - which sail under the flag of a ►**M21** beneficiary country or territory ◀ or of a Member State,
 - which are owned to the extent of at least 50 % by nationals of the ►**M21** beneficiary country or territory ◀ or of Member States or by a company with its head office in that republic or in one of the Member States, of which the manager or managers, Chairman of the Board of Directors or of the Supervisory Board, and the majority of the members of such boards are nationals of that ►**M21** beneficiary country or territory ◀ or of the Member States and of which, in addition, in the case of companies, at least half the capital belongs to that ►**M21** beneficiary country or territory ◀ or to the Member States or to public bodies or nationals of that ►**M21** beneficiary country or territory ◀ or of the Member States,
 - of which the master and officers are nationals of the ►**M21** beneficiary country or territory ◀ or of the Member States, and
 - of which at least 75 % of the crew are nationals of the ►**M21** beneficiary country or territory ◀ or of the Member States.
3. The terms ‘►**M21** beneficiary country or territory ◀’ and ‘Community’ shall also cover the territorial waters of that republic or of the Member States.
4. Vessels operating on the high seas, including factory ships on which the fish caught is worked or processed, shall be considered as part of the territory of the ►**M21** beneficiary country or territory ◀ or of the Member State to which they belong, provided that they satisfy the conditions set out in paragraph 2.

Article 100

For the purposes of Article 98, products which are not wholly obtained in a ►**M21** beneficiary country or territory ◀ or in the Community are considered to be sufficiently worked or processed when the conditions set out in the list in Annex 15 are fulfilled.

Those conditions indicate, for all products covered by this section, the working or processing which must be carried out on non-originating materials used in manufacturing and apply only in relation to such materials.

If a product which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

*Article 101***▼M22**

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 100 are satisfied:
- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
 - (b) breaking-up and assembly of packages;
 - (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
 - (d) ironing or pressing of textiles;
 - (e) simple painting and polishing operations;
 - (f) husking, partial or total milling, polishing and glazing of cereals and rice;

▼ M22

- (g) operations to colour sugar or form sugar lumps; partial or total milling of sugar;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
- (i) sharpening, simple grinding or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching; (including the making-up of sets of articles);
- (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing of products, whether or not of different kinds, where one or more components of the mixtures do not meet the conditions laid down in this section to enable them to be considered as originating in a beneficiary country or territory or in the Community;
- (n) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (o) a combination of two or more of the operations specified in points (a) to (n);
- (p) slaughter of animals.

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2. All the operations carried out in either a ► **M21** beneficiary country or territory ◀ or the Community on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

Article 101a

1. The unit of qualification for the application of the provisions of this section shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonised System.

Accordingly, it follows that:

- (a) when a product composed of a group or assembly of articles is classified under the terms of the Harmonised System in a single heading, the whole constitutes the unit of qualification;
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonised System, each product must be taken individually when applying the provisions of this Section.

2. Where, under general rule 5 of the Harmonised System, packaging is included with the product for classification purposes, it shall be included for the purposes of determining origin.

Article 102

1. By way of derogation from the provisions of Article 100, non-originating materials may be used in the manufacture of a given product, provided that their total value does not exceed 10 % of the ex-works price of the product.

Where, in the list, one or several percentages are given for the maximum value of non-originating materials, such percentages must not be exceeded through the application of the first subparagraph.

2. Paragraph 1 shall not apply to products falling within Chapters 50 to 63 of the Harmonised System.

Article 103

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or which are ► **C6** not

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separately invoiced, shall be regarded ◀ as one with the piece of equipment, machine, apparatus or vehicle in question.

Article 104

Sets, as defined in general rule 3 of the Harmonised System, shall be regarded as originating when all the ► **C6** component products are originating products ◀. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating provided that the value of the non-originating products does not exceed 15 % of the ex-works price of the set.

Article 105

In order to determine whether a product is an originating product, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment;
- (c) machines and tools;
- (d) goods which do not enter, and which are not intended to enter, into the final composition of the product.

Article 106

The conditions set out in this section for acquiring originating status must continue to be fulfilled at all times in the ► **M21** beneficiary country or territory ◀ or in the Community.

If originating products exported from the ► **M21** beneficiary country or territory ◀ or from the Community to another country are returned, they shall be considered as non-originating unless it can be demonstrated to the satisfaction of the competent authorities that:

- the products returned are the same as those which were exported, and
- they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

Article 107

1. The following shall be considered as transported directly from the ► **M21** beneficiary country or territory ◀ to the Community or from the Community to the ► **M21** beneficiary country or territory ◀:

- (a) products transported without passing through the territory of any other country;
- (b) products constituting one single consignment transported through the territory of countries other than the ► **M21** beneficiary country or territory ◀ or the Community, with, should the occasion arise, trans-shipment or temporary warehousing in those countries, provided that the products remain under the surveillance of the customs authorities in the country of transit or of warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition;
- (c) products which are transported by pipeline without interruption across a territory other than that of the exporting ► **M21** beneficiary country or territory ◀ or of the Community.

2. Evidence that the conditions set out in paragraph 1(b) are fulfilled shall be supplied to the competent customs authorities by the production of:

- (a) a single transport document covering the passage from the exporting country through the country of transit; ► **C6** or ◀

▼ **M18**

- (b) a certificate issued by the customs authorities of the country of transit:
- giving an exact description of the products,
 - stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used, and
 - certifying the conditions under which the products remained in the country of transit;
- (c) or, failing these, any substantiating documents.

Article 108

1. Originating products, sent from a ► **M21** beneficiary country or territory ◀ for exhibition in another country and sold after the exhibition for importation into the Community, shall benefit on importation from the tariff preferences referred to in Article 98, provided that they meet the requirements of this section entitling them to be recognised as originating in that ► **M21** beneficiary country or territory ◀ and provided that it is shown to the satisfaction of the competent Community customs authorities that:

- (a) an exporter has consigned the products from the ► **M21** beneficiary country or territory ◀ directly to the country in which the exhibition is held and has exhibited them there;
- (b) the products have been sold or otherwise disposed of by that exporter to a person in the Community;
- (c) the products have been consigned during the exhibition or immediately thereafter to the Community in the state in which they were sent for exhibition;
- (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. ► **C6** A movement certificate EUR.1 ◀ shall be submitted to the Community customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the products and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organised for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

Subsection 2

Proof of origin*Article 109*

Products originating in the ► **M21** beneficiary country or territory ◀ shall benefit from the tariff preferences referred to in Article 98, on submission of either:

- (a) ► **C6** a movement certificate EUR.1 ◀, a specimen of which appears in Annex 21, or
- (b) in the cases specified in Article 116(1), a declaration, the text of which appears in Annex 22, given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified (hereinafter referred to as the 'invoice declaration').

▼ **M18**(a) ► **C6 MOVEMENT CERTIFICATE EUR.1** ◀*Article 110*▼ **M21**

1. Originating products within the meaning of this section shall be eligible, on importation into the Community, to benefit from the tariff preferences referred to in Article 98, provided that they have been transported direct to the Community within the meaning of Article 107, on submission of an EUR.1 movement certificate issued by the customs or other competent governmental authorities of a beneficiary country or territory, on condition 87 beneficiary country or territory:

▼ **M18**

- have communicated to the Commission the information required by Article 121, and
- assist the Community by allowing the customs authorities of Member States to verify the authenticity of the document or the accuracy of the information regarding the true origin of the products in question.

2. ► **C6** A movement certificate EUR.1 ◀ may be issued only where it can serve as the documentary evidence required for the purposes of the tariff preferences ► **C6** referred to in ◀ Article 98.

3. ► **C6** A movement certificate EUR.1 ◀ shall be issued only on written application from the exporter or his authorised representative. Such application shall be made on a form, a specimen of which appears in Annex 21, which shall be completed in accordance with the provisions of this subsection.

Applications for ► **C6** movement certificates EUR.1 ◀ shall be kept for at least three years by the competent authorities of the exporting ► **M21** beneficiary country or territory ◀ or Member State.

4. The exporter or his authorised representative shall submit with his application any appropriate supporting documents proving that the products to be exported qualify for the issue of ► **C6** a movement certificate EUR.1 ◀.

The exporter shall undertake to submit, at the request of the competent authorities, any supplementary evidence they may require for the purpose of establishing the correctness of the originating status of the products eligible for preferential treatment and shall undertake to agree to any inspection of their accounts and to any check by the said authorities on the circumstances in which the products were obtained.

5. The ► **C6** movement certificate EUR.1 ◀ shall be issued by the competent governmental authorities of the ► **M21** beneficiary country or territory ◀ s or by the customs authorities of the exporting Member State, if the products to be exported can be considered as originating products within the meaning of this section.

6. Since the ► **C6** movement certificate EUR.1 ◀ constitutes the documentary evidence for the application of the preferential arrangements set out in Article 98, it shall be the responsibility of the competent governmental authorities of the ► **M21** beneficiary country or territory ◀ or of the customs authorities of the exporting Member State to take any steps necessary to verify the origin of the products and to check the other statements on the certificate.

7. For the purpose of verifying whether the conditions set out in paragraph 5 have been met, the competent governmental authorities of the ► **M21** beneficiary country or territory ◀ or the customs authorities of the exporting member State shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

8. It shall be the responsibility of the competent governmental authorities of the ► **M21** beneficiary country or territory ◀ or of the customs authorities of the exporting Member State to ensure that the forms referred to in paragraph 1 are duly completed.

▼ **M18**

9. The date of issue of the ► **C6** movement certificate EUR.1 ◀ shall be indicated in that part of the certificate reserved for the customs authorities.

10. ► **C6** A movement certificate EUR.1 ◀ shall be issued by the competent authorities of the ► **M21** beneficiary country or territory ◀ or by the customs authorities of the exporting Member State when the products to which it relates are exported. It shall be made available to the exporter as soon as the export has taken place or is ensured.

Article 111

Where, at the request of the importer and on the conditions laid down by the customs authorities of the importing country, dismantled or non-assembled products within the meaning of general rule 2(a) of the Harmonised System and falling within Section XVI or XVII or within heading No 7308 or 9406 of the Harmonised System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities on importation of the first instalment.

Article 112

Proofs of origin shall be submitted to the customs authorities of the Member State of importation in accordance with the procedures laid down in Article 62 of the Code. The said authorities may require a translation of a proof of origin and may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the application of this section.

Article 113

1. By way of derogation from Article 110(10), ► **C6** a movement certificate EUR.1 ◀ may exceptionally be issued after exportation of the products to which it relates if:

- (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
- (b) it is demonstrated to the satisfaction of the competent authorities that ► **C6** a movement certificate EUR.1 ◀ was issued but was not accepted at importation for technical reasons.

2. The competent authorities may issue ► **C6** a movement certificate EUR.1 ◀ retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding export file and that ► **C6** a movement certificate EUR.1 ◀ satisfying the provisions of this section was not issued when the products in question were exported.

3. ► **C6** Movement certificates EUR.1 ◀ issued retrospectively shall be endorsed with one of the following phrases:

- ‘EXPEDIDO A POSTERIORI’,
- ‘UDSTEDT EFTERFØLGENDE’,
- ‘NACHTRÄGLICH AUSGESTELLT’,
- ‘ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ’,
- ‘ISSUED RETROSPECTIVELY’,
- ‘DÉLIVRÉ A POSTERIORI’,
- ‘RILASCIATO A POSTERIORI’,
- ‘AFGEGEVEN A POSTERIORI’,
- ‘EMITIDO A POSTERIORI’,
- ‘ANNETTU JÄLKIKÄTEEN’,
- ‘UTFÄRDAT I EFTERHAND’,

▼ **A2**

- ‘VYSTAVENO DODATEČNĚ’,
- ‘VÄLJA ANTUD TAGASIULATUVALT’,
- ‘IZSNIEGTS RETROSPEKTĪVI’,

▼ A2

- ‘RETROSPEKTYVUSIS IŠDAVIMAS’,
- ‘KIADVA VISSZAMENŐLEGES HATÁLLYAL’,
- ‘MAĤRUĜ RETROSPETTIVAMENT’,
- ‘WYSTAWIONE RETROSPEKTYWNIE’,
- ‘IZDANO NAKNADNO’,
- ‘VYDANÉ DODATOČNE’.

▼ M18

4. The endorsement referred to in paragraph 3 shall be inserted in the ‘Remarks’ box of the ► **C6** movement certificate EUR.1 ◄.

Article 114

1. In the event of the theft, loss or destruction of ► **C6** a movement certificate EUR.1 ◄, the exporter may apply to the competent authorities which issued it, for a duplicate to be made out on the basis of the export documents in their possession.

2. The duplicate issued in this way shall be endorsed with one of the following words:

- ‘DUPLICADO’,
- ‘DUPLIKAT’,
- ‘DUPLIKAT’,
- ‘ANTIΓΡΑΦΟ’,
- ‘DUPLICATE’,
- ‘DUPLICATA’,
- ‘DUPLICATO’,
- ‘DUPLICAAT’,
- ‘SEGUNDA VIA’,
- ‘KAKSOISKAPPALE’,
- ‘DUPLIKAT’,

▼ A2

- ‘DUPLIKÁT’,
- ‘DUPLIKAAT’,
- ‘DUBLIKĀTS’,
- ‘DUBLIKATAS’,
- ‘MÁSODLAT’,
- ‘DUPLIKAT’,
- ‘DUPLIKAT’,
- ‘DVOJNIK’,
- ‘DUPLIKÁT’.

▼ M18

3. The endorsement referred to in paragraph 2 shall be inserted in the ‘Remarks’ box of the ► **C6** movement certificate EUR.1 ◄.

4. The duplicate, which shall bear the date of issue of the original ► **C6** movement certificate EUR.1 ◄, shall take effect as from that date.

Article 115

When originating products are placed under the control of a customs office in the Community, it shall be possible to replace the original proof of origin by one or more ► **C6** movement certificates EUR.1 ◄ for the purpose of sending all or some of those products elsewhere in the Community. The replacement ► **C6** movement certificate(s) EUR.1 ◄ shall be issued by the customs office under whose control the products are placed.

▼ **M18****(b) INVOICE DECLARATION***Article 116*

1. The invoice declaration may be made out:
 - (a) by an approved Community exporter within the meaning of Article 117, or
 - (b) by any exporter for any consignment consisting of one or more packages containing originating products whose total value does not exceed EUR 6 000, and on condition that the assistance referred to in Article 110(1) shall apply to this procedure.
2. An invoice declaration may be made out if the products concerned can be considered as originating in the Community or in a ► **M21** beneficiary country or territory ◀ and fulfil the other requirements of this section.
3. The exporter making out an invoice declaration shall be prepared to submit at any time, at the request of the customs or other competent governmental authorities of the exporting country, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this section.
4. An invoice declaration shall be made out by the exporter by typing, stamping or printing on the invoice, the delivery note or any other commercial document, the declaration, the text of which appears in Annex 22, using one of the linguistic versions set out in that Annex and in accordance with the provisions of the domestic law of the exporting country. If the declaration is handwritten, it shall be written in ink, in printed characters.
5. Invoice declarations shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 117 shall not be required to sign such declarations provided that he gives the customs authorities a written undertaking that he accepts full responsibility for any invoice declaration which identifies him as if it had been signed in manuscript by him.
6. In the cases referred to in paragraph 1(b), the use of an invoice declaration shall be subject to the following special conditions:
 - (a) an invoice declaration shall be made out for each consignment;
 - (b) if the goods contained in the consignment have already been subject to verification in the exporting country by reference to the definition of 'originating products', the exporter may refer to this check in the invoice declaration.

The provisions of the first subparagraph shall not exempt exporters from complying with any other formalities required under customs or postal regulations.

Article 117

1. The customs authorities in the Community may authorise any exporter, hereinafter referred to as an 'approved exporter', who makes frequent shipments of products originating in the Community within the meaning of Article 98(2), and who offers, to the satisfaction of the customs authorities, all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of this section, to make out invoice declarations, irrespective of the value of the products concerned.
2. The customs authorities may grant the status of approved exporter subject to any conditions which they consider appropriate.
3. The customs authorities shall assign the approved exporter a customs authorisation number which shall appear on the invoice declaration.
4. The customs authorities shall monitor the use of the authorisation by the approved exporter.

▼ **M18**

5. The customs authorities may withdraw the authorisation at any time. They shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, does not fulfil the conditions referred to in paragraph 2, or otherwise makes improper use of the authorisation.

Article 118

1. A proof of origin shall be valid for four months from the date of issue in the exporting country, and shall be submitted within the said period to the customs authorities of the importing country.

2. Proofs of origin which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying the tariff preferences referred to in Article 98, where the failure to submit these documents by the final date set is due to exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing country may accept the proofs of origin where the products have been submitted before the said final date.

4. At the request of the importer and having regard to the conditions laid down by the customs authorities of the importing Member State, a single proof of origin may be submitted to the customs authorities at the importation of the first consignment when the goods:

- (a) are imported within the framework of frequent and continuous trade flows of a significant commercial value;
- (b) are the subject of the same contract of sale, the parties of this contract established in the exporting country or in the Community;
- (c) are classified in the same code (eight digits) of the Combined Nomenclature;
- (d) come exclusively from the same exporter, are destined for the same importer, and are made the subject of entry formalities at the same customs office in the Community.

This procedure shall be applicable for the quantities and a period determined by the competent customs authorities. This period cannot, in any circumstances, exceed three months.

Article 119

1. Products sent as small packages from private person to private persons or forming part of travellers' personal luggage shall be admitted as originating products benefiting from the tariff preferences referred to in Article 98 without requiring the submission of ► **C6** a movement certificate EUR.1 ◀ or an invoice declaration, provided that such products are not imported by way of trade and have been declared as meeting the conditions required for the application of this section, and where there is no doubt as to the veracity of such a declaration.

2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is in view.

Furthermore, the total value of the products shall not exceed EUR 500 in the case of small packages or EUR 1 200 in the case of products forming part of traveller's personal luggage.

Article 120

The discovery of slight discrepancies between the statements made in the proof of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the proof of origin null and void if it is duly established that that document does correspond to the products submitted.

▼ **M18**

Obvious formal errors such as typing errors on a proof of origin should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in that document.

Subsection 3

Methods of administrative cooperation*Article 121*

1. The ►**M21** beneficiary countries or territories ◀ shall inform the Commission of the names and addresses of the governmental authorities situated in their territory which are empowered to issue ►**C6** movement certificates EUR.1 ◀, together with specimen impressions of the stamps used by those authorities, and the names and addresses of the relevant governmental authorities responsible for the control of the ►**C6** movement certificates EUR.1 ◀ and the invoice declarations. The stamps shall be valid as from the date of receipt by the Commission of the specimens. The Commission shall forward this information to the customs authorities of the Member States. When these communications are made within the framework of an amendment of previous communications, the Commission shall indicate the date of entry into use of those new stamps according to the instructions given by the competent governmental authorities of the ►**M21** beneficiary countries or territories ◀. This information is for official use; however, when goods are to be released for free circulation, the customs authorities in question may allow the importer or his duly-authorised representative to consult the specimen impressions of stamps mentioned in this paragraph.

2. The Commission shall send, to the ►**M21** beneficiary countries or territories ◀, the specimen impressions of the stamps used by the customs authorities of the Member States for the issue of ►**C6** movement certificates EUR.1 ◀.

Article 122

1. Subsequent verifications of ►**C6** movement certificates EUR.1 ◀ and of invoice declarations shall be carried out at random or whenever the customs authorities in the importing Member State or the competent governmental authorities of the ►**M21** beneficiary countries or territories ◀ have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this section.

2. For the purposes of implementing the provisions of paragraph 1, the competent authorities in the importing Member State or ►**M21** beneficiary country or territory ◀ shall return the EUR. 1 movement certificate and the invoice, if it has been submitted, the invoice declaration, or a copy of these documents, to the competent authorities in the exporting ►**M21** beneficiary country or territory ◀ or Member State, giving, where appropriate, the reasons for the enquiry. Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.

If the customs authorities in the importing Member State decide to suspend the granting of the tariff preferences referred to in Article 98 while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

3. When an application for subsequent verification has been made in accordance with paragraph 1, such verification shall be carried out and its results communicated to the customs authorities of the importing Member States or to the competent governmental authorities of the importing ►**M21** beneficiary country or territory ◀ within a maximum of six months. The results shall be such as to establish whether the proof of origin in question applies to the products actually

▼ **M18**

exported and whether these products can be considered as originating in the ► **M21** beneficiary country or territory ◀ or in the Community.

4. If in cases of reasonable doubt there is no reply within the six months specified in paragraph 3 or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, a second communication shall be sent to the competent authorities. If after the second communication the results of the verification are not communicated to the requesting authorities within four months, or if these results do not allow the authenticity of the document in question or the real origin of the products to be determined, the requesting authorities shall, except in exceptional circumstances, refuse entitlement to the tariff preferences.

5. Where the verification procedure or any other available information appears to indicate that the provisions of this section are being contravened, the exporting ► **M21** beneficiary country or territory ◀ shall, on its own initiative or at the request of the Community, carry out appropriate inquiries or arrange for such inquiries to be carried out with due urgency to identify and prevent such contraventions. For this purpose, the Community may participate in the inquiries.

6. For the purposes of the subsequent verification of ► **C6** movement certificates EUR.1 ◀, copies of the certificates as well as any export documents referring to them shall be kept for at least three years by the competent governmental authorities of the exporting ► **M21** beneficiary country or territory ◀ or by the customs authorities of the exporting Member State.

Subsection 4

Ceuta and Melilla*Article 123*

1. The term 'Community' used in this section shall not cover Ceuta and Melilla. The term 'products originating in the Community' ► **C6** shall not cover ◀ products originating in Ceuta and Melilla.

2. This section shall apply *mutatis mutandis* in determining whether products may be regarded as originating in the exporting ► **M21** beneficiary countries or territories ◀ benefiting from the preferences when imported into Ceuta and Melilla or as originating in Ceuta and Melilla.

3. Ceuta and Melilla shall ► **C6** be regarded as ◀ a single territory.

4. The provisions of this section concerning the issue, use and subsequent verification of ► **C6** movement certificates EUR.1 ◀ shall apply *mutatis mutandis* to products originating in Ceuta and Melilla.

5. The Spanish customs authorities shall be responsible for the application of this section in Ceuta and Melilla.

▼ **B**

TITLE V

CUSTOMS VALUE*CHAPTER 1***General provisions***Article 141*

1. In applying the provisions of Articles 28 to 36 of the Code and those of this title, Member States shall comply with the provisions set out in Annex 23.

▼B

The provisions as set out in the first column of Annex 23 shall be applied in the light of the interpretative note appearing in the second column.

2. If it is necessary to make reference to generally accepted accounting principles in determining the customs value, the provisions of Annex 24 shall apply.

Article 142

1. For the purposes of this title:

- (a) ‘the Agreement’ means the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade concluded in the framework of the multilateral trade negotiations of 1973 to 1979 and referred to in the first indent of Article 31 (1) of the Code;
- (b) ‘produced goods’ includes goods grown, manufactured and mined;
- (c) ‘identical goods’ means goods produced in the same country which are the same in all respects, including physical characteristics, quality and reputation. Minor differences in appearance shall not preclude goods otherwise conforming to the definition from being regarded as identical;
- (d) ‘similar goods’ means goods produced in the same country which, although not alike in all respects, have like characteristics and like component materials which enable them to perform the same functions and to be commercially interchangeable; the quality of the goods, their reputation and the existence of a trademark are among the factors to be considered in determining whether goods are similar;
- (e) ‘goods of the same class or kind’ means goods which fall within a group or range of goods produced by a particular industry or industry sector, and includes identical or similar goods.

2. ‘Identical goods’ and ‘similar goods’, as the case may be, do not include goods which incorporate or reflect engineering, development, artwork, design work, and plans and sketches for which no adjustment has been made under Article 32 (1) (b) (iv) of the Code because such elements were undertaken in the Community.

Article 143

1. ►**M15** For the purposes of Title II, Chapter 3 of the Code and of this Title, persons shall be deemed to be related only if: ◀

- (a) they are officers or directors of one another's businesses;
- (b) they are legally recognized partners in business;
- (c) they are employer and employee;
- (d) any person directly or indirectly owns, controls or holds 5 % or more of the outstanding voting stock or shares of both of them;
- (e) one of them directly or indirectly controls the other;
- (f) both of them are directly or indirectly controlled by a third person;
- (g) together they directly or indirectly control a third person; or
- (h) they are members of the same family. Persons shall be deemed to be members of the same family only if they stand in any of the following relationships to one another:
 - husband and wife,
 - parent and child,
 - brother and sister (whether by whole or half blood),
 - grandparent and grandchild,
 - uncle or aunt and nephew or niece,
 - parent-in-law and son-in-law or daughter-in-law,
 - brother-in-law and sister-in-law.

▼B

2. For the purposes of this title, persons who are associated in business with one another in that one is the sole agent, sole distributor or sole concessionaire, however described, of the other shall be deemed to be related only if they fall within the criteria of paragraph 1.

Article 144

1. For the purposes of determining customs value under Article 29 of the Code of goods in regard to which the price has not actually been paid at the material time for valuation for customs purposes, the price payable for settlement at the said time shall as a general rule be taken as the basis for customs value.

2. The Commission and the Member States shall consult within the Committee concerning the application of paragraph 1.

▼M21*Article 145*

1. Where goods declared for free circulation are part of a larger quantity of the same goods purchased in one transaction, the price actually paid or payable for the purposes of Article 29(1) of the Code shall be that price represented by the proportion of the total price which the quantity so declared bears to the total quantity purchased.

Apportioning the price actually paid or payable shall also apply in the case of the loss of part of a consignment or when the goods being valued have been damaged before entry into free circulation.

2. After release of the goods for free circulation, an adjustment made by the seller, to the benefit of the buyer, of the price actually paid or payable for the goods may be taken into consideration for the determination of the customs value in accordance with Article 29 of the Code, if it is demonstrated to the satisfaction of the customs authorities that:

- (a) the goods were defective at the moment referred to by Article 67 of the Code;
- (b) the seller made the adjustment in performance of a warranty obligation provided for in the contract of sale, concluded before release for free circulation of the goods;
- (c) the defective nature of the goods has not already been taken into account in the relevant sales contract.

3. The price actually paid or payable for the goods, adjusted in accordance with paragraph 2, may be taken into account only if that adjustment was made within a period of 12 months following the date of acceptance of the declaration for entry to free circulation of the goods.

▼B*Article 146*

Where the price actually paid or payable for the purposes of Article 29 (1) of the Code includes an amount in respect of any internal tax applicable within the country of origin or export in respect of the goods in question, the said amount shall not be incorporated in the customs value provided that it can be demonstrated to the satisfaction of the customs authorities concerned that the goods in question have been or will be relieved therefrom for the benefit of the buyer.

Article 147

1. For the purposes of Article 29 of the Code, the fact that the goods which are the subject of a sale are declared for free circulation shall be regarded as adequate indication that they were sold for export to the customs territory of the Community. ► **M6** In the case of successive sales before valuation, only the last sale, which led to the introduction of the goods into the customs territory of the Community, or a sale taking place in the customs territory of the Community before entry for free circulation of the goods shall constitute such indication. ◀

▼M6

Where a price is declared which relates to a sale taking place before the last sale on the basis of which the goods were introduced into the customs territory of the Community, it must be demonstrated to the satisfaction of the customs authorities that this sale of goods took place for export to the customs territory in question.

The provisions of Articles 178 to 181a shall apply.

▼B

2. ►**M6** ————— ◀, Where goods are used in a third country between the time of sale and the time of entry into free circulation the customs value need not be the transaction value.

3. The buyer need satisfy no condition other than that of being a party to the contract of sale.

Article 148

Where, in applying Article 29 (1) (b) of the Code, it is established that the sale or price of imported goods is subject to a condition or consideration the value of which can be determined with respect to the goods being valued, such value shall be regarded as an indirect payment by the buyer to the seller and part of the price actually paid or payable provided that the condition or consideration does not relate to either:

- (a) an activity to which Article 29 (3) (b) of the Code applies; or
- (b) a factor in respect of which an addition is to be made to the price actually paid or payable under the provisions of Article 32 of the Code.

Article 149

1. For the purposes of Article 29 (3) (b) of the Code, the term 'marketing activities' means all activities relating to advertising and promoting the sale of the goods in question and all activities relating to warranties or guarantees in respect of them.

2. Such activities undertaken by the buyer shall be regarded as having been undertaken on his own account even if they are performed in pursuance of an obligation on the buyer following an agreement with the seller.

Article 150

1. In applying Article 30 (2) (a) of the Code (the transaction value of identical goods), the customs value shall be determined by reference to the transaction value of identical goods in a sale at the same commercial level and in substantially the same quantity as the goods being valued. Where no such sale is found, the transaction value of identical goods sold at a different commercial level and/or in different quantities, adjusted to take account of differences attributable to commercial level and/or to quantity, shall be used, provided that such adjustments can be made on the basis of demonstrated evidence which clearly establishes the reasonableness and accuracy of the adjustment, whether the adjustment leads to an increase or a decrease in the value.

2. Where the costs and charges referred to in Article 32 (1) (e) of the Code are included in the transaction value, an adjustment shall be made to take account of significant differences in such costs and charges between the imported goods and the identical goods in question arising from differences in distances and modes of transport.

3. If, in applying this Article, more than one transaction value of identical goods is found, the lowest such value shall be used to determine the customs value of the imported goods.

4. In applying this Article, a transaction value for goods produced by a different person shall be taken into account only when no transaction value can be found under paragraph 1 for identical goods produced by the same person as the goods being valued.

5. For the purposes of this Article, the transaction value of identical imported goods means a customs value previously determined under

▼B

Article 29 of the Code, adjusted ►C1 as provided for in paragraphs 1 and 2 ◀ of this Article.

Article 151

1. In applying Article 30 (2) (b) of the Code (the transaction value of similar goods), the customs value shall be determined by reference to the transaction value of similar goods in a sale at the same commercial level and in substantially the same quantity as the goods being valued. Where no such sale is found, the transaction value of similar goods sold at a different commercial level and/or in different quantities, adjusted to take account of differences attributable to commercial level and/or to quantity, shall be used, provided that such adjustments can be made on the basis of demonstrated evidence which clearly establishes the reasonableness and accuracy of the adjustment, whether the adjustment leads to an increase or a decrease in the value.
2. Where the costs and charges referred to in Article 32 (1) (e) of the Code are included in the transaction value, an adjustment shall be made to take account of significant differences in such costs and charges between the imported goods and the similar goods in question arising from differences in distances and modes of transport.
3. If, in applying this Article, more than one transaction value of similar goods is found, the lowest such value shall be used to determine the customs value for the imported goods.
4. In applying this Article, a transaction value for goods produced by a different person shall be taken into account only when no transaction value can be found under paragraph 1 for similar goods produced by the same person as the goods being valued.
5. For the purposes of this Article, the transaction value of similar imported goods means a customs value previously determined under Article 29 of the Code, adjusted ►C1 as provided for in paragraphs 1 and 2 of ◀ this Article.

Article 152

1. (a) If the imported goods or identical or similar imported goods are sold in the Community in the condition as imported, the customs value of imported goods, determined in accordance with Article 30 (2) (c) of the Code, shall be based on the unit price at which the imported goods or identical or similar imported goods are so sold in the greatest aggregate quantity, at or about the time of the importation of the goods being valued, to persons who are not related to the persons from whom they buy such goods, subject to deductions for the following:
 - (i) either the commissions usually paid or agreed to be paid or the additions usually made for profit and general expenses (including the direct and indirect costs of marketing the goods in question) in connection with sales in the Community of imported goods of the same class or kind;
 - (ii) the usual costs of transport and insurance and associated costs incurred within the Community;
 - (iii) the import duties and other charges payable in the Community by reason of the importation or sale of the goods.
- (b) If neither the imported goods nor identical nor similar imported goods are sold at or about the time of importation of the goods being valued, the customs value of imported goods determined under this Article shall, subject otherwise to the provisions of paragraph 1 (a), be based on the unit price at which the imported goods or identical or similar imported goods are sold in the Community in the condition as imported at the earliest date after the importation of the goods being valued but before the expiration of 90 days after such importation.
2. If neither the imported goods nor identical nor similar imported goods are sold in the Community in the condition as imported, then, if the importer so requests, the customs value shall be based on the

▼B

unit price at which the imported goods, after further processing, are sold in the greatest aggregate quantity to persons in the Community who are not related to the persons from whom they buy such goods, due allowance being made for the value added by such processing and the deductions provided for in paragraph 1 (a).

3. For the purposes of this Article, the unit price at which imported goods are sold in the greatest aggregate quantity is the price at which the greatest number of units is sold in sales to persons who are not related to the persons from whom they buy such goods at the first commercial level after importation at which such sales take place.

4. Any sale in the Community to a person who supplies directly or indirectly free of charge or at reduced cost for use in connection with the production and sale for export of the imported goods any of the elements specified in Article 32 (1) (b) of the Code should not be taken into account in establishing the unit price for the purposes of this Article.

5. For the purposes of paragraph 1 (b), the 'earliest date' shall be the date by which sales of the imported goods or of identical or similar imported goods are made in sufficient quantity to establish the unit price.

Article 153

1. In applying Article 30 (2) (d) of the Code (computed value), the customs authorities may not require or compel any person not resident in the Community to produce for examination, or to allow access to, any account or other record for the purposes of determining this value. However, information supplied by the producer of the goods for the purposes of determining the customs value under this Article may be verified in a non-Community country by the customs authorities of a Member State with the agreement of the producer and provided that such authorities give sufficient advance notice to the authorities of the country in question and the latter do not object to the investigation.

2. The cost or value of materials and fabrication referred to in the first indent of Article 30 (2) (d) of the Code shall include the cost of elements specified in Article 32 (1) (a) (ii) and (iii) of the Code.

It shall also include the value, duly apportioned, of any product or service specified in Article 32 (1) (b) of the Code which has been supplied directly or indirectly by the buyer for use in connection with the production of the imported goods. The value of the elements specified in Article 32 (1) (b) (iv) of the Code which are undertaken in the Community shall be included only to the extent that such elements are charged to the producer.

3. Where information other than that supplied by or on behalf of the producer is used for the purposes of determining a computed value, the customs authorities shall inform the declarant, if the latter so requests, of the source of such information, the data used and the calculations based on such data, subject to Article 15 of the Code.

5 (SIC! 4). The 'general expenses' referred to in the second indent of Article 30 (2) (d) of the Code, cover the direct and indirect costs of producing and selling the goods for export which are not included under the first indent of Article 30 (2) (d) of the Code.

Article 154

Where containers referred to in Article 32 (1) (a) (ii) of the Code are to be the subject of repeated importations, their cost shall, at the request of the declarant, be apportioned, as appropriate, in accordance with generally accepted accounting principles.

Article 155

For the purposes of Article 32 (1) (b) (iv) of the Code, the cost of research and preliminary design sketches is not to be included in the customs value.

▼B*Article 156*

Article 33 (c) of the Code shall apply *mutatis mutandis* where the customs value is determined by applying a method other than the transaction value.

▼M8*Article 156a*

1. The customs authorities may, at the request of the person concerned, authorize:

- by derogation from Article 32 (2) of the Code, certain elements which are to be added to the price actually paid or payable, although not quantifiable at the time of incurrence of the customs debt,
- by derogation from Article 33 of the Code, certain charges which are not to be included in the customs value, in cases where the amounts relating to such elements are not shown separately at the time of incurrence of the customs debt,

to be determined on the basis of appropriate and specific criteria.

In such cases, the declared customs value is not to be considered as provisional within the meaning of the second indent of Article 254.

2. The authorization shall be granted under the following conditions:

- (a) the carrying out of the procedures provided for by Article 259 would, in the circumstances, represent disproportionate administrative costs;
- (b) recourse to an application of Articles 30 and 31 of the Code appears to be inappropriate in the particular circumstances;
- (c) there are valid reasons for considering that the amount of import duties to be charged in the period covered by the authorization will not be lower than that which would be levied in the absence of an authorization;
- (d) competitive conditions amongst operators are not distorted

▼B*CHAPTER 2**Provisions concerning royalties and licence fees**Article 157*

1. For the purposes of Article 32 (1) (c) of the Code, royalties and licence fees shall be taken to mean in particular payment for the use of rights relating:

- to the manufacture of imported goods (in particular, patents, designs, models and manufacturing know-how), or
- to the sale for exportation of imported goods (in particular, trade marks, registered designs), or
- to the use or resale of imported goods (in particular, copyright, manufacturing processes inseparably embodied in the imported goods).

2. Without prejudice to Article 32 (5) of the Code, when the customs value of imported goods is determined under the provisions of Article 29 of the Code, a royalty or licence fee shall be added to the price actually paid or payable only when this payment:

- is related to the goods being valued, and
- constitutes a condition of sale of those goods.

Article 158

1. When the imported goods are only an ingredient or component of goods manufactured in the Community, an adjustment to the price actually paid or payable for the imported goods shall only be made when the royalty or licence fee relates to those goods.

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2. Where goods are imported in an unassembled state or only have to undergo minor processing before resale, such as diluting or packing, this shall not prevent a royalty or licence fee from being considered related to the imported goods.

3. If royalties or licence fees relate partly to the imported goods and partly to other ingredients or component parts added to the goods after their importation, or to post-importation activities or services, an appropriate apportionment shall be made only on the basis of objective and quantifiable data, in accordance with the interpretative note to Article 32 (2) of the Code in Annex 23.

Article 159

A royalty or licence fee in respect of the right to use a trade mark is only to be added to the price actually paid or payable for the imported goods where:

- the royalty or licence fee refers to goods which are resold in the same state or which are subject only to minor processing after importation,
- the goods are marketed under the trade mark, affixed before or after importation, for which the royalty or licence fee is paid, and
- the buyer is not free to obtain such goods from other suppliers unrelated to the seller.

Article 160

When the buyer pays royalties or licence fees to a third party, the conditions provided for in Article 157 (2) shall not be considered as met unless the seller or a person related to him requires the buyer to make that payment.

Article 161

Where the method of calculation of the amount of a royalty or licence fee derives from the price of the imported goods, it may be assumed in the absence of evidence to the contrary that the payment of that royalty or licence fee is related to the goods to be valued.

However, where the amount of a royalty or licence fee is calculated regardless of the price of the imported goods, the payment of that royalty or licence fee may nevertheless be related to the goods to be valued.

Article 162

In applying Article 32 (1) (c) of the Code, the country of residence of the recipient of the payment of the royalty or licence fee shall not be a material consideration.

*CHAPTER 3****Provisions concerning the place of introduction into the Community****Article 163*

1. For the purposes of Article 32 (1) (e) and Article 33 (a) of the Code, the place of introduction into the customs territory of the Community shall be:

- (a) for goods carried by sea, the port of unloading, or the port of transshipment, subject to transshipment being certified by the customs authorities of that port;
- (b) for goods carried by sea and then, without transshipment, by inland waterway, the first port where unloading can take place either at the mouth of the river or canal or further inland, subject to proof being furnished to the customs office that the freight to the port of unloading is higher than that to the first port;
- (c) for goods carried by rail, inland waterway, or road, the place where the first customs office is situated;

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- (d) for goods carried by other means, the place where the land frontier of the customs territory of the Community is crossed.

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2. The customs value of goods introduced into the customs territory of the Community and then carried to a destination in another part of that territory through the territories of Belarus, Bulgaria, Russia, Romania, Switzerland, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia or the former Yugoslav Republic of Macedonia shall be determined by reference to the first place of introduction into the customs territory of the Community, provided that goods are carried direct through the territories of those countries by a usual route across such territory to the place of destination.

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3. The customs value of goods introduced into the customs territory of the Community and then carried by sea to a destination in another part of that territory shall be determined by reference to the first place of introduction into the customs territory of the Community, provided the goods are carried direct by a usual route to the place of destination.

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4. Paragraphs 2 and 3 of this Article shall also apply where the goods have been unloaded, transhipped or temporarily immobilised in the territories of Belarus, Bulgaria, Russia, Romania, Switzerland, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia or the former Yugoslav Republic of Macedonia for reasons related solely to their transport.

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5. For goods introduced into the customs territory of the Community and carried directly from one of the French overseas departments to another part of the customs territory of the Community or vice versa, the place of introduction to be taken into consideration shall be the place referred to in paragraphs 1 and 2 situated in that part of the customs territory of the Community from which the goods came, if they were unloaded or transhipped there and this was certified by the customs authorities.

6. When the conditions specified at paragraphs 2, 3 and 5 are not fulfilled, the place of introduction to be taken into consideration shall be the place specified in paragraph 1 situated in that part of the customs territory of the Community to which the goods are consigned.

*CHAPTER 4**Provisions concerning transport costs**Article 164*

In applying Article 32 (1) (e) and 33 (a) of the Code:

- (a) where goods are carried by the same mode of transport to a point beyond the place of introduction into the customs territory of the Community, transport costs shall be assessed in proportion to the distance covered outside and inside the customs territory of the Community, unless evidence is produced to the customs authorities to show the costs that would have been incurred under a general compulsory schedule of freight rates for the carriage of the goods to the place of introduction into the customs territory of the Community;
- (b) where goods are invoiced at a uniform free domicile price which corresponds to the price at the place of introduction, transport costs within the Community shall not be deducted from that price. However, such deduction shall be allowed if evidence is produced to the customs authorities that the free-frontier price would be lower than the uniform free domicile price;
- (c) where transport is free or provided by the buyer, transport costs to the place of introduction, calculated in accordance with the schedule of freight rates normally applied for the same modes of transport, shall be included in the customs value.

▼B*Article 165*

1. All postal charges levied up to the place of destination in respect of goods sent by post shall be included in the customs value of these goods, with the exception of any supplementary postal charge levied in the country of importation.
2. No adjustment to the declared value shall, however, be made in respect of such charges in determining the value of consignments of a non-commercial nature.
3. Paragraphs 1 and 2 are not applicable to goods carried by the express postal services known as EMS-Datapost (in Denmark, EMS-Jetpost, in Germany, EMS-Kurierpostsendungen, in Italy, CAI-Post).

Article 166

The air transport costs to be included in the customs value of goods shall be determined by applying the rules and percentages shown in Annex 25.

▼M21▼B*CHAPTER 6**Provisions concerning rates of exchange**Article 168*

►C2 For the purposes of Articles 169 to 172 ◀ of this chapter:

- (a) 'rate recorded' shall mean:
 - the latest selling rate of exchange recorded for commercial transactions on the most representative exchange market or markets of the Member State concerned, or
 - some other description of a rate of exchange so recorded and designated by the Member State as the 'rate recorded' provided that it reflects as effectively as possible the current value of the currency in question in commercial transactions;
- (b) 'published' shall mean made generally known in a manner designated by the Member State concerned;
- (c) 'currency' shall mean any monetary unit used as a means of settlement between monetary authorities or on the international market.

Article 169

1. Where factors used to determine the customs value of goods are expressed at the time when that value is determined in a currency other than that of the Member State where the valuation is made, the rate of exchange to be used to determine that value in terms of the currency of the Member State concerned shall be the rate recorded on the second-last Wednesday of a month and published on that or the following day.
2. The rate recorded on the second-last Wednesday of a month shall be used during the following calendar month unless it is superseded by a rate established under Article 171.
3. Where a rate of exchange is not recorded on the second-last Wednesday indicated in paragraph 1, or, if recorded, is not published on that or the following day, the last rate recorded for the currency in question published within the preceding 14 days shall be deemed to be the rate recorded on that Wednesday.

Article 170

Where a rate of exchange cannot be established under the provisions of Article 169, the rate of exchange to be used for the application of Article 35 of the Code shall be designated by the Member State concerned and shall reflect as effectively as possible the current value

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of the currency in question in commercial transactions in terms of the currency of that Member State.

Article 171

1. Where a rate of exchange recorded on the last Wednesday of a month and published on that or the following day differs by 5 % or more from the rate established in accordance with Article 169 for entry into use the following month, it shall replace the latter rate from the first Wednesday of that month as the rate to be applied for the application of Article 35 of the Code.

2. Where in the course of a period of application as referred to in the preceding provisions, a rate of exchange recorded on a Wednesday and published on that or the following day differs by 5 % or more from the rate being used in accordance with this Chapter, it shall replace the latter rate and enter into use on the Wednesday following as the rate to be used for the application of Article 35 of the Code. The replacement rate shall remain in use for the remainder of the current month, provided that this rate is not superseded due to operation of the provisions of the first sentence of this paragraph.

3. Where, in a Member State, a rate of exchange is not recorded on a Wednesday or, if recorded, is not published on that or the following day, the rate recorded shall, for the application in that Member State of paragraphs 1 and 2, be the rate most recently recorded and published prior to that Wednesday.

Article 172

When the customs authorities of a Member State authorize a declarant to furnish or supply at a later date certain details concerning the declaration for free circulation of the goods in the form of a periodic declaration, this authorization may, at the declarant's request, provide that a single rate be used for conversion into that Member State's currency of elements forming part of the customs value as expressed in a particular currency. In this case, the rate to be used shall be the rate, established in accordance with this Chapter, which is applicable on the first day of the period covered by the declaration in question.

*CHAPTER 7**Simplified procedures for certain perishable goods**Article 173*

1. For the purpose of determining the customs value of products referred to in Annex 26, the Commission shall establish for each classification heading a unit value per 100 kg net expressed in the currencies of the Member States.

The unit values shall apply for periods of 14 days, each period beginning on a Friday.

2. Unit values shall be established on the basis of the following elements, which are to be supplied to the Commission by Member States, in relation to each classification heading:

- (a) the average free-at-frontier unit price, not cleared through customs, expressed in the currency of the Member State in question per 100 kg net and calculated on the basis of prices for undamaged goods in the marketing centres referred to in Annex 27 during the reference period referred to in Article 174 (1);
- (b) the quantities entered into free circulation over the period of a calendar year with payment of import duties.

3. The average free-at-frontier unit price, not cleared through customs, shall be calculated on the basis of the gross proceeds of sales made between importers and wholesalers. However, in the case of the London, Milan and Rungis marketing centres the gross proceeds shall be those recorded at the commercial level at which those goods are most commonly sold at those centres.

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There shall be deducted from the figures so arrived at:

- a marketing margin of 15 % for the marketing centres of London, Milan and Rungis and of 8 % for the other marketing centres,
- costs of transport and insurance within the customs territory,
- a standard amount of ECU 5 representing all the other costs which are not to be included in the customs value.

This amount shall be converted into the currencies of the Member States on the basis of the latest rates in force established in accordance with Article 18 of the Code,

- import duties and other charges which are not to be included in the customs value.

4. The Member States may fix standard amounts for deduction in respect of transport and insurance costs in accordance with paragraph 3. Such standard amounts and the methods for calculating them shall be made known to the Commission immediately.

Article 174

1. The reference period for calculating the average unit prices referred to in Article 173 (2) (a) shall be the period of 14 days ending on the Thursday preceding the week during which new unit values are to be established.

2. Average unit prices shall be notified by Member States not later than 12 noon on the Monday of the week during which unit values are established pursuant to Article 173. If that day is a non-working day, notification shall be made on the working day immediately preceding that day.

3. The quantities entered into free circulation during a calendar year for each classification heading shall be notified to the Commission by all Member States before 15 June in the following year.

Article 175

1. The unit values referred to in Article 173 (1) shall be established by the Commission on alternate Tuesdays on the basis of the weighted average of the average unit prices referred to in Article 173 (2) (a) in relation to the quantities referred to in Article 173 (2) (b).

2. For the purpose of determining the weighted average, each average unit price as referred to in Article 173 (2) (a) shall be converted into ecu on the basis of the last conversion rates determined by the Commission and published in the *Official Journal of the European Communities* prior to the week during which the unit values are to be established. The same conversion rates shall be applied in converting the unit values so obtained back into the currencies of the Member States.

3. The last published unit values shall remain applicable until new values are published. However, in the case of major fluctuations in price in one or more Member States, as a result, for example, of an interruption in the continuity of imports of a particular product, new unit values may be determined on the basis of actual prices at the time of fixing those values.

Article 176

1. Consignments which at the material time for valuation for customs purposes contain not less than 5 % of produce unfit in its unaltered state for human consumption or the value of which has depreciated by not less than 20 % in relation to average market prices for sound produce, shall be treated as damaged.

2. Consignments which are damaged may be valued:

- either, after sorting, by application of unit values to the sound portion, the damaged portion being destroyed under customs supervision, or

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- by application of unit values established for the sound produce after deduction from the weight of the consignment of a percentage equal to the percentage assessed as damaged by a sworn expert and accepted by the customs authorities, or
- by application of unit values established for the sound produce reduced by the percentage assessed as damaged by a sworn expert and accepted by the customs authorities.

Article 177

1. In declaring or causing to be declared the customs value of one or more products which he imports by reference to the unit values established in accordance with this Chapter, the person concerned joins the simplified procedure system for the current calendar year in respect of the product or products in question.
2. If subsequently the person concerned requires the use of a method other than the simplified procedures for the customs valuation of one or more of the products he imports, the customs authorities of the Member State concerned shall be entitled to notify him that he will not be allowed to benefit from the simplified procedures for the remainder of the current calendar year in regard to the product or products concerned; this exclusion can be extended for the following calendar year. Such notified exclusion shall be communicated without delay to the Commission, which shall in turn immediately inform the customs authorities of the other Member States.

*CHAPTER 8**Declarations of particulars and documents to be furnished**Article 178*

1. Where it is necessary to establish a customs value for the purposes of Articles 28 to 36 of the Code, a declaration of particulars relating to customs value (value declaration) shall accompany the customs entry made in respect of the imported goods. The value declaration shall be drawn up on a form D.V. 1 corresponding to the specimen in Annex 28, supplemented where appropriate by one or more forms D.V. 1 *bis* corresponding to the specimen in Annex 29.

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2. The value declaration provided for in paragraph 1 shall be made only by a person established in the Community and in possession of the relevant facts.

The second indent of Article 64(2)(b) and Article 64(3) of the Code shall apply *mutatis mutandis*.

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3. The customs authorities may waive the requirement of a declaration on the form referred to in paragraph 1 where the customs value of the goods in question cannot be determined under the provisions of Article 29 of the Code. In such cases the person referred to in paragraph 2 shall furnish or cause to be furnished to the customs authorities such other information as may be requested for the purposes of determining the customs value under another Article of the said Code; and such other information shall be supplied in such form and manner as may be prescribed by the customs authorities.
4. The lodging with a customs office of a declaration required by paragraph 1 shall, without prejudice to the possible application of penal provisions, be equivalent to the engagement of responsibility by the person referred to in paragraph 2 in respect of:
 - the accuracy and completeness of the particulars given in the declaration,
 - the authenticity of the documents produced in support of these particulars, and
 - the supply of any additional information or document necessary to establish the customs value of the goods.

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5. This Article shall not apply in respect of goods for which the customs value is determined under the simplified procedure system established in accordance with the provisions of Articles 173 to 177.

Article 179

1. Except where it is essential for the correct application of import duties, the customs authorities shall waive the requirement of all or part of the declaration provided for in Article 178 (1):

- (a) where the customs value of the imported goods in a consignment does not exceed ►**M21** EUR 10 000 ◀, provided that they do not constitute split or multiple consignments from the same consignor to the same consignee; or
- (b) where the importations involved are of a non-commercial nature; or
- (c) where the submission of the particulars in question is not necessary for the application of the Customs Tariff of the European Communities or where the customs duties provided for in the Tariff are not chargeable pursuant to specific customs provisions.

2. The amount in ecu referred to in paragraph 1 (a) shall be converted in accordance with Article 18 of the Code. The customs authorities may round-off upwards or downwards the sum arrived at after conversion.

The customs authorities may maintain unamended the exchange value in national currency of the amount determined in ecu if, at the time of the annual adjustment provided for in Article 18 of the Code, the conversion of this amount, before the rounding-off provided for in this paragraph, leads to an alteration of less than 5 % in the exchange value expressed in national currency or to a reduction thereof.

3. In the case of continuing traffic in goods supplied by the same seller to the same buyer under the same commercial conditions, the customs authorities may waive the requirement that all particulars under Article 178 (1) be furnished in support of each customs declaration, but shall require them whenever the circumstances change and at least once every three years.

4. A waiver granted under this Article may be withdrawn and the submission of a D.V. 1 may be required where it is found that a condition necessary to qualify for that waiver was not or is no longer met.

Article 180

Where computerized systems are used, or where the goods concerned are the subject of a general, periodic or recapitulative declaration, the customs authorities may authorize variations in the form of presentation of data required for the determination of customs value.

Article 181

1. The person referred to in Article 178 (2) shall furnish the customs authorities with a copy of the invoice on the basis of which the value of the imported goods is declared. Where the customs value is declared in writing this copy shall be retained by the customs authorities.

2. In the case of written declarations of the customs value, when the invoice for the imported goods is made out to a person established in a Member State other than that in which the customs value is declared, the declarant shall furnish the customs authorities with two copies of the invoice. One of these copies shall be retained by the customs authorities; the other, bearing the stamp of the office in question and the serial number of the declaration at the said customs office shall be returned to the declarant for forwarding to the person to whom the invoice is made out.

3. The customs authorities may extend the provisions of paragraph 2 to cases where the person to whom the invoice is made out is established in the Member State in which the customs value is declared.

▼ **M5***Article 181a*

1. The customs authorities need not determine the customs valuation of imported goods on the basis of the transaction value method if, in accordance with the procedure set out in paragraph 2, they are not satisfied, on the basis of reasonable doubts, that the declared value represents the total amount paid or payable as referred to in Article 29 of the Code.

2. Where the customs authorities have the doubts described in paragraph 1 they may ask for additional information in accordance with Article 178 (4). If those doubts continue, the customs authorities must, before reaching a final decision, notify the person concerned, in writing if requested, of the grounds for those doubts and provide him with a reasonable opportunity to respond. A final decision and the grounds therefor shall be communicated in writing to the person concerned.

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TITLE VI

INTRODUCTION OF GOODS INTO THE CUSTOMS TERRITORY*CHAPTER 1**Examination of the goods and taking of samples by the person concerned**Article 182*

1. Permission to examine the goods under Article 42 of the Code shall be granted to the person empowered to assign the goods a customs-approved treatment or use at his oral request, unless the customs authorities consider, having regard to the circumstances, that a written request is required.

The taking of samples may be authorized only at the written request of the person concerned.

2. A written request as referred to in paragraph 1 shall be signed by the person concerned and lodged with the relevant customs authorities. It shall include the following particulars:

- name and address of the applicant,
- the location of the goods,
- number of the summary declaration, where it has already been presented, save where the customs office undertakes to enter such information, or indication of the previous customs procedure, or the particulars for identifying the means of transport on which the goods are located,
- all other particulars necessary for identifying the goods.

The customs authorities shall indicate their authorization on the request presented by the person concerned. Where the request is for the taking of samples, the said authorities shall indicate the quantity of goods to be taken.

3. Prior examination of goods and the taking of samples shall be carried out under the supervision of the customs authorities, which shall specify the procedures to be followed in each particular case.

The person concerned shall bear the risk and the cost of unpacking, weighing, repacking and any other operation involving the goods. He shall also pay any costs in connection with analysis.

4. The samples taken shall be the subject of formalities with a view to assigning them a customs-approved treatment or use. Where examination of the samples results in their destruction or irretrievable loss, no debt shall be deemed to have been incurred. Article 182 (5) of the Code shall apply to waste and scrap.

▼B*CHAPTER 2**Summary declaration**Article 183*

1. The summary declaration shall be signed by the person making it.
2. The summary declaration shall be endorsed by the customs authorities and retained by them for the purpose of verifying that the goods to which it relates are assigned a customs-approved treatment or use within the period laid down in Article 49 of the Code.
3. The summary declaration for goods which have been moved under a transit procedure before being presented to customs shall take the form of the copy of the transit document intended for the customs office of destination.
4. The customs authorities may allow the summary declaration to be made in computerized form. In that case, the rules laid down ►M1 in paragraphs 1 and 2 ◀ shall be adapted accordingly.

Article 184

1. Goods covered by a summary declaration which have not been unloaded from the means of transport carrying them shall be re-presented intact by the person referred to in Article 183 (1) whenever the customs authorities so require, until such time as the goods in question are assigned a customs-approved treatment or use.
2. Any person who holds goods after they have been unloaded in order to move or store them shall become responsible for compliance with the obligation to re-present all the goods intact at the request of the customs authorities.

*CHAPTER 3**Temporary storage**Article 185*

1. Where the places referred to in Article 51 (1) of the Code have been approved on a permanent basis for the placing of goods in temporary storage, such places shall be called 'temporary storage facilities'.
2. In order to ensure the application of customs rules, the customs authorities may, where they do not themselves manage the temporary storage facility, require that:
 - (a) temporary storage facilities be double-locked, one key being held by the said customs authorities;
 - (b) the person operating the temporary storage facility keep stock accounts which enable the movements of goods to be traced.

Article 186

Goods shall be placed in a temporary storage facility on the basis of the summary declaration. However, the customs authorities may require the lodging of a specific declaration made out on a form corresponding to the model they have determined.

Article 187

Without prejudice to Article 56 of the Code or to the provisions applicable to the sale of goods by the customs authorities, the person who has made the summary declaration or, where such a declaration has not yet been lodged, the persons referred to in Article 44 (2) of the Code, shall be responsible for giving effect to the measures taken by the customs authorities pursuant to Article 53 (1) of the Code and for bearing the costs of such measures.

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CHAPTER 4

Special provisions applicable to goods consigned by sea or air

Section 1

General provision*Article 189*

Where goods are brought into the customs territory of the Community from a third country by sea or air and are consigned under cover of a single transport document by the same mode of transport, without transshipment, to another port or airport in the Community, they shall be presented to customs, within the meaning of Article 40 of the Code, only at the port or airport where they are unloaded or transhipped.

Section 2

Special provisions applicable to the cabin baggage and hold baggage of travellers*Article 190*

For the purposes of this section:

- (a) *Community airport* means any airport situated in Community customs territory;
- (b) *international Community airport* means any Community airport which, having been so authorized by the competent authorities, is approved for air traffic with third countries;
- (c) *intra-Community flight* means the movement of an aircraft between two Community airports, without any stopovers, which does not start from or end at a non-Community airport;
- (d) *Community port* means any sea port situated in Community customs territory;
- (e) *intra-Community sea crossing* means the movement between two Community ports without any intermediate calls, of a vessel plying regularly between two or more specified Community ports;
- (f) *pleasure craft* means private boats intended for journeys whose itinerary depends on the wishes of the user;
- (g) *tourist or business aircraft* means private aircraft intended for journeys whose itinerary depends on the wishes of the user;
- (h) *baggage* means all objects carried, by whatever means, by the person in the course of his journey.

Article 191

For the purposes of this section, in the case of air travel, baggage shall be considered as:

- hold baggage if it has been checked in at the airport of departure and is not accessible to the person during the flight nor, where relevant, during the stopovers referred to in Articles 192 (1) and (2) and 194 (1) and (2) of this chapter,
- cabin baggage if the person takes it into the cabin of the aircraft.

Article 192

Any controls and any formalities applicable to:

1. the cabin and hold baggage of persons taking a flight in an aircraft which comes from a non-Community airport and which, after a stopover at a Community airport, continues to another Community airport, shall be carried out at this last airport provided it is an inter-

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- national Community airport; in this case, baggage shall be subject to the rules applicable to the baggage of persons coming from a third country when the person carrying such baggage cannot prove the Community status of the goods contained therein to the satisfaction of the competent authorities;
2. the cabin and hold baggage of persons taking a flight in an aircraft which stops over at a Community airport before continuing to a non-Community airport, shall be carried out at the airport of departure provided it is an international Community airport; in this case, cabin baggage may be subject to control at the Community airport where the aircraft stops over, in order to ascertain that the goods it contains conform to the conditions for free movement within the Community;
 3. the baggage of persons using a maritime service provided by the same vessel and comprising successive legs departing from, calling at or terminating in a non-Community port shall be carried out at the port at which the baggage in question is loaded or unloaded as the case may be.

Article 193

Any controls and any formalities applicable to the baggage of persons on board:

1. pleasure craft, shall be carried out in any Community port, whatever the origin or destination of these craft;
2. tourist or business aircraft, shall be carried out:
 - at the first airport of arrival which must be an international Community airport, for flights coming from a non-Community airport, where the aircraft, after a stopover, continues to another Community airport,
 - at the last international Community airport, for flights coming from a Community airport where the aircraft, after a stopover, continues to a non-Community airport.

Article 194

1. Where baggage arriving at a Community airport on board an aircraft coming from a non-Community airport is transferred at that Community airport, to another aircraft proceeding on an intra-Community flight:
 - any controls and any formalities applicable to hold baggage shall be carried out at the airport of arrival of the intra-Community flight, provided the latter airport is an international Community airport,
 - all controls on cabin baggage shall be carried out in the first international Community airport; additional controls may be carried out at the airport of arrival of an intra-Community flight, only in exceptional cases where they prove necessary following controls on hold baggage,
 - controls on hold baggage may be carried out at the first Community airport only in exceptional cases where they prove necessary following controls on cabin baggage.
2. Where baggage is loaded at a Community airport onto an aircraft proceeding on an intra-Community flight for transfer at another Community airport, to an aircraft whose destination is a non-Community airport:
 - any controls and any formalities applicable to hold baggage shall be carried out at the airport of departure of the intra-Community flight, provided that airport is an international Community airport,
 - all controls on cabin baggage shall be carried out in the last international Community airport; prior controls on such baggage may be carried out in the airport of departure of an intra-Community flight only in exceptional cases where they prove necessary following controls on hold baggage,
 - additional controls on hold baggage may be carried out in the last Community airport only in exceptional cases where they prove necessary following controls on cabin baggage.

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3. Any controls and any formalities applicable to baggage arriving at a Community airport on board a scheduled or charter flight from a non-Community airport and transferred, at that Community airport, to a tourist or business aircraft proceeding on an intra-Community flight shall be carried out at the airport of arrival of the scheduled or charter flight.

4. Any controls and any formalities applicable to baggage loaded at a Community airport onto a tourist or business aircraft proceeding on an intra-Community flight for transfer, at another Community airport, to a scheduled or charter flight whose destination is a non-Community airport, shall be carried out at the airport of departure of the scheduled or charter flight.

5. The Member States may carry out controls at the international Community airport where the transfer of hold baggage takes place on baggage:

- coming from a non-Community airport and transferred in an international Community airport to an aircraft bound for an international airport in the same national territory,
- having been loaded on an aircraft in an international airport for transfer in another international airport in the same national territory to an aircraft bound for a non-Community airport.

Article 195

The Member States shall take the necessary measures to ensure that:

- on arrival, persons cannot transfer goods before controls have been carried out on the cabin baggage not covered by Article 1 of Council Regulation (EEC) No 3925/91 ⁽¹⁾,
- on departure, persons cannot transfer goods after controls have been carried out on the cabin baggage not covered by Article 1 of Council Regulation (EEC) No 3925/91,
- on arrival, the appropriate arrangements have been made to prevent any transfer of goods before controls have been carried out on the hold baggage not covered by Article 1 of Council Regulation (EEC) No 3925/91,
- on departure, the appropriate arrangements have been made to prevent any transfer of goods after controls have been carried out on the hold baggage not covered by Article 1 of Council Regulation (EEC) No 3925/91.

Article 196

Hold baggage registered in a Community airport shall be identified by a tag affixed in the airport concerned. A specimen tag and the technical characteristics are shown in Annex 30.

Article 197

Each Member State shall provide the Commission with a list of airports corresponding to the definition of 'international Community airport' given in Article 190 (b). The Commission shall publish this list in the *Official Journal of the European Communities*, C Series.

⁽¹⁾ OJ No L 374, 31. 12. 1994, p. 4.

▼**B**

TITLE VII
CUSTOMS DECLARATIONS - NORMAL PROCEDURE

CHAPTER 1

Customs declarations in writing

Section 1

General provisions

Article 198

1. Where a customs declaration covers two or more articles, the particulars relating to each article shall be regarded as constituting a separate declaration.
2. Component parts of industrial plant coming under a single CN Code shall be regarded as constituting a single item of goods.

Article 199

►**M1** 1. ◀ Without prejudice to the possible application of penal provisions, the lodging with a customs office of a declaration signed by the declarant or his representative shall render him responsible under the provisions in force for:

- the accuracy of the information given in the declaration,
- the authenticity of the documents attached,
- and
- compliance with all the obligations relating to the entry of the goods in question under the procedure concerned.

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2. Where the declarant uses data-processing systems to produce his customs declarations, the customs authorities may provide that the handwritten signature may be replaced by another identification technique which may be based on the use of codes. This facility shall be granted only if the technical and administrative conditions laid down by the customs authorities are complied with.

The customs authorities may also provide that declarations produced using customs data-processing systems may be directly authenticated by those systems, in place of the manual or mechanical application of the customs office stamp and the signature of the competent official.

3. Under the conditions and in the manner which they shall determine, the customs authorities may allow some of the particulars of the written declaration referred to in Annex 37 to be replaced by sending these particulars to the customs office designated for that purpose by electronic means, where appropriate in coded form.

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Article 200

Documents accompanying a declaration shall be kept by the customs authorities unless the said authorities provide otherwise or unless the declarant requires them for other operations. In the latter case the customs authorities shall take the necessary steps to ensure that the documents in question cannot subsequently be used except in respect of the quantity or value of goods for which they remain valid.

Article 201

1. The declaration shall be lodged with the customs office where the goods were presented. It may be lodged as soon as such presentation has taken place.
2. The customs authorities may authorize the declaration to be lodged before the declarant is in a position to present the goods. In this case, the customs authorities may set a time limit, to be determined

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according to the circumstances, for presentation of the goods. If the goods have not been presented within this time limit, the declaration shall be considered not to have been lodged.

3. Where a declaration has been lodged before the goods to which it relates have arrived at the customs office or at another place designated by the customs authorities, it may be accepted only after the goods in question have been presented to customs.

Article 202

1. The declaration shall be lodged with the competent customs office during the days and hours appointed for opening.

However, the customs authorities may, at the request of the declarant and at his expense, authorize the declaration to be lodged outside the appointed days and hours.

2. Any declaration lodged with the officials of a customs office in any other place duly designated for that purpose by agreement between the customs authorities and the person concerned shall be considered to have been lodged in the said office.

Article 203

The date of acceptance of the declaration shall be noted thereon.

Article 204

The customs authorities may allow or require the corrections referred to in Article 65 of the Code to be made by the lodging of a new declaration intended to replace the original declaration. In that event, the relevant date for determination of any duties payable and for the application of any other provisions governing the customs procedure in question shall be the date of the acceptance of the original declaration.

Section 2**Forms to be used***Article 205*

1. The official model for written declarations to customs by the normal procedure, for the purposes of placing goods under a customs procedure or re-exporting them in accordance with Article 182 (3) of the Code, shall be the Single Administrative Document.

2. Other forms may be used for this purpose where the provisions of the customs procedure in question permit.

3. The provisions of paragraphs 1 and 2 shall not preclude:

- waiver of the written declaration prescribed in Articles 225 to 236 for release for free circulation, export or temporary importation,
- waiver by the Member States of the form referred to in paragraph 1 where the special provisions laid down in Articles 237 and 238 with regard to consignments by letter or parcel-post apply,
- use of special forms to facilitate the declaration in specific cases, where the customs authorities (SIC! authorities) so permit,
- waiver by the Member States of the form referred to in paragraph 1 in the case of existing or future agreements or arrangements concluded between the administrations of two or more Member States with a view to greater simplification of formalities in all or part of the trade between those Member States,
- use by the persons concerned of loading lists for the completion of Community transit formalities in the case of consignments composed of more than one kind of goods,
- printing of export, transit or import declarations and documents certifying the Community status of goods not being moved under internal Community transit procedure by means of official or

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- private-sector data-processing systems, if necessary on plain paper, on conditions laid down by the Member States,
- provision by the Member States to the effect that where a computerized declaration-processing system is used, the declaration, within the meaning of paragraph 1, may take the form of the Single Administrative Document printed out by that system.

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5. Where in Community legislation, reference is made to an export, re-export or import declaration or a declaration placing goods under another customs procedure, Member States may not require any administrative documents other than those which are:
- expressly created by Community acts or provided for by such acts,
 - required under the terms of international conventions compatible with the Treaty,
 - required from operators to enable them to qualify, at their request, for an advantage or specific facility,
 - required, with due regard for the provisions of the Treaty, for the implementation of specific regulations which cannot be implemented solely by the use of the document referred to in paragraph 1.

Article 206

The Single Administrative Document form shall, where necessary, also be used during the transitional period laid down in the Act of Accession of Spain and Portugal in connection with trade between the Community as constituted on 31 December 1985 and Spain or Portugal and between those two last-mentioned Member States in goods still liable to certain customs duties and charges having equivalent effect or which remain subject to other measures laid down by the Act of Accession.

For the purposes of the first paragraph, copy 2 or where applicable copy 7 of the forms used for trade with Spain and Portugal or trade between those Member States shall be destroyed.

It shall also be used in trade in Community goods between parts of the customs territory of the Community to which the provisions of Council Directive 77/388/EEC ⁽¹⁾ apply and parts of that territory where those provisions do not apply, or in trade between parts of that territory where those provisions do not apply.

Article 207

Without prejudice to Article 205 (3), the customs administrations of the Member States may in general, for the purpose of completing export or import formalities, dispense with the production of one or more copies of the Single Administrative Document intended for use by the authorities of that Member State, provided that the information in question is available on other media.

Article 208

1. The Single Administrative Document shall be presented in subsets containing the number of copies required for the completion of formalities relating to the customs procedure under which the goods are to be placed.

2. Where the Community transit procedure or the common transit procedure is preceded or followed by another customs procedure, a subset containing the number of copies required for the completion of formalities relating to the transit procedure and the preceding or following procedure may be presented.

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

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3. The subsets referred to in paragraphs 1 and 2 shall be taken from:
- either the full set of eight copies, in accordance with the specimen contained in Annex 31,
 - or, particularly in the event of production by means of a computerized system for processing declarations, two successive sets of four copies, in accordance with the specimen contained in Annex 32.
4. Without prejudice to Articles 205 (3), 222 to 224 or 254 to 289, the declaration forms may be supplemented, where appropriate, by one or more continuation forms presented in subsets containing the declaration copies needed to complete the formalities relating to the customs procedure under which the goods are to be placed. Those copies needed in order to complete the formalities relating to preceding or subsequent customs procedures may be attached where appropriate.

The continuation subsets shall be taken from:

- either a set of eight copies, in accordance with the specimen contained in Annex 33,
- ► C1 or two sets of four copies ◀, in accordance with the specimen contained in Annex 34.

The continuation forms shall be an integral part of the Single Administrative Document to which they relate.

5. By way of derogation from paragraph 4, the customs authorities may provide that continuation forms shall not be used where a computerized system is used to produce such declarations.

Article 209

1. Where Article 208 (2) is applied, each party involved shall be liable only as regards the particulars relating to the procedure for which he applied as declarant, principal or as the representative of one of these.
2. For the purposes of paragraph 1, where the declarant uses a Single Administrative Document issued during the preceding customs procedure, he shall be required, prior to lodging his declaration, to verify the accuracy of the existing particulars for the boxes for which he is responsible and their applicability to the goods in question and the procedure applied for, and to supplement them as necessary.

In the cases referred to in the first subparagraph, the declarant shall immediately inform the customs office where the declaration is lodged of any discrepancy found between the goods in question and the existing particulars. In this case the declarant shall then draw up his declaration on fresh copies of the Single Administrative Document.

Article 210

Where the Single Administrative Document is used to cover several successive customs procedures, the customs authorities shall satisfy themselves that the particulars given in the declarations relating to the various procedures in question all agree.

Article 211

The declaration must be drawn up in one of the official languages of the Community which is acceptable to the customs authorities of the Member State where the formalities are carried out.

If necessary, the customs authorities of the Member State of destination may require from the declarant or his representative in that Member State a translation of the declaration into the official language or one of the official languages of the latter. The translation shall replace the corresponding particulars in the declaration in question.

By way of derogation from the preceding subparagraph, the declaration shall be drawn up in an official language of the Community acceptable to the Member State of destination in all cases where the declaration in

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the latter Member State is made on copies other than those initially presented to the customs office of the Member State of departure.

Article 212

1. The Single Administrative Document must be completed in accordance with the explanatory note in Annex 37 and any additional rules laid down in other Community legislation.
2. The customs authorities shall ensure that users have ready access to copies of the explanatory note referred to in paragraph 1.
3. The customs administrations of each Member State may, if necessary, supplement the explanatory note.

Article 213

The codes to be used in completing the forms referred to in Article 205 (1) are listed in Annex 38.

Article 214

In cases where the rules require supplementary copies of the form referred to in Article 205 (1), the declarant may use additional sheets or photocopies of the said form for this purpose.

Such additional sheets or photocopies must be signed by the declarant, presented to the customs authorities and endorsed by the latter under the same conditions as the Single Administrative Document. They shall be accepted by the customs authorities as if they were original documents provided that their quality and legibility are considered satisfactory by the said authorities.

Article 215

1. The forms referred to in Article 205 (1) shall be printed on self-copying paper dressed for writing purposes and weighing at least 40 g/m². The paper must be sufficiently opaque for the information on one side not to affect the legibility of the information on the other side and its strength should be such that in normal use it does not easily tear or crease.

The paper shall be white for all copies. However, on the copies used for Community transit ►**M19** (1, 4 and 5) ◀, boxes 1 (first and third subdivisions), 2, 3, 4, 5, 6, 8, 15, 17, 18, 19, 21, 25, 27, 31, 32, 33 (first subdivision on the left), 35, 38, 40, 44, 50, 51, 52, 53, 55 and 56 shall have a green background.

The forms shall be printed in green ink.

2. The boxes are based on a unit of measurement of one tenth of an inch horizontally and one sixth of an inch vertically. The subdivisions are based on a unit of measurement of one-tenth of an inch horizontally.
3. A colour marking of the different copies shall be effected in the following manner:
 - (a) on forms conforming to the specimens shown in Annexes 31 and 33:
 - copies 1, 2, 3 and 5 shall have at the right hand edge a continuous margin, coloured respectively red, green, yellow and blue,
 - copies 4, 6, 7 and 8 shall have at the right hand edge a broken margin coloured respectively blue, red, green and yellow;
 - (b) on forms conforming to the specimens shown in Annexes 32 and 34, copies 1/6, 2/7, 3/8 and 4/5 shall have at the right hand edge a continuous margin and to the right of this a broken margin coloured respectively red, green, yellow and blue.

The width of these margins shall be approximately 3 mm. The broken margin shall comprise a series of squares with a side measurement of 3 mm each one separated by 3 mm.

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4. The copies on which the particulars contained in the forms shown in Annexes 31 and 33 must appear by a self-copying process are shown in Annex 35.

The copies on which the particulars contained in the forms shown in Annexes 32 and 34 must appear by a self-copying process are shown in Annex 36.

5. The forms shall measure 210 × 297 mm with a maximum tolerance as to length of 5 mm less and 8 mm more.

6. The customs administrations of the Member States may require that the forms show the name and address of the printer or a mark enabling the printer to be identified. They may also make the printing of the forms conditional on prior technical approval.

Section 3

Particulars required according to the customs procedure concerned*Article 216*

1. The maximum list of boxes to be used for declarations of entry for a particular customs procedure using the Single Administrative Document is contained in Annex 37.

2. Annex 37 also contains the minimum list of boxes to be used of declarations of entry for a particular customs procedure.

Article 217

The particulars required when one of the forms referred to in Article 205 (2) is used depend on the form in question. They shall be supplemented where appropriate by the provisions relating to the customs procedure in question.

Section 4

Documents to accompany the customs declaration*Article 218*

1. The following documents shall accompany the customs declaration for release for free circulation:

- (a) the invoice on the basis of which the customs value of the goods is declared, as required under Article 181;
- (b) where it is required under Article 178, the declaration of particulars for the assessment of the customs value of the goods declared, drawn up in accordance with the conditions laid down in the said Article;
- (c) the documents required for the application of preferential tariff arrangements or other measures derogating from the legal rules applicable to the goods declared;
- (d) all other documents required for the application of the provisions governing the release for free circulation of the goods declared.

2. The customs authorities may require transport documents or documents relating to the previous customs procedure, as appropriate, to be produced when the declaration is lodged.

Where a single item is presented in two or more packages, they may also require the production of a packing list or equivalent document indicating the contents of each package.

▼M7

3. Where goods qualify for the flat rate of duty referred to in Section II (D) of the preliminary provisions of the combined nomenclature or where goods qualify for relief from import duties, the documents referred to in paragraph 1 (a), (b) and (c) need not be required unless the customs authorities consider it necessary for the

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purposes of applying the provisions governing the release of the goods in question for free circulation.

▼ **B***Article 219*

1. The transit declaration shall be accompanied by the transport document. The office of departure may dispense with the presentation of this document at the time of completion of the formalities. However, the transport document shall be presented at the request of the customs office or any other competent authority in the course of transport.

2. Without prejudice to any applicable simplification measures, the customs document of export/dispatch or re-exportation of the goods from the customs territory of the Community or any document of equivalent effect shall be presented to the office of departure with the transit declaration to which it relates.

3. The customs authorities may, where appropriate, require production of the document relating to the preceding customs procedure.

▼ **M10***Article 220*

1. Without prejudice to specific provisions, the documents to accompany the declaration of entry for a customs procedure with economic impact, shall be as follows:

(a) for the customs warehousing procedure:

- type D; the documents laid down in Article 218 (1) (a) and (b),
- other than type D; no documents;

(b) for the inward-processing procedure:

- drawback system; the documents laid down in Article 218 (1),
- suspension system; the documents laid down in Article 218 (1) (a) and (b),

and, where appropriate, the written authorization for the customs procedure in question or a copy of the application for authorization where ► **M20** Article 508(1) ◀ applies;

(c) for processing under customs control the documents laid down in Article 218 (1) (a) and (b), and, where appropriate, the written authorization for the customs procedure in question ► **M20** or a copy of the application for authorisation where Article 508(1) applies ◀;

(d) for the temporary importation procedure:

- with partial relief from import duties; the documents laid down in Article 218 (1),
- with total relief from import duties; the documents laid down in Article 218 (1) (a) and (b),

and, where appropriate, the written authorization for the customs procedure in question ► **M20** or a copy of the application for authorisation where Article 508(1) applies ◀;

(e) for the outward-processing procedures, the documents laid down in Article 221 (1) and, where appropriate, the written authorization of the procedure or a copy of the application for authorization where ► **M20** Article 508(1) ◀ applies.

2. Article 218 (2) shall apply to declarations of entry for any customs procedure with economic impact.

3. The customs authorities may allow the written authorization of the procedure or a copy of the application for authorization to be kept at their disposal instead of accompanying the declaration.

▼B*Article 221*

1. The export or re-export declaration shall be accompanied by all documents necessary for the correct application of export duties and of the provisions governing the export of the goods in question.
2. Article 218 (2) shall apply to export or re-export declarations.

▼M1*CHAPTER 2**Customs declarations made using a data-processing technique**Article 222*

1. Where the customs declaration is made by a data-processing technique, the particulars of the written declaration referred to in Annex 37 shall be replaced by sending to the customs office designated for that purpose, with a view to their processing by computer, data in codified form or data made out in any other form specified by the customs authorities and corresponding to the particulars required for written declarations.
2. A customs declaration made by EDI shall be considered to have been lodged when the EDI message is received by the customs authorities.

Acceptance of a customs declaration made by EDI shall be communicated to the declarant by means of a response message containing at least the identification details of the message received and/or the registration number of the customs declaration and the date of acceptance.

3. Where the customs declaration is made by EDI, the customs authorities shall lay down the rules for implementing the provisions laid down in Article 247.
4. Where the customs declaration is made by EDI, the release of the goods shall be notified to the declarant, indicating at least the identification details of the declaration and the date of release.
5. Where the particulars of the customs declaration are introduced into customs data-processing systems, paragraphs 2, 3 and 4 shall apply *mutatis mutandis*.

Article 223

Where a paper copy of the customs declaration is required for the completion of other formalities, this shall, at the request of the declarant, be produced and authenticated, either by the customs office concerned, or in accordance with the second subparagraph of Article 199 (2).

Article 224

Under the conditions and in the manner which they shall determine, the customs authorities may authorize the documents required for the entry of goods for a customs procedure to be made out and transmitted by electronic means.

▼B*CHAPTER 3**Customs declarations made orally or by any other act*

Section 1

Oral declarations*Article 225*

Customs declarations may be made orally for the release for free circulation of the following goods:

- (a) goods of a non-commercial nature:
 - contained in travellers' personal luggage, or
 - sent to private individuals, or
 - in other cases of negligible importance, where this is authorized by the customs authorities;
- (b) goods of a commercial nature provided:
 - the total value per consignment and per declarant does not exceed the statistical threshold laid down in the Community provisions in force, and
 - the consignment is not part of a regular series of similar consignments, and
 - the goods are not being carried by an independent carrier as part of a larger freight movement;
- (c) the goods referred to in Article 229, where these qualify for relief as returned goods;
- (d) the goods referred to in Article 230 (b) and (c).

Article 226

Customs declarations may be made orally for the export of:

- (a) goods of a non-commercial nature:
 - contained in travellers' personal luggage, or
 - sent by private individuals;
- (b) the goods referred to in Article 225 (b);
- (c) the goods referred to in Article 231 (b) and (c);
- (d) other goods in cases of negligible economic importance, where this is authorized by the customs authorities.

Article 227

1. The customs authorities may provide that Articles 225 and 226 shall not apply where the person clearing the goods is acting on behalf of another person in his capacity as customs agent.

2. Where the customs authorities are not satisfied that the particulars declared are accurate or that they are complete, they may require a written declaration.

Article 228

Where goods declared to customs orally in accordance with Articles 225 and 226 are subject to import or export duty the customs authorities shall issue a receipt to the person concerned against payment of the duty owing.

▼M10

The receipt shall include at least the following information:

- (a) a description of the goods which is sufficiently precise to enable them to be identified; this may include the tariff heading;
- (b) the invoice value and/or quantity of the goods, as appropriate;
- (c) a breakdown of the charges collected;

▼M10

- (d) the date on which it was made out;
- (e) the name of the authority which issued it.

The Member States shall inform the Commission of any standard receipts introduced pursuant to this Article. The Commission shall forward any such information to the other Member States.

▼B*Article 229*

1. Customs declarations may be made orally for the temporary importation of the following goods, in accordance with the conditions laid down in ►**M20** Article 497(3), second subparagraph ◀:

- (a) ►**M20** — animals for transhumance or grazing or for the performance of work or transport and other goods satisfying the conditions laid down in ►**C9** Article 567, second subparagraph, point (a) ◀,
 - packings referred to in Article 571(a), bearing the permanent, indelible markings of a person established outside the customs territory of the Community, ◀
 - radio and television production and broadcasting equipment and vehicles specially adapted for use for the above purpose and their equipment imported by public or private organizations established (SIC! established) outside the customs territory of the Community and approved by the customs authorities issuing the authorization for the procedure to import such equipment and vehicles,
 - instruments and apparatus necessary for doctors to provide assistance for patients awaiting an organ transplant pursuant to ►**M20** Article 569 ◀;
- (b) the goods referred to in Article 232;
- (c) other goods, where this is authorized by the customs authorities.

2. The goods referred to in paragraph 1 may also be the subject of an oral declaration for re-exportation discharging a temporary importation procedure.

Section 2

Customs declarations made by any other act*Article 230*

The following, where not expressly declared to customs, shall be considered to have been declared for release for free circulation by the act referred to in Article 233:

- (a) goods of a non-commercial nature contained in travellers' personal luggage entitled to relief either under Chapter I, Title XI of Council Regulation (EEC) No 918/83 ⁽¹⁾, or as returned goods;
- (b) goods entitled to relief under Chapter I, Titles IX and X of Council Regulation (EEC) No 918/83;
- (c) means of transport entitled to relief as returned goods;
- (d) goods imported in the context of traffic of negligible importance and exempted from the requirement to be conveyed to a customs office in accordance with Article 38 (4) of the Code, provided they are not subject to import duty.

⁽¹⁾ OJ No L 105, 23.4.1983, p. 1.

▼B*Article 231*

The following, where not expressly declared to customs, shall be considered to have been declared for export by the act referred to in Article 233 (b):

- (a) goods of a non-commercial nature not liable for export duty contained in travellers' personal luggage;
- (b) means of transport registered in the customs territory of the Community and intended to be re-imported;
- (c) goods referred to in Chapter II of Council Regulation (EEC) No 918/83;
- (d) other goods in cases of negligible economic importance, where this is authorized by the customs authorities.

*Article 232***▼M20**

1. The following, where not declared to customs in writing or orally, shall be considered to have been declared for temporary importation by the act referred to in Article 233, subject to Article 579:

- (a) personal effects and goods for sports purposes imported by travellers in accordance with Article 563;
- (b) the means of transport referred to in Articles 556 to 561;
- (c) welfare materials for seafarers used on a vessel engaged in international maritime traffic pursuant to Article 564(a).

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2. Where they are not declared to customs in writing or orally, the goods referred to in paragraph 1 shall be considered to have been declared for re-exportation discharging the temporary importation procedure by the act referred to in Article 233.

Article 233

►M6 1. ◀ For the purposes of Articles 230 to 232, the act which is considered to be a customs declaration may take the following forms:

- (a) in the case of goods conveyed to a customs office or to any other place designated or approved in accordance with Article 38 (1) (a) of the Code:
 - going through the green or 'nothing to declare' channel in customs offices where the two-channel system is in operation,
 - going through a customs office which does not operate the two-channel system without spontaneously making a customs declaration;
 - affixing a 'nothing to declare' sticker or customs declaration disc to the windscreen of passenger vehicles where this possibility is provided for in national provisions;
- (b) in the case of exemption from the obligation to convey goods to customs in accordance with the provisions implementing Article 38 (4) of the Code, in the case of export in accordance with Article 231 and in the case of re-exportation in accordance with Article 232 (2):
 - the sole act of crossing the frontier of the customs territory of the Community.

▼M6

2. Where goods covered by point (a) of Article 230, point (a) of Article 231, point (a) of Article 232 (1) or Article 232 (2) contained in a passenger's baggage are carried by rail unaccompanied by the passenger and are declared to customs without the passenger being present in person, the document referred to in Annex 38a may be used within the terms and limitations set out in it.

▼B*Article 234*

1. Where the conditions of Articles 230 to 232 are fulfilled, the goods shall be considered to have been presented to customs within the meaning of Article 63 of the Code, the declaration to have been accepted and release to have been granted, at the time when the act referred to in Article 233 is carried out.

2. Where a check reveals that the act referred to in Article 233 has been carried out but the goods imported or taken out do not fulfil the conditions in Articles 230 to 232, the goods concerned shall be considered to have been imported or exported unlawfully.

Section 3

Provisions common to Sections 1 and 2*Articles 235*

The provisions of Articles 225 to 232 shall not apply to goods in respect of which the payment of refunds or other amounts or the repayment of duties is sought, or which are subject to a prohibition or restriction or to any other special formality.

Article 236

For the purposes of Sections 1 and 2, 'traveller' means:

A. on import:

1. any person temporarily entering the customs territory of the Community, not normally resident there, and
2. any person returning to the customs territory of the Community where he is normally resident, after having been temporarily in a third country;

B. on export:

1. any person temporarily leaving the customs territory of the Community where he is normally resident, and
2. any person leaving the customs territory of the Community after a temporary stay, not normally resident there.

Section 4

Postal traffic*Article 237*

1. The following postal consignments shall be considered to have been declared to customs:

A. for release for free circulation:

- (a) at the time when they are introduced into the customs territory of the Community:
 - postcards and letters containing personal messages only,
 - braille letters,
 - printed matter not liable for import duties, and
 - all other consignments sent by letter or parcel post which are exempt from the obligation to be conveyed to customs in accordance with provisions pursuant to Article 38 (4) of the Code;
- (b) at the time when they are presented to customs:
 - consignments sent by letter or parcel post other than those referred to at (a), provided they are accompanied by a ►M18 CN22 ◀ and/or ►M18 CN23 ◀ declaration;

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B. for export:

- (a) at the time when they are accepted by the postal authorities, in the case of consignments by letter and parcel post which are not liable to export duties;
 - (b) at the time of their presentation to customs, in the case of consignments sent by letter or parcel post which are liable to export duties, provided they are accompanied by a ►M18 CN22 ◀ and/or a ►M18 CN23 ◀ declaration.
2. The consignee, in the cases referred to in paragraph 1A, and the consignor, in the cases referred to in paragraph 1B, shall be considered to be the declarant and, where applicable, the debtor. The customs authorities may provide that the postal administration shall be considered as the declarant and, where applicable, as the debtor.
3. For the purposes of paragraph 1, goods not liable to duty shall be considered to have been presented to customs within the meaning of Article 63 of the Code, the customs declaration to have been accepted and release granted:
- (a) in the case of imports, when the goods are delivered to the consignee;
 - (b) in the case of exports, when the goods are accepted by the postal authorities.
4. Where a consignment sent by letter or parcel post which is not exempt from the obligation to be conveyed to customs in accordance with provisions pursuant to Article 38 (4) of the Code is presented without a ►M18 CN22 ◀ and/or ►M18 CN23 ◀ declaration or where such declaration is incomplete, the customs authorities shall determine the form in which the customs declaration is to be made or supplemented.

Article 238

Article 237 shall not apply:

- to consignments containing goods for commercial purposes of an aggregate value exceeding the statistical threshold laid down by the Community provisions in force; the customs authorities may lay down higher thresholds,
- to consignments containing goods for commercial purposes which form part of a regular series of like operations,
- where a customs declaration is made in writing, orally or using a data-processing technique,
- to consignments containing the goods referred to in Article 235.

TITLE VIII

**EXAMINATION OF THE GOODS, FINDINGS OF THE
CUSTOMS OFFICE AND OTHER MEASURES TAKEN BY
THE CUSTOMS OFFICE**

Article 239

1. The goods shall be examined in the places designated and during the hours appointed for that purpose by the customs authorities.
2. However, the customs authorities may, at the request of the declarant, authorize the examination of goods in places or during hours other than those referred to in paragraph 1.

Any costs involved shall be borne by the declarant.

Article 240

1. Where the customs authorities elect to examine goods they shall so inform the declarant or his representative.
2. Where they decide to examine a part of the goods only, the customs authorities shall inform the declarant or his representative

▼B

which items they wish to examine. The customs authorities' choice shall be final.

Article 241

1. The declarant or the person designated by him to be present at the examination of the goods shall render the customs authorities the assistance required to facilitate their work. Should the customs authorities consider the assistance rendered unsatisfactory, they may require the declarant to designate another person able to give the necessary assistance.

2. Where the declarant refuses to be present at the examination of the goods or to designate a person able to give the assistance which the customs authorities consider necessary, the said authorities shall set a deadline for compliance, unless they consider that such an examination may be dispensed with.

If, on expiry of the deadline, the declarant has not complied with the requirements of the customs authorities, the latter, for the purpose of applying Article 75 (a) of the Code, shall proceed with the examination of the goods, at the declarant's risk and expense, calling if necessary on the services of an expert or any other person designated in accordance with the provisions in force.

3. The findings made by the customs authorities during the examination carried out under the conditions referred to in the preceding paragraph shall have the same validity as if the examination had been carried out in the presence of the declarant.

4. Instead of the measures laid down in paragraphs 2 and 3, the customs authorities shall have the option of deeming a declaration invalid where it is clear that the declarant's refusal to be present at the examination of the goods or to designate a person able to give the necessary assistance neither prevents, nor seeks to prevent, those authorities from finding that the rules governing the entry of the goods for the customs procedure concerned have been breached, and neither evades, nor seeks to evade, the provisions of Article 66 (1) or Article 80 (2) of the Code.

Article 242

1. Where the customs authorities decide to take samples, they shall so inform the declarant or his representative.

2. Samples shall be taken by the customs authorities themselves. However, they may ask that this be done under their supervision by the declarant or a person designated by him.

Samples shall be taken in accordance with the methods laid down in the provisions in force.

3. The quantities taken as samples should not exceed what is needed for analysis or more detailed examination, including possible check analysis.

Article 243

1. The declarant or the person designated by him to be present at the taking of samples shall render the customs authorities all the assistance needed to facilitate the operation.

▼M7

2. Where the declarant refuses to be present at the taking of samples or to designate a person to attend, or where he fails to render the customs authorities all the assistance needed to facilitate the operation, the provisions of the second sentence of Article 241 (1) and of Article 241 (2), (3) and (4) shall apply.

▼B*Article 244*

Where the customs authorities take samples for analysis or more detailed examination, they shall authorize the release of the goods in question without waiting for the results of the analysis or examination, unless there are other grounds for not doing so, and provided that, where a customs debt has been or is likely to be incurred, the duties in question have already been entered in the accounts and paid or secured.

Article 245

1. The quantities taken by the customs office as samples shall not be deducted from the quantity declared.
2. Where an export or outward processing declaration is concerned, the declarant shall be authorized, where circumstances permit, to replace the quantities of goods taken as samples by identical goods, in order to make up the consignment.

Article 246

1. Unless destroyed by the analysis or more detailed examination, the samples taken shall be returned to the declarant at his request and expense once they no longer need to be kept by the customs authorities, in particular after all the declarant's means of appeal against the decision taken by the customs authorities on the basis of the results of that analysis or more detailed examination have been exhausted.
2. Where the declarant does not ask for samples to be returned, they may either be destroyed or kept by the customs authorities. In specific cases, however, the customs authorities may require the declarant to remove any samples that remain.

Article 247

1. Where the customs authorities verify the declarations and accompanying documents or examine the goods, they shall indicate, at least in the copy of the declaration retained by the said authorities, or in a document attached thereto, the basis and results of any such verification or examination. In the case of partial examination of the goods, particulars of the consignment examined shall also be given.

Where appropriate, the customs authorities shall also indicate in the declaration that the declarant or his representative was absent.

2. Should the result of the verification of the declaration and accompanying documents or examination of the goods not be in accordance with the particulars given in the declaration, the customs authorities shall specify, at least in the copy of the declaration retained by the said authorities, or in a document attached thereto, the particulars to be taken into account for the purposes of the application of charges on the goods in question and, where appropriate, calculating any refunds or other amounts payable on exportation, and for applying the other provisions governing the customs procedure for which the goods are entered.
3. The findings of the customs authorities shall indicate, where appropriate, the means of identification adopted. They shall be dated and bear the particulars needed to identify the official issuing them.
4. Where the customs authorities neither verify the declaration nor examine the goods, they need not endorse the declaration or attached document referred to in paragraph 1.

Article 248

1. The granting of release shall give rise to the entry in the accounts of the import duties determined according to the particulars in the declaration. Where the customs authorities consider that the checks which they have undertaken ►C2 may enable an amount of import duties higher than that ◀ resulting from the particulars made in the

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declaration to be assessed, they shall further require the lodging of a security sufficient to cover the difference between the amount according to the particulars in the declaration and the amount which may finally be payable on the goods. However, the declarant may request the immediate entry in the accounts of the amount of duties to which the goods may ultimately be liable instead of lodging this security.

2. Where, on the basis of the checks which they have carried out, the customs authorities assess an amount of import duties different from the amount which results from the particulars in the declaration, the release of the goods shall give rise to the immediate entry in the accounts of the amount thus assessed.

3. Where the customs authorities have doubts about whether or not a prohibition or restriction applies and this cannot be resolved until the results of the checks the authorities have carried out are available, the goods in question cannot be released.

▼M12

4. Notwithstanding paragraph 1, the customs authorities may refrain from taking security in respect of goods which are the subject of a drawing request on a tariff quota if they determine, at the time when the declaration for release for free circulation is accepted, that the tariff quota in question is non-critical within the meaning of Article 308c.

▼B*Article 249*

1. The customs authorities shall determine the form of release, taking due account of the place in which the goods are located and of the special arrangements for their supervision.

2. Where the declaration is made in writing, a reference to the release and its date shall be made on the declaration or, where applicable, a document attached, and a copy shall be returned to the declarant.

Article 250

1. Where the customs authorities have been unable to grant release for one of the reasons specified in the second or third indent of Article 75 (a) of the Code, they shall give the declarant a time limit to regularize the situation of the goods.

2. Where, in the circumstances referred to in the second indent of Article 75 (a) of the Code, the declarant has not produced the requisite documents within the time limit referred to in paragraph 1, the declaration in question shall be deemed invalid and the customs office shall cancel it. The provisions of Article 66 (3) of the Code shall apply.

3. In the circumstances referred to in the third indent of Article 75 (a) of the Code, and without prejudice to any measures taken under the first subparagraph of Article 66 (1) or Article 182 of the Code, where the declarant has neither paid nor guaranteed the duties due within the time limit referred to in paragraph 1, the customs authorities may start the preliminary formalities for the sale of the goods. In this case the goods shall be sold unless the requisite conditions have been fulfilled in the interim, if necessary by forced sale where the law of the Member State of the authorities in question so permits. The customs authorities shall inform the declarant thereof.

The customs authorities may, at the risk and expense of the declarant, transfer the goods in question to special premises under their supervision.

▼B*Article 251*

By way of derogation from Article 66 (2) of the Code, a customs declaration may be invalidated after the goods have been released, as provided below:

1. where it is established that the goods have been declared in error for a customs procedure entailing the payment of import duties instead of being placed under another customs procedure, the customs authorities shall invalidate the declaration if a request to that effect is made within three months of the date of acceptance of the declaration provided that:
 - any use of the goods has not contravened the conditions of the customs procedure under which they should have been placed,
 - when the goods were declared, they were intended to be placed under another customs procedure, all the requirements of which they fulfilled, and
 - the goods are immediately entered for the customs procedure for which they were actually intended.

The declaration placing the goods under the latter customs procedure shall take effect from the date of acceptance of the invalidated declaration.

The customs authorities may permit the three-month period to be exceeded in duly substantiated exceptional cases;

▼M1

- 1a. Where it is established that the goods have been declared in error, instead of other goods, for a customs procedure entailing the obligation to pay import duties, the customs authorities shall invalidate the declaration if a request to that effect is made within three months of the date of acceptance of the declaration, provided that:
 - the goods originally declared:
 - (i) have not been used other than as authorized in their original status; and
 - (ii) have been restored to their original status;
 and that
 - the goods which ought to have been declared for the customs procedure originally intended:
 - (i) could, when the original declaration was lodged, have been presented to the same customs office; and
 - (ii) have been declared for the same customs procedure as that originally intended.

The customs authorities may allow the time limit referred to above to be exceeded in duly substantiated exceptional cases,

▼M12

- 1b. in the case of mail order goods which are returned, the customs authorities shall invalidate the declarations of release for free circulation if a request to that effect is made within three months of the date of acceptance of the declaration, provided that the goods have been exported to the original supplier's address or to another address indicated by the said supplier;

▼M20

- 1c. Where a retroactive authorisation is granted in accordance with:
 - Article 294 for release for free circulation with a favourable tariff treatment or at a reduced or zero rate of duty on account of the end-use of the goods, or
 - Article 508 for a customs procedure with economic impact.

▼B

2. where the goods have been declared for export or for the outward processing procedure, the declaration shall be invalidated provided that:

(a) in the case of goods which are subject to export duty, to an application for the repayment of import duty, to refunds or other export amounts or to other special measures on export:

— the declarant provides the customs office of export with evidence that the goods have not left the customs territory of the Community,

— the declarant returns to the said office all copies of the customs declaration, together with any other documents issued to him on acceptance of the declaration,

— the declarant provides the customs office of export with evidence that any refunds and other amounts granted on the strength of the export declaration for the goods in question have been repaid or that the necessary measures have been taken by the departments concerned to ensure that they are not paid, and

— the declarant, in accordance with the provisions in force, complies with any other obligations laid down by the customs office of export to regularize the position of the goods.

Invalidation of the declaration shall entail cancellation of any adjustments made on an export licence or advance-fixing certificate presented in support of the declaration.

Where the goods declared for export are required to leave the customs territory of the Community by a specified time limit, failure to comply with that time limit shall entail invalidation of the relevant declaration;

(b) in the case of other goods, the customs office of export has been informed in accordance with Article 796 that the goods declared have not left the customs territory of the Community.

3. In so far as the re-export of the goods entails the lodging of a declaration, (2) above shall apply *mutatis mutandis*.

4. Where Community goods have been placed under the customs warehousing procedure within the meaning of Article 98 (1) (b) of the Code, invalidation of the declaration of entry for that procedure may be requested and effected provided that the measures provided for in the relevant legislation in the event of failure to comply with the treatment or use prescribed have been taken.

If, on the expiry of the period laid down for the goods to remain under the customs warehousing procedure, no application has been made for their assignment to a treatment or use provided for in the relevant legislation, the customs authorities shall take the measures provided for in that legislation.

▼M1*Article 252*

Where the customs authorities sell Community goods in accordance with point (b) of Article 75 of the code, this shall be done in accordance with the procedures in force in the Member States.

▼B

TITLE IX
SIMPLIFIED PROCEDURES

▼M1

CHAPTER 1

General provisions

▼B

Article 253

1. The procedure for incomplete declarations shall allow the customs authorities to accept, in a duly justified case, a declaration which does not contain all the particulars required, or which is not accompanied by all documents necessary for the customs procedure in question.
2. The simplified declaration procedure shall enable goods to be entered for the customs procedure in question on presentation of a simplified declaration with subsequent presentation of a supplementary declaration which may be of a general, periodic or ►C3 recapitulative ◀ nature, as appropriate.
3. The local clearance procedure shall enable the entry of goods for the customs procedure in question to be carried out at the premises of the person concerned or at other places designated or approved by the customs authorities.

▼M1

Article 253a

Where a simplified procedure is applied using data-processing systems to produce customs declarations or using a data-processing technique, the provisions referred to in Articles 199 (2) and (3), 222, 223 and 224 shall apply *mutatis mutandis*.

▼B

CHAPTER 2

Declarations for release for free circulation

Section 1

Incomplete declarations

Article 254

Declarations for release for free circulation which the customs authorities may accept, at the declarant's request, without their containing certain of the particulars referred to in Annex 37 shall contain at least the particulars referred to in Box 1 (first and second subdivisions), 14, 21, 31, 37, 40 and 54 of the Single Administrative Document and:

- a description of the goods in terms that are sufficiently precise to enable the customs authorities to determine immediately and unambiguously the combined nomenclature heading or subheading concerned,
- where the goods are liable to ad valorem duties, their value for customs purposes, or, where it appears that the declarant is not in a position to declare this value, a provisional indication of value which is considered acceptable by the customs authorities, due account being taken in particular of the information available to the declarant,
- any further particulars considered necessary by the customs authorities in order to identify the goods, implement the provisions governing their release for free circulation and determine the amount of any security required before the goods may be released.

▼B*Article 255*

1. Declarations for release for free circulation which the customs authorities may accept at the declarant's request without their being accompanied by certain of the necessary supporting documents shall be accompanied at least by those documents which must be produced before the goods declared can be released for free circulation.

2. By way of derogation from paragraph 1, a declaration not accompanied by one or more of the documents required before the goods can be released for free circulation may be accepted once it is established to the satisfaction of the customs authorities that:

- (a) the document concerned exists and is valid;
- (b) it could not be annexed to the declaration for reasons beyond the declarant's control;
- (c) any delay in accepting the declaration would prevent the release of the goods for free circulation or make them liable to a higher rate of duty.

Data relating to missing documents shall in all cases be indicated in the declaration.

Article 256

1. The period allowed by the customs authorities to the declarant for the communication of particulars or production of documents missing at the time when the declaration was accepted may not exceed one month from the date of such acceptance.

▼M22

In the case of a document required for the application of a reduced or zero rate of import duty, where the customs authorities have good reason to believe that the goods covered by the incomplete declaration may qualify for such reduced or zero rate of duty, a period longer than that provided for in the first subparagraph may, at the declarant's request, be granted for the production of the document, if justified in the circumstances. That period may not exceed four months from the date of acceptance of the declaration. It cannot be extended.

▼B

Where the missing particulars to be communicated or documents to be supplied concern customs value, the customs authorities may, where this proves absolutely necessary, set a longer time limit or extend the period previously set. The total period allowed shall take account of the prescribed periods in force.

▼M12

2. Where a reduced or zero rate of import duty is applicable to goods released for free circulation within tariff quotas or, provided that the levying of normal import duties is not re-introduced, within tariff ceilings or other preferential tariff measures, the benefit of the tariff quota or preferential tariff measure shall only be granted after presentation to the customs authorities of the document on which the granting of the reduced or zero rate is conditional. The document must in any case be presented:

- before the tariff quota has been exhausted, or
- in other cases, before the date on which a Community measure re-introduces the levying of normal import duties.

▼B

3. Subject to paragraphs 1 and 2, the document on whose presentation the granting of the reduced or zero rate of import duty is conditional may be produced after the expiry date of the period for which the reduced or zero rate was set, provided the declaration in respect of the goods in question was accepted before that date.

Article 257

1. The customs authorities' acceptance of an incomplete declaration shall not prevent or delay the release of the goods thus declared, unless

▼B

other grounds exist for so doing. Without prejudice to the provisions of Article 248, release shall take place in accordance with the conditions laid down in paragraphs 2 to 5 below.

2. Where the late production of particulars or of a supporting document missing at the time when a declaration is accepted cannot affect the amount of duties to which the goods covered by the said declaration are liable, the customs authorities shall immediately enter in the accounts the sum payable, calculated in the usual manner.

3. Where, pursuant to Article 254, a declaration contains a provisional indication of value, the customs authorities shall:

- enter immediately in the accounts the amount of duties determined on the basis of this indication,
- require, if necessary, the lodging of a security adequate to cover the difference between that amount and the amount to which the goods may ultimately be liable.

4. Where, in circumstances other than those referred to in paragraph 3, the late production of particulars or of a supporting document missing at the time when a declaration is accepted may affect the amount of duties to which the goods covered by the said declaration are liable:

(a) if late production of any missing particulars or document may lead to the application of duty at a reduced rate, the customs authorities shall:

- immediately enter in the accounts the import duties payable at the reduced rate,
- require the lodging of a security covering the difference between that sum and the sum which would be payable were the import duties on the goods in question calculated at the normal rate;

(b) if the late production of any missing particulars or document may lead to admission of the goods with total relief from duties, the customs authorities shall require the lodging of a security covering the amount which would be payable were the duties charged at the normal rate.

5. Without prejudice to any subsequent changes which may arise, particularly as a result of the final determination of the customs value, the declarant shall have the option, instead of lodging a security, of requesting the immediate entry in the accounts:

- where the second indent of paragraph 3 or the second indent of paragraph 4 (a) applies, of the amount of duties to which the goods may ultimately be liable, or
- where paragraph 4 (b) applies, of the amount of duties calculated at the normal rate.

Article 258

If, at the expiry of the period referred to in Article 256, the declarant has not supplied the details necessary for the final determination of the customs value of the goods, or has failed to provide the missing particulars or documents, the customs authorities shall immediately enter in the accounts as duties to which the goods in question are subject the amount of the security provided in accordance with the provisions of the second indent of Article 257 (3), the second indent of Article 257 (4) (a) or Article 257 (4) (b).

Article 259

An incomplete declaration accepted under the conditions set out in Articles 254 to 257 may be either completed by the declarant or, by agreement with the customs authorities, replaced by another declaration which complies with the conditions laid down in Article 62 of the Code.

▼B

In both cases, the operative date for the fixing of any duties and the application of other provisions governing the release of goods for free circulation shall be the date of acceptance of the incomplete declaration.

Section 2

Simplified declaration procedure*Article 260*

1. The declarant shall, upon written request containing all the necessary information, be authorized in accordance with the conditions and in the manner laid down in Articles 261 and 262, to make the declaration for release for free circulation in a simplified form when goods are presented to customs.

2. Such simplified declaration may be in the form

- either of an incomplete declaration on a Single Administrative Document, or
- of an administrative or commercial document, accompanied by a request for release for free circulation.

It shall contain at least the particulars necessary for identification of the goods.

3. Where circumstances permit, the customs authorities may allow the request for release for free circulation referred to in the second indent of paragraph 2 to be replaced by a general request in respect of release operations to take place over a given period. A reference to the authorization granted in response to such general request shall be entered on the commercial or administrative document presented pursuant to paragraph 1.

4. The simplified declaration shall be accompanied by all documents the production of which may be required to secure the release of the goods for free circulation. Article 255 (2) shall apply.

5. This Article shall be without prejudice to Article 278.

Article 261

1. The authorization referred to in Article 260 shall be granted to the declarant on condition that it is possible to guarantee an effective check on compliance with import prohibitions or restrictions or other provisions governing release for free circulation.

2. Such authorization shall in principle be refused where the person who has made the request:

- has committed a serious infringement or repeated infringements of customs rules,
- declares goods for release for free circulation only occasionally.

It may be refused where the person in question is acting on behalf of another person who declares goods for release for free circulation only occasionally.

3. Without prejudice to Article 9 of the Code, the authorization may be revoked where the cases referred to in paragraph 2 arise.

Article 262

1. The authorization referred to in Article 260 shall:

- designate the customs office(s) competent to accept simplified declarations,
- specify the form and content of the simplified declarations,
- specify the goods to which it applies and the particulars which must appear on the simplified declaration for the purposes of identifying the goods,
- make reference to the security to be provided by the person concerned to cover any customs debt which may arise.

▼B

It shall also specify the form and content of the supplementary declarations, and shall set the time limits within which they must be lodged with the customs authority designated for this purpose.

2. The customs authorities may waive the presentation of the supplementary declaration where the simplified declaration concerns goods the value of which is below the statistical threshold laid down by the Community provisions in force and the simplified declaration already contains all the information needed for release for free circulation.

Section 3

Local clearance procedure*Article 263*

Authorization to use the local clearance procedure shall be granted in accordance with the conditions and in the manner laid down in Articles 264 to 266 to any person wishing to have goods released for free circulation at his premises or at the other places referred to in Article 253 and who submits to the customs authorities a written request to this end containing all the particulars necessary for the grant of the authorization:

- in respect of goods subject either to the Community or common transit procedure and for which the person referred to above is authorized to use the simplified procedures to be carried out at the office of destination in accordance with ►**M19** Articles 406, 407 and 408 ◀,
- in respect of goods previously placed under a customs procedure with economic impact, without prejudice to Article 278,
- in respect of goods which, after having been presented to customs pursuant to Article 40 of the Code, are consigned to those premises or places in accordance with a transit procedure other than that referred to in the first indent,
- in respect of goods which are brought into the customs territory of the Community with an exemption from the requirement that they be presented to customs, pursuant to Article 41 (b) of the Code.

Article 264

1. The authorization referred to in Article 263 shall be granted provided that:

- the applicant's records enable the customs authorities to carry out effective checks, in particular retrospective checks,
- it is possible to guarantee an effective check on compliance with ►**C2** import prohibitions ◀ or restrictions or any other provisions governing release for free circulation.

2. Authorization shall in principle be refused where the applicant:

- has committed a serious infringement or repeated infringements of customs rules,
- declares goods for release for free circulation only occasionally.

Article 265

1. Without prejudice to Article 9 of the Code, the customs authorities may refrain from revoking the authorization when:

- the holder fulfils his obligations within any time limit set by them, or
- the failure to fulfil an obligation is without any real consequence for the correct operation of the procedure.

2. An authorization shall in principle be revoked where the case referred to in the first indent of Article 264 (2) arises.

3. An authorization may be revoked where the case referred to in the second indent of Article 264 (2) arises.

▼B*Article 266***▼M4**

1. To enable the customs authorities to satisfy themselves as to the proper conduct of operations, the holder of the authorization referred to in Article 263 shall:

(a) in the cases referred to in the first and third indents of Article 263;

(i) where the goods are released for free circulation upon their arrival at the place designated for that purpose:

— duly notify the customs authorities of such arrival in the form and the manner specified by them, for the purpose of obtaining release of the goods, and

— enter the goods in his records;

(ii) where release for free circulation is preceded by temporary storage of the goods within the meaning of Article 50 of the Code at the same place, before expiry of the time-limit set under Article 49 of the Code:

— duly notify the customs authorities, in the form and the manner specified by them, of his desire to have the goods released for free circulation, for the purpose of obtaining release of the goods, and

— enter the goods in his records;

(b) in the cases referred to in the second indent of Article 263:

— duly notify the customs authorities, in the form and the manner specified by them, of his desire to have the goods released for free circulation, for the purpose of obtaining release of the goods, and

— enter the goods in his records.

The notification referred to in the first indent shall not be required where the goods to be released for free circulation have already been placed under the customs warehousing procedure in a type D warehouse;

(c) in the cases referred to in the fourth indent of Article 263, upon arrival of the goods at the place designated for that purpose:

— enter the goods in his records;

(d) make available to the customs authorities, from the time of the entry in the records referred to in points (a), (b) and (c), all documents, the production of which is required for the application of the provisions governing release for free circulation.

▼B

2. On condition that checks on the proper conduct of operations are not thereby affected, the customs authorities may:

▼M4

(a) permit the notification referred to in points (a) and (b) of paragraph 1 to be effected as soon as the arrival of the goods becomes imminent;

▼B

(b) in certain special circumstances, where the nature of the goods in question and the rapid turnover so warrant, exempt the holder of the authorization from the requirement to notify the competent customs office of each arrival of goods, provided that he supplies the said office with all the information it considers necessary to enable it to exercise its right to examine the goods should the need arise.

In this case, entry of the goods in the records of the person concerned shall be equivalent to release.

▼M4

3. The entry in the records referred to in points (a), (b) and (c) of paragraph 1 may be replaced by any other formality offering similar guarantees stipulated by the customs authorities. The entry shall indi-

▼ **M4**

cate the date on which it is made and the particulars necessary for identification of the goods.

▼ **B***Article 267*

The authorization referred to in Article 263 shall lay down the specific rules for the operation of the procedure and in particular shall stipulate:

- the goods to which it applies,
- the form of the obligations referred to in Article 266 and the reference to the guarantee to be provided by the person concerned,
- the time of release of the goods,
- the time limit within which the supplementary declaration must be lodged with the competent customs office designated for that purpose,
- the conditions under which goods are to be covered by general, periodic or recapitulative declarations, as appropriate.

*CHAPTER 3****Declarations for a customs procedure with economic impact***

Section 1

Entry for a customs procedure with economic impact

Subsection 1

Entry for the customs warehousing procedure**A. *Incomplete declarations****Article 268*

1. Declarations for the customs warehousing procedure which the customs office of entry may accept at the declarant's request without their containing some of the particulars referred to in Annex 37 shall contain at least the particulars necessary for identification of the goods to which the declaration relates, including their quantity.
2. Articles 255, 256 and 259 shall apply *mutatis mutandis*.
3. This Article shall not apply to declarations for the procedure for the Community agricultural products referred to in ► **M20** Article 524 ◀.

B. *Simplified declaration procedure**Article 269*

1. The declarant shall, upon request, be authorized, in accordance with the conditions and in the manner laid down in Article 270, to make the declaration of entry for the procedure in a simplified form when goods are presented to customs.

Such simplified declaration may be in the form:

- either of an incomplete declaration of the type referred to in Article 268, or
- of an administrative or commercial document, accompanied by a request for entry for the procedure;

It shall contain the particulars referred to in Article 268 (1).

2. Where this procedure is applied in a type D warehouse the simplified declaration shall also include the nature of the goods concerned, in sufficient detail to permit their immediate and unambiguous classification, and their customs value.

▼M1

3. The procedure referred to in paragraph 1 shall not apply to Type F warehouses nor to the entry for the procedure of the Community agricultural products referred to in ►**M20** Article 524 ◀ in any type of warehouse.

4. The procedure referred to in the second indent of paragraph 1 shall apply to Type B warehouses except that it shall not be possible to use a commercial document. Where the administrative document does not contain all the particulars shown in Annex 37 Title I (B) (2) (f) (aa), these should be supplied on the accompanying application.

▼B*Article 270*

1. The application referred to in Article 269 (1) shall be made in writing and contain all the particulars necessary for the grant of the authorization.

Where circumstances permit, the application referred to in Article 269 (1) may be replaced by a general request in respect of operations to take place over a given period.

In this case the application shall be made under the conditions laid down in ►**M20** Articles 497, 498 and 499 ◀ and shall be submitted with the application to operate the customs warehouse or as a modification to the initial authorization, to the customs authority which issued the authorization for the procedure.

2. The authorization referred to in Article 269 (1) shall be granted to the person concerned provided that the proper conduct of operations is not thereby affected.

3. Such authorization shall in principle be refused where:

- the guarantees necessary for the proper conduct of operations are not given,
- the person concerned enters goods for the procedure only occasionally,
- the person concerned has committed a serious infringement or repeated infringements of customs rules.

4. Without prejudice to Article 9 of the Code, the authorization may be revoked where the cases referred to in paragraph 3 arise.

Article 271

The authorization referred to in Article 269 (1) shall lay down the specific rules for the operation of the procedure, including:

- the office(s) of entry for the procedure,
- the form and content of the simplified declarations.

A supplementary declaration need not be provided.

C. Local clearance procedure*Article 272*

1. Authorization to use the local clearance procedure shall be granted according to the conditions and in the manner laid down in paragraph 2 and Articles 273 and 274.

▼M6

2. The local clearance procedure shall not apply to type B and F warehouses nor to the entry of the Community agricultural products referred to in ►**M20** Article 524 ◀ for the procedure in any type of warehouse.

3. Article 270 shall apply *mutatis mutandis*.

▼B*Article 273*

1. In order to allow the customs authorities to ensure the proper conduct of operations, the holder of by the authorization shall, upon arrival of the goods at the place designated for that purpose:

- (a) duly notify such arrival to the supervising office in the form and manner specified by it;
- (b) to make entries in the stock records;
- (c) keep at the disposal of the supervising office all documents concerning the entry of the goods for the procedure.

The entry in the stock records referred to in (b) shall contain at least some of the particulars used to identify the goods commercially, including their quantity.

2. Article 266 (2) shall apply.

Article 274

The authorization referred to in Article 272 (1) shall lay down the specific rules for the operation of the procedure and shall specify in particular:

- the goods to which it applies,
- the form of the obligations referred to in Article 273,
- the time of release of the goods.

A supplementary declaration need not be required.

Subsection 2

Entry for the inward processing, processing under customs control or temporary importation procedures*A. Incomplete declarations**Article 275***▼M1**

1. Declarations of entry for a customs procedure with economic impact other than outward processing or customs warehousing which the customs office of entry for the procedure may accept at the declarant's request without their containing some of the particulars referred to in Annex 37 or without their being accompanied by certain documents referred to in Article 220 must contain at least the particulars referred to in Boxes 14, 21, 31, 37, 40 and 54 of the single administrative document and, in Box 44, a reference to the authorization, or a reference to the application where ► **M20** Article 508(1) ◀ applies.

▼B

- 2. Articles 255, 256 and 259 shall apply *mutatis mutandis*.
- 3. In cases of entry for the inward processing procedure, drawback system, Articles 257 and 258 shall also apply *mutatis mutandis*.

*B. Simplified declaration and local clearance procedures**Article 276*

The provisions of Articles 260 to 267 and of Article 270 shall apply *mutatis mutandis* to goods declared for the customs procedures with economic impact covered by this subsection.

▼B

Subsection 3

Goods declared for the outward processing procedure*Article 277*

The provisions of Articles 279 to 289 applying to goods declared for export shall apply *mutatis mutandis* to goods declared for export under the outward processing procedure.

▼M20

Subsection 4

Common provisions*Article 277a*

Where two or more authorisations concerning customs procedures with economic impact are granted to the same person, and one procedure is discharged by the entry for another procedure using the local clearance procedure, a supplementary declaration need not be required.

▼B

Section 2

Discharge of a customs procedure with economic impact*Article 278*

1. In cases of discharge of a customs procedure with economic impact other than the outward processing and customs warehousing procedures, the simplified procedures for release for free circulation, export and re-exportation may be applied. In the case of re-exportation, the provisions of Articles 279 to 289 shall apply *mutatis mutandis*.

2. The simplified procedures referred to in Articles 254 to 267 may be applied to release of goods for free circulation under the outward processing procedure.

3. In cases of discharge of the customs warehousing procedure, the simplified procedures for release for free circulation, export or re-export may be applied.

However:

- (a) for goods entered for the procedure in a type F warehouse no simplified procedure may be authorized;
- (b) for goods entered for the procedure in a type B warehouse only incomplete declarations and the simplified declaration procedure shall apply;
- (c) issue of an authorization for a type D warehouse shall entail the automatic application of the local clearance procedure for release for free circulation.

However, in cases where the person concerned wishes to benefit from application of items of charge which cannot be checked without a physical examination of the goods, this procedure may not be applied. In this case, other procedures involving presentation of the goods to customs may be used;

▼M20

- (d) no simplified procedure shall apply for Community agricultural goods referred to in Article 524 entered for the customs warehousing procedure.

▼ **B***CHAPTER 4**Export declarations**Article 279*

The formalities to be carried out at the customs office of export as provided for in Article 792 may be simplified in accordance with the provisions of this Chapter.

The provisions of Articles 793 and 796 shall apply to this Chapter.

Section 1

Incomplete declarations*Article 280*

1. Export declarations which the customs office may accept, at the declarant's request, without their containing certain of the particulars referred to in Annex 37 shall contain at least the particulars referred to in boxes 1 (first subdivision), 2, 14, 17, 31, 33, 38, 44 and 54 of the Single Administrative Document and:

- where the goods are liable for export duties or subject to any other measures provided for under the common agricultural policy, all the information required for the proper application of such duties or measures,
- any further information considered necessary in order to identify the goods, apply the provisions governing their export or determine the amount of any security required before the goods may be exported.

2. The customs authorities may allow the declarant not to complete boxes 17 and 33 on condition he declares that export of the goods in question is not subject to prohibitions or restrictions and the customs authorities have no reason for doubt in this respect and that the description of the goods allows the combined nomenclature classification to be determined immediately and unambiguously.

3. Copy No 3 shall include one of the following endorsements in box 44:

- Exportación simplificada
- Forenklet udførsel
- Vereinfachte Ausfuhr
- Απλουστευμένη εξαγωγή
- Simplified exportation
- Exportation simplifiée
- Esportazione semplificata
- Vereenvoudigde uitvoer
- Exportação simplificada

▼ **A1**

- Yksinkertaistettu vienti — Förenklad export
- Förenklad export

▼ **A2**

- Zjednodušený vývoz
- Lihtsustatud väljavedu
- Vienkāršotā izvešana
- Supaprastintas eksportas
- Egyszerűsített kivitel
- Esportazzjoni simplifikata
- Wywóz uproszczony
- Poenostavljen izvoz
- Zjednodušený vývoz.

▼B

4. Articles 255 to 259 shall apply *mutatis mutandis* to export declarations.

Article 281

Where Article 789 applies, the supplementary or replacement declaration may be lodged at the customs office responsible for the place where the exporter is established. Where the sub-contractor is established in a Member State other than where the exporter is established, this possibility shall only apply on condition that agreements have been made between the administrations of the Member States concerned.

The incomplete declaration shall include the office where the supplementary declaration will be lodged. The customs office where the incomplete declaration is lodged shall send copy Nos 1 and 2 to the customs office where the supplementary declaration or replacement declaration is lodged.

Section 2

Simplified declaration procedure*Article 282*

1. On written request containing all the information required for the authorization to be granted, the declarant shall be authorized, under the conditions and in the manner laid down in Articles 261 and 262 applied *mutatis mutandis*, to make the export declaration in a simplified form when goods are presented to customs.

2. Without prejudice to Article 288, the simplified declaration shall take the form of the incomplete Single Administrative Document containing at least the particulars necessary for identification of the goods. Paragraphs 3 and 4 of Article 280 shall apply *mutatis mutandis*.

Section 3

Local clearance procedure*Article 283*

On written request, authorization to use the local clearance procedure shall be granted under the conditions and in the manner laid down in Article 284 to any person, hereinafter referred to as an 'approved exporter', wishing to carry out export procedures at his premises or at the other places designated or approved by the customs authorities.

Article 284

Articles 264 and 265 shall apply *mutatis mutandis*.

Article 285

1. To enable the customs authorities to satisfy themselves as to the proper conduct of operations, the approved exporter shall, before removal of the goods from the places referred to in Article 283:

- (a) duly notify the customs authorities of such removal in the form and manner specified by them for the purpose of obtaining release of the goods;
- (b) enter the said goods in his records. Such entry may be replaced by any other formality offering similar guarantees stipulated by the customs authorities. The entry shall indicate the date on which it is made and the particulars necessary for identification of the goods;
- (c) make available to the customs authorities any documents the presentation of which may be required for application of the provisions governing export of the goods.

2. In certain particular circumstances justified by the nature of the goods in question and the rapid turnover of export operations, the

▼B

customs authorities may exempt the approved exporter from the requirement to notify the competent customs office of each removal of goods, provided that he supplies the said office with all the information it considers necessary to enable it to exercise its right to examine the goods should the need arise.

In this case, entry of the goods in the records of the approved exporter shall be equivalent to release.

Article 286

1. To check that the goods have actually left the customs territory of the Community, Copy No 3 of the Single Administrative Document shall be used as evidence of exit.

The authorization shall stipulate that Copy No 3 of the Single Administrative Document be authenticated in advance.

2. Prior authentication may be effected in one of the following ways:

- (a) box A may be stamped in advance with the stamp of the competent customs office, and signed by an official from that office;
- (b) the approved exporter may stamp the declaration using a special stamp conforming to the model shown in Annex 62.

The imprint of this stamp may be preprinted on the forms where the printing is entrusted to a printer approved for that purpose.

3. Before the departure of the goods the approved exporter shall:

- carry out the procedures referred to in Article 285;
- indicate on Copy No 3 of the Single Administrative Document the reference to entry in his records and the date on which this was done.

4. Box 44 of Copy No 3, completed in accordance with paragraph 2, shall include:

- the number of the authorization and the name of the issuing customs office;
- one of the endorsements referred to in Article 280 (3).

Article 287

1. The authorization referred to in Article 283 shall lay down the specific rules for the operation of the procedure and in particular shall stipulate:

- the goods to which it applies,
- the form of the obligations referred to in Article 285,
- the time of release of the goods,
- the content of Copy No 3 and the means by which it is to be validated,
- the procedure for presenting the supplementary declaration and the time limit within which it must be lodged.

2. The authorization shall include an undertaking by the approved exporter to take all necessary measures to ensure the safekeeping of the special stamp or of the forms bearing the imprint of the stamp of the customs office of export or the imprint of the special stamp.

Section 4**Provisions common to Sections 2 and 3***Article 288*

1. Instead of the Single Administrative Document, Member States may allow a commercial or administrative document or any other medium to be used where the whole of an export operation is carried out on the territory of a single Member State, or whenever this possibi-

▼B

lity is provided for by means of agreements concluded between the administrations of the Member States concerned.

2. The document or medium referred to in paragraph 1 shall contain at least the particulars necessary for identification of the goods plus one of the endorsements referred to in Article 280 (3) and it shall be accompanied by a request for export.

Where circumstances so permit, the customs authorities may allow this request to be replaced by a global request covering export operations to be carried out over a given period. A reference to the authorization shall be made on the document or medium in question.

3. The commercial or administrative document shall be evidence of exit from the customs territory of the Community in the same way as Copy No 3 of the Single Administrative Document. Where other media are used, the arrangements for the exit endorsement shall be defined, where appropriate, in the agreement concluded between the administrations of the Member States concerned.

Article 289

Where the whole of an export operation takes place on the territory of a single Member State, that Member State may, in addition to the procedures referred to in Sections 2 and 3 and while ensuring compliance with Community policies, provide for other simplifications.

PART II

CUSTOMS-APPROVED TREATMENT OR USE

TITLE I

RELEASE FOR FREE CIRCULATION

*CHAPTER 1**General provisions**Article 290*

1. Where Community goods are exported under an ATA carnet in conformity with Article 797, those goods may be released for free circulation on the basis of the ATA carnet.

2. In this case, the office where the goods are released for free circulation shall carry out the following formalities:

- (a) verify the information given in boxes A to G of the reimportation voucher;
- (b) complete the counterfoil and box H of the reimportation sheet;
- (c) retain the reimportation voucher.

3. Where the formalities discharging a temporary export operation in respect of Community goods are carried out a customs office other than the office where the goods enter the customs territory of the Community, conveyance of the goods from that office to the office where the said formalities are carried out shall require no formality.

▼M11*Article 290a*

Examination of bananas falling within CN code 0803 00 19 for the purposes of checking the net mass on importation shall involve a minimum of 10 % of declarations per year and per customs office.

Examination of bananas shall be carried out at the time of release for free circulation, in accordance with the rules laid down in Annex 38b.

▼ **M18***CHAPTER 2**End-use**Article 291*

1. This chapter applies where it is provided that goods released for free circulation with a favourable tariff treatment or at a reduced or zero rate of duty on account of their end-use are subject to end-use customs supervision.
2. For the purposes of this chapter:
 - (a) 'single authorisation' means: an authorisation involving different customs administrations;
 - (b) 'accounts' means: the holder's commercial, tax or other accounting material, or such data held on their behalf;
 - (c) 'records' means: the data containing all the necessary information and technical details on whatever medium, enabling the customs authorities to supervise and control operations.

Article 292

1. The granting of a favourable tariff treatment in accordance with Article 21 of the Code shall, where it is provided that goods are subject to end-use customs supervisions, be subject to a written authorisation.

Where goods are released for free circulation at a reduced or zero rate of duty on account of their end-use and the provisions in force require that the goods remain under customs supervision in accordance with Article 82 of the Code, a written authorisation for the purposes of end-use customs supervisions shall be necessary.

2. Applications shall be made in writing using the model set out in Annex 67. The customs authorities may permit renewal or modification to be applied for by simple written request.
3. In particular circumstances the customs authorities may allow the declaration for free circulation in writing or by means of a data-processing technique using the normal procedure to constitute an application for authorisation, provided that:

▼ **C6**

- the application only involves one customs administration,

▼ **M18**

- the applicant wholly assigns the goods to the prescribed end-use, and
- the proper conduct of operations is safeguarded.

4. Where the customs authorities consider any of the information given in the application inadequate, they may require additional details from the applicant.

In particular, in cases where an application may be made by making a customs declaration, the customs authorities shall require, without prejudice to Article 218, that the application be accompanied by a document made out by the declarant containing at least the following information, unless such information is deemed unnecessary or is entered on the customs declaration:

- (a) name and address of the applicant, the declarant and the operator;
- (b) nature of the end-use;
- (c) technical description of the goods, products resulting from their end-use and means of identifying them;
- (d) estimated rate of yield or method by which that rate is to be determined;
- (e) estimated period for assigning the goods to their end-use;
- (f) the place where the goods are put to the end-use.

▼ M18

5. Where a single authorisation is applied for, the prior agreement of the authorities shall be necessary according to the following procedure.

The application shall be submitted to the customs authorities designated for the place

— where the applicant's main accounts are kept facilitating audit-based controls, and where at least part of the operations to be covered by the authorisation are carried out; or

▼ M24

— otherwise, where the applicant's main accounts are held facilitating audit-based controls of the arrangements.

▼ M18

These customs authorities shall communicate the application and the draft authorisation to the other customs authorities concerned, which shall acknowledge the date of receipt within 15 days.

The other customs authorities concerned shall notify any objections within 30 days of the date on which the draft authorisation was received. Where objections are notified within the above period and no agreement is reached, the application shall be rejected to the extent to which objections were raised.

The customs authorities may issue the authorisation if they have received no objections to the draft authorisation within the 30 days.

The customs authorities issuing the authorisation shall send a copy to all customs authorities concerned.

6. Where the criteria and conditions for the granting of a single authorisation are generally agreed on between two or more customs administrations, the said administrations may also agree to replace prior consultation by simple notification. Such notification shall always be sufficient where a single authorisation is renewed or revoked.

▼ M21

7. The applicant shall be informed of the decision to issue an authorisation, or of the reasons why the application was rejected, within thirty days of the date on which the application was lodged or of the date on which any outstanding or additional information requested was received by the customs authorities.

That period shall not apply in the case of a single authorisation unless it is issued under paragraph 6.

▼ M18*Article 293*

1. An authorisation using the model set out in Annex 67 shall be granted to persons established in the customs territory of the Community, provided that the following conditions are met:

- (a) the activities envisaged are consistent with the prescribed end-use and with the provisions for the transfer of goods in accordance with Article 296 and the proper conduct of operations is ensured;
- (b) the applicant offers every guarantee necessary for the proper conduct of operations to be carried out and will undertake the obligations:
 - to whole or partly assign the goods to the prescribed end-use or to transfer them and to provide evidence of their assignment or transfer in accordance with the provisions in force,
 - not to take actions incompatible with the intended purpose of the prescribed end-use,
 - to notify all factors which may affect the authorisation to the competent customs authorities;
- (c) efficient customs supervision is ensured and the administrative arrangements to be taken by the customs authorities are not disproportionate to the economic needs involved;
- (d) adequate records are kept and retained;

▼ M18

(e) security is provided where the customs authorities consider this necessary.

2. For an application under Article 292(3), the authorisation shall be granted to persons established in the customs territory of the Community by acceptance of the customs declaration, under the other conditions set out in paragraph 1.

3. The authorisation shall include the following items, unless such information is deemed unnecessary:

- (a) identification of the authorisation holder;
- (b) where necessary Combined Nomenclature or TARIC code, type and description of the goods and of the end-use operations and provisions concerning rates of yield;

▼ M21

(c) means and methods of identification and of customs supervision, including arrangements for:

- common storage, for which Article 534(2) and (3) shall apply *mutatis mutandis*,
- mixed storage of products subject to end-use supervision falling within Chapters 27 and 29 of the Combined Nomenclature or of such products with crude petroleum oils falling within CN code 2709 00;

▼ M18

(d) the period within which the goods have to be assigned to the prescribed end-use;

(e) the customs offices where the goods are declared for free circulation and the offices to supervise the arrangements;

(f) the places where the goods have to be assigned to the prescribed end-use;

(g) the security to be provided, where appropriate;

(h) the period of validity of the authorisation;

(i) where applicable, the possibility of transfer of the goods in accordance with Article 296(1);

(j) where applicable, the simplified arrangements for the transfer of goods under Article 296(2), second subparagraph, and (3);

(k) where applicable, simplified procedures authorised in accordance with Article 76 of the Code;

(l) methods of communication.

▼ M21

Where the goods referred to in the second indent of point (c) of the first subparagraph do not share the same eight-digit CN code, the same commercial quality and the same technical and physical characteristics, mixed storage may be allowed only where the whole mixture is to undergo one of the treatments referred to in Additional Notes 4 and 5 to Chapter 27 of the Combined Nomenclature.

▼ M18

4. Without prejudice to Article 294 the authorisation shall take effect on the date of issue or at any later date given in the authorisation.

▼ M21

The period of validity shall not exceed three years from the date on which the authorisation takes effect, except where there are duly substantiated good reasons.

▼ M18*Article 294*

1. The customs authorities may issue a retroactive authorisation.

Without prejudice to paragraphs 2 and 3, a retroactive authorisation shall take effect on the date the application was submitted.

▼ **M18**

2. If an application concerns renewal of an authorisation for the same kind of operation and goods, an authorisation may be granted with retroactive effect from the date the original authorisation expired.
3. In exceptional circumstances, the retroactive effect of an authorisation may be extended further, but not more than one year before the date the application was submitted, provided a proven economic need exists and:
 - (a) the application is not related to attempted deception or to obvious negligence;
 - (b) the applicant's accounts confirm that all the requirements of the arrangements can be regarded as having been met and, where appropriate, in order to avoid substitution the goods can be identified for the period involved, and such accounts allow the arrangements to be verified;
 - (c) all the formalities necessary to regularise the situation of the goods can be carried out, including, where necessary, the invalidation of the declaration.

Article 295

The expiry of an authorisation shall not affect goods which were in free circulation by virtue of that authorisation before it expired.

Article 296

1. The transfer of goods between different places designated in the same authorisation may be undertaken without any customs formalities.
2. Where a transfer of goods is carried out between two authorisation holders established in different Member States and the customs authorities concerned have not agreed simplified procedures in accordance with paragraph 3, the T5 control copy provided for in Annex 63 shall be used in accordance with the following procedure:
 - (a) the transferor shall complete the T5 control copy in triplicate (one original and two copies); ► **M21** ————— ◀
 - (b) the T5 control copy shall include:
 - in box A ('Office of departure'), the address of the competent customs office specified in the transferor's authorisation,
 - in box 2, the name or trading name, full address and authorisation number of the transferor,
 - in box 8, the name or trading name, full address and authorisation number of the transferee,
 - in the box 'Important note' and in box B the text shall be crossed out,
 - in boxes 31 and 33, respectively, the description of the goods as at the ► **C6** time of transfer ◀, including the number of items, and the relevant CN code,
 - in box 38, the net mass of the goods,
 - in box 103, the net quantity of the goods in words
 - in box 104, a tick in the box 'Other (specify)', and in block capitals one of the following:
 - DESTINO ESPECIAL: MERCANCIAS RESPECTO DE LAS CUALES, LAS OBLIGACIONES SE CEDEN AL CESIONARIO (REGLAMENTO (CEE) N° 2454/93, ARTÍCULO 296)
 - SÆRLIGT ANVENDELSESFORMÅL: VARER, FOR HVILKE FORPLIGTELSENE OVERDRAGES TIL ERHVERVEREN (FORORDNING (EØF) Nr. 2454/93, ARTIKEL 296)
 - BESONDERE VERWENDUNG: WAREN MIT DENEN DIE PFLICHTEN AUF DEN ÜBERNEHMER ÜBERTRAGEN WERDEN (ARTIKEL 296 DER VERORDNUNG (EWG) Nr. 2454/93)

▼ **M18**

- ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ: ΕΜΠΟΡΕΓΜΑΤΑ ΓΙΑ ΤΑ ΟΠΟΙΑ ΟΙ ΥΠΟΧΡΕΩΣΕΙΣ ΕΚΧΩΡΟΥΝΤΑΙ ΣΤΟΝ ΕΚΔΟΧΕΑ (ΑΡΘΡΟ 296 ΚΑΝΟΝΙΣΜΟΣ (ΕΟΚ) αριθ. 2454/93)
- END-USE: GOODS FOR WHICH THE OBLIGATIONS ARE TRANSFERRED TO THE TRANSFEREE (REGULATION (EEC) No 2454/93, ARTICLE 296)
- DESTINATION PARTICULIÈRE: MARCHANDISES POUR LESQUELLES LES OBLIGATIONS SONT TRANSFÉRÉES AU CESSIONNAIRE [RÈGLEMENT (CEE) N° 2454/93, ARTICLE 296]
- DESTINAZIONE PARTICOLARE: MERCI PER LE QUALI GLI OBBLIGHI SONO TRASFERITI AL CESSIONARIO (REGOLAMENTO (CEE) N. 2454/93, ARTICOLO 296)
- BIJZONDERE BESTEMMING: GOEDEREN WAARVOOR DE VERPLICHTINGEN AAN DE OVERNEMER WORDEN OVERGEDRAGEN (VERORDENING (EEG) Nr. 2454/93, ARTIKEL 296)
- DESTINO ESPECIAL: MERCADORIAS RELATIVAMENTE ÀS QUAIS AS OBRIGAÇÕES SÃO TRANSFERIDAS PARA O CESSIONÁRIO [REGULAMENTO (CEE) N° 2454/93, ARTIGO 296°]
- TIETTY KÄYTTÖTARKOITUS: TAVARAT, JOIHIN LIITTYVÄT VELVOITTEET SIIRRETÄÄN SIIRRON-SAAJALLE (ASETUS (ETY) N:o 2454/93, 296 ARTIKLA)
- ANVÄNDNING FÖR SÄRSKILDA ÄNDAMÅL: VAROR FÖR VILKA SKYLDIGHETERNA ÖVERFÖRS TILL DEN MOTTAGANDE PARTEN (ARTIKEL 296 I FÖRORDNING (EEG) nr 2454/93)

▼ **A2**

- KONEČNÉ POUŽITÍ: ZBOŽÍ, U KTERÉHO PŘECHÁZĚJÍ POVINNOSTI NA PŘÍJEMCE (ČLÁNEK 296 NAŘÍZENÍ (EHS) č. 2454/93)
- EESMÄRGIPÄRANE KASUTAMINE: KAUP, MILLE KORRAL KOHUSTUSED LÄHEVAD ÜLE KAUBA SAAJALE (MÄÄRUSE ((EMÜ) NR 2454/93 ARTIKKEL 296)
- IZMANTOŠANAS MĒRĶIS: PREČU SAŅĒMĒJS PAR PREČU IZMANTOŠANU (REGULA (EEK) NR.2454/93, 296.PANTS)
- GALUTINIS VARTOJIMAS: PREKĖS, SU KURIOMIS SUSIJUSIOS PRIEVOLĖS PERDUOTOS JŲ PERĖMĖJUI (REGLAMENTAS (EEB) NR. 2454/93, 296 STRAIPSNIS)
- MEGHATÁROZOTT CÉLRA TÖRTÉNŐ FELHASZNÁLÁS: AZ ÁRUKKAL KAPCSOLATOS KÖTELEZETTSÉGEK AZ ÁRUK ÁTVEVŐJÉRE SZÁLLTAK ÁT (A 2454/93/EGK RENDELET 296.CIKKE)
- UŽU AĥĥARI: OĖGETTI LI GhALIHOM L-OBBLIGI HUMA TRASFERITI LIL MIN ISIR IT-TRASFERIMENT (REGOLAMENT (KEE) 2454/93, ARTIKOLU 296)
- PRZEZNACZENIE SZCZEGÓLNE: TOWARY, W ODNIESIENIU DO KTÓRYCH ZOBOWIĄZANIA SĄ PRZENOSZONE NA OSOBE PRZEJMUJĄCĄ (ROZPORZĄDZENIE (EWG) NR 2454/93, ART. 296)
- POSEBEN NAMEN: BLAGO, ZA KATERO SE OBVEZNOSTI PRENESEJO NA PREJEMNIKA (UREDBA (EGS) ŠT. 2454/93, ČLEN 296)
- KONEČNÉ POUŽITIE: TOVAR, S KTORÝM PRECHÁDZAJÚ POVINNOSTI NA PŘÍJEMCU (NARIADENIE (EHS) Č. 2454/93, ČLÁNOK 296)

▼ M18

— in box 106:

▼ M21

— the taxation elements of the goods, save where that requirement is waived by the customs authorities,

▼ M18

— the registered number and date of the declaration for release for free circulation and the name and address of the customs office where the declaration was made;

- (c) the transferor shall send the complete set of T5 control copies to the transferee;
- (d) the transferee shall attach the original of the commercial document showing the date of receipt of the goods to the set of T5 control copies and submit all documents to the customs office determined in his authorisation. He shall also immediately notify this customs office of any excess, shortfall, substitution or other irregularity;
- (e) the customs office specified in the transferee's authorisation shall fill in box J, including the date of receipt by the transferee, in the original T5 after having verified the corresponding commercial documents and date and stamp the original in box J and the two copies in box E. The customs office shall retain the second copy in its records and return the original and the first copy to the transferee;
- (f) the transferee shall retain the first T5 copy in his records and forward the original to the transferor;
- (g) the transferor shall retain the original in his records.

The customs authorities concerned may agree simplified procedures in accordance with the provisions for the use of the T5 control copy.

3. Where the customs authorities concerned consider that the proper conduct of operations is safeguarded, they may agree a transfer of goods between two authorisation holders established in two different Member States to be made without using the T5 control copy.

4. Where a transfer is carried out between two authorisation holders established in the same Member States, this shall be done in accordance with national rules.

5. With the receipt of the goods the transferee shall become the holder of obligations under this chapter in respect of the transferred goods.

6. The transferor shall be discharged from his obligations where the following conditions are fulfilled:

- the transferee has received the goods and was informed that the goods for which the obligations are transferred, are subject to end-use customs supervision;
- customs control has been taken over by the transferee's customs authority; unless otherwise provided by the customs authorities, this shall be when the transferee has entered the goods in his records.

Article 297

1. In the case of the transfer of materials for the maintenance or repair of aircraft either under the terms of exchange agreements or for airlines' own needs, by airlines engaged in international traffic, an air waybill or equivalent document may be used instead of the T5 control copy.

2. The air waybill or equivalent document shall contain at least the following particulars:

- (a) the name of the consignor airline;
- (b) the name of the airport of departure;
- (c) the name of the receiving airline;
- (d) the name of the airport of destination;

▼ M18

- (e) the description of the materials;
- (f) the number of articles.

The particulars referred to in the first subparagraph may be given in coded form or by reference to an attached document.

3. The air waybill or equivalent document must bear on its face one of the following indications in block capitals:

- DESTINO ESPECIAL
- SÆRLIGT ANVENDELSESFORMÅL
- BESONDERE VERWENDUNG
- ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ
- END-USE
- DESTINATION PARTICULIÈRE
- DESTINAZIONE PARTICOLARE
- BIJZONDERE BESTEMMING
- DESTINO ESPECIAL
- TIETTY KÄYTTÖTARKOITUS
- ANVÄNDNING FÖR SÄRSKILDA ÄNDAMÅL

▼ A2

- KONEČNÉ POUŽITÍ
- EESMÄRGIPÄRANE KASUTAMINE
- IZMANTOŠANAS MĒRĶIS
- GALUTINIS VARTOJIMAS
- MEGHATÁROZOTT CÉLRA TÖRTÉNŐ FELHASZNÁLÁS
- UŽU AĥĥARI
- PRZEZNACZENIE SZCZEGÓLNE
- POSEBEN NAMEN
- KONEČNÉ POUŽITIE

▼ M18

4. The consigning airline shall retain a copy of the air waybill 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 competent customs office.

The receiving airline shall retain a copy of the air waybill or equivalent document as part of its records and shall, in the manner prescribed by the customs authorities of the Member State of destination, make a further copy available to the competent customs office.

5. The intact materials and the copies of the air waybill or equivalent document shall be delivered to the receiving airline in the places specified by the customs authorities in the airline's Member State residence. The receiving airline shall enter the materials in its records.

6. The obligations arising under paragraphs 1 to 5 shall pass from the consigning airline to the receiving airline at the time when the intact materials and copies of the air waybill or equivalent document are delivered to the latter.

Article 298

1. The customs authorities may, subject to conditions they shall lay down, approve the exportation of the goods or destruction of the goods.

2. Where agricultural products are exported, box 44 of the Single Administrative Document or any other document used shall bear one of the following indications in block capitals:

- ARTÍCULO 298, REGLAMENTO (CEE) N° 2454/93, DESTINO ESPECIAL: MERCANCIAS DESTINADAS A LA EXPORTACIÓN — NO SE APLICAN RESTITUCIONES AGRÍCOLAS
- ART. 298 I FORORDNING (EØF) Nr. 2454/93 SÆRLIGT ANVENDELSESFORMÅL: VARER BESTEMT TIL UDFØRSEL — INGEN RESTITUTION

▼ **M18**

- ARTIKEL 298 DER VERORDNUNG (EWG) Nr. 2454/93
BESONDERE VERWENDUNG: ZUR AUSFUHR VORGESEHENE WAREN — ANWENDUNG DER LANDWIRTSCHAFTLICHEN AUSFUHRERSTATTUNGEN AUSGESCHLOSSEN
- ΑΡΘΡΟ 298 ΤΟΥ ΚΑΝ. (CEE) αριθ. 2454/93 ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ: ΕΜΠΟΡΕΥΜΑΤΑ ΠΡΟΟΡΙΖΟΜΕΝΑ ΓΙΑ ΕΞΑΓΩΓΗ — ΑΠΟΚΛΕΙΟΝΤΑΙ ΟΙ ΓΕΩΡΓΙΚΕΣ ΕΠΙΣΤΡΟΦΕΣ
- ARTICLE 298 REGULATION (EEC) No 2454/93 END-USE: GOODS DESTINED FOR EXPORTATION — AGRICULTURAL REFUNDS NOT APPLICABLE
- ARTICLE 298, RÈGLEMENT (CEE) N° 2454/93 DESTINATION PARTICULIÈRE: MARCHANDISES PRÉVUES POUR L'EXPORTATION — APPLICATION DES RESTITUTIONS AGRICOLES EXCLUE
- ARTICOLO 298 (CEE) N° 2454/93 DESTINAZIONE PARTICOLARE: MERCI PREVISTE PER L'ESPORTAZIONE — APPLICAZIONE DELLE RESTITUZIONI AGRICOLE ESCLUSA
- ARTIKEL 298, VERORDENING (EEG) Nr. 2454/93 BIJZONDERE BESTEMMING: VOOR UITVOER BESTEMDE GOEDEREN — LANDBOUWRESTITUTIES NIET VAN TOEPASSING
- ARTIGO 298° REG. (CEE) N° 2454/93 DESTINO ESPECIAL: MERCADORIAS DESTINADAS À EXPORTAÇÃO — APLICAÇÃO DE RESTITUIÇÕES AGRÍCOLAS EXCLUÍDA
- 298 ART., AS. 2454/93 TIETTY KÄYTTÖTARKOITUS: VIETÄVIKSI TARKOITETTUJA TAVAROITA — MAATALOUSTUKEA EI SOVELLETA
- ARTIKEL 298 I FÖRORDNING (EEG) nr 2454/93 AVSEENDE ANVÄNDNING FÖR SÄRSKILDA ÄNDAMÅL: VAROR AVSEDDA FÖR EXPORT — JORDBRUKSBIDRAG EJ TILLÄMPLIGA

▼ **A2**

- ČLÁNEK 298 NAŘÍZENÍ (EHS) č. 2454/93 KONEČNÉ POUŽITÍ: ZBOŽÍ URČENO K VÝVOZU — ZEMĚDĚLSKÉ NÁHRADY NELZE UPLATNIT
- MÄÄRUSE (EMÜ) NR 2454/93 ARTIKKEL 298 “EESMÄRGI-PÄRANE KASUTAMINE”: KAUBALE, MIS LÄHEB EKSPORDIKS, PÖLLUMAJANDUSTOETUSI EI RAKENDATA
- REGULAS (EEK) NR. 2454/93, 298.PANTS: IZMANTOŠANAS MĒRĶIS: PRECES PAREDZĒTAS IZVEŠANAI — LAUKSAIMNIECĪBAS KOMPENSĀCIJU NEPIEMĒRO
- REGLAMENTAS (EEB) NR. 2454/93, 298 STRAIPSNIS, GALUTINIS VARTOJIMAS: EKSPORTUOJAMOS PREKĖS — ŽEMĖS ŪKIO GRAŽINAMOSIOS IŠMOKOS NETAIKOMOS
- MEGHATÁROZOTT CÉLRA TÖRTÉNŐ FELHASZNÁLÁS A 2454/93/EGK RENDELET 298.CIKKE SZERINT: KIVITELI RENDELTETÉSŰ ÁRUK — MEZŐGAZDASÁGI VISSZATÉRÍTÉS NEM ALKALMAZHATÓ
- ARTIKOLU 298 REGOLAMENTO (KEE) 2454/93 UŽU AĤĤARI: OĖĖETTI DESTINATI ĖĤALL-ESPORTAZZJONI RIFUŽJONIJIET AGRIKOLI MHUX APPLIKABBLI
- ARTYKUŁ 298 ROZPORZĄDZENIA (EWG) NR 2454/93 PRZEZNACZENIE SZCZEGÓLNE: TOWARY PRZEZNACZONE DO WYWOZU — NIE STOSUJE SIĘ DOPLAT ROLNYCH
- ČLEN 298 UREDBE (EGS) ŠT. 2454/93 POSEBEN NAMEN: BLAGO DEKLARIRANO ZA IZVOZ — UPORABA KMETIJSKIH IZVOZNIH NADOMESTIL IZKLUČENA
- ČLÁNOK 298 NARIADENIA (EHS) Č. 2454/93 KONEČNÉ POUŽITIE: TOVAR URČENÝ NA VÝVOZ — POĤNOHOSPODÁRSKE NÁHRADY NEMOŽNO UPLATNIŤ

▼ **M18**

3. Where goods are exported, they shall be considered as non-Community goods from the time of acceptance of the export declaration.
4. In the case of destruction Article 182(5) of the Code shall apply.

Article 299

Where the customs authorities agree that the use of the goods otherwise than as provided for in the authorisation is justified, such use, other than export or destruction, shall entail the incurrence of a customs debt. Article 208 of the Code shall apply *mutatis mutandis*.

Article 300

1. The goods referred to in Article 291(1) shall remain under customs supervision and liable to import duties until the are:
 - (a) first assigned to the prescribed end-use;
 - (b) exported, destroyed or used otherwise in accordance with Articles 298 and 299.

However, where the goods are suitable for repeated use and the customs authorities consider it appropriate in order to avoid abuse, customs supervision shall continue for a period not exceeding two years after the date of first assignment.

2. Waste and scrap which result from the working or processing of goods and losses due to natural wastage shall be considered as goods having been assigned to the prescribed end-use.
3. For waste and scrap which result from the destruction of goods, customs supervision shall end when they have been assigned a permitted customs-approved treatment or use.

▼ **M12***CHAPTER 3**Management of tariff measures*

Section 1

Management of tariff quotas designed to be used following the chronological order of dates of customs declarations*Article 308a*

1. Save as otherwise provided, where tariff quotas are opened by a Community provision, those tariff quotas shall be managed in accordance with the chronological order of dates of acceptance of declarations for release for free circulation.
2. Where a declaration for release for free circulation incorporating a valid request by the declarant to benefit from a tariff quota is accepted, the Member State concerned shall draw from the tariff quota, through the Commission, a quantity corresponding to its needs.
3. Member States shall not present any request for drawing until the conditions laid down in Article 256 (2) and (3) are satisfied
4. Subject to paragraph 8, allocations shall be granted by the Commission on the basis of the date of acceptance of the relevant declaration for release for free circulation, and to the extent that the balance of the relevant tariff quota so permits. Priority shall be established in accordance with the chronological order of these dates.
5. The Member States shall communicate to the Commission all valid requests for drawing without delay. Those communications shall include the date referred to in paragraph 4, and the exact amount applied for on the relevant customs declaration.

▼ **M12**

6. For the purposes of paragraphs 4 and 5, the Commission shall fix order numbers where none are provided by the Community provision opening the tariff quota.
7. If the quantities requested for drawing from a tariff quota are greater than the balance available, allocation shall be made on a pro rata basis with respect to the requested quantities.
8. For the purposes of this Article, acceptance of a declaration by the customs authorities on 1, 2 or 3 January shall be regarded as acceptance on 3 January. However, if one of those days falls on a Saturday or a Sunday, such acceptance shall be regarded as having taken place on 4 January.
9. Where a new tariff quota is opened, drawings shall not be granted by the Commission before the 11th working day following the date of publication of the provision which created that tariff quota.
10. Member States shall immediately return to the Commission the amount of drawings which they do not use. However, where an erroneous drawing representing a customs debt of ECU 10 or less is discovered after the first month following the end of the period of validity of the tariff quota concerned, Member States need not make a return.
11. If the customs authorities invalidate a declaration for release for free circulation in respect of goods which are the subject of a request for benefit of a tariff quota, the complete request shall be cancelled in respect of those goods. The Member States concerned shall immediately return to the Commission any quantity drawn, in respect of those goods, from the tariff quota.
12. Details of drawings requested by individual Member States shall be treated by the Commission and other Member States as confidential.

Article 308b

1. The Commission shall make an allocation each working day, except:
- days which are holidays for the Community institutions in Brussels, or
 - in exceptional circumstances, any other day, provided that the competent authorities of the Member States have been informed in advance.
2. Subject to Article 308a (8), any allocation shall take into account all unanswered requests which relate to declarations for release for free circulation accepted up to and including the second previous day, and which have been communicated to the Commission.

▼ **M22***Article 308c*

1. A tariff quota shall be considered as critical as soon as 75 % of the initial volume has been used, or at the discretion of the competent authorities.
2. By way of derogation from paragraph 1, a tariff quota shall be considered from the date of its opening as critical in any of the following cases:
- (a) it is opened for less than three months;
 - (b) tariff quotas having the same product coverage and origin and an equivalent quota period as the tariff quota in question (equivalent tariff quotas) have not been opened in the previous two years;
 - (c) an equivalent tariff quota opened in the previous two years had been exhausted on or before the last day of the third month of its quota period or had a higher initial volume than the tariff quota in question.
3. A tariff quota whose sole purpose is the application, under the rules of the WTO, of either a safeguard measure or a retaliatory

▼ M22

measure shall be considered as critical as soon as 75 % of the initial volume has been used irrespective of whether or not equivalent tariff quotas were opened in the previous two years.

▼ M12

Section 2

▼ M24**Surveillance of goods**▼ M12*Article 308d*▼ M24

1. Where Community surveillance is to be made, the Member States shall provide surveillance reports to the Commission at least once each month containing details of the quantities of products put into free circulation or exported. As regards imports, and at the Commission's request, Member States shall confine this data to imports with the benefit preferential tariff arrangements.

2. The surveillance reports of the Member States shall indicate the total quantities put into free circulation or exported, as the case may be since the first day of the period concerned.

▼ M12

3. The Member States shall transmit their monthly surveillance reports to the Commission no later than the 15th day of the month following the end of the period being reported on.

4. The information communicated by individual Member States shall be treated as confidential.

▼ B

TITLE II

▼ M19**CUSTOMS STATUS OF GOODS AND TRANSIT**▼ B

CHAPTER 3

▼ M13*Customs status of goods*▼ M7

Section 1

General provisions▼ M13*Article 313*

1. Subject to Article 180 of the Code and the exceptions listed in paragraph 2 of this Article, all goods in the customs territory of the Community shall be deemed to be Community goods, unless it is established that they do not have Community status.

2. The following shall not be deemed to be Community goods unless it is established in accordance with Articles 314 to 323 that they do have Community status:

▼ M19

(a) goods brought into the customs territory of the Community in accordance with Article 37 of the Code.

Nevertheless in accordance with Article 38(5) of the Code, goods brought into the customs territory of the Community shall be

▼ M19

deemed to be Community goods unless it is established that they do not have Community status:

- where, if carried by air, the goods have been loaded or transhipped at an airport in the Community customs territory, for consignment to another airport in the Community customs territory, provided that they are carried under cover of a single transport document drawn up in a Member State, or
- where, if carried by sea, the goods have been shipped between ports in the Community customs territory by a regular shipping service authorised in accordance with Articles 313a and 313b;

▼ M20

- (b) goods in temporary storage or in a free zone of control type I within the meaning of Article 799 or in a free warehouse;
- (c) goods placed under a suspensive procedure or in a free zone of control type II within the meaning of Article 799.

▼ M19**▼ M13***Article 313a***▼ M20**

1. A regular shipping service means a regular service which carries goods in vessels that ply only between ports situated in the customs territory of the Community and may not come from, go to or call at any points outside this territory or in a free zone of control type I in the meaning of Article 799 of a port in this territory.

▼ M13

2. The customs authorities may require proof that the provisions on authorized shipping services have been observed.

Where the customs authorities establish that the provisions on authorized shipping services have not been observed, they shall immediately inform all the customs authorities concerned.

*Article 313b***▼ M19**

1. Where a shipping company defining its service, makes an application, the customs authorities of a Member State in whose territory that company is established may, with the agreement of the other Member States concerned, authorise the establishment of a regular shipping service.
2. The application shall contain the following details:
 - (a) the ports concerned,
 - (b) the names of the vessels assigned to the regular service, and
 - (c) any further information required by the customs authorities, in particular the shipping service's timetable.

▼ M13

3. Authorisation shall be granted only to shipping companies which:

▼ M19

- (a) are established in the Community and whose records will be available to the competent customs authorities;
- (b) have not committed any serious or repeated offences in connection with the operation of a regular shipping service;

▼ M13

- (c) are able to satisfy the customs authorities that they operate a regular shipping service as defined in Article 313a(1); and

▼ **M13**

(d) undertake that:

▼ **M20**

— on the routes for which authorisation is requested, no calls will be made at any port in a third country or at any free zone of control type I in the meaning of Article 799 in a port in the customs territory of the Community, and that no transshipments will be made on the high seas, and that,

▼ **M13**

— the authorisation certificate will be carried on board the vessel and presented on request to the competent customs authorities.

4. When they receive an application for authorisation, the customs authorities of the Member State to whom the application has been made (the authorising authorities) shall notify the customs authorities of the other Member States in whose territories the intended ports of call of the regular shipping service are situated (the corresponding authorities).

The corresponding authorities shall acknowledge receipt of the application.

Within 60 days of receipt of such notification, the corresponding authorities shall signify their agreement or refusal. Where a Member State refuses an application, it shall state the reasons. Where no reply is received, the authorising authority shall issue an authorisation which shall be accepted by the other Member States concerned.

The authorising authorities shall issue an authorisation certificate, in one or more copies as required and conforming to the model set out in Annex 42 A, and shall inform the corresponding authorities of the other Member States concerned. Each authorisation certificate shall bear a serial number by which it can be identified. All copies of each certificate shall bear the same number.

5. Once a regular shipping service has been authorised, the shipping company concerned shall be required to use it. The shipping company shall communicate any withdrawal or change in the characteristics of the authorised service to the authorising authorities.

6. Where an authorisation is withdrawn, or a regular shipping service ceases operations, the authorising authorities shall notify the corresponding authorities of the Member States concerned. The authorising authorities shall also notify the corresponding authorities of any changes to a regular shipping service ► **M19** ————— ◀. ► **M19** If the details required in paragraph 2(a) change, the procedure provided for in paragraph 4 shall apply. ◀

▼ **M20**

7. When a vessel of the type referred to in Article 313a(1) is forced by circumstances beyond its control to tranship at sea or temporarily put into a third-country port or a free zone of control type I in the meaning of Article 799 of a port in the customs territory of the Community, the shipping company shall immediately inform the customs authorities of the subsequent ports of call along the vessel's scheduled route.

▼ **M13**

Article 314

1. Where goods are not deemed to be Community goods within the meaning of Article 313, their Community status may not be established ► **M19** in accordance with Article 314c(1) ◀ unless:

- (a) they have been brought from another Member State without crossing the territory of a third country on the way; or
- (b) they have been brought from another Member State through the territory of a third country, and carried under cover of a single transport document issued in a Member State; or
- (c) they have been transhipped in a third country on a means of transport other than that onto which they were initially loaded and a new transport document has been issued, provided that the new

▼ **M13**

document is accompanied by a copy of the original document covering carriage from the Member State of departure to the Member State of destination. In line with the requirements of administrative cooperation between Member States, the customs authorities at the customs office of destination shall carry out post-clearance checks to determine the accuracy of the information entered in the copy of the original transport document.

▼ **M19**▼ **M13**

3. The documents or rules referred to ► **M19** in Article 314c(1) ◀ shall not be used in respect of goods for which the export formalities have been completed or which have been placed under the inward processing procedure (drawback system).

▼ **M19***Article 314a*

The customs administrations of the Member States shall assist one another in checking the authenticity and accuracy of the documents and verifying that the procedures used in accordance with the provisions of this Title to prove the Community status of goods have been correctly applied.

Section 2

Proof of Community status*Article 314b*

For the purposes of this Section, ‘competent office’ means the customs authorities responsible for certifying the Community status of goods.

Article 314c

1. Without prejudice to goods placed under the internal Community transit procedure, proof that the goods have Community status may be established solely by one of the following means:

- (a) by one of the documents provided for in Articles 315 to 317b;
- (b) in accordance with the rules laid down in Articles 319 to 323;
- (c) by the accompanying document referred to in Commission Regulation (EEC) No 2719/92 ⁽¹⁾;
- (d) by the document provided for in Article 325;
- (e) by the label provided for in Article 462a(2);
- (f) by the document provided for in ► **M21** Article 812 ◀ certifying the Community status of the goods; or
- (g) by the T5 control copy described in Article 843.

2. Where the documents or rules referred to in paragraph 1 are used for Community goods with packaging not having Community status, the document certifying the Community status of the goods shall bear one of the following endorsements:

▼ **C7**

- envases N
- N-emballager
- N-Umschließungen
- Συσκευασία N
- N packaging
- emballages N

⁽¹⁾ OJ L 276, 19.9.1992, p. 1.

▼ C7

- imballaggi N
- N-verpakkingen
- embalagens N
- N-pakkaus
- N förpackning

▼ A2

- obal N
- N-pakendamine
- N iepakojumš
- N pakuotė
- N csomagolás
- ippakkjar N
- opakowania N
- N embalaža
- N - obal.

▼ M19

3. Subject to the conditions for issuing the documents being met, the documents referred to in Articles 315 to 323 may be issued retroactively. Where this is the case, they shall bear one of the following phrases in red:

▼ C7

- Expedido a posteriori,
- Udstedt efterfølgende,
- Nachträglich ausgestellt,
- Εκδοθέν εκ των υστέρων,
- Issued retroactively,
- Délivré a posteriori,
- Rilasciato a posteriori,
- Achteraf afgegeven,
- Emitido a posteriori,
- Annettu jälkikäteen,
- Utfärdat i efterhand,

▼ A2

- Vystaveno dodatečně,
- Vālja antud tagasiulatuvalt,
- Izsniegts retrospektīvi,
- Retrospektyvusis išdavimas,
- Kiadva visszamenőleges hatállyal,
- Mahruđ retrospectivament,
- Wystawione retrospektywnie,
- Izdano naknadno,
- Vydané dodatočne.

▼ M19

Subsection 1

T2L document*Article 315*

1. Proof of the Community status of goods shall be furnished by the production of a T2L document. That document shall be drawn up in accordance with paragraphs 3 to 5.

2. Proof of the Community status of goods consigned to or from a part of the customs territory of the Community, where Directive 77/388/EEC does not apply, shall be furnished by the production of a T2LF document.

▼M19

Paragraphs 3 to 5 of this Article and Articles 316 to 324f shall apply *mutatis mutandis* to the T2LF document.

3. The T2L document shall be made out on a form corresponding to Copy 4 or Copy 4/5 of the specimen in Annexes 31 and 32.

Where necessary, the said form may be supplemented by one or more continuation sheets corresponding to Copy 4 or Copy 4/5 of the specimen in Annexes 33 and 34.

Where Member States do not authorise the use of continuation sheets when a computerised system is used to produce declarations, the form shall be supplemented by one or more forms corresponding to Copy 4 or Copy 4/5 of the specimen in Annexes 31 and 32.

4. The person concerned shall enter 'T2L' in the right-hand subdivision of box 1 of the form and 'T2Lbis' in the right-hand subdivision of box 1 of any continuation sheets used.

5. Loading lists drawn up in accordance with the specimen in Annex 45 and made out in accordance with Annex 44a may be used instead of continuation sheets as the descriptive part of a T2L document.

Article 315a

The customs authorities may authorise any person fulfilling the conditions of Article 373 to use as loading lists lists which do not comply with all the requirements of Annexes 44a and 45.

Article 385(1), second subparagraph, (2) and (3) shall apply *mutatis mutandis*.

Article 316

1. Subject to the provisions of Article 324f, a T2L document shall be drawn up in a single original.

2. At the request of the person concerned, T2L documents and, where necessary, any continuation sheets or loading lists used, shall be endorsed by the competent office. Such endorsements shall comprise the following, which should, as far as possible, appear in box 'C. Office of departure':

- (a) in the case of T2L documents, the name and stamp of the competent office, the signature of an official of that office, the date of endorsement and either the registration number or the number of the dispatch declaration, where this is required;
- (b) in the case of continuation sheets or loading lists, the number appearing on the T2L document, which shall be entered by means of a stamp including the name of the competent office, or by hand; where it is entered by hand, it shall be accompanied by the official stamp of the said office.

The documents shall be returned to the person concerned.

Subsection 2

Commercial documents**▼B***Article 317***▼M13**

1. Proof of the Community status of goods shall be furnished, in accordance with the conditions set out below, by the production of the invoice or transport document relating to the goods.

▼M19

2. The invoice or transport document referred to in paragraph 1 shall include at least the full name and address of the consignor, or of the person concerned where this is not the consignor, the number and kind, marks and reference numbers of the packages, a description of

▼M19

the goods, the gross mass in kilograms and, where necessary, the container numbers.

The person concerned shall mark the said document clearly with the 'T2L' symbol, accompanied by his handwritten signature.

3. At the request of the person concerned, the invoice or transport document duly completed and signed by him shall be endorsed by the competent office. The endorsement shall include the name and stamp of the competent office, the signature of an official of that office, the date of endorsement and either the registration number or the number of the dispatch declaration where such a declaration is required.

4. If the total value of the Community goods covered by the invoice or transport document, completed and signed in accordance with paragraph 2 of this Article or Article 224, does not exceed EUR 10 000, the person concerned shall not be required to submit that document for endorsement by the competent office.

In that case, the invoice or transport document shall include, in addition to the information set out in paragraph 2, the particulars of the competent office.

▼B

5. This Article shall apply only where the invoice or transport document relates exclusively to Community goods.

▼M13*Article 317a*

1. Proof of the Community status of goods shall be furnished, in accordance with the conditions set out below, by the production of the shipping company's manifest relating to the goods.

2. The manifest shall include at least the following information:

- (a) the name and full address of the shipping company;
- (b) the name of the vessel;
- (c) the place and date of loading;
- (d) the place of unloading.

The manifest shall further include, for each consignment:

- (a) the reference for the bill of lading or other commercial document;
- (b) the number, description, marks and reference numbers of the packages;

▼M19

(c) the normal trade description of the goods including sufficient detail to permit their identification;

▼M13

- (d) the gross mass in kilograms;
- (e) the container identification numbers, where applicable; and

▼M19

- (f) the following entries for the status of the goods:
 - the letter 'C' (equivalent to 'T2L') for goods whose Community status can be demonstrated,
 - the letter 'F' (equivalent to 'T2LF') for goods whose Community status can be demonstrated, consigned to or originating in a part of the Community customs territory where the provisions of Directive 77/388/EEC do not apply,
 - the letter 'N' for all other goods.

3. At the request of the shipping company, the manifest it has duly completed and signed shall be endorsed by the competent office. The endorsement shall include the name and stamp of the competent office, the signature of an official at that office and the date of endorsement.

▼ **M19***Article 317b*

Where the simplified Community transit procedures provided for ► **M21** in Articles 445 and 448 ◀ are used, proof of Community status shall be provided by entering the letter 'C' (equivalent to 'T2L') alongside the relevant items on the manifest.

Subsection 3

Other proof specific to certain operations▼ **B***Article 319*

1. Where goods are transported under cover of a TIR carnet or an ATA carnet, the declarant may, with a view to proving the Community status of the goods ► **M19** ◀, clearly enter the symbol 'T2L' in the space reserved for the description of goods, together with his signature, on all the relevant vouchers of the carnet used before presenting it to the office of departure for authentication. On all the vouchers where it has been entered, the symbol 'T2L' shall be authenticated with the stamp of the office of departure accompanied by the signature of the competent official.

2. Where the TIR carnet or the ATA carnet covers both Community goods and non-Community goods, those two categories of goods shall be shown separately, and the symbol 'T2L' shall be entered in such a way that it clearly relates only to the Community goods.

Article 320

If it is necessary to establish the Community status of motorized road vehicles registered in a Member State, such vehicles shall be considered to have Community status:

(a) where they are accompanied by their registration plates and documents and the registration particulars shown on the said plates and documents unambiguously establish their Community status;

▼ **M19**

(b) in other cases, in accordance with Articles 315 to 319 and 321, 322 and 323.

▼ **B***Article 321*

If it is necessary to establish the Community status of goods wagons belonging to a railway company of a Member State, such wagons shall be considered to have Community status:

(a) where the code number and ownership mark (distinguishing letters) displayed on them unambiguously establish their Community status;

(b) in other cases, on presentation of one of the documents referred to in ► **M19** Articles 315 to 317b ◀.

Article 322

1. If it is necessary to establish the Community status of packaging used for the transport of goods in intra-Community trade which can be identified as belonging to a person established in a Member State; the packaging shall be considered to have Community status:

(a) where they are declared as Community goods and there is no doubt as to the veracity of the declaration;

(b) in other cases, in accordance with Articles 315 to 322.

2. The facility provided for in paragraph 1 shall be granted for receptacles, packings, pallets and other similar equipment, excluding containers ► **M20** ◀.

▼ **B***Article 323*

If it is necessary to establish the Community status of goods in passenger-accompanied baggage the goods, provided that they are not intended for commercial use, shall be considered to have Community status:

- (a) where they are declared as Community goods and there is no doubt as to the truthfulness of the declaration;
- (b) in other cases, in accordance with Articles 315 to 322.

▼ **M19**

Subsection 4

Proof of Community status of goods provided by an authorised consignor*Article 324a*

1. The customs authorities of each Member State may authorise any person, hereinafter referred to as the 'authorised consignor', who satisfies the requirements of Article 373 and proposes to establish the Community status of goods by means of a T2L document in accordance with Article 315, or by means of one of the documents stipulated in Articles 317 to 317b, hereinafter referred to as 'commercial documents', to use such documents without having to present them for endorsement to the competent office.
2. The provisions of Articles 374 to 378 shall apply, *mutatis mutandis*, to the authorisation referred to in paragraph 1.

Article 324b

The authorisation shall specify, in particular:

- (a) the office assigned responsibility for pre-authenticating the forms used for drawing up the documents concerned, for the purposes of Article 324c(1)(a);
- (b) the manner in which the authorised consignor shall establish that the forms have been properly used;
- (c) the excluded categories or movements of goods;
- (d) the period within which and the manner in which the authorised consignor shall notify the competent office in order to enable it to carry out any necessary controls before departure of the goods.

Article 324c

1. The authorisation shall stipulate that the front of the commercial documents concerned or box 'C. Office of departure' on the front of the forms used for the purposes of compiling T2L document and, where appropriate, the continuation sheets, must be:
 - (a) stamped in advance with the stamp of the office referred to in Article 324b(a) and signed by an official of that office; or
 - (b) stamped by the authorised consignor with a special metal stamp approved by the customs authorities and corresponding to the specimen in Annex 62. The stamp may be pre-printed on the forms where the printing is entrusted to a printer approved for that purpose.

The provisions of Article 401 shall apply *mutatis mutandis*.

2. Not later than on consignment of the goods, the authorised consignor shall complete and sign the form. He shall also enter in box 'D. Control by office of departure' of the T2L document, or in a clearly identifiable space on the commercial document used, the name of the competent office, the date of completion of the document, and one of the following endorsements:

— Expedidor autorizado

▼ **M19**

- Godkendt afsender
- Zugelassener Versender
- Εγκριμένος αποστολέας
- Authorised consignor
- Expéditeur agréé
- Speditore autorizzato
- Toegelaten afzender
- Expedidor autorizado
- Hyväksytty lähettäjä
- Godkänd avsändare

▼ **A2**

- Schválený odesílatel
- Volitatud kaubasaatja
- Atzītais nosūtītājs
- Įgaliotas siuntėjas
- Engedélyezett feladó
- Awtorizzat li jibghat
- Upoważniony nadawca
- Pooblaščeni pošiljatelj
- Schválený odosielateľ.

▼ **M19***Article 324d*

1. The authorised consignor may be authorised not to sign T2L documents or commercial documents used bearing the special stamp referred to in Annex 62 which are drawn up by an electronic or automatic data processing system. Such authorisation shall be subject to the condition that the authorised consignor has previously given those authorities a written undertaking acknowledging his liability for the legal consequences arising from all T2L documents or commercial documents issued bearing the special stamp.

2. T2L documents or commercial documents drawn up in accordance with paragraph 1 shall contain in place of the authorised consignor's signature one of the following endorsements:

- Dispensa de firma
- Fritaget for underskrift
- Freistellung von der Unterschriftsleistung
- Δεν απαιτείται υπογραφή
- Signature waived
- Dispense de signature
- Dispensa dalla firma
- Van ondertekening vrijgesteld
- Dispensada a assinatura
- Vapautettu allekirjoituksesta
- Befriad från underskrift

▼ **A2**

- Podpis se nevyžaduje
- Allkirjanõudest loobutud
- Derīgs bez paraksta
- Leista nepasirašyti
- Aláírás alól mentesítve
- Firma mhux meħtieġa
- Zwolniony ze składania podpisu
- Opustitev podpisa
- Podpis sa nevyžaduje.

▼ **M19***Article 324e*

1. The customs authorities of the Member States may authorise shipping companies not to draw up the manifest serving to demonstrate the Community status of goods until, at the latest, the day after the departure of the vessel and, in any case, before its arrival at the port of destination.

2. The authorisation referred to in paragraph 1 shall be granted only to international shipping companies which:

- (a) fulfil the conditions of Article 373; by way of derogation from Article 373(1)(a) shipping companies need not be established in the Community if they have a regional office there, and
- (b) use electronic data interchange systems to transmit information between the ports of departure and destination in the Community, and
- (c) operate a significant number of voyages between the Member States on recognised routes.

3. On receipt of an application, the customs authorities of the Member State where the shipping company is established shall notify the other Member States in whose respective territories the ports of departure and intended destination are situated of that application.

If no objection is received within 60 days of the date of notification, the customs authorities shall authorise use of the simplified procedure described in paragraph 4.

This authorisation shall be valid in the Member States concerned and shall apply only to transit operations between the ports to which it refers.

4. The simplification shall be operated as follows:

- (a) the manifest for the port of departure shall be transmitted by electronic data interchange system to the port of destination;
- (b) the shipping company shall enter in the manifest the information indicated in Article 317a(2);
- (c) on request, a printout of the manifest transmitted by electronic data exchange system shall be presented to the customs authorities at the port of departure at the latest on the working day following the departure of the vessel and in any case before it arrives at its port of destination;
- (d) a printout of the data exchange manifest shall be presented to the customs authorities at the port of destination.

5. ► **M21** Article 448(5) ◀ shall apply *mutatis mutandis*.

Article 324f

The authorised consignor shall make a copy of each T2L document or each commercial document issued under this subsection. The customs authorities shall specify the conditions under which the copy shall be presented for purposes of control and retained for at least two years.

Subsection 5

▼ **M7****Specific provisions concerning products of sea-fishing and other products taken from the sea by boats***Article 325*

1. ► **M19** For the purposes of this subsection ◀:

- (a) *Community fishing vessel* means a vessel which is listed and registered in a part of a Member State's territory forming part of the customs territory of the Community, flies the flag of a Member State, catches products of sea-fishing and, as the case may be, processes them on board;

▼M7

(b) *Community factory ship* means a vessel which is listed or registered in a part of a Member State's territory forming part of the customs territory of the Community, flies the flag of a Member State and does not catch products of sea-fishing but does process such products on board.

2. A T2M form, made out in accordance with Articles 327 to 337, shall be produced to prove the Community status:

(a) of the products of sea-fishing caught by a Community fishing vessel, in waters other than the territorial waters of a country or territory outside the customs territory of the Community;

and

(b) of the goods obtained from such products on board that vessel or a Community factory ship, in the production of which other products having Community status may have been used,

which may be in packaging having Community status and are to be brought into the customs territory of the Community in the circumstances set out in Article 326.

3. Proof of the Community status of the sea-fishing products and other products taken or caught in waters other than the territorial waters of a country or territory outside the customs territory of the Community by vessels flying the flag of a Member State and listed or registered in a part of a Member State's territory forming part of the customs territory of the Community, or of such products taken or caught in territorial waters within the customs territory of the Community by vessels of a non-member country, must be provided by means of the logbook or any other means which establishes the said status.

Article 326

1. A T2M form shall be presented in respect of the products and goods referred to in Article 325 (2) which are transported directly to the customs territory of the Community:

(a) by the Community fishing vessel which caught the products and, where applicable, processed them; or

(b) by another Community fishing vessel or by the Community factory slip which processed the products following their transshipment from the vessel referred to in point (a); or

(c) by any other vessel onto which the said products and goods were transhipped from the vessels referred to in points (a) and (b), without any further changes being made; or

(d) by a means of transport covered by a single transport document made out in the country or territory not forming part of the customs territory of the Community where the products or goods were landed from the vessels referred to in points (a), (b) and (c).

Thereafter the T2M form may no longer be used as proof of the Community status of the products or goods to which it refers.

2. The customs authorities which are responsible for the port where products and/or goods are landed from a vessel referred to in point (a) of paragraph 1 may waive the application of paragraph 1 where there is no doubt about the origin of those products and/or goods, or where the attestation referred to in Article 8 (1) of Council Regulation (EEC) No 2847/93 ⁽¹⁾ is applicable.

▼B

Article 327

1. The form for the T2M document shall conform to the specimen shown in Annex 43.

⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.

▼B

2. The original shall be printed on paper without mechanical pulp, dressed for writing purposes and weighing at least 55 g/m². It shall have a green guilloche pattern background printed on both sides so as to reveal any falsification by mechanical or chemical means.
3. The T2M forms shall measure 210 × 297 mm, a tolerance of between - 5 and + 8 mm being allowed in the length.
4. The form shall be printed in an official Community language specified by the competent authorities of the Member State to which the vessel belongs.
5. The T2M forms shall be bound in booklets of 10, with one detachable original and one non-detachable carbon copy of each form. Page 2 of the cover of the booklet shall contain the notes shown in Annex 44.
6. Each T2M form shall bear an individual serial number. This number shall be the same for both original and copy.
7. Member States may themselves print the T2M forms and assemble them in booklets, or entrust the work to printers approved by them. In the latter case, reference to the approval must appear on page 1 of the cover of each booklet and on the original of each form. Page 1 and the original of each form must also bear the name and address of the printer or a mark by which he can be identified.
8. The T2M forms shall be completed in one of the official Community languages either in typescript or legibly by hand; if the latter, in ink and in printed characters. No erasures or alterations may be made. Corrections shall be made by crossing out the wrong words and adding any necessary particulars. Any such corrections must be initialled by the person who signed the declaration containing them.

▼M7*Article 328*

The booklet of T2M forms shall be issued at the request of the appropriate person by the Community customs office responsible for supervising the base port of the Community fishing vessel for which the booklet is intended.

The booklet shall be issued only when the person concerned has completed boxes 1 and 2 in the language of the form, and has completed and signed the declaration in box 3 of all the originals and copies of the forms contained in the booklet. When issuing the booklet, the customs office shall complete box B of all the originals and copies of the forms in the booklet.

The booklet shall be valid for two years from the date of issue shown on page 2 of its cover. In addition, the validity of the forms shall be guaranteed by the presence in box A of each original and copy of a stamp applied by the authority responsible for registering the Community fishing vessel for which the booklet is issued.

Article 329

The master of the Community fishing vessel shall complete box 4 and, if the catch has been processed on board, box 6, and shall complete and sign the declaration in box 9 of the original and copy of one of the forms in the booklet whenever he:

- (a) tranships products to one of the vessels referred to in point (b) of Article 326 (1) which processes those products;
- (b) tranships products or goods to any other vessel which will not process them but take them directly either to a port in the customs territory of the Community or to another port for subsequent consignment to that territory;
- (c) without prejudice to Article 326 (2), lands products or goods in a port in the customs territory of the Community;
- (d) lands products or goods in a port outside the customs territory of the Community for subsequent consignment to that territory.

▼ M7

Any processing of such products shall be recorded in the vessel's logbook.

Article 330

The master of a vessel referred to in point (b) of Article 326 (1) shall complete box 6 and complete and sign the declaration in box 11 of the original of the T2M form whenever he lands goods either in a port in the customs territory of the Community or in a port outside the said territory for subsequent consignment to that territory, or whenever he tranships goods onto another vessel for that purpose.

Processing of products transhipped to the vessel shall be recorded in its logbook.

Article 331

When the products or goods referred to in point (a) or point (b) of Article 329 are transhipped for the first time, box 10 of the original and the copy of a T2M form shall be completed; if a further transshipment, of the type referred to in Article 330, takes place, box 12 of the original of that T2M form shall also be completed. The transshipment declaration shall be signed by both the masters concerned and the original of the T2M form shall be given to the master of the vessel to which the products or goods are transhipped. Any transshipment operation shall be recorded in the logbooks of both the vessels involved.

Article 332

1. Where products or goods covered by a T2M form go to a country or territory not forming part of the customs territory of the Community, the said form shall be valid only if the certification in box 13 of the form has been completed and endorsed by the customs authorities of that country or territory.

2. Where some of the products or goods do not come to the customs territory of the Community, the name, kind, gross mass and treatment or use assigned to those consignments shall be entered in the 'Remarks' box of the T2M form.

Article 333

1. Where products or goods covered by a T2M form go to country or territory not forming part of the customs territory of the Community for subsequent despatch in split consignments to that territory, the person concerned or his representative shall:

- (a) enter in the 'Remarks' box of the initial T2M form the number of kind of packages, the gross mass, the treatment or use to which the consignment has been assigned and the number of the 'Extract' referred to in point (b);
- (b) make out a T2M 'Extract', using for this purpose an original form taken from a booklet of T2M forms issued in accordance with the provisions of Article 328.

Each 'Extract', and its copy which shall remain in the T2M booklet, shall include a reference to the initial T2M form referred to in point (a) and shall be clearly marked with one of the following words:

- Extracto,
- Udskrift,
- Auszug,
- Απόσπασμα,
- Extract,
- Extrait,
- Estratto,
- Uttreksel,
- Extracto,
- Ote,

▼ M7

— Utdrag,

▼ A2

— Výpis,
 — Vāļjavōte,
 — Izraksts,
 — Išrašas,
 — Kivonat,
 — Estratt,
 — Wyciąg,
 — Izpisek,
 — Výpis.

▼ M7

The T2M 'Extract' accompanying the split consignment to the customs territory of the Community shall state in boxes 4, 5, 6, 7 and 8 the name, kind, CN code and quantity of products or goods making up that consignment. In addition, the certification in box 13 shall be completed and endorsed by the customs authorities of the country or territory where the products or goods remained while in transit.

2. When all the products and goods covered by the initial T2M form referred to in point (a) of paragraph 1 have been sent to the customs territory of the Community, the certification in box 13 of the form shall be completed and endorsed by the authorities referred to in that paragraph. The form shall then be sent to the customs office referred to in Article 328.

3. Where some of the products or goods do not come to the customs territory of the Community, the name, kind, gross mass and treatment or use assigned to the products or goods shall be entered in the 'Remarks' box of the initial T2M form.

Article 334

All T2M forms, whether initial or 'Extract', shall be presented at the customs office where the products or goods to which they refer are brought into the customs territory of the Community. However, where the products or goods are brought in under a transit procedure commencing outside that territory, the forms shall be presented at the customs office of destination for that procedure.

The authorities of the office may request a translation of the form. In addition, with a view to checking the accuracy of the particulars given in the T2M form, they may require the production of all relevant documents, including the vessels' papers where necessary. The office shall complete box C of each T2M form, a copy of which shall be sent to the customs office referred to in Article 328.

Article 335

By way of derogation from Articles 332, 333 and 334, where products or goods covered by a T2M form go to a third country that is a contracting party to the Convention on a common transit procedure, for reconsignment in full or split consignments to the customs territory of the Community under 'T2' procedure, the particulars of the said procedure shall be entered in the 'Remarks' box of the T2M form.

When all the products and/or goods covered by this T2M form have been sent to the customs territory of the Community, the certification in box 13 of the form shall be completed and endorsed by the customs authorities. A completed copy of the form, shall be sent to the customs office referred to in Article 328.

The provisions of Article 332 (2) shall apply as appropriate.

Article 336

The booklet containing the T2M forms shall be produced whenever the customs authorities so require.

▼ M7

When a vessel for which a booklet of T2M forms as referred to in Article 327 has been issued ceases to satisfy the conditions laid down, before all the forms have been used, or when all the forms in the booklet have been used or its period of validity has expired, the booklet shall be returned immediately to the customs office of issue.

▼ M19▼ M7▼ M19*CHAPTER 4**Community transit*

Section 1

General provisions*Article 340a*

The provisions of this Chapter shall apply to external and internal Community transit, except if provided otherwise.

The goods involving higher risk of fraud are listed in Annex 44c. When a provision of the present Regulation refers to that Annex, any measure related to goods in that Annex shall apply only when the quantity of those goods exceeds the corresponding minimum. Annex 44c shall be reviewed at least once a year.

Article 340b

For the purposes of this Chapter, the following definitions shall apply:

1. 'office of departure': means the customs office where declarations placing goods under the Community transit procedure are accepted;
2. 'office of transit' means:
 - (a) the customs office at the point of exit from the customs territory of the Community when the consignment is leaving that territory in the course of a transit operation via a frontier between a Member State and a third country other than an EFTA country, or
 - (b) the customs office at the point of entry into the customs territory of the Community when the goods have crossed the territory of a third country in the course of a transit operation;
3. 'office of destination': means the customs office where goods placed under the Community transit procedure must be presented in order to end the procedure;
4. 'office of guarantee': means the office where the customs authorities of each Member State decide that guarantees furnished by a guarantor shall be lodged;
5. 'EFTA countries': means all EFTA countries and any other country that has acceded to the Convention of 20 May 1987 on a common transit procedure ⁽¹⁾.

Article 340c

1. Community goods shall be placed under the internal Community transit procedure if they are consigned:
 - (a) from a part of the customs territory of the Community where the provisions of Directive 77/388/EEC apply, to a part of the customs territory of the Community where those provisions do not apply; or
 - (b) from a part of the customs territory of the Community where the provisions of Directive 77/388/EEC do not apply, to a part of the

⁽¹⁾ OJ L 226, 13.8.1987, p. 2.

▼ **M19**

customs territory of the Community where those provisions do apply; or

- (c) from a part of the customs territory of the Community where the provisions of Directive 77/388/EEC do not apply, to a part of the customs territory of the Community where those provisions do not apply either.

2. Without prejudice to paragraph 3, Community goods which are consigned from one point in the customs territory of the Community to another through the territory of one or more EFTA countries pursuant to the Convention on a common transit procedure, shall be placed under the internal Community transit procedure.

Goods covered by the first subparagraph which are carried entirely by sea or air shall not be required to be placed under the internal Community transit procedure.

3. Where Community goods are exported ► **C7** to an EFTA country or where they are exported and transit the territory of one or more EFTA countries ◀ and the provisions of the Convention on a common transit procedure apply, they shall be placed under the external Community transit procedure under the following conditions:

- (a) if they have undergone customs export formalities with a view to refunds being granted on export to third countries under the common agricultural policy; or
- (b) if they have come from intervention stocks, are subject to measures of control as to use and/or destination, and have undergone customs formalities on export to third countries under the common agricultural policy; or
- (c) if they are eligible for the repayment or remission of import duties on condition that they are exported from the customs territory of the Community; or
- (d) if in the form of compensating products or goods in the unaltered state, they have undergone customs formalities on export to third countries in order to discharge the inward processing procedure, drawback system, with a view to obtaining repayment or remission of customs duty.

Article 340d

Goods to which the Community transit procedure applies may be carried between two points in the Community customs territory via the territory of a third country other than an EFTA country provided that they are carried through that third country under cover of a single transport document drawn up in a Member State. Where this is so, the effect of the transit procedure shall be suspended in the territory of the third country.

Article 340e

1. The Community transit procedure shall be compulsory in respect of goods carried by air only if they are loaded or reloaded at an airport in the Community.
2. Without prejudice to Article 91(1) of the Code, use of the Community transit procedure shall be compulsory for goods carried by sea if they are carried by a regular shipping service authorised in accordance with Articles 313a and 313b.

Article 341

The provisions of Chapters 1 and 2 of Title VII of the Code and the provisions of this Title shall apply *mutatis mutandis* to other charges within the meaning of Article 91(1)(a) of the Code.

Article 342

1. The guarantee furnished by the principal shall be valid throughout the Community.

▼ M19

2. Where the guarantee is furnished by a guarantor, the guarantor shall indicate an address for service or appoint an agent in each Member State.
3. A guarantee needs to be furnished for Community transit operations carried out by the railway companies of the Member States under a procedure other than the simplified procedure referred to in Article 372(1)(g)(i).

Article 343

Each Member State shall provide the Commission with a list, in the agreed format, of the customs offices competent to handle Community transit operations, indicating their respective identification numbers and duties and stating the days and hours when they are open. Any changes to this information shall be communicated to the Commission.

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

Article 344

The characteristics of the forms other than the Single Administrative Document used in the Community transit system shall be set out in Annex 44b.

Section 2

Procedure

Subsection 1

Individual guarantee*Article 345***▼ M21**

1. The individual guarantee shall cover the full amount of customs debt liable to be incurred, calculated on the basis of the highest rates applicable to goods of the same kind in the Member State of departure. For the purposes of that calculation, Community goods carried in accordance with the Convention on a common transit procedure shall be treated as non-Community goods.

▼ M19

However, the rates to take into consideration for the calculation of the individual guarantee cannot be less than a minimal rate, when such a rate is mentioned in the fifth column of Annex 44c.

2. Individual guarantees in the form of a cash deposit shall be lodged at the office of departure. They shall be repaid when the procedure has been discharged.
3. An individual guarantee furnished by a guarantor may be in the form of individual guarantee vouchers for an amount of EUR 7 000, issued by the guarantor to persons who intend to act as principal.

The guarantor shall be liable for up to EUR 7 000 per voucher.

Article 346

1. An individual guarantee furnished by a guarantor shall correspond to the specimen in Annex 49.

Where the office of departure is not the office of guarantee, the latter shall keep a copy of the instrument by which it has accepted the guarantor's undertaking. The principal shall present the original at the office of departure, where it shall be retained. Where necessary this office may request a translation into the official language, or one of the official languages, of the Member State concerned.

▼ M20

However, where guarantee data is exchanged between the office of guarantee and the office of departure using information technology and computer networks, the original of the guarantee instrument shall be retained at the office of departure.

▼ M19

2. Where required by national law, regulation or administrative provision, or by common practice, each Member State may allow the undertaking referred to in paragraph 1 to take a different form provided it has the same legal effect as the undertaking shown in the specimen.

Article 347

1. In the case referred in Article 345(3), the individual guarantee shall correspond to the specimen in Annex 50.

Article 346(2) shall apply *mutatis mutandis*.

2. The individual guarantee voucher shall be drawn up on a form corresponding to the specimen in Annex 54. The guarantor shall indicate on the voucher the last date on which it may be used, which may not be later than one year from the date of issue.

3. The guarantor may issue individual guarantee vouchers which are not valid for a Community transit operation involving goods listed in Annex 44c.

To do so, the guarantor shall endorse each individual guarantee voucher diagonally with one of the following phrases:

- Validez limitada
- Begrænset gyldighed
- Beschränkte Geltung
- Περιορισμένη ισχύς
- Limited validity
- Validité limitée
- Validità limitata
- Beperkte geldigheid
- Validade limitada
- Voimassa rajoitetusti
- Begränsad giltighet

▼ A2

- Omezená platnost
- Piiratud kehtivus
- Ierobežots derīgums
- Galiojimas apribotas
- Korlátozott érvényű
- Validità limitata
- Ograniczona ważność
- Omejena veljavnost
- Obmedzená platnosť.

▼ M20

3a. Where the office of guarantee exchanges guarantee data with the offices of departure using information technology and computer networks, the guarantor shall furnish this office with any required details about the individual guarantee vouchers that he has issued according to the modalities decided by the customs authorities.

▼ M19

4. The principal shall deliver to the office of departure the number of individual guarantee vouchers corresponding to the multiple of EUR 7 000 required to cover the total amount referred to in Article 345(1). The vouchers shall be retained by the office of departure.

▼ **M19***Article 348*

1. The office of guarantee shall revoke its decision accepting the guarantor's undertaking if the conditions laid down at the time of issue are no longer fulfilled.

Equally, the guarantor may cancel his undertaking at any time.

2. The revocation or cancellation shall become effective on the 16th day following the date on which the guarantor or the office of guarantee, as appropriate, is notified.

From the date on which the revocation or cancellation becomes effective, no individual guarantee vouchers issued earlier may be used for placing goods under the Community transit procedure.

3. The Member State responsible for the relevant office of guarantee shall notify the Commission forthwith of any revocation or cancellation and the date on which it becomes effective. The Commission shall notify the other Member States thereof.

Subsection 2

Means of transport and declarations*Article 349*

1. Each transit declaration shall include only the goods loaded or to be loaded on a single means of transport for carriage from one office of departure to one office of destination.

For the purposes of this Article, the following shall be regarded as constituting a single means of transport, on condition that the goods carried are to be dispatched together:

- (a) a road vehicle accompanied by its trailer(s) or semi-trailer(s);
- (b) a set of coupled railway carriages or wagons;
- (c) boats constituting a single chain;
- (d) containers loaded on a single means of transport within the meaning of this Article.

2. A single means of transport may be used for loading goods at more than one office of departure and for unloading at more than one office of destination.

Article 350

Loading lists drawn up in accordance with Annex 44a and corresponding to the specimen in Annex 45 may be used instead of the continuation sheets as the descriptive part of transit declarations, of which they shall form an integral part.

Article 351

In the case of consignments comprising both goods which must be placed under the external Community transit procedure and goods which must be placed under the internal Community transit procedure, the transit declaration bearing the 'T' symbol shall be supplemented by:

- (a) continuation sheets bearing the 'T1bis', 'T2bis' or 'T2Fbis' symbol, as appropriate, or
- (b) loading lists bearing the 'T1', 'T2' or 'T2F' symbol, as appropriate.

Article 352

Where the 'T1', 'T2' or 'T2F' symbols have been omitted from the right-hand subdivision of box 1 of the transit declaration or where, in the case of consignments containing both goods placed under the internal Community transit procedure and goods placed under the external Community transit procedure, the provisions of Article 351

▼ **M19**

have not been complied with, the goods shall be deemed to have been placed under the external Community transit procedure.

However, for the purposes of charging export duty or implementing any of the common commercial policy export measures, such goods shall be deemed to be moving under the internal Community transit procedure.

Article 353

1. By derogation from Article 222(1), a transit declaration lodged by means of a data-processing technique, as defined in Article 4a(1)(a), shall comply with the structure and notes set out in Annex 37a.

2. Subject to the conditions and in the manner they shall determine, and with due regard to the principles laid down by customs rules, the customs authorities may allow loading lists to be used as the descriptive part of transit declarations lodged by means of a data-processing technique.

Article 354

Subject to the conditions and in the manner they shall determine, and with due regard to the principles laid down by customs rules, the customs authorities may allow transit declarations, or some of the particulars thereof, to be lodged by means of discs, magnetic tapes or other similar data media, where appropriate in coded form.

Subsection 3

Formalities at the office of departure*Article 355*

1. Goods placed under the Community transit procedure shall be carried to the office of destination along an economically justified route.

2. Without prejudice to Article 387, for goods on the list in Annex 44c, or when the customs authorities or the principal consider it necessary, the office of departure shall prescribe an itinerary and enter in box 44 of the transit declaration at least the Member States to be transited, taking into account any details communicated by the principal.

Article 356

1. The office of departure shall set a time limit within which the goods must be presented at the office of destination, taking into account the itinerary, any current transport or other legislation and, where appropriate, the details communicated by the principal.

2. The time limit prescribed by the office of departure shall be binding on the customs authorities of the Member States whose territory is entered during a Community transit operation and shall not be altered by those authorities.

3. Where the goods are presented at the office of destination after expiry of the time limit prescribed by the office of departure and where this failure to comply with the time limit is due to circumstances which are explained to the satisfaction of the office of destination and are not attributable to the carrier or the principal, the latter shall be deemed to have complied with the time limit prescribed.

Article 357

1. Without prejudice to paragraph 4, goods to be placed under the Community transit procedure shall not be released unless they are sealed.

▼ M19

2. The following shall be sealed:
- the space containing the goods, where the means of transport has been approved under other rules or recognised by the office of departure as suitable for sealing;
 - each individual package, in other cases.

Seals must have the characteristics set out in Annex 46a.

3. Means of transport may be recognised as suitable for sealing on condition that:
- seals can be simply and effectively affixed to them;
 - they are so constructed that no goods can be removed or introduced without leaving visible traces or without breaking the seals;
 - they contain no concealed spaces where goods may be hidden;
 - the spaces reserved for the load are readily accessible for inspection by the customs authorities.

Any road vehicle, trailer, semi-trailer or container approved for the carriage of goods under customs seal in accordance with an international agreement to which the European Community is a party shall be regarded as suitable for sealing.

4. The office of departure may dispense with sealing if, having regard to other possible measures for identification, the description of the goods in the transit declaration or in the supplementary documents make them readily identifiable.

A goods description shall be deemed to permit identification of the goods where it is sufficiently precise to permit easy identification of the quantity and nature of the goods.

Where the office of departure grants a waiver from sealing, it shall enter one of the following endorsements in the transit declaration, opposite the heading 'seals affixed' of box 'D. Control by office of departure':

- Dispensa
- Fritaget
- Befreiung
- Απαλλαγή
- Waiver
- Dispense
- Dispensa
- Vrijstelling
- Dispensa
- Vapautettu
- Befrielse

▼ A2

- Osvobození
- Loobumine
- Derīgs bez zīmoga
- Leista neplombuoti
- Mentesség
- Tnehhija
- Zwolnienie
- Opustitev
- Upustenie.

▼ M19*Article 358*

1. Where a transit declaration is processed at an office of departure by a computer system, copies No 4 and No 5 of the declaration shall be replaced by a transit accompanying document corresponding to the specimen and notes in Annex 45a.

▼ M19

2. Where appropriate, the transit accompanying document shall be supplemented by a list of items corresponding to the specimen and notes in Annex 45c, or a loading list. These lists shall form an integral part of the transit accompanying document.
3. In the circumstances referred to in paragraph 1 the office of departure shall retain the declaration and authorise release of the goods by issuing the transit accompanying document to the principal.
4. Where authorised, the transit accompanying document may be printed out from the principal's computer system.
5. Where the provisions of this Title refer to copies of the declaration accompanying a consignment, these provisions shall apply, *mutatis mutandis*, to the transit accompanying document.

Subsection 4

Formalities en route*Article 359*

1. Goods placed under the Community transit procedure shall be carried under cover of copies No 4 and No 5 of the transit declaration returned to the principal by the office of departure.

The consignment and copies No 4 and No 5 of the transit declaration shall be presented at each office of transit.

▼ M20

2. The carrier shall present a transit advice note made out on a form corresponding to the specimen in Annex 46 to each office of transit, where the note shall be kept. However, when the transit data is exchanged between the office of departure and the office of transit using information technology and computer networks the transit advice note shall not be presented.

▼ M21

3. Where goods are carried via an office of transit other than that mentioned in Copies No 4 and No 5 of the transit declaration, the office of transit used shall send the transit advice note without delay to the office of transit initially specified, or notify the passage to the office of departure in the cases and according to the procedure mutually agreed by the customs authorities.

▼ M19*Article 360*

1. The carrier shall be required to make the necessary entries in copies No 4 and 5 of the transit declaration and present them with the consignment to the customs authorities of the Member State in whose territory the means of transport is located:

- (a) if the prescribed itinerary is changed and the provisions of Article 355(2) apply;
- (b) if seals are broken in the course of a transport operation for reasons beyond the carrier's control;
- (c) if goods are transferred to another means of transport; any such transfer must be made under the supervision of the customs authorities which may, however, authorise transfers to be made without their supervision;
- (d) in the event of imminent danger necessitating immediate partial or total unloading of the means of transport;
- (e) in the event of any incident or accident capable of affecting the ability of the principal or the carrier to comply with his obligations.

2. Where the customs authorities consider that the Community transit operation concerned may continue in the normal way they shall take any steps that may be necessary and then endorse copies No 4 and 5 of the transit declaration.

▼ **M19**

Subsection 5

Formalities at the office of destination*Article 361*

1. The goods and copies No 4 and No 5 of the transit declaration shall be presented at the office of destination.
2. The office of destination shall register copies No 4 and No 5 of the transit declaration, record on them their date of arrival and enter the details of any controls carried out.
3. At the request of the principal, and to provide evidence of the procedure having ended in accordance with Article 365(2), the office of destination shall endorse an extra copy No 5 or a copy of copy No 5 of the transit declaration with one of the following phrases:

- Prueba alternativa
- Alternativt bevis
- Alternativnachweis
- Εναλλακτική απόδειξη
- Alternative proof
- Preuve alternative
- Prova alternativa
- Alternatief bewijs
- Prova alternativa
- Vaihtoehtoinen todiste
- Alternativt bevis

▼ **A2**

- Alternativní důkaz
- Alternatiivsed tõendid
- Alternatīvs pierādījums
- Alternatyvysis įrodymas
- Alternatív igazolás
- Prova alternativa
- Alternatywny dowód
- Alternativno dokazilo
- Alternativny dôkaz.

▼ **M19**

4. A transit operation may end at an office other than the one entered in the transit declaration. That office shall then become the office of destination.

Where the new office of destination comes under the jurisdiction of a Member State other than the one having jurisdiction over the office originally designated, the new office of destination shall enter in box 'I. Control by office of destination' of copy No 5 of the transit declaration one of the following endorsements in addition to the usual observations it is required to make:

- Diferencias: mercancías presentadas en la oficina (nombre y país)
- Forskelle: det sted, hvor varerne blev frembudt (navn og land)
- Unstimmigkeiten: Stelle, bei der die Gestellung erfolgte (Name und Land)
- Διαφορές: εμπορεύματα προσκομισθέντα στο τελωνείο (Όνομα και χώρα)
- Differences: office where goods were presented (name and country)
- Différences: marchandises présentées au bureau (nom et pays)
- Differenze: ufficio al quale sono state presentate le merci (nome e paese)
- Verschillen: kantoor waar de goederen zijn aangebracht (naam en land)

▼ M19

- Diferenças: mercadorias apresentadas na estância (nome e país)
- Muutos: toimipaikka, jossa tavarat esitetty (nimi ja maa)
- Avvikelse: varorna uppvisade för kontor (namn, land)

▼ A2

- Nesrovnalosti: úřad, kterému bylo zboží předloženo (název a země)
- Erinevused: asutus, kuhu kaup esitati (nimi ja riik)
- Atšķirības: muitas iestāde, kurā preces tika uzrādītas (nosaukums un valsts)
- Skirtumai: įstaiga, kuriai pateiktos prekės (pavadinimas ir valstybė)
- Eltérések: hivatal, ahol az áruk bemutatása megtörtént (név és ország)
- Differenzi: ufficiċju fejn l-oġġetti kienu pprezentati (isem u pajjiż)
- Niezgodności: urząd w którym przedstawiono towar (nazwa i kraj)
- Razlike: urad, pri katerem je bilo blago predloženo (naziv in država)
- Nezrovnalosti: úrad, ktorému bol predložený tovar (názov a krajina).

▼ M19*Article 362*

1. The office of destination shall issue a receipt on request to the person presenting copies No 4 and No 5 of the transit declaration.
2. The form for the receipt shall correspond to the specimen in Annex 47. Alternatively, the receipt may be made out on specimen on the back of copy No 5 of the transit declaration.
3. The receipt shall be completed in advance by the person concerned. It may contain other particulars relating to the consignment, except in the space reserved for the office of destination. The receipt shall not be used as proof of the procedure having ended within the meaning of Article 365(2).

Article 363

The customs authorities of the Member State of destination shall return copy No 5 of the transit declaration to the customs authorities in the Member State of departure without delay and at most within one month of the date when the procedure ended.

Article 364

Each Member State shall notify the Commission of which offices have been created for the centralised receipt and transmission of documents and the types of documents involved, as well as of the responsibilities conferred on those offices. The Commission shall inform the other Member States.

Subsection 6

Checking the end of the procedure*Article 365*

1. If copy No 5 of the transit declaration is not returned to the customs authorities of the Member State of departure within two months of the date of acceptance of the declaration, those authorities shall inform the principal and ask him to furnish proof that the procedure has ended.

▼ M20

- 1a. Where the provisions of Section 2 subsection 7 apply and the customs authorities of the Member States of departure have not

▼ M20

received the ‘Arrival Advice’ message by the time limit within which the goods must be presented at the office of destination those authorities shall inform the principal and ask him to furnish proof that the procedure has ended.

▼ M19

2. The proof referred to in paragraph 1 may be furnished to the satisfaction of the customs authorities in the form of a document certified by the customs authorities of the Member State of destination identifying the goods and establishing that they have been presented at the office of destination or, where Article 406 applies, to the authorised consignee.

3. The Community transit procedure shall also be considered as having ended where the principal presents, to the satisfaction of the customs authorities, a customs document issued in a third country entering the goods for a customs-approved treatment or use, or a copy or photocopy thereof, identifying the goods. Copies or photocopies must be certified as being true copies by the body which certified the original documents, by the authorities of the third countries concerned or by the authorities of one of the Member States.

Article 366

1. Where the customs authorities of the Member State of departure have not received proof within four months of the date of acceptance of the transit declaration that the procedure has ended, they shall initiate the enquiry procedure immediately in order to obtain the information needed to discharge the procedure or, where this is not possible, to establish whether a customs debt has been incurred, to identify the debtor and to determine the customs authorities responsible for entry in the accounts.

If the customs authorities receive information earlier that the transit procedure has not ended, or suspect that to be the case, the enquiry procedure shall be initiated forthwith.

▼ M20

Where the provisions of Section 2 subsection 7 apply the customs authorities shall also initiate the enquiry procedure forthwith each time they have not received the ‘Arrival Advice’ message by the time limit within which the goods must be presented at the office of destination or the ‘Control Results’ message within six days after having received the ‘Arrival Advice’ message.

▼ M19

2. The enquiry procedure shall also be initiated if it transpires subsequently that proof of the end of the procedure was falsified and the enquiry procedure is necessary to achieve the objectives of paragraph 1.

3. To initiate the enquiry procedure, the customs authorities of the Member State of departure shall send the customs authorities of the Member State of destination a request together with all the necessary information.

4. The customs authorities of the Member State of destination and, where appropriate, the offices of transit called on to act in the context of the enquiry procedure shall respond without delay.

5. Where an enquiry establishes that the transit procedure ended correctly, the customs authorities of the Member State of departure shall immediately inform the principal and, where appropriate, any customs authorities that may have initiated a recovery procedure in accordance with Articles 217 to 232 of the Code.

▼ **M19**

Subsection 7

Additional provisions applicable where transit data is exchanged between customs authorities using information technology and computer networks*Article 367*

1. Without prejudice to any special circumstances and to the provisions on the Community transit procedure which, where appropriate, shall apply, *mutatis mutandis*, the customs authorities shall use information technology and computer networks for the type of information exchange described in this subsection.
2. The provisions of this subsection shall not apply to the simplified procedures specific to the modes of transport referred to in Article 372(1)(g).

Article 368

1. In addition to the security requirements mentioned in Article 4a(2), the customs authorities shall establish and maintain adequate security arrangements for the effective, reliable and secure operation of the entire transit system.
2. To ensure the abovementioned level of security each input, modification and deletion of data shall be recorded together with information giving the reason for, and exact time of, such processing and identifying the person who carried it out. In addition, the original data or any data so processed shall be kept for at least three calendar years from the end of the year to which such data refer, or for longer if so required elsewhere.
3. The customs authorities shall monitor security regularly.
4. The customs authorities involved shall inform each other of all suspected breaches of security.

▼ **M20***Article 368a*

Where the office of guarantee and the office of departure are located in different Member States the messages to be used for the exchange of guarantee data shall conform to the structure and particulars defined by the customs authorities in agreement with each other.

▼ **M19***Article 369*▼ **M20**

On release of the goods, the office of departure shall transmit details of the community transit operation to the declared office of destination using the 'Anticipated Arrival Record' message and to each declared office of transit using the 'Anticipated Transit Record' message. These messages shall be based on data derived from the transit declaration, where the case occurs amended, and completed as appropriate. These messages shall conform to the structure and particulars defined by the customs authorities in agreement with each other.

Article 369a

The office of transit shall record the passage against the 'Anticipated Transit Record' message received from the office of departure. Any inspection of the goods shall be carried out using the 'Anticipated Transit Record' message as a basis for such inspection. The passage shall be notified to the office of departure using the 'Notification Crossing Frontier' message. This message shall conform to the structure and particulars defined by the customs authorities in agreement with each other.

▼ **M19***Article 370*

1. The office of destination shall keep the transit accompanying document and, using the 'Arrival advice message', notify the office of departure of the arrival of the goods on the day they are presented at the office of destination. The message may not be used as proof of the procedure having ended for the purposes of Article 365(2).
2. Except where justified, the office of destination shall forward the 'Control results' message to the office of departure at the latest on the working day following the day the goods are presented at the office of destination.
3. The messages shall conform to the structure and particulars defined by the customs authorities in agreement with each other.

Article 371

The examination of the goods shall be carried out using the 'Anticipated arrival record' message received from the office of departure as a basis for such examination.

Section 3

Simplifications

Subsection 1

General provisions concerning simplifications*Article 372*

1. Following an application by the principal or the consignee, as appropriate, the customs authorities may authorise the following simplifications:
 - (a) use of a comprehensive guarantee or guarantee waiver;
 - (b) use of special loading lists;
 - (c) use of seals of a special type;
 - (d) exemption from the requirement to use a prescribed itinerary;
 - (e) authorised consignor status;
 - (f) authorised consignee status;
 - (g) application of simplified procedures specific to goods:
 - (i) carried by rail or large container;
 - (ii) carried by air;
 - (iii) carried by sea;
 - (iv) moved by pipeline;
 - (h) use of other simplified procedures based on Article 97(2) of the Code.
2. Except where otherwise provided in this section or the authorisation, where authorisation to use the simplifications referred to in paragraph 1, points (a), (b) and (g) is granted, the simplifications shall apply in all Member States. Where authorisation to use the simplifications referred to in paragraph 1, points (c), (d), and (e) is granted, the simplifications shall apply only to Community transit operations beginning in the Member State where the authorisation was granted. Where authorisation to use the simplification referred to in paragraph 1, point (f) is granted, the simplification shall apply solely in the Member State where the authorisation was granted.

Article 373

1. The authorisations referred to in Article 372(1) shall be granted only to persons who:
 - (a) are established in the Community, with the proviso that authorisation to use a comprehensive guarantee may be granted only to

▼ **M19**

persons established in the Member State where the guarantee is furnished,

- (b) regularly use the Community transit arrangements, or whose customs authorities know that they can meet the obligations under the arrangements or, in connection with the simplification referred to in Article 372(1)(f), regularly receive goods that have been entered for the Community transit procedure, and
- (c) have not committed any serious or repeated offences against customs or tax legislation.

2. To ensure the proper management of the simplifications, authorisations shall be granted only where:

- (a) the customs authorities are able to supervise the procedure and carry out controls without an administrative effort disproportionate to the requirements of the person concerned, and
- (b) the persons concerned keep records which enable the customs authorities to carry out effective controls.

Article 374

1. An application for authorisation to use simplifications, hereinafter referred to as 'the application', shall be made in writing. It shall be dated and signed.

2. The application must include all the facts which will allow the customs authorities to check that the conditions subject to which use of the simplifications may be granted have been met.

Article 375

1. The application shall be lodged with the customs authorities of the Member State in which the applicant is established.

2. The authorisation shall be issued or the application rejected within three months at most of the date on which the application is lodged.

Article 376

1. The dated and signed original of the authorisation and one or more copies thereof shall be given to the holder.

2. The authorisation shall specify the conditions for use of the simplifications and lay down the operating and control methods. It shall be valid from the date of issue.

3. In the case of the simplifications referred to in Article 372(1)(c), (d) and (g), authorisations shall be presented whenever the office of departure so requires.

Article 377

1. The holder of an authorisation shall inform the customs authorities of any factor arising after the authorisation was granted which may influence its continuation or content.

2. The date on which the decision takes effect shall be indicated in a decision revoking or amending authorisation.

Article 378

1. The customs authorities shall keep applications and attached supporting documents, together with a copy of any authorisations issued.

2. Where an application is rejected or an authorisation is annulled or revoked, the application and the decision rejecting or annulling or revoking the application, as the case may be, and all attached supporting documents shall be kept for at least three years from the end of the calendar year in which the application was rejected or the authorisation was annulled or revoked.

▼ **M19**

Subsection 2

Comprehensive guarantee and guarantee waiver*Article 379*

1. The principal may use a comprehensive guarantee, or guarantee waiver, up to a reference amount.

▼ **M20**

For the application of the first subparagraph a calculation is made of the amount of the customs debt which may be incurred for each transit operation. When the necessary data is not available the amount is presumed to be EUR 7 000 unless other information known to the customs authorities leads to a different figure.

▼ **M19**

2. The reference amount shall be the same as the amount of customs debt which may be incurred in respect of goods the principal places under the Community transit procedure during a period of at least one week.

The office of guarantee shall establish the amount in collaboration with the party concerned on the basis of the information on goods he has carried in the past and an estimate of the volume of intended Community transit operations as shown, *inter alia*, by his commercial documentation and accounts.

In establishing the reference amount, account shall be taken of the highest rates of duty and charges applicable to the goods in the Member State of the office of guarantee. ► **M21** Community goods carried or to be carried in accordance with the Convention on a common transit procedure shall be treated as non-Community goods. ◀

3. The office of guarantee shall review the reference amount annually, particularly in the light of information obtained from the office or offices of departure, and shall adjust it if necessary.

4. The principal shall ensure that the amount at stake does not exceed the reference amount, taking into account any operations for which the procedure has not yet ended.

The principal shall inform the office of guarantee when the reference amount falls below a level sufficient to cover his Community transit operations.

Article 380

1. The amount to be covered by the comprehensive guarantee shall be the same as the reference amount referred to in Article 379.

2. The amount to be covered by the comprehensive guarantee may be reduced:

- (a) to 50 % of the reference amount where the principal demonstrates that his finances are sound and that he has sufficient experience of the Community transit procedure;
- (b) to 30 % of the reference amount where the principal demonstrates that his finances are sound, that he has sufficient experience of the Community transit procedure and that he cooperates very closely with the customs authorities.

3. A guarantee waiver may be granted where the principal demonstrates that he maintains the standards of reliability described in paragraph 2(b), is in command of transport operations and has sufficient financial resources to meet his obligations.

4. For the purpose of paragraphs 2 and 3, the Member States shall take into account the criteria set out in Annex 46b.

▼ M19*Article 381*

1. To be authorised to furnish a comprehensive guarantee in respect of the types of goods referred to in Annex 44c, a principal must demonstrate, not only that he meets the conditions of Article 373, but also that his finances are sound, that he has sufficient experience of the Community transit procedure and either that he cooperates very closely with the customs authorities or that he is in command of transport operations.
2. The amount to be covered by the comprehensive guarantee referred to in paragraph 1 may be reduced:
 - (a) to 50 % of the reference amount where the principal demonstrates that he cooperates very closely with the customs authorities and is in command of transport operations;
 - (b) to 30 % of the reference amount where the principal demonstrates that he cooperates very closely with the customs authorities, is in command of transport operations, and that he has sufficient financial resources to meet his obligations.
3. For the purposes of applying paragraphs 1 and 2, the customs authorities shall take account of the criteria set out in Annex 46b.

▼ M21

- 3a. Paragraphs 1, 2 and 3 also apply where an application explicitly concerns the use of the comprehensive guarantee for both the types of goods referred to in Annex 44c and those not listed in that Annex under the same comprehensive guarantee certificate.

▼ M19

4. The implementing rules concerning the temporary prohibition of the use of the comprehensive guarantee for a reduced amount or the comprehensive guarantee, as provided for in Article 94(6) and (7) of the Code are set out in Annex 47a to the Regulation.

Article 382

The comprehensive guarantee shall be furnished by a guarantor.

It shall be the subject of a guarantee document conforming to the specimen in Annex 48.

Article 346(2) shall apply *mutatis mutandis*.

Article 383

1. On the basis of the authorisation, the customs authorities shall issue the principal with one or more comprehensive guarantee certificates or guarantee waiver certificates, hereinafter referred to as certificates, drawn up as appropriate on a form corresponding to the specimen in Annex 51 or Annex 51a and supplemented in accordance with Annex 51b, to enable the principal to provide proof of the comprehensive guarantee or guarantee waiver.
2. The certificate shall be presented at the office of departure. Particulars of the certificate shall be entered on the transit declaration.

▼ M20

However, where guarantee data is exchanged between the office of guarantee and the office of departure using information technology and computer networks, no certificate is presented to the office of departure.

▼ M19

3. The period of validity of a certificate shall not exceed two years. That period may be extended by the office of guarantee for one further period which shall not exceed two years.

▼ **M19***Article 384*

1. Article 348(1) and the first subparagraph of Article 348(2) shall apply *mutatis mutandis* to the revocation and cancellation of the comprehensive guarantee.
2. From the effective date of revocation of an authorisation to use a comprehensive guarantee or guarantee waiver by the customs authorities, from the effective date of revocation by the office of guarantee of its acceptance of a guarantor's undertaking, or from the effective date of cancellation of an undertaking by a guarantor, certificates issued earlier may not be used to place goods under the Community transit procedure and shall be returned by the principal to the office of guarantee without delay.
3. Each Member State shall forward to the Commission the means by which certificates that remain valid and have not yet been returned may be identified. The Commission shall inform the other Member States.
4. Paragraph 3 shall also apply to certificates that have been declared as stolen, lost or falsified.

Subsection 3

Special loading lists*Article 385*

1. The customs authorities may authorise principals to use as loading lists lists which do not comply with all the requirements of Annexes 44a and 45.

Use of such lists shall be authorised only where:

- (a) they are produced by firms which use an integrated electronic or automatic data-processing system to keep their records;
 - (b) they are designed and completed in such a way that they can be used without difficulty by the customs authorities;
 - (c) they include, for each item, the information required under Annex 44a.
2. Descriptive lists drawn up for the purposes of carrying out dispatch/export formalities may also be authorised for use as loading lists under paragraph 1, even where such lists are produced by firms not using an integrated electronic or automatic data-processing system to keep their records.
 3. Firms which use an integrated electronic or automatic data-processing system to keep their records and are already authorised under paragraphs 1 and 2 to use loading lists of a special type may also be authorised to use such lists for Community transit operations involving only one type of goods if this facility is made necessary by the computer programmes of the firms concerned.

Subsection 4

Use of seals of a special type*Article 386*

1. The customs authorities may authorise principals to use special types of seals on means of transport or packages provided the customs authorities approve the seals as complying with the characteristics set out in Annex 46a.
2. Principals shall enter, opposite the heading 'seals affixed' in box 'D. Control by office of departure' of the transit declaration, the type, number and make of the seals used.

Principals shall affix seals no later than when goods are released.

▼ **M19**

Subsection 5

Exemption regarding prescribed itinerary*Article 387*

1. The customs authorities may grant an exemption from the requirement to follow a prescribed itinerary to principals who ensure that the customs authorities are able to ascertain the location of the consignments concerned at all times.
2. Holders of such exemptions shall enter one of the following endorsements in box 44 of the transit declaration:
 - Dispensa de itinerario obligatorio
 - fritaget for bindende transportrute
 - Befreiung von der verbindlichen Beförderungsrouten
 - Απαλλαγή από την υποχρέωση τήρησης συγκεκριμένης διαδρομής
 - Prescribed itinerary waived
 - Dispense d'itinéraire contraignant
 - Dispensa dall'itinerario vincolante
 - Geen verplichte route
 - Dispensa de itinerário vinculativo
 - Vapautettu sitovan kuljetusreitien noudattamisesta
 - Befrielse från bindande färdväg

▼ **A2**

- Osvobození od stanovené trasy
- Ettenähtud marsruudist loobutud
- Atļauts novirzīties no noteiktā maršruta
- Leista nenustatyti maršruto
- Elóirt útvonal alól mentesítve
- Tneħħija ta' l-itinerarju preskritt
- Zwolniony z wiążącej trasy przewozu
- Opustitev predpisane poti
- Upustené od určenej trasy

▼ **M19**

Subsection 6

Authorised consignor status*Article 398*

Persons wishing to carry out Community transit operations without presenting the goods and the corresponding transit declaration at the office of departure may be granted the status of authorised consignor.

This simplification shall be granted solely to persons authorised to use a comprehensive guarantee or granted a guarantee waiver.

Article 399

The authorisation shall specify in particular:

- (a) the office or offices of departure responsible for forthcoming Community transit operations;
- (b) how, and by when, the authorised consignor is to inform the office of departure of forthcoming Community transit operations, in order that the office may carry out any necessary controls before the departure of the goods;
- (c) the identification measures to be taken, in which case the customs authorities may prescribe that the means of transport or the package or packages shall bear special seals, approved by the customs authorities as complying with the characteristics set out in Annex 46a and affixed by the authorised consignor;

▼ **M19**

- (d) the excluded categories or movements of goods.

Article 400

1. The authorisation shall stipulate that box 'C. Office of departure' of the transit declaration forms must:

- (a) be stamped in advance with the stamp of the office of departure and signed by an official of that office; or
- (b) be stamped by the authorised consignor with a special metal stamp approved by the customs authorities and corresponding to the specimen in Annex 62; the stamp may be pre-printed on the forms where the printing is entrusted to a printer approved for that purpose.

The authorised consignor shall complete the box by entering the date on which the goods are consigned and shall allocate a number to the transit declaration in accordance with the rules laid down in the authorisation.

2. The customs authorities may prescribe the use of forms bearing a distinctive mark as a means of identification.

Article 401

1. The authorised consignor shall take all necessary measures to ensure the safekeeping of the special stamps or forms bearing the stamp of the office of departure or a special stamp.

He shall inform the customs authorities of the security measures taken pursuant to the first subparagraph.

2. In the event of the misuse by any person of forms stamped in advance with the stamp of the office of departure or with the special stamp, the authorised consignor shall be liable, without prejudice to any criminal proceedings, for the payment of duties and other charges payable in a particular Member State in respect of goods carried under cover of such forms unless he can satisfy the customs authorities by whom he was authorised that he took the measures required of him under paragraph 1.

Article 402

1. Not later than on consignment of the goods, authorised consignors shall complete the transit declaration and, where necessary, enter in box 44 the itinerary prescribed in accordance with Article 355(2) and, in box 'D. Control by office of departure', the period prescribed in accordance with Article 356 within which the goods must be presented at the office of destination, the identification measures applied and one of the following endorsements:

- Expedidor autorizado
- Godkendt afsender
- Zugelassener Versender
- Εγκριμένος αποστολέας
- Authorised consignor
- Expéditeur agréé
- Speditore autorizzato
- Toegelaten afzender
- Expedidor autorizado
- Hyväksytyt lähettäjät
- Godkänd avsändare

▼ **A2**

- Schválený odesílatel
- Volitatud kaubasaatja
- Atzītais nosūtītājs
- Įgaliotas siuntėjas
- Engedélyezett feladó

▼ A2

- Awtorizzat li jibgħat
- Upoważniony nadawca
- Pooblašćeni pošiljatelj
- Schválený odosielateľ.

▼ M19

2. Where the customs authorities of the Member State of departure check a consignment before its departure, they shall record the fact in box 'D. Control by office of departure' of the transit declaration.
3. Following consignment, copy No 1 of the transit declaration shall be sent without delay to the office of departure. The customs authorities may provide in the authorisation that copy No 1 be sent to the customs authorities of the Member State of departure as soon as the transit declaration is completed. The other copies shall accompany the goods.

Article 403

1. The authorised consignor may be authorised not to sign transit declarations bearing the special stamp referred to in Annex 62 which are made out by an integrated electronic or automatic data-processing system. This waiver shall be subject to the condition that the authorised consignor has previously given the customs authorities a written undertaking acknowledging that he is the principal for all Community transit operations carried out under cover of transit declarations bearing the special stamp.
2. Transit declarations made out in accordance with paragraph 1 shall contain, in the box reserved for the principal's signature, one of the following endorsements:
 - Dispensa de firma
 - Fritaget for underskrift
 - Freistellung von der Unterschriftsleistung
 - Δεν απαιτείται υπογραφή
 - Signature waived
 - Dispense de signature
 - Dispensa dalla firma
 - Van ondertekening vrijgesteld
 - Dispensada a assinatura
 - Vapautettu allekirjoituksesta
 - Befriad frá underskrift

▼ A2

- Podpis se nevyžaduje
- Allkirjanõudest loobutud
- Derīgs bez paraksta
- Leista nepasirašyti
- Aláírás alól mentesítve
- Firma mhux meħtieġa
- Zwolniony ze składania podpisu
- Opustitev podpisa
- Podpis sa nevyžaduje.

▼ M19*Article 404*

1. Where transit declarations are lodged at offices of departure which apply the provisions of Section 2, subsection 7, persons may be granted the status of authorised consignor if, as well as complying with the conditions set out in Articles 373 and 398, they lodge their transit declarations and communicate with the customs authorities using a data-processing technique.
2. An authorised consignor shall lodge a transit declaration at the office of departure before the release of the goods.

▼M19

3. The authorisation shall indicate, inter alia, the time limit within which an authorised consignor shall lodge a transit declaration so that the customs authorities may, if necessary, carry out checks before the release of the goods.

Subsection 7

Authorised consignee status*Article 406*

1. Persons who wish to receive at their premises or at any other specified place goods entered for the Community transit procedure without presenting them and copies No 4 and No 5 of the transit declaration at the office of destination may be granted the status of authorised consignee.

2. The principal shall have fulfilled his obligations under Article 96(1)(a) of the Code, and the Community transit procedure shall be deemed to have ended, when copies No 4 and No 5 of the transit declaration which accompanied the consignment, together with the intact goods, have been delivered within the prescribed period to the authorised consignee at his premises or at the place specified in the authorisation, the identification measures having been duly observed.

3. At the carrier's request the authorised consignee shall issue the receipt provided for in Article 362, which shall apply *mutatis mutandis*, in respect of each consignment delivered in accordance with paragraph 2.

Article 407

1. The authorisation shall specify in particular:

- (a) the office or offices of destination responsible for the goods received by the authorised consignee;
- (b) how and by when, the authorised consignee is to inform the office of destination of the arrival of the goods in order that the office may carry out any necessary controls upon arrival of the goods;
- (c) the excluded categories or movements of goods.

2. The customs authorities shall specify in the authorisation whether any action by the office of destination is required before the authorised consignee may dispose of goods received.

Article 408

1. When the goods arrive at his premises or at the places specified in the authorisation, the authorised consignee shall:

- (a) immediately inform the office of destination, in accordance with the procedure laid down in the authorisation, of any excess quantities, deficits, substitutions or other irregularities such as broken seals;

▼M20

- (b) without delay, send to the office of destination Copies No 4 and No 5 of the transit declaration which accompanied the goods, indicating, except where communicated using a data processing technique, the date of arrival and the condition of any seals affixed.

▼M19

2. The office of destination shall make the entries provided for in Article 361 on copies No 4 and No 5 of the transit declaration.

▼M20*Article 408a*

1. Where the office of destination applies the provisions of Section 2 Subsection 7, persons may be granted the status of authorised

▼ M20

consignee if, as well as complying with the conditions set out in Article 373, they use a data processing technique to communicate with the customs authorities.

2. The authorised consignee shall inform the office of destination of the arrival of the goods before the unloading.

3. The authorisation shall indicate, in particular, how and by when the authorised consignee receives the 'Anticipate Arrival Record' data from the office of destination for the purpose of applying, *mutatis mutandis*, Article 371.

▼ M19

Subsection 8

Simplified procedures for goods carried by rail or in large containers

A. General provisions relating to carriage by rail

Article 412

Article 359 shall not apply to the carriage of goods by rail.

▼ B

Article 413

Where the Community transit procedure is applicable, formalities under that procedure shall be simplified in accordance with Articles 414 to 425, 441 and 442 for the transport of goods by railway companies under cover of a 'consignment note CIM and express parcels' hereinafter referred to as the 'consignment note CIM'.

▼ M19

Article 414

The CIM consignment note shall be equivalent to a Community transit declaration.

▼ B

Article 415

The railway company of each Member State shall make the records held at their accounting offices available to the customs authorities of their country for purposes of control.

Article 416

▼ M19

1. A railway company which accepts goods for carriage under cover of a CIM consignment note serving as a Community transit declaration shall be the principal for that operation.

▼ B

2. The railway company of the Member State through whose territory the goods enter the Community shall be the principal for operations in respect of goods accepted for transport by the railways of a third country.

Article 417

The railway companies shall ensure that consignments transported under the Community transit procedure are identified by labels bearing a pictogram, a specimen of which is shown in Annex 58.

The labels shall be affixed to the consignment note CIM and to the relevant railway wagon in the case of a full load or, in other cases, to the package or packages.

▼M12

The label referred to in the first paragraph may be replaced by a stamp reproducing the pictogram shown in Annex 58 in green ink

▼B*Article 418*

Where the contract of carriage is modified so that:

- a transport operation which was to end outside the customs territory of the Community ends within it,
- a transport operation which was to end within the customs territory of the Community ends outside it,

the railway companies shall not perform the modified contract without the prior agreement of the office of departure.

In all other cases, the railway companies may perform the modified contract; they shall forthwith inform the office of departure of the modification made.

Article 419

1. The consignment note CIM shall be produced at the office of departure in the case of a transport operation to which the Community transit procedure applies and which starts and is to end within the customs territory of the Community.

▼M13

2. The office of departure shall clearly enter in the box reserved for customs on sheets 1, 2 and 3 of the CIM consignment note:

- (a) the symbol 'T1', where goods are moving under the external Community transit procedure;
- (b) the symbol 'T2', where goods, with the exception of those referred to in ►**M19** Article 340c(1) ◀, are moving under the internal Community transit procedure in accordance with Article 165 of the Code;
- (c) the symbol 'T2F', where goods are moving under the internal Community transit procedure in accordance with ►**M19** Article 340c(1) ◀.

The symbol 'T2' or 'T2F' shall be authenticated by the application of the stamp of the office of departure

▼B

4. The goods referred to in ►**M19** Article 340c(2) ◀ shall be placed under the internal Community transit procedure for the whole of the journey from the Community station of departure to the station of destination in the customs territory of the Community, in accordance with arrangements determined by each Member State, without presentation at the office of departure of the consignment note CIM in respect of the goods and without affixing the labels referred to in Article 417. However, this waiver shall not apply to consignment notes CIM drawn up for goods covered by the provisions in ►**M18** Article 843 ◀.

5. For the goods referred to in paragraph 2 the customs office for the station of destination shall act as the office of destination. If, however, the goods are released for free circulation or placed under another customs procedure at an intermediate station, the office responsible for that station shall act as the office of destination.

No formalities need be carried out at the office of destination with regard to the goods referred to in ►**M19** Article 340c(2) ◀.

6. For the purposes of the control referred to in Article 415, the railway companies shall, in the country of destination, make all the consignment notes CIM for the transport operations referred to in paragraph 4 available to the customs authorities, in accordance with any provisions defined by mutual agreement with those authorities.

7. When Community goods are transported by rail from a point in a Member State to a point in another Member State through the territory of a third country other than an EFTA country, the internal Community

▼B

transit procedure shall apply. In this case the provisions of paragraphs 4, 5 second subparagraph and 6 shall apply *mutatis mutandis*.

Article 420

As a general rule and having regard to the identification measures applied by the railway companies, the office of departure shall not seal the means of transport or the packages.

Article 421

1. In the cases referred to in the first subparagraph of Article 419 (5), the railway company of the Member State responsible for the office of destination shall forward to the latter sheets 2 and 3 of the consignment note CIM.

2. The office of destination shall forthwith return sheet 2 to the railway company after stamping it and shall retain sheet 3.

Article 422

1. Article 419 and 420 shall apply to a transport operation which starts within the customs territory of the Community and is to end outside it.

2. The customs office for the frontier station through which the goods in transit leave the customs territory of the Community shall act as office of destination.

3. No formalities need be carried out at the office of destination.

Article 423

1. Where a transport operation starts outside the customs territory of the Community and is to end within it, the customs office for the frontier station through which the goods enter the customs territory of the Community shall act as office of departure.

No formalities need be carried out at the office of departure.

▼M4

2. The customs office for the station of destination shall act as the office of destination. The formalities referred to in Article 421 shall be carried out at the office of destination.

3. Where the goods are released for free circulation or placed under another customs procedure at an intermediate station, the customs office for this station shall act as the office of destination. This customs office shall stamp sheets 2 and 3 and the supplementary copy of sheet 3 forwarded by the railway company and endorse them with one of the following indications:

- Cleared
- Dédouané
- Verzollt
- Sdoganato
- Vrijgemaakt
- Toldbehandlet
- Εκτελωνισμένο
- Despachado de aduana
- Desalfandegado

▼M21

- Tulliselvitetty
- Tullklarerat

▼A2

- Propuštěno
- Lõpetatud
- Nomuitots
- Išleista

▼ A2

- Vámkezelve
- Mghoddija
- Odprawiony
- Ocarinjeno
- Prepustené

▼ M4

This office shall return sheets 2 and 3, without delay, to the railway company after having stamped them and retained the supplementary copy of sheet 3.

4. The procedure referred to in paragraph 3 shall not apply to products subject to excise (SIC! excise) duty as defined in Article 3 (1) and Article 5 (1) of Council Directive 92/12/EEC ⁽¹⁾.

5. In the case referred to in paragraph 3 the competent customs authorities for the office of destination may request *a posteriori* verification of the endorsements made by the competent customs authorities for the intermediate station on sheets 2 and 3.

▼ B*Article 424*

1. Where a transport operation starts and is to end outside the customs territory of the Community, the customs offices which are to act as office of departure and office of destination shall be those referred to in Articles 423 (1) and 422 (2) respectively.

2. No formalities need to be carried out at the offices of departure or destination.

Article 425

Goods which are transported under Articles 423 (1) or 424 (1) shall be considered as moving under the external Community transit procedure unless the Community status of the goods is established in accordance with Articles 313 to 340.

▼ M19

B. Provisions relating to goods carried in large containers

▼ M12*Article 426*

Where the Community transit procedure is applicable, formalities under that procedure shall be simplified in accordance with Articles 427 to 442 for goods carried by the railway companies in large containers using transport undertakings as intermediaries, under cover of transfer notes referred to as 'TR transfer notes'. Such operations may include the dispatch of consignments by transport undertakings using modes of transport other than rail, to the nearest suitable railway station to the point of loading and from the nearest suitable railway station to the point of unloading, and any transport by sea in the course of the movement between those two stations.

▼ B*Article 427*

For the purpose of Articles 426 to 442:

1. 'transport undertaking' means an undertaking constituted by the railway companies as a corporate entity of which they are members, such undertaking being set up for the purpose of carrying goods by means of large containers under cover of TR transfer notes;

⁽¹⁾ OJ No L 76, 23. 3. 1992, p. 1.

▼B

2. 'large container' means a container ► **M20** ————— ◀ that is:
- designed in such a way that it can be properly sealed where the application of Article 435 requires this,
 - of a size such that the area bounded by the four lower external angles is not less than 7 m².
3. 'TR transfer note' means the document which comprises the contract of carriage by which the transport undertaking arranges for one or more large containers to be carried from a consignor to a consignee in international transport. The TR transfer note shall bear a serial number in the top right-hand corner by which it can be identified. This number shall be made up of eight digits preceded by the letters TR.

The TR transfer note shall consist of the following sheets, in numerical order:

- 1: sheet for the head office of the transport undertaking,
- 2: sheet for the national representative of the transport undertaking at the station of destination,
- 3A: sheet for customs,
- 3B: sheet for the consignee,
- 4: sheet for the head office of the transport undertaking,
- 5: sheet for the national representative of the transport undertaking at the station of departure,
- 6: sheet for the consignor.

Each sheet of the TR transfer note, with the exception of sheet 3A, shall have a green band approximately four centimetres wide along its right-hand edge.

4. 'List of large containers', hereinafter referred to as 'list', means the document attached to a TR transfer note, of which it forms an integral part, which is intended to cover the consignment of several large containers from a single station of departure to a single station of destination, at which stations the customs formalities are carried out.

The list shall be produced in the same number of copies as the TR transfer note to which it relates.

The number of lists shall be shown in the box at the top right-hand corner of the TR transfer note reserved for that purpose.

In addition, the serial number of the appropriate TR transfer note shall be entered in the top right-hand corner of each list.

▼M12

5. 'nearest suitable railway station' means a railway station or terminal nearest to the point of loading or unloading, which is equipped to handle the large containers defined in point 2.

▼M19*Article 428*

TR transfer notes used by transport undertakings shall have the same legal force as transit declarations.

▼B*Article 429*

1. In each Member State the transport undertaking shall make available to the customs authorities for control purposes, through the medium of its national representative or representatives, the records held at its accounting office or offices or at those of its national representative or representatives.

2. At the request of the customs authorities, the transport undertaking or its national representative or representatives shall communicate to them forthwith any documents, accounting records or information relating to carriage operations completed or underway which those authorities consider they should see.

▼B

3. Where, in accordance with Article 428, TR transfer notes are treated as equivalent to ►**M19** Community transit declarations ◀, the transport undertaking or its national representatives or representatives shall:

- (a) inform the customs office of destination of any TR transfer note, sheet 1 of which has been sent to it without a customs endorsement;
- (b) inform the customs office of departure of any TR transfer note, sheet 1 of which has not been returned to it and in respect of which it has been unable to determine whether the consignment has been correctly presented to the customs office of destination or has been exported from the customs territory of the Community to a third country under Article 437.

Article 430

1. In the case of transport operations referred to in Article 426 accepted by the transport undertaking in a Member State, the railway company of that Member State shall be the principal.

2. In the case of transport operations referred to in Article 426 accepted by the transport undertaking in a third country, the railway company of the Member State through which the goods enter the customs territory of the Community shall be the principal.

Article 431

If customs formalities have to be carried out during carriage by means other than rail to the station of departure or from the station of destination, only one large container may be covered by each TR transfer note.

Article 432

The transport undertaking shall ensure that transport operations carried out under the Community transit procedure are identified by labels bearing a pictogram, a specimen of which is shown in Annex 58. The labels shall be affixed to the TR transfer note and to the large container or containers concerned.

▼M12

The label referred to in the first paragraph may be replaced by a stamp reproducing the pictogram shown in Annex 58 in green ink.

▼B*Article 433*

Where a contract of carriage is modified so that:

- a transport operation which was to end outside the customs territory of the Community ends within it,
- a transport operation which was to end within the customs territory of the Community ends outside it,

the transport undertaking shall not perform the modified contract without the prior agreement of the office of departure.

In all other cases, the transport undertaking may perform the modified contract; it shall forthwith inform the office of departure of the modification made.

Article 434

1. Where a transport operation to which the Community transit procedure applies starts and is to end within the customs territory of the Community, the TR transfer note shall be presented at the office of departure.

▼M13

2. The office of departure shall clearly enter in the box reserved for customs on sheets 1, 2, 3A and 3B of the TR transfer note:

- (a) the symbol 'T1' where goods are moving under the external Community transit procedure;
- (b) the symbol 'T2', where goods, with the exception of those referred to in ►**M19** Article 340c(1) ◀, are moving under the internal Community transit procedure in accordance with Article 165 of the Code;
- (c) the symbol 'T2F', where goods are moving under the internal Community transit procedure in accordance with ►**M19** Article 340c(1) ◀.

The symbol 'T2' or 'T2F' shall be authenticated by the application of the stamp of the office of departure.

3. The office of departure shall enter in the box reserved for customs on sheets 1, 2, 3A and 3B of the TR transfer note separate references for the container(s) depending on which type of goods they contain and the symbol 'T1', 'T2' or 'T2F', as appropriate, wherever a TR transfer note covers:

- (a) containers carrying goods moving under the external Community transit procedure; and
- (b) containers carrying goods, with the exception of those referred to in ►**M19** Article 340c(1) ◀, moving under the internal Community transit procedure in accordance with Article 165 of the Code;
- (c) containers carrying goods moving under the internal Community transit procedure in accordance with ►**M19** Article 340c(1) ◀.

4. In cases covered by paragraph 3, where lists of large containers are used, separate lists shall be made out for each category of container and the serial number or numbers of the list or lists concerned shall be entered in the box reserved for customs on sheets 1, 2, 3A and 3B of the TR transfer note. The symbol 'T1', 'T2' or 'T2F', as appropriate to the category of container used, shall be entered alongside the serial number(s) of the list(s).

▼B

5. All sheets of the TR transfer note shall be returned to the person concerned.

6. The goods referred to in ►**M19** Article 340c(2) ◀ shall be placed under the internal Community transit procedure for the whole of the journey in accordance with arrangements determined by each Member State without presentation at the office of departure of the TR transfer note in respect of the goods and without affixing the labels referred to in Article 432. However, this waiver shall not apply to the TR transfer note drawn up for goods covered by the provisions in ►**M18** Article 843 ◀.

7. For the goods referred to in paragraph 2 the TR transfer note must be produced at the office of destination where the goods are declared for release for free circulation or for another customs procedure.

No formalities need be carried out at the office of destination in respect of the goods referred to in ►**M19** Article 340c(2) ◀.

8. For the purposes of the control referred to in Article 429, the transport undertaking shall in the country of destination make all TR transfer notes for the transport operations referred to in paragraph 6 available to the customs authorities in accordance with any provisions defined by mutual agreement with those authorities.

9. When Community goods are transported by rail from a point in a Member State to a point in another Member State through the territory of a third country other than an EFTA country, the internal Community transit procedure shall apply. In this case the provisions of paragraphs 6, 7 second subparagraph and 8 shall apply *mutatis mutandis*.

▼B*Article 435*

Identification of goods shall be ensured in accordance with ►**M19** Article 357 ◀. However, the office of departure shall not normally seal large containers where identification measures are taken by the railway companies. If seals are affixed this shall be indicated in the space reserved for customs use on sheets 3A and 3B of the TR transfer note.

Article 436

1. In the cases referred to in the first subparagraph of Article 434 (7) the transport undertaking shall deliver sheets 1, 2 and 3A of the TR transfer note to the office of destination.
2. The office of destination shall forthwith endorse sheets 1 and 2 and return them to the transport undertaking and shall retain sheet 3A.

Article 437

1. Where a transport operation starts within the customs territory of the Community and is to end outside it, Article 434 (1) to (5) and Article 435 shall apply.
2. The customs office responsible for the frontier station through which the goods leave the customs territory of the Community shall act as the office of destination.
3. No formalities need be carried out at the office of destination.

Article 438

1. Where a transport operation starts outside the customs territory of the Community and is to end within it, the customs office responsible for the frontier station through which the goods enter the Community shall act as the office of departure. No formalities need be carried out at the office of departure.
2. The customs office to which the goods are presented shall act as the office of destination.

The formalities laid down in Article 436 shall be carried out at the office of destination.

▼M6

3. Where the goods are released for free circulation or placed under another customs procedure at an intermediate station, the customs office for this station shall act as the office of destination. This customs office shall stamp sheets 1, 2 and 3A of the TR transfer note presented by the transport undertaking and endorse them with at least one of the following indications:

- Despachado de aduana,
- Toldbehandlet,
- Verzollt,
- Εκτελωνισμενο,
- Cleared,
- Dédouané,
- Sdoganato,
- Vrijgemaakt,
- Desalfandegado,
- Tulliselvitetty,
- Tullklarerat,

▼A2

- Propuštěno,
- Lõpetatud,
- Nomuitots,
- Išleista,
- Vámkezelve,
- Mghoddija,

▼ A2

- Odprawiony,
- Ocarinjeno,
- Prepustené.

▼ M6

This office shall return sheets 1 and 2, without delay, to the transport undertaking after having stamped them and retain sheet 3A.

4. The provisions of Article 423 (4) and (5) shall apply *mutatis mutandis*.

▼ B*Article 439*

1. Where a transport operation starts and is to end outside the customs territory of the Community, the customs offices which are to act as the office of departure and the office of destination shall be those referred to in Article 438 (1) and Article 437 (2) respectively.

2. No formalities need be carried out at the offices of departure or destination.

Article 440

Goods which are transported under Articles 438 (1) or 439 (1) shall be considered as moving under the external Community transit procedure unless the Community status of the goods is established in accordance with the provisions of Articles 313 to 340.

▼ M19

C. Other provisions

▼ B*Article 441*

1. ► **M19** Articles 350 and 385 ◀ shall apply to any loading lists which accompany the consignment note CIM or the TR transfer note. The number of such lists shall be shown in the box reserved for particulars of accompanying documents on the consignment note CIM or TR transfer note as the case may be.

In addition, the loading list shall include the wagon number to which the consignment note CIM refers or, where appropriate, the container number of the container containing the goods.

2. In the case of transport operations beginning within the customs territory of the Community comprising both goods moving under the external Community transit procedure and goods moving under the internal Community transit procedure, separate loading lists shall be made out; in the case of goods carried in large containers under cover of TR transfer notes, such separate lists shall be made out for each large container which contains both categories of goods.

The serial numbers of the loading lists relating to each of the two categories of goods shall be entered in the box reserved for the description of goods on the consignment note CIM or TR transfer note, as the case may be.

3. In the cases referred to in paragraphs 1 and 2 and for the purposes of the procedures provided for in Articles 413 to 442, the loading lists accompanying the consignment note CIM or the TR transfer note shall form an integral part thereof and shall have the same legal effects.

The original of such loading lists shall be stamped by the station of dispatch.

▼ **M19**

D. Scope of the normal procedures and the simplified procedures

▼ **B***Article 442*

1. Where the Community transit procedure is applicable, the provisions of Articles 412 to 441 shall not preclude the use of the procedures laid down ► **M19** in Articles 344 to 362, 367 to 371 and 385 ◀, and the provisions of Articles 415 and 417 or 429 and 432 shall nevertheless apply.

2. In the cases referred to in paragraph 1, a reference to the Community transit document(s) used shall be clearly entered in the box reserved for particulars of accompanying documents at the time when the consignment note CIM or TR transfer note is made out. The reference shall include the type of document, office of issue, date and registration number of each document used.

In addition, sheet 2 of the consignment note CIM or sheets 1 and 2 of the TR transfer note shall be authenticated by the railway company responsible for the last railway station involved in the Community transit operation. This company shall authenticate the document after ascertaining that transport of the goods is covered by the Community transit document or documents referred to.

3. Where a Community transit operation is carried out under cover of a TR transfer note in accordance with Articles 426 to 440, the consignment note CIM used for the operation shall be excluded from the scope of paragraphs 1 and 2 and of Articles 413 to 425. The consignment note CIM shall bear a clear reference to the TR transfer note in the box reserved for particulars of accompanying documents. That reference shall include the words 'TR transfer note' followed by the serial number.

▼ **M19***Article 442a*

1. Where production of the Community transit declaration at the office of departure is not required in respect of goods which are to be dispatched under cover of a CIM consignment note or a TR transfer note in accordance with Articles 413 to 442, the customs authorities shall take the necessary measures to ensure that copies No 1, No 2 and No 3 of the CIM consignment note, or copies No 1, No 2, No 3A and No 3B of the TR transfer note bear the 'T1', 'T2' or 'T2F' symbol, as the case may be.

2. Where goods carried in accordance with Articles 413 to 442 are intended for an authorised consignee, the customs authorities may provide that, by way of derogation from Article 406(2) and Article 408(1)(b), copies No 2 and No 3 of the CIM consignment note, or copies No 1, No 2 and No 3A of the TR transfer note are to be delivered direct by the railway company or by the transport undertaking to the office of destination.

 Subsection 9

Simplified procedures for transport by air
Article 444

1. An airline may be authorised to use the goods manifest as a transit declaration where it corresponds in substance to the specimen in Appendix 3 of Annex 9 to the Convention on International Civil Aviation (simplified procedure — level 1).

For Community transit operations, the authorisation shall indicate the form of the manifest and the airports of departure and destination.

▼M19

The airline shall send the customs authorities of each of the airports concerned an authenticated copy of the authorisation.

2. Where a transport operation involves goods which must be placed under the external Community transit procedure and goods which must be placed under the internal Community transit procedure provided for in Article 340c(1), those goods shall be listed on separate manifests.

3. Each manifest shall bear an endorsement dated and signed by the airline, identifying it:

- by the 'T1' symbol where the goods are placed under the external Community transit procedure; or
- by the 'T2F' symbol where the goods are placed under the internal Community transit procedure, provided for in Article 340c(1).

4. The manifest shall also include the following information:

- (a) the name of the airline transporting the goods;
- (b) the flight number;
- (c) the date of the flight;
- (d) the name of the airport of loading (airport of departure) and unloading (airport of destination).

It shall also indicate, for each consignment:

- (a) the number of the air waybill;
- (b) the number of packages;
- (c) the normal trade description of the goods including all the details necessary for their identification;
- (d) the gross mass.

Where goods are grouped, their description shall be replaced, where appropriate, by the entry 'Consolidation', which may be abbreviated. In such cases the air waybills for consignments on the manifest shall include the normal trade description of the goods including all the details necessary for their identification.

5. At least two copies of the manifest shall be presented to the customs authorities at the airport of departure, which shall retain one copy.

6. A copy of the manifest shall be presented to the customs authorities at the airport of destination.

7. Once a month, after authenticating the list, the customs authorities at each airport of destination shall transmit to the customs authorities at each airport of departure a list drawn up by the airlines of the manifests which were presented to them during the previous month.

The description of each manifest in that list shall include the following information:

- (a) the reference number of the manifest;
- (b) the symbol identifying the manifest as a transit declaration in accordance with paragraph 3;
- (c) the name (which may be abbreviated) of the airline which carried the goods;
- (d) the flight number; and
- (e) the date of the flight.

The authorisation may also provide for the airlines themselves to transmit the information referred to in the first subparagraph.

In the event of irregularities being found in connection with the information on the manifests appearing on the said list, the customs authorities of the airport of destination shall inform the customs authorities of the airport of departure and the authority which granted the authorisation, referring in particular to the air waybills for the goods in question.

▼ **M19***Article 445*

1. An airline may be authorised to use a manifest transmitted by data exchange systems as a transit declaration if it operates a significant number of flights between the Member States (simplified procedure — level 2).

By way of derogation from Article 373(1)(a), airlines need not be established in the Community if they have a regional office there.

2. On receipt of an application for authorisation, the customs authorities shall notify the other Member States in whose territories the airports of departure and destination linked by electronic data interchange systems are situated.

Provided no objection is received within 60 days of the date of notification, the customs authorities shall issue the authorisation.

This authorisation shall be valid in all the Member States concerned and shall apply only to Community transit operations between the airports to which it refers.

3. For the purposes of the simplification, the manifest drawn up at the airport of departure shall be transmitted to the airport of destination by electronic data interchange system.

The airline shall enter against the relevant items in the manifest:

- (a) the 'T1' symbol where the goods are placed under the external Community transit procedure;
- (b) the 'TF' symbol where the goods are placed under the internal Community transit procedure provided for in Article 340c(1);
- (c) the letters 'TD' for goods already placed under a transit procedure, or carried under the inward processing, customs warehouse or temporary admission procedure. In such cases, the airline shall also enter the letters 'TD' in the corresponding airway bill as well as a reference for the procedure used, the reference number and date of the transit declaration or transfer document and the name of the issuing office;
- (d) the letter 'C' (equivalent to 'T2L') for goods whose Community status may be demonstrated;
- (e) the letter 'X' for Community goods to be exported and which are not placed under a transit procedure.

The manifest must also include the information provided for in Article 444(4).

4. The Community transit procedure shall be deemed to be ► **C7** ended ◀ when the manifest transmitted by electronic data exchange system is available to the customs authorities of the airport of destination and the goods have been presented to them.

The records kept by the airline shall contain at least the information referred to in the second subparagraph of paragraph 3.

If necessary, the customs authorities at the airport of destination shall transmit to the customs authorities at the airport of departure, for verification, the relevant details of manifests received by electronic data interchange system.

5. Without prejudice to the provisions of Articles 365 and 366, Articles 450a to 450d and Title VII of the Code:

- (a) the airline shall notify the customs authorities of all offences and irregularities;
- (b) the customs authorities at the airport of destination shall notify the customs authorities at the airport of departure and the authority which issued the authorisation of all offences and irregularities at the earliest opportunity.

▼ **M19**

Subsection 10

Simplified procedures for maritime transport*Article 446*

Where Articles 447 and 448 apply, it shall not be necessary to furnish a guarantee.

Article 447

1. Shipping companies may be authorised to use the goods manifest as a transit declaration (simplified procedure — level 1).

For Community transit operations, the authorisation shall indicate the form of the manifest and the ports of departure and destination. The shipping company shall send the customs authorities of each of the ports concerned an authenticated copy of the authorisation.

2. Where a transport operation involves goods which must be placed under the external Community transit procedure and goods which must be placed under the internal Community transit procedure in accordance with Article 340c(1), those goods shall be listed on separate manifests.

3. Each manifest shall bear an endorsement dated and signed by the shipping company, identifying it:

- (a) by the 'T1' symbol where the goods are placed under the external Community transit procedure; or
- (b) by the 'T2F' symbol where the goods are placed under the internal Community transit procedure in accordance with Article 340c(1).

4. The manifest shall also contain the following information:

- (a) the name and full address of the shipping company carrying the goods;
- (b) the identity of the vessel;
- (c) the place of loading;
- (d) the place of unloading.

It shall also indicate, for each consignment:

- (a) the reference for the bill of lading;
- (b) the number, kind, markings and identification numbers of the packages;
- (c) the normal trade description of the goods including all the details necessary for their identification;
- (d) the gross mass in kilograms;
- (e) where appropriate, the identifying numbers of containers.

5. At least two copies of the manifest must be presented to the customs authorities at the port of departure, which shall keep one copy.

6. A copy of the manifest shall be presented to the customs authorities at the port of destination.

7. Once a month, after authenticating the list, the customs authorities at each port of destination shall transmit to the customs authorities at each port of departure a list drawn up by the shipping companies of the manifests which were presented to them during the previous month.

The description of each manifest in that list shall include the following information:

- (a) the reference number of the manifest;
- (b) the symbol identifying the manifest as a transit declaration in accordance with paragraph 3;
- (c) the name (which may be abbreviated) of the shipping company which carried the goods;

▼ **M19**

(d) the date of the maritime transport operation.

The authorisation may also provide for the shipping companies themselves to transmit the information referred to in the first subparagraph.

In the event of irregularities being found in connection with the information on the manifests appearing on the said list, the customs authorities of the port of destination shall inform the customs authorities of the port of departure and the authority which granted the authorisation, referring in particular to the bills of lading for the goods in question.

Article 448

1. A shipping company may be authorised to use a single manifest as a transit declaration if it operates a significant number of regular voyages between the Member States (simplified procedure — level 2).

By way of derogation from Article 373(1)(a), shipping companies need not be established in the Community if they have a regional office there.

2. On receipt of an application for authorisation, the customs authorities shall notify the other Member States in whose territories the ports of departure and destination are situated.

Provided no objection is received within sixty days of the date of notification, the customs authorities shall issue the authorisation.

This authorisation shall be valid in all the Member States concerned and shall apply only to Community transit operations between the ports to which it refers.

3. For the purposes of the simplification, the shipping company may use a single manifest for all goods carried; where it does so, it shall enter against the relevant items in the manifest:

- (a) the 'T1' symbol where the goods are placed under the external Community transit procedure;
- (b) the 'TF' symbol where the goods are placed under the internal Community transit procedure in accordance with Article 340c(1);
- (c) the letters 'TD' for goods already placed under a transit procedure, or carried under the inward processing, customs warehouse or temporary admission procedure. In such cases, the shipping company shall also enter the letters 'TD' in the corresponding bill of lading or other appropriate commercial document as well as a reference for the procedure used, the reference number and date of the transit declaration or transfer document and the name of the issuing office;
- (d) the letter 'C' (equivalent to 'T2L') for goods whose Community status may be demonstrated;
- (e) the letter 'X' for Community goods to be exported and which are not placed under a transit procedure.

The manifest must also include the information provided for in Article 447(4).

4. The Community transit procedure shall be deemed to be concluded when the manifest and the goods are presented to the customs authorities at the port of destination.

The records kept by the shipping company in accordance with Article 373(2)(b) shall contain at least the information referred to in the first subparagraph of paragraph 3.

Where necessary, the customs authorities at the port of destination shall transmit the relevant details of manifests to the customs authorities at the port of departure for verification.

▼M19

5. Without prejudice to the provisions of Articles 365 and 366, Articles 450a to 450d and Title VII of the Code, the following notifications shall be made:

- (a) the shipping company shall notify all offences and irregularities to the customs authorities;
- (b) the customs authorities at the port of destination shall notify the customs authorities at the port of departure and the authority which issued the authorisation of all offences and irregularities at the earliest opportunity.

▼M13**▼M19**

Subsection 11

Simplified procedure for transport by pipeline**▼B***Article 450*

1. Where the Community transit procedure applies, the formalities relating to the procedure shall be adapted in accordance with paragraphs 2 to 6 for goods transported by pipeline.
2. Goods transported by pipeline shall be deemed to be placed under the Community transit procedure:
 - on entry into the customs territory of the Community for those goods which enter that territory by pipeline,
 - on placing into the pipeline system for those goods which are already within the customs territory of the Community.

Where necessary, the Community status of the goods shall be established in accordance with Articles 313 to 340.

3. For the goods referred to in paragraph 2, the operator of the pipeline established in the Member State through the territory of which the goods enter the customs territory of the Community or the operator of the pipeline in the Member State in which the movement starts shall be the principal.
4. For the purposes of Article 96 (2) of the Code, the operator of a pipeline established in a Member State through the territory of which the goods are transported by pipeline shall be regarded as the carrier.
5. The Community transit operation shall be deemed to end when the goods transported by pipeline arrive at the consignee's plant or are accepted into the distribution network of a consignee, and are entered in his records.
6. The undertakings involved in carriage of the goods shall keep records and make them available to the customs authorities for the purpose of any controls considered necessary in connection with the Community transit operations referred to in paragraphs 2 to 4.

▼M19

Section 4

Customs debt and recovery*Article 450a*

The time limit referred to in the third indent of Article 215(1) of the Code shall be 10 months from acceptance of the transit declaration.

Article 450b

1. Where, following initiation of recovery proceedings for other charges, the customs authorities determined in accordance with Article 215 of the Code (hereinafter referred to as 'the requesting authorities') obtain evidence by whatever means regarding the place where the events giving rise to the customs debt occurred, those authorities shall

▼M19

immediately send all the necessary documents, including an authenticated copy of the evidence, to the authorities competent for that place (hereinafter referred to as 'the requested authorities').

The requested authorities shall acknowledge receipt of the communication and indicate whether they are responsible for recovery. If no response is received within three months, the requesting authorities shall immediately resume the recovery proceedings they initiated.

2. Where the requested authorities are competent, they shall initiate new proceedings for recovery of other charges, where appropriate after the three months period referred to in paragraph 1, second subparagraph, and on condition that the requesting authorities are immediately informed.

Any uncompleted proceedings for recovery of other charges initiated by the requesting authorities shall be suspended as soon as the requested authorities inform them that they have decided to take action for recovery.

As soon as the requested authorities provide proof that they have recovered the sums in question, the requesting authorities shall repay any other charges already collected or cancel the recovery proceedings.

*Article 450c***▼M21**

1. Where the procedure has not been discharged, the customs authorities of the Member State of departure shall, within 12 months of the date of acceptance of the transit declaration, notify the guarantor that the procedure has not been discharged.

1a. Where the procedure has not been discharged, the customs authorities, determined in accordance with Article 215 of the Code, shall, within three years of the date of acceptance of the transit declaration, notify the guarantor that he is or might be required to pay the debt for which he is liable in respect of the Community transit operation in question; the notification shall state the number and date of the declaration, the name of the office of departure, the name of the principal and the amount involved.

2. The guarantor shall be released from his obligations if either of the notifications provided for in paragraphs 1 and 1a have not been issued to him before the expiry of the time limit.

▼M19

3. Where either of the notifications has been issued, the guarantor shall be informed of the recovery of the debt or the discharge of the procedure.

Article 450d

The Member States shall assist each other in determining the authorities competent for recovery.

Those authorities shall inform the office of departure and the office of guarantee of all cases in which a customs debt was incurred in connection with Community transit declarations accepted by the office of departure, and of the action taken against the debtor to recover the sums concerned.

▼ B

CHAPTER 9

▼ M22*Transport under the TIR or ATA procedure*▼ B

Section 1

Common Provisions*Article 451*▼ M22

1. Where goods are transported from one point in the customs territory of the Community to another under the procedure for the international transport of goods under cover of TIR carnets (TIR Convention) or under cover of ATA carnets (ATA Convention), the customs territory of the Community shall, for the purposes of the rules governing the use of the TIR or ATA carnets for such transport, be considered to form a single territory.

▼ B

2. For the purposes of using ATA carnets as transit documents, 'transit' shall mean the transport of goods from a customs office situated in the customs territory of the Community to another customs office situated within the same territory.

Article 452

Where, in the course of transport from one point in the customs territory of the Community to another, goods pass through the territory of a third country, the controls and formalities associated with the TIR or ATA procedure shall be carried out at the points where the goods temporarily leave the customs territory of the Community and where they re-enter that territory.

Article 453

1. Goods transported under cover of TIR or ATA carnets within the customs territory of the Community shall be deemed to be non-Community goods, unless their Community status is duly established.

▼ M7

2. The Community status of the goods referred to in paragraph 1 shall be determined in accordance with ► M22 Articles 314b to 324f ◀, or, where appropriate, with Articles 325 to 334 within the limits laid down in Article 326.

▼ M22

Section 2

The TIR procedure*Article 454*

The provisions of this section apply to the transport of goods under cover of TIR carnets where import duties or other charges within the Community are involved.

Article 455

1. The customs authorities of the Member State of destination or exit shall return the appropriate part of Voucher No 2 of the TIR carnet to the customs authorities of the Member State of entry or departure without delay and at most within one month of the date when the TIR operation was terminated.

2. If the appropriate part of Voucher No 2 of the TIR carnet is not returned to the customs authorities of the Member State of entry or departure within two months of the date of acceptance of the TIR carnet, those authorities shall inform the guaranteeing association

▼ **M22**

concerned, without prejudice to the notification to be made in accordance with Article 11(1) of the TIR Convention.

They shall also inform the holder of the TIR carnet, and shall invite both the latter and the guaranteeing association concerned to furnish proof that the TIR operation has been terminated.

3. The proof referred to in the second subparagraph of paragraph 2 may be furnished to the satisfaction of the customs authorities in the form of a document certified by the customs authorities of the Member State of destination or exit identifying the goods and establishing that they have been presented at the customs office of destination or exit.

4. The TIR operation shall also be considered as having been terminated where the holder of the TIR carnet/guaranteeing association concerned presents, to the satisfaction of the customs authorities, a customs document issued in a third country entering the goods for a customs-approved treatment or use, or a copy or photocopy thereof, identifying the goods. Copies or photocopies must be certified as being true copies by the body which certified the original documents, by the authorities of the third countries concerned or by the authorities of one of the Member States.

Article 455a

1. Where the customs authorities of the Member State of entry or departure have not received proof within four months of the date of the acceptance of the TIR carnet that the TIR operation has been terminated, they shall initiate the enquiry procedure immediately in order to obtain the information needed to discharge the TIR operation or, where this is not possible, to establish whether a customs debt has been incurred, identify the debtor and determine the customs authorities responsible for entry in the accounts.

If the customs authorities receive information earlier that the TIR operation has not been terminated, or suspect that to be the case, they shall initiate the enquiry procedure forthwith.

2. The enquiry procedure shall also be initiated if it transpires subsequently that proof of the termination of the TIR operation was falsified and the enquiry procedure is necessary to achieve the objectives of paragraph 1.

3. To initiate the enquiry procedure, the customs authorities of the Member State of entry or departure shall send the customs authorities of the Member State of destination or exit a request together with all the necessary information.

4. The customs authorities of the Member State of destination or exit shall respond without delay.

5. Where an enquiry establishes that the TIR operation was terminated correctly, the customs authorities of the Member State of entry or departure shall immediately inform the guaranteeing association and the holder of the TIR carnet and, where appropriate, any customs authorities that may have initiated a recovery procedure in accordance with Articles 217 to 232 of the Code.

Article 456

1. When an offence or irregularity under the TIR Convention gives rise to a customs debt in the Community, the provisions of this section shall apply *mutatis mutandis* to the other charges mentioned in Article 91(1)(a) of the Code.

2. Articles 450a, 450b and 450d shall apply *mutatis mutandis* to the recovery procedure relating to the use of the TIR carnet.

▼ **M22***Article 457*

1. For the purposes of Article 8(4) of the TIR Convention, when a TIR operation is carried out on the customs territory of the Community, any guaranteeing association established in the Community may become liable for the payment of the secured amount of the customs debt relating to the goods concerned in the TIR operation up to a limit per TIR carnet of EUR 60 000 or the national currency equivalent thereof.
2. The guaranteeing association established in the Member State competent for recovery under Article 215 of the Code shall be liable for payment of the secured amount of the customs debt.
3. A valid notification of non-discharge of a TIR operation made by the customs authorities of one Member State, identified as competent for recovery under the third indent of Article 215(1) of the Code, to the guaranteeing association authorised by those authorities shall also be valid where the customs authorities of another Member State, identified as competent under the first or second indent of Article 215(1) of the Code, later proceed with recovery from the guaranteeing association authorised by those latter authorities.

▼ **M7***Article 457a*

Where customs authorities of a Member State decide to exclude a person from the TIR procedure under the provisions of Article 38 of the TIR Convention, this decision shall apply throughout the customs territory of the Community.

To that end, the Member State shall communicate its decision, together with the date of application, to the other Member States and the Commission.

This decision shall apply to all TIR carnets presented to a customs office for acceptance.

▼ **M10***Article 457b*

1. Where a TIR operation concerns the same goods as those covered ► **M19** by Annex 44c ◀ or where the customs authorities consider it necessary, the office of departure/office of entry may prescribe an itinerary for the consignment. The itinerary shall be changed, on application by the holder of the TIR carnet, only by the customs authorities of the Member State in which the consignment is located in the course of its prescribed movement. The customs authorities shall record the relevant details on the TIR carnet and inform the customs authorities of the office of departure/office of entry without delay.

Member States shall take the necessary measures to deal with any offence or irregularity and to impose effective penalties.

2. In the case of *force majeure* the carrier may diverge from the prescribed itinerary. The consignment and the TIR carnet shall be presented without delay to the nearest customs authorities of the Member State in which the consignment is located. The customs authorities shall inform the office of departure/office of entry without delay and record the relevant details on the TIR carnet.

▼ **B**

Section 3

▼ **M22****The ATA procedure***Article 457c*

1. This Article shall apply without prejudice to the specific provisions of the ATA Convention concerning the liability of the guaranteeing associations when an ATA carnet is being used.

▼ **M22**

2. Where it is found that, in the course of or in connection with a transit operation carried out under cover of an ATA carnet, an offence or irregularity has been committed in a particular Member State, the recovery of duties and other charges which may be payable shall be effected by that Member State in accordance with Community or national provisions, without prejudice to the institution of criminal proceedings.

3. Where it is not possible to determine in which territory the offence or irregularity was committed, such offence or irregularity shall be deemed to have been committed in the Member State where it was detected unless, within the period referred to in Article 457d(2), proof of the regularity of the operation or of the place where the offence or irregularity was actually committed is furnished to the satisfaction of the customs authorities.

Where no such proof is furnished and the said offence or irregularity is thus deemed to have been committed in the Member State in which it was detected, the duties and other charges relating to the goods concerned shall be levied by that Member State in accordance with Community or national provisions.

If the Member State where the said offence or irregularity was actually committed is subsequently determined, the duties and other charges (apart from those levied, pursuant to the second subparagraph, as own resources of the Community) to which the goods are liable in that Member State shall be returned to it by the Member State which had originally recovered them. In that case, any overpayment shall be repaid to the person who had originally paid the charges.

Where the amount of the duties and other charges originally levied and returned by the Member State which had recovered them is smaller than that of the duties and other charges due in the Member State where the offence or irregularity was actually committed, that Member State shall levy the difference in accordance with Community or national provisions.

The customs administrations of the Member States shall take the necessary measures to deal with any offence or irregularity and to impose effective penalties.

Article 457d

1. Where an offence or irregularity is found to have been committed in the course of or in connection with a transit operation carried out under cover of an ATA carnet, the customs authorities shall notify the holder of the ATA carnet and the guaranteeing association within the period prescribed in Article 6(4) of the ATA Convention.

2. Proof of the regularity of the operation carried out under cover of an ATA carnet within the meaning of the first subparagraph of Article 457c(3) shall be furnished within the period prescribed in Article 7(1) and (2) of the ATA Convention.

3. The proof referred to in paragraph 2 shall be furnished to the satisfaction of the customs authorities using one of the following methods:

- (a) by production of a customs or commercial document certified by the customs authorities establishing that the goods in question have been presented at the office of destination;
- (b) by the production of a customs document showing entry for a customs procedure in a third country, or a copy or photocopy thereof, certified as a true copy either by the body which endorsed the original document, or by the authorities of the third country concerned, or by the authorities of one of the Member States;
- (c) by the evidence referred to in Article 8 of the ATA Convention.

The documents referred to in points (a) and (b) of the first subparagraph shall include information enabling the goods in question to be identified.

▼B*Article 458*

1. The customs authorities shall designate a coordinating office in each Member State for any action concerning infringements or irregularities relating to ATA carnets.

Those authorities shall inform the Commission of the designation of the coordinating offices together with their full address. A list of the offices shall be published in the *Official Journal of the European Communities*, C series.

2. For the purposes of determining the Member State responsible for levying the duties and other charges due, the Member State in which an offence or irregularity committed during a transit operation carried out under cover of an ATA carnet is detected within the meaning of the second subparagraph of ►**M22** Article 457c(3) ◀ shall be the Member State where the goods were found or, if they have not been found, the Member State whose coordinating office holds the most recent voucher from the carnet.

Article 459

1. Where the customs authorities of a Member State establish that a customs debt has been incurred, a claim shall be sent to the guaranteeing association with which that Member State is linked as soon as possible. Where the incurrence of the debt is due to the fact that the goods covered by the ATA carnet have not been re-exported or have not been assigned a customs-approved treatment or use within the periods laid down by the ATA Convention, this claim shall be sent at the earliest three months after the date of expiry of the carnet.

2. The coordinating office making the claim shall at the same time, as far as possible, send to the coordinating office in the jurisdiction of which the office of temporary admission is situated, an information memo drawn up in accordance with the model shown in Annex 59.

The information memo shall be accompanied by a copy of the undischarged voucher, if the coordinating office has it in its possession. The information memo may also be used whenever this is deemed necessary.

Article 460

1. The amount of duties and taxes arising from the claim referred to in Article 459 shall be calculated by means of the model taxation form set out in Annex 60 completed in accordance with the instructions attached to it.

The taxation form may be sent later than the claim, though not more than three months from the claim and in any event not more than six months from the date on which the customs authorities initiate the recovery proceedings.

2. In accordance with Article 461 and as provided therein, the sending of this form to a guaranteeing association by the customs administration with which that association is connected shall not release the other guaranteeing associations in the Community from an obligation to pay duties and other charges if it is found that the offence or irregularity was committed in a Member State other than the one in which the proceedings were initiated.

3. The taxation form shall be completed in duplicate or triplicate, as necessary. The first copy shall be for the guaranteeing association connected with the customs authority of the Member State in which the claim is made. The second copy shall be retained by the issuing coordinating office. Where necessary the issuing coordinating office shall send the third copy to the coordinating office in whose jurisdiction (SIC! jurisdiction) the office of temporary admission is situated.

Article 461

1. Where it is established that the offence or irregularity was committed in a Member State other than the one in which the proceed-

▼ **B**

ings were initiated, the coordinating office of the first Member State shall close the file as far as it is concerned.

2. For the purposes of closure it shall send to the coordinating office of the second Member State the contents of the file in its possession and if necessary shall refund to the guaranteeing association with which it is connected any sums which that association may have deposited or provisionally paid.

However, the file shall be closed only if the coordinating office of the first Member State receives a discharge from the coordinating office of the second Member State indicating that claim proceedings have been initiated in the latter Member State, in accordance with the rules of the ATA Convention. This discharge shall be drawn up in accordance with the model in Annex 61.

3. The coordinating office of the Member State where the offence or irregularity was committed shall take over the recovery proceedings and where necessary collect from the guaranteeing association with which it is connected the amount of duties and other charges due at the rates in force in the Member State where this office is situated.

4. The proceedings must be transferred within a period of one year counting from the expiry of the carnet on condition that payment has not become definitive pursuant to Article 7 (2) or (3) of the ATA Convention. Should this time limit be exceeded the third and fourth paragraphs of ► **M22** Article 457c(3) ◀ shall apply.

CHAPTER 10

*Transport under the form 302 procedure**Article 462*

1. Where, in accordance with Articles 91 (2) (e) and 163 (2) (e) of the Code, goods are transported from one point in the customs territory of the Community to another under cover of form 302 established under the Convention between the Parties to the North Atlantic Treaty on the Status of their Forces, signed in London on 19 June 1951, the customs territory of the Community shall be considered, for the purposes of the rules governing the use of the said form for such transport, to form a single territory.

2. Where, in the course of a transport operation referred to in paragraph 1, goods pass through the territory of a third country, the controls and formalities associated with form 302 shall be carried out at the points where the goods temporarily leave the customs territory of the Community and where they re-enter that territory.

3. Where it is found that, in the course of or in connection with a transport operation carried out under cover of form 302, an offence or irregularity has been committed in a particular Member State, the recovery of duties and other charges which may be payable shall be effected by that Member State in accordance with Community or national provisions, without prejudice to the institution of criminal proceedings.

4. ► **M22** Article 457c(3) ◀ shall apply *mutatis mutandis*.

▼ **M19***Chapter 10a**Procedure for postal consignments**Article 462a*

1. Where under Article 91(2)(f) of the Code, non-Community goods are carried from one point to another in the customs territory of the Community by post (including parcel post), the customs authorities of the Member State of dispatch shall be required to affix on the packaging and accompanying documents a label of the type shown in Annex 42, or have a label of this type so affixed.

▼ **M19**

2. Where Community goods are carried by post (including parcel post) to or from a part of the customs territory of the Community where Directive 77/388/EEC does not apply, the customs authorities of the Member State of dispatch shall be required to affix on the packaging and accompanying documents a label of the type shown in Annex 42b, or have a label of this type so affixed.

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TITLE III

CUSTOMS PROCEDURES WITH ECONOMIC IMPACT*CHAPTER 1**Basic provisions common to more than one of the arrangements*

Section 1

Definitions*Article 496*

For the purposes of this Title:

- (a) 'arrangements' means a customs procedure with economic impact;
- (b) 'authorisation' means permission by the customs authorities to use arrangements;
- (c) 'single authorisation' means an authorisation involving different customs administrations covering entry for and/or discharge of the arrangements, storage, successive processing operations or uses;
- (d) 'holder' means the holder of an authorisation;
- (e) 'supervising office' means the customs office indicated in the authorisation as empowered to supervise the arrangements;
- (f) 'office of entry' means the customs office or offices indicated in the authorisation as empowered to accept declarations entering goods for the arrangements;
- (g) 'office of discharge' means the customs office or offices indicated in the authorisation as empowered to accept declarations assigning goods, following entry for the arrangements, to a new permitted customs-approved treatment or use, or, in the case of outward processing, the declaration for free circulation;
- (h) 'triangular traffic' means the traffic where the office of discharge is not the same as the office of entry;
- (i) 'accounts' means the holder's commercial, tax or other accounting material, or such data held on their behalf;
- (j) 'records' means the data containing all the necessary information and technical details on whatever medium, enabling the customs authorities to supervise and control the arrangements, in particular as regards the flow and changing status of the goods; in the customs warehousing arrangements records are called stock records;
- (k) 'main compensating products' means compensating products for the production of which the arrangements were authorised;
- (l) 'secondary compensating products' means compensating products which are a necessary by-product of the processing operation other than the main compensating products specified in the authorisation;
- (m) 'period for discharge' means the time by which the goods or products must have been assigned a new permitted customs-approved treatment or use including, as the case may be, in order to claim repayment of import duties after inward processing

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(drawback system), or in order to obtain total or partial relief from import duties upon release for free circulation after outward processing.

Section 2

Application for authorisation*Article 497*

1. Application for authorisation shall be made in writing using the model set out in Annex 67.
2. The customs authorities may permit renewal or modification of an authorisation to be applied for by simple written request.
3. In the following cases, the application for authorisation may be made by means of a customs declaration in writing or by means of a data processing technique using the normal procedure:
 - (a) for inward processing, where in accordance with Article 539 the economic conditions are deemed to be fulfilled, with the exception of applications involving equivalent goods;
 - (b) for processing under customs control, where in accordance with Article 552(1), first subparagraph, the economic conditions are deemed to be fulfilled;
 - (c) for temporary importation, including use of an ATA or CPD carnet;

▼ C9

- (d) — for outward processing: where the processing operations concern repairs, including the standard exchange system without prior importation,
 - for release for free circulation after outward processing using the standard exchange system with prior importation,
 - for release for free circulation after outward processing using the standard exchange system without prior importation, where the existing authorisation does not cover such a system and the customs authorities permit its modification,
 - for release for free circulation after outward processing if the processing operation concerns goods of a non-commercial nature.

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The application for authorisation may be made by means of an oral customs declaration for temporary importation in accordance with Article 229, subject to the presentation of a document made out in accordance with Article 499, third subparagraph.

The application for authorisation may be made by means of a customs declaration for temporary importation by any other act in accordance with Article 232(1).

4. Applications for a single authorisation, except for temporary importation, shall be made in accordance with paragraph 1.
5. Customs authorities may require applications for temporary importation with total relief from the import duties in accordance with Article 578 to be made in accordance with paragraph 1.

Article 498

The application for an authorisation under Article 497 shall be submitted:

- (a) for customs warehousing: to the customs authorities designated for the place to be approved as a customs warehouse or where the applicant's main accounts are held;
- (b) for inward processing and processing under customs control: to the customs authorities designated for the place where the processing operation is to be carried out;

▼ **M20**

- (c) for temporary importation: to the customs authorities designated for the place where the goods are to be used, without prejudice to ► **C9** Article 580(2) ◀ second subparagraph;
- (d) for outward processing: to the customs authorities designated for the place where the goods to be declared for temporary exportation are located.

Article 499

Where the customs authorities consider any of the information given in the application inadequate, they may require additional details from the applicant.

In particular, where an application may be made by making a customs declaration, the customs authorities shall require, without prejudice to Article 220, that the application be accompanied by a document made out by the declarant containing at least the following information, unless such information is deemed unnecessary or can be entered on the form used for the written declaration:

- (a) name and address of the applicant, the declarant and the operator;
- (b) nature of the processing or use of the goods;
- (c) technical description of the goods and compensating or processed products and means of identifying them;
- (d) codes of economic conditions in accordance with Annex 70;
- (e) estimated rate of yield or method by which that rate is to be determined;
- (f) estimated period for discharge;
- (g) proposed office of discharge;
- (h) place of processing or use;
- (i) proposed transfer formalities;
- (j) in the case of oral customs declaration, the value and quantity of the goods.

Where the document referred to in the ► **C9** second subparagraph ◀ is presented with an oral customs declaration for temporary importation, it shall be made out in duplicate and one copy shall be endorsed by the customs authorities and given to the declarant.

Section 3

Single authorisation*Article 500*

1. Where a single authorisation is applied for, the prior agreement of the authorities concerned shall be necessary, in accordance with the procedure set out in paragraphs 2 and 3.

2. In the case of temporary importation, the application shall be submitted to the customs authorities designated for the place of first use, without prejudice to Article ► **C9** 580(2) ◀, second subparagraph.

In other cases, it shall be submitted to the customs authorities designated for the place where the applicant's main accounts are held facilitating audit-based controls of the arrangements and where at least part of the storage, processing or temporary export operations to be covered by the authorisation are conducted.

▼ **M24**

Where the competent customs authorities cannot be determined under the first or second subparagraph, the application shall be submitted to the customs authorities designated for the place where the applicant's main accounts are held facilitating audit-based controls of the arrangements.

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3. These customs authorities designated in accordance with paragraph 2 shall communicate the application and the draft authorisation to the other customs authorities concerned, which shall acknowledge the date of receipt within 15 days.

The other customs authorities concerned shall notify any objections within 30 days of the date on which the draft authorisation was received. Where objections are notified within that period and no agreement is reached, the application shall be rejected to the extent to which objections were raised.

4. The customs authorities may issue the authorisation if they have received no objections to the draft authorisation within the 30 days.

They shall send a copy of the agreed authorisation to all customs authorities concerned.

Article 501

1. Where the criteria and conditions for the granting of a single authorisation are generally agreed upon between two or more customs administrations, the said administrations may also agree to replace prior agreement in accordance with Article 500(1) and information to be supplied in accordance with ► **C9** Article 500(4) ◀, second subparagraph, by simple notification.

2. Notification shall always be sufficient where:

- (a) a single authorisation is renewed, subject to modifications of a minor nature, annulled or revoked;
- (b) the application for a single authorisation concerns temporary importation and is not to be made using the model in Annex 67.

3. No notification shall be needed where:

- (a) the only element involving different customs administrations is triangular traffic under inward or outward processing, without use of recapitulative information sheets;
- (b) ATA or CPD carnets are used;
- (c) the authorisation for temporary importation is granted by accepting an oral declaration or a declaration by any other act.

Section 4

Economic conditions*Article 502*

1. Except where the economic conditions are deemed to be fulfilled pursuant to Chapters 3, 4 or 6, the authorisation shall not be granted without examination of the economic conditions by the customs authorities.

2. For the inward processing arrangements (Chapter 3), the examination shall establish the economic unviability of using Community sources taking account in particular of the following criteria, the details of which are laid down in Part B of Annex 70:

- (a) unavailability of Community-produced goods sharing the same quality and technical characteristics as the goods intended to be imported for the processing operations envisaged;
- (b) differences in price between Community-produced goods and those intended to be imported;
- (c) contractual obligations.

3. For the processing under customs control arrangements (Chapter 4), the examination shall establish whether the use of non-Community sources enables processing activities to be created or maintained in the Community.

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4. For the outward processing arrangements (Chapter 6), the examination shall establish whether:
- (a) carrying out processing outside the Community is likely to cause serious disadvantages for Community processors; or
 - (b) carrying out processing in the Community is economically unviable or is not feasible for technical reasons or due to contractual obligations.

Article 503

An examination of the economic conditions involving the Commission may take place:

- (a) if the customs authorities concerned wish to consult before or after issuing an authorisation;
- (b) if another customs administration objects to an authorisation issued;
- (c) on the initiative of the Commission.

Article 504

1. Where an examination in accordance with Article 503 is initiated, the case shall be sent to the Commission. It shall contain the results of the examination already undertaken.

2. The Commission shall send an acknowledgement of receipt or notify the customs authorities concerned when acting on its own initiative. It shall determine in consultation with them whether an examination of the economic conditions in the Committee is required.

3. Where the case is submitted to the Committee, the customs authorities shall inform the applicant, or holder, that such a procedure has been initiated and, if the handling of the application is not completed, that the time limits laid down in Article 506 have been suspended.

4. The Committee's conclusion shall be taken into account by the customs authorities concerned and by any other customs authorities dealing with similar authorisations or applications.

This conclusion may include its publication in the C series of the *Official Journal of the European Communities*.

Section 5**The decision on authorisation***Article 505*

The customs authorities competent to decide shall grant the authorisation as follows:

- (a) for an application under Article 497(1), using the model set out in Annex 67;
- (b) for an application under Article 497(3), by acceptance of the customs declaration;
- (c) for an application for renewal or modification, by any appropriate act.

Article 506

The applicant shall be informed of the decision to issue an authorisation, or the reasons why the application was rejected, within 30 days or 60 days in the case of the customs warehousing arrangements, of the date the application was lodged or the date any requested outstanding or additional information is received by the customs authorities.

These periods shall not apply in the case of a single authorisation unless it is issued under Article 501.

▼ **M20***Article 507*

1. Without prejudice to Article 508, an authorisation shall take effect on the date of issue or at any later date given in the authorisation. In the case of a private warehouse, the customs authorities may exceptionally communicate their agreement to use the arrangements prior to the actual issuing of the authorisation.
2. No limit on the period of validity shall be fixed for authorisations for the customs warehousing arrangements.
3. For inward processing, processing under customs control and outward processing, the period of validity shall not exceed three years from the date the authorisation takes effect, except where there are duly justified good reasons.
4. By way of derogation from paragraph 3, for goods under inward processing covered by Annex 73, Part A, the period of validity shall not exceed six months.

In the case of milk and milk products referred to in Article 1 of Council Regulation (EC) No 1255/1999 ⁽¹⁾, the period of validity shall not exceed three months.

Article 508

1. Except for the customs warehousing arrangements, the customs authorities may issue a retroactive authorisation.

Without prejudice to paragraphs 2 and 3, a retroactive authorisation shall take effect at the earliest on the date on which the application was submitted.

2. If an application concerns renewal of an authorisation for the same kind of operation and goods, an authorisation may be granted with retroactive effect from the date the original authorisation expired.
3. In exceptional circumstances, the retroactive effect of an authorisation may be extended further, but not more than one year before the date the application was submitted, provided a proven economic need exists and:
 - (a) the application is not related to attempted deception or to obvious negligence;
 - (b) the period of validity which would have been granted under Article 507 is not exceeded;
 - (c) the applicant's accounts confirm that all the requirements of the arrangements can be deemed to be met and, where appropriate, the goods can be identified for the period involved, and such accounts allow the arrangements to be controlled; and
 - (d) all the formalities necessary to regularise the situation of the goods can be carried out, including, where necessary, the invalidation of the declaration.

Section 6

Other provisions concerning the operation of the arrangements

Subsection 1

General provisions*Article 509*

1. Commercial policy measures provided for in Community acts shall be applicable on entry for the arrangements of non-Community goods only to the extent that they refer to the entry of goods into the customs territory of the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

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2. Where compensating products other than those mentioned in Annex 75, obtained under the inward processing arrangements are released for free circulation, the commercial policy measures to be applied shall be those applicable to the release for free circulation of the import goods.
3. Where processed products, obtained under the arrangements for processing under customs control, are released for free circulation, the commercial policy measures applicable to those products shall be applied only where the import goods are subject to such measures.
4. Where Community acts provide for commercial policy measures on release for free circulation, such measures shall not apply to compensating products released for free circulation following outward processing:
 - that have retained Community origin within the meaning of Articles 23 and 24 of the Code;
 - involving repair, including the standard exchange system;
 - following successive processing operations in accordance with Article 123 of the Code.

Article 510

Without prejudice to Article 161(5) of the Code, the supervising office may allow the customs declaration to be presented at a customs office other than those specified in the authorisation. The supervising office shall determine how it shall be informed.

Subsection 2

Transfers*Article 511*

The authorisation shall specify whether and under which conditions the movement of goods or products placed under suspensive arrangements between different places or to the premises of another holder may take place without discharge of the arrangements (transfer), subject, in cases other than temporary importation, to the keeping of records.

Transfer shall not be possible where the place of departure or arrival of the goods is a type B warehouse.

Article 512

1. Transfer between different places designated in the same authorisation may be undertaken without any customs formalities.
2. Transfer from the office of entry to the holder's or operator's facilities or place of use may be carried out under cover of the declaration for entry for the arrangements.
3. Transfer to the office of exit with a view to re-exportation may take place under cover of the arrangements. In this case, the arrangements shall not be discharged until the goods or products declared for re-exportation have actually left the customs territory of the Community.

Article 513

Transfer from one holder to another can only take place where the latter enters the transferred goods or products for the arrangements under an authorisation to use the local clearance procedure. Notification to the customs authorities and entry in the records of the goods or products referred to in Article 266 shall take place upon their arrival at the premises of the second holder. A supplementary declaration need not be required.

In the case of temporary importation, the transfer from one holder to another may also take place where the latter enters the goods under

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the arrangements by means of a customs declaration in writing using the normal procedure.

The formalities to be carried out are laid down in Annex 68. Upon receipt of the goods or products, the second holder shall be obliged to enter them for the arrangements.

Article 514

The transfer involving an increased risk as set out in Annex 44c shall be covered by a guarantee under conditions equivalent to those provided for in the transit procedure.

Subsection 3

Records*Article 515*

The customs authorities shall require the holder, the operator or the designated warehousekeeper to keep records, except for temporary importation or where they do not deem it necessary.

The customs authorities may approve existing accounts containing the relevant particulars as records.

The supervising office may require an inventory to be made of all or some of the goods placed under the arrangements.

Article 516

The records referred to in Article 515 and, where they are required, under Article 581(2) for temporary imports shall contain the following information:

- (a) the information contained in the boxes of the minimum list laid down by Annex 37 for the declaration of entry for the arrangements;
- (b) particulars of the declarations by means of which the goods are assigned a customs-approved treatment or use discharging the arrangements;
- (c) the date and reference particulars of other customs documents and any other documents relating to entry and discharge;
- (d) the nature of the processing operations, types of handling or temporary use;
- (e) the rate of yield or its method of calculation where appropriate;
- (f) information enabling the goods to be monitored, including their location and particulars of any transfer;
- (g) commercial or technical descriptions necessary to identify the goods;
- (h) particulars enabling monitoring of the movements under the inward processing arrangements operating with equivalent goods.

However, the customs authorities may waive the requirement for some of this information where this does not adversely affect the control or supervision of the arrangements for the goods to be stored, processed or used.

Subsection 4

Rate of yield and calculation formula*Article 517*

1. Where relevant for the arrangements falling under Chapters 3, 4 and 6, a rate of yield or the method for determining a rate, including average rates, shall be established in the authorisation or at the time the goods are entered for the arrangements. Such rate is to be determined, as far as possible, on the basis of production or technical data

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or, where these are not available, data relating to operations of the same type.

2. In particular circumstances the customs authorities may establish the rate of yield after the goods have been entered for the arrangements, but not later than when they are assigned a new customs-approved treatment or use.

3. The standard rates of yield laid down for inward processing in Annex 69 shall apply to the operations mentioned therein.

Article 518

1. The proportion of import/temporary export goods incorporated in the compensating products shall be calculated in order:

- to determine the import duties to be charged;
- to determine the amount to be deducted when a customs debt is incurred; or
- to apply commercial policy measures.

These calculations shall be made in accordance with the quantitative scale method, or the value scale method as appropriate, or any other method giving similar results.

For the purposes of the calculations, compensating products shall include processed products or intermediate products.

2. The quantitative scale method shall be applicable where:

- (a) only one kind of compensating product is derived from the processing operations; in this case the quantity of import/temporary export goods deemed to be present in the quantity of compensating products for which a customs debt is incurred shall be proportional to the latter category of products as a percentage of the total quantity of compensating products;
- (b) several kinds of compensating product are derived from the processing operations and all elements of the import/temporary export goods are found in each of those compensating products; in this case the quantity of import/temporary export goods deemed to be present in the quantity of a given compensating product for which a customs debt is incurred shall be proportional to:
 - (i) the ratio between this specific kind of compensating product, irrespective of whether a customs debt is incurred, and the total quantity of all compensating products, and
 - (ii) the ratio between the quantity of compensating products for which a customs debt is incurred and the total quantity of compensating products of the same kind.

In deciding whether the conditions for applying the methods described in (a) or (b) are fulfilled, losses shall not be taken into account. Without prejudice to Article 862, losses means the proportion of import/temporary export goods destroyed and lost during the processing operation, in particular by evaporation, desiccation, venting as gas or leaching. In outward processing secondary compensating products that constitute waste, scrap, residues, offcuts and remainders shall be treated as losses.

3. The value scale method shall be applied where the quantitative scale method is not applicable.

The quantity of import/temporary export goods deemed to be present in the quantity of a given compensating product incurring a customs debt shall be proportional to:

- (a) the value of this specific kind of compensating product, irrespective of whether a customs debt is incurred, as a percentage of the total value of all the compensating products; and
- (b) the value of the compensating products for which a customs debt is incurred, as a percentage of the total value of compensating products of that kind.

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The value of each of the different compensating products to be used for applying the value scale shall be the recent ex-works price in the Community, or the recent selling price in the Community of identical or similar products, provided that these have not been influenced by the relationship between buyer and seller.

4. Where the value cannot be ascertained pursuant to paragraph 3, it shall be determined by any reasonable method.

Subsection 5

Compensatory interest*Article 519*

1. Where a customs debt is incurred in respect of compensating products or import goods under inward processing or temporary importation, compensatory interest shall be due on the amount of import duties for the period involved.

2. The three-month money market interest rates published in the statistical annex of the Monthly Bulletin of the European Central Bank shall apply.

The applicable rate shall be that applicable two months before the month in which the customs debt is incurred and for the Member State where the first operation or use as provided for by the authorisation took place or should have taken place.

3. Interest shall be applied on a monthly basis, starting on the first day of the month following the month in which the import goods for which a customs debt is incurred were first entered for the arrangements. The period shall close on the last day of the month in which the customs debt is incurred.

Where inward processing (drawback system) is concerned and release for free circulation is requested under Article 128(4) of the Code, the period starts from the first day of the month following the month in which the import duties were repaid or remitted.

4. Paragraphs 1, 2 and 3 shall not apply to the following cases:

- (a) where the period to be taken into account is less than one month;
- (b) where the amount of compensatory interest applicable does not exceed EUR 20 per customs debt incurred;
- (c) where a customs debt is incurred in order to allow the application of preferential tariff treatment under an agreement between the Community and a third country on imports into that country;
- (d) where waste and scrap resulting from destruction is released for free circulation;
- (e) where the secondary compensating products referred to in Annex 75 are released for free circulation, provided they are in proportion to exported quantities of main compensating products;
- (f) where a customs debt is incurred as a result of an application for release for free circulation under Article 128(4) of the Code, as long as the import duties payable on the products in question have not yet actually been repaid or remitted;
- (g) where the holder requests release for free circulation and submits proof that particular circumstances not arising from any negligence or deception on his part make it impossible or uneconomic to carry out the re-export operation under the conditions he had anticipated and duly substantiated when applying for the authorisation;
- (h) where a customs debt is incurred and to the extent a security is provided by a cash deposit in relation to this debt;
- (i) where a customs debt is incurred in accordance with Article 201(1)(b) of the Code or is due to the release for free circulation of goods which were entered for the temporary importation arrangements under Articles 556 to 561, 563, 565, 568, 573(b) and 576 of this Regulation.

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5. In the case of inward processing operations in which the number of import goods and/or compensating products makes it uneconomic to apply the provisions of paragraphs 2 and 3, the customs authorities, at the request of the person concerned, may allow simplified methods giving similar results to be used for the calculation of compensatory interest.

Subsection 6

Discharge*Article 520*

1. Where import or temporary export goods have been entered under two or more declarations for the arrangements by virtue of one authorisation:

- in the case of a suspensive arrangement, the assignment of goods or products to a new customs-approved treatment or use shall be considered to discharge the arrangements for the import goods in question entered under the earliest of the declarations;
- in the case of inward processing (drawback system) or outward processing, the compensating products shall be considered to have been obtained from the import or temporary export goods in question respectively, entered under the earliest of the declarations.

Application of the first subparagraph shall not lead to unjustified import duty advantages.

The holder may request the discharge to be made in relation to the specific import or temporary export goods.

2. Where the goods under the arrangements are placed together with other goods and there is total destruction or irretrievable loss, the customs authorities may accept evidence produced by the holder indicating the actual quantity of goods under the arrangements which was destroyed or lost. Where it is not possible for the holder to produce such evidence, the amount of goods which has been destroyed or lost shall be established by reference to the proportion of goods of that type under the arrangements at the time when the destruction or loss occurred.

Article 521

1. At the latest upon expiry of the period for discharge, irrespective of whether aggregation in accordance with Article 118(2), second subparagraph, of the Code is used or not:

- in the case of inward processing (suspension system) or processing under customs control, the bill of discharge shall be supplied to the supervising office within 30 days;
- in the case of inward processing (drawback system), the claim for repayment or remission of import duties must be lodged with the supervising office within six months.

Where special circumstances so warrant, the customs authorities may extend the period even if it has expired.

2. The bill or the claim shall contain the following particulars, unless otherwise determined by the supervising office:

- (a) reference particulars of the authorisation;
- (b) the quantity of each type of import goods in respect of which discharge, repayment or remission is claimed or the import goods entered for the arrangements under the triangular traffic system;
- (c) the CN code of the import goods;
- (d) the rate of import duties to which the import goods are liable and, where applicable, their customs value;
- (e) the particulars of the declarations entering the import goods under the arrangements;

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- (f) the type and quantity of the compensating or processed products or the goods in unaltered state and the customs-approved treatment or use to which they have been assigned, including particulars of the corresponding declarations, other customs documents or any other document relating to discharge and periods for discharge;
 - (g) the value of the compensating or processed products if the value scale method is used for the purpose of discharge;
 - (h) the rate of yield;
 - (i) the amount of import duties to be paid or to be repaid or remitted and where applicable any compensatory interest to be paid. Where this amount refers to the application of Article 546, it shall be specified;
 - (j) in the case of processing under customs control, the CN code of the processed products and elements necessary to determine the customs value.
3. The supervising office may make out the bill of discharge.

Section 7

Administrative cooperation*Article 522*

The customs authorities shall communicate to the Commission in the cases, within the time-limit and in the format set out in Annex 70 the following information:

- (a) with regard to inward processing and processing under customs control:
 - (i) authorisations issued;
 - (ii) applications refused or authorisations annulled or revoked on the grounds of economic conditions not being fulfilled;
- (b) with regard to outward processing:
 - (i) authorisations issued in accordance with Article 147(2) of the Code;
 - (ii) applications refused or authorisations annulled or revoked on the grounds of economic conditions not being fulfilled.

The Commission shall make these particulars available to the customs administrations.

Article 523

In order to make pertinent information available to other customs offices involved in the application of the arrangements, the following information sheets provided for in Annex 71 may be issued at the request of the person concerned or on the initiative of the customs authorities, unless the customs authorities agree other means of exchange of information:

- (a) for customs warehousing, the information INF8, in order to communicate the elements for assessment of the customs debt applicable to the goods before usual forms of handling have taken place;
- (b) for inward processing:
 - (i) the information sheet INF1, for the communication of information on duty amounts, compensatory interest, security and commercial policy measures,
 - (ii) the information sheet INF9, for the communication of information on compensating products to be assigned another customs approved treatment or use in triangular traffic,
 - (iii) the information sheet INF5, for the communication to obtain duty relief for import goods, of information on prior exportation in triangular traffic,

▼ **M20**

- (iv) the information sheet INF7, for the communication of information permitting repayment or remission of duties under the drawback system;
- (c) for temporary importation, the information sheet INF6 in order to communicate the elements for assessment of the customs debt or of amounts of duties already levied for goods moved;
- (d) for outward processing, the information sheet INF2 in order to communicate information on temporary export goods in triangular traffic, in order to obtain partial or total relief for compensating products.

*CHAPTER 2***Customs warehousing**

Section 1

General provisions*Article 524*

For the purposes of this Chapter concerning agricultural products, 'pre-financed goods' means Community goods intended for export in the unaltered state which are the subject of the payment of an amount equal to an export refund before the goods are exported, where such payment is provided for in Council Regulation (EEC) No 565/80 ⁽¹⁾.

Article 525

1. Where a customs warehouse is public, the following classification shall apply:
 - (a) type A, if the responsibility lies with the warehousekeeper;
 - (b) type B, if the responsibility lies with the depositor;
 - (c) type F, if the warehouse is operated by the customs authorities.
2. Where a customs warehouse is private and responsibility lies with the warehousekeeper, who is the same person as the depositor but not necessarily the owner of the goods, the following classification shall apply:
 - (a) type D, where release for free circulation is made by way of the local clearance procedure and may be granted on the basis of the nature, the customs value and the quantity of the goods to be taken into account at the time of their placing under the arrangements;
 - (b) type E, where the arrangements apply although the goods need not be stored in a place approved as a customs warehouse;
 - (c) type C, where neither of the special situations under points (a) and (b) applies.
3. An authorisation for a type E warehouse may provide for the procedures laid down for type D to be applied.

Section 2

Additional conditions concerning the granting of the authorisation*Article 526*

1. When granting the authorisation the customs authorities shall define the premises or any other location approved as a customs warehouse of type A, B, C or D. They may also approve temporary storage facilities as such types of warehouse or operate them as a type F warehouse.

⁽¹⁾ OJ L 62, 7.3.1980, p. 5.

▼ **M20**

2. A location may not be approved as more than one customs warehouse at the same time.
3. Where goods present a danger or are likely to spoil other goods or require special facilities for other reasons, authorisations may specify that they may only be stored in premises specially equipped to receive them.
4. Type A, C, D and E warehouses may be approved as victualling warehouses within the meaning of Article 40 of Commission Regulation (EC) No 800/99 ⁽¹⁾.
5. Single authorisations may be granted only for private customs warehouses.

Article 527

1. Authorisations may be granted only if any intended usual forms of handling, inward processing or processing under customs control of the goods do not predominate over the storage of the goods.
2. Authorisations shall not be granted if the premises of customs warehouses or the storage facilities are used for the purpose of retail sale.

An authorisation may, however, be granted, where goods are retailed with relief from import duties:

- (a) to travellers in traffic to third countries;
- (b) under diplomatic or consular arrangements;
- (c) to members of international organisations or to NATO forces.

3. For the purposes of the second indent of Article 86 of the Code, when examining whether the administrative costs of customs warehousing arrangements are disproportionate to the economic needs involved, customs authorities shall take account, *inter alia*, of the type of warehouse and the procedure which may be applied therein.

Section 3**Stock records***Article 528*

1. In warehouses of type A, C, D and E, the person designated to keep the stock records shall be the warehousekeeper.
2. In warehouses of type F, the operating customs office shall keep the customs records in place of stock records.
3. In type B warehouses, in place of stock records, the supervising office shall keep the declarations of entry for the arrangements.

Article 529

1. The stock records shall at all times show the current stock of goods which are still under the customs warehousing arrangements. At the times laid down by the customs authorities, the warehousekeeper shall lodge a list of the said stock at the supervising office.
2. Where Article 112(2) of the Code applies, the customs value of the goods before carrying out usual forms of handling shall appear in the stock records.
3. Information on the temporary removal of goods and on goods in common storage in accordance with Article 534(2) shall appear in the stock records.

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

▼ **M20***Article 530*

1. Where goods are entered for the type E warehouse arrangements, the entry in the stock records shall take place when they arrive at the holder's storage facilities.
2. Where the customs warehouse also serves as a temporary storage facility, the entry in the stock records shall take place at the time the declaration for the arrangements is accepted.
3. Entry in the stock records relating to discharge of the arrangements shall take place at the latest when the goods leave the customs warehouse or the holder's storage facilities.

Section 4**Other provisions concerning the operation of the arrangements***Article 531*

Non-Community goods may undergo the usual forms of handling listed in Annex 72.

Article 532

Goods may be temporarily removed for a period not exceeding three months. Where circumstances so warrant, this period may be extended.

Article 533

Applications for permission to carry out usual forms of handling or to remove goods temporarily from the customs warehouse shall be made in writing on a case by case basis to the supervising office. They must contain all particulars necessary to apply the arrangements.

Such permission may be granted as part of an authorisation to operate the warehousing arrangements. In this case the supervising office, in the manner it shall determine, shall be notified that such handling is to be carried out or the goods are to be temporarily removed.

Article 534

1. Where Community goods are stored on the premises of a customs warehouse or the storage facilities used for goods under the warehousing arrangements, specific methods of identifying such goods may be laid down with a view, in particular, to distinguishing them from goods entered for the customs warehousing arrangements.

2. The customs authorities may permit common storage where it is impossible to identify at all times the customs status of each type of goods. Prefinanced goods shall be excluded from such permission.

Goods in common storage shall share the same eight-digit CN-code, the same commercial quality and the same technical characteristics.

3. For the purpose of being declared for a customs-approved treatment or use the goods in common storage, as well as, in particular circumstances, identifiable goods which fulfill the conditions of the second subparagraph of paragraph 2, may be deemed to be either Community goods or non-Community goods.

Application of the first subparagraph shall, however, not result in a given customs status being assigned to a quantity of goods greater than the quantity actually having that status which is stored at the customs warehouse or the storage facilities when the goods declared for a customs-approved treatment or use are removed.

Article 535

1. Where operations of inward processing or processing under customs control are carried out on the premises of customs warehouses or in storage facilities, the provisions of Article 534 shall apply, *mutatis mutandis*, to the goods under these arrangements.

▼ M20

Where, however, these operations concern inward processing without equivalence or processing under customs control, the provisions of Article 534 on common storage shall not apply with regard to Community goods.

2. Entries in the records shall allow the customs authorities to monitor the precise situation of all goods or products under the arrangements at any time.

*CHAPTER 3**Inward processing*

Section 1

General provision*Article 536*

For the purposes of this Chapter:

- (a) 'Prior exportation' means the system whereby compensating products obtained from equivalent goods are to be exported before the import goods are entered for the arrangements using the suspension system;
- (b) 'Job processing' means any processing of import goods directly or indirectly placed at the disposal of the holder which is carried out according to specifications on behalf of a principal established in a third country, generally against payment of processing costs alone.

Section 2

Additional conditions concerning the granting of the authorisation*Article 537*

An authorisation shall be granted only where the applicant has the intention of re-exporting or exporting main compensating products.

Article 538

An authorisation may also be granted for the goods referred to in the fourth indent of Article 114(2)(c) of the Code, with the exception of:

- (a) fuels and energy sources other than those needed for the testing of compensating products or for the detection of faults in import goods needing repair;
- (b) lubricants other than those needed for the testing, adjustment or withdrawal of compensating products;
- (c) equipment and tools.

Article 539

► **C9** 1. ◀ The economic conditions shall be deemed to be fulfilled except where the application concerns import goods mentioned in Annex 73.

► **C9** 2. ◀ However, the conditions shall also be deemed to be fulfilled where an application concerns import goods mentioned in Annex 73, provided that:

- (a) the application concerns:
 - (i) operations involving goods of a non-commercial nature,
 - (ii) a job processing contract,
 - (iii) the processing of compensating products already obtained by processing under a previous authorisation the granting of which was subject to an examination of the economic conditions,
 - (iv) usual forms of handling referred to in Article 531,

▼ **M20**

- (v) repair,
 - (vi) the processing of durum wheat falling within CN code 1001 10 00 to produce pasta falling within CN codes 1902 11 00 and 1902 19; or
- (b) the aggregate value of the import goods per applicant and per calendar year for each eight-digit CN code does not exceed 150 000 EUR; or
- (c) in accordance with Article 11 of Council Regulation (EC) No 3448/93 ⁽¹⁾, import goods referred to under Part A of Annex 73 are concerned and the applicant presents a document issued by a competent authority permitting the entry of those goods for the arrangements, in the limits of a quantity determined on the basis of a supply balance.

Article 540

The authorisation shall specify the means and methods of identifying the import goods in the compensating products and lay down the conditions for the proper conduct of operations using equivalent goods.

Such methods of identification or conditions may include examination of the records.

Section 3

Provisions concerning the operation of arrangements*Article 541*

1. The authorisation shall specify whether and under which conditions equivalent goods referred to in Article 114(2)(e) of the Code and sharing the same eight-digit CN code, the same commercial quality and the same technical characteristics as the import goods may be used for the processing operations.
2. Equivalent goods may be allowed to be at a more advanced stage of manufacture than the import goods where the essential part of the processing with regard to these equivalent goods is carried out in the undertaking of the holder or in the undertaking where the operation is being carried out on his behalf, save in exceptional cases.
3. Special provisions, set out in Annex 74, shall apply in respect of the goods referred to in that Annex.

Article 542

1. The authorisation shall specify the period for discharge. Where the circumstances so warrant, this period may be extended even when that originally set has expired.
2. Where the period for discharge expires on a specific date for all the goods placed under the arrangements in a given period, the authorisation may provide that the period for discharge shall be automatically extended for all goods still under the arrangements on this date. However, the customs authorities may require that such goods be assigned a new permitted customs-approved treatment or use within the period which they shall set.
3. Irrespective of whether or not aggregation is used or paragraph 2 is applied, the period for discharge for the following compensating products or goods in the unaltered state shall not exceed:
 - (a) four months in the case of milk and milk products referred to in Article 1 of Regulation (EC) No 1255/1999;
 - (b) two months in the case of slaughter without fattening of animals referred to in Chapter 1 of the CN;

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

▼ **M20**

- (c) three months in the case of fattening (including slaughter where relevant) of animals which fall under CN codes 0104 and 0105;
- (d) six months in the case of fattening (including slaughter where relevant) of other animals referred to in Chapter 1 of the CN;
- (e) six months in the case of processing of meat;
- (f) six months in the case of processing of other agricultural products of a kind eligible for advance payment of export refunds referred to in Article 1 of Regulation (EEC) No 565/80, and processed into products or goods referred to in Article 2(b) or (c) of the same Regulation.

Where successive processing operations are carried out or where exceptional circumstances so warrant, the periods may be extended on request, the total period not exceeding twelve months.

Article 543

1. In the case of prior exportation the authorisation shall specify the period within which the non-Community goods must be declared for the arrangements, taking account of the time required for procurement and transport to the Community.
2. The period referred to in paragraph 1 shall not exceed:
 - (a) three months for goods subject to a common market organisation;
 - (b) six months for all other goods.

The period of six months may, however, be extended where the holder submits a reasoned request, provided that the total period does not exceed twelve months. Where the circumstances so warrant the extension may be allowed even after the original period has expired.

Article 544

For the purposes of discharging the arrangements or the claim for repayment of import duties, the following shall be regarded as re-exportation or exportation:

- (a) the delivery of compensating products to persons who are eligible for relief from import duties pursuant to the Vienna Convention of 18 April 1961 on Diplomatic Relations, or to the Vienna Convention of 24 April 1963 on Consular Relations or other consular conventions, or the New York Convention of 16 December 1969 on Special Missions;
- (b) the delivery of compensating products to the armed forces of other countries stationed in the territory of a Member State, where that Member State grants special relief from import duties in accordance with Article 136 of Regulation (EEC) No 918/83;
- (c) the delivery of civil aircraft; however, the supervising office shall allow the arrangements to be discharged once import goods have been used for the first time for the manufacture, repair, modification or conversion of civil aircraft or parts thereof, on condition that the records of the holder are such as to make it possible to verify that the arrangements are being correctly applied and operated;
- (d) the delivery of spacecraft and related equipment; however, the supervising office shall allow the arrangements to be discharged once import goods have been used for the first time for the manufacture, repair, modification or conversion of satellites, their launch vehicles and ground station equipment and parts thereof that are an integral part of the systems, on condition that the records of the holder are such as to make it possible to verify that the arrangements are being correctly applied and operated;
- (e) disposal in accordance with the relevant provisions of secondary compensating products whose destruction under customs supervision is prohibited on environmental grounds; for these purposes, the holder shall prove that discharge of the arrangements in accordance with the normal rules is either impossible or uneconomic.

▼ **M20**

Section 4

Provisions concerning the operation of the suspension system*Article 545*

1. Use of equivalent goods for processing operations in accordance with Article 115 of the Code shall not be subject to the formalities for entry of goods for the arrangements.

2. The equivalent goods and compensating products made therefrom shall become non-Community goods and the import goods Community goods at the time of acceptance of the declaration discharging the arrangements.

However, where import goods are put on the market before the arrangements are discharged, they shall change their status at the time they are put on the market. In exceptional cases, where the equivalent goods are expected not to be present at that time, the customs authorities may allow, at the request of the holder, the equivalent goods to be present at a later time, to be determined by them and within a reasonable time.

3. In case of prior exportation:

- compensating products shall become non-Community goods on acceptance of the export declaration on condition that the goods to be imported are entered for the arrangements;
- import goods shall become Community goods at the time of their entry for the arrangements.

Article 546

The authorisation shall specify whether compensating products or goods in the unaltered state may be released for free circulation without customs declaration, without prejudice to prohibitive or restrictive measures. In this case they shall be considered to have been released for free circulation, if they have not been assigned a customs-approved treatment or use on expiry of the period for discharge.

For the purposes of the first subparagraph of Article 218(1) of the Code, the declaration for release for free circulation shall be considered to have been lodged and accepted and release granted at the time of presentation of the bill of discharge.

The products or goods shall become Community goods when they are put on the market.

Article 547

In case of release for free circulation of compensating products, boxes 15, 16, 34, 41 and 42 of the declaration shall refer to the import goods. Alternatively, relevant information may also be supplied by information sheet INF1 or any other document accompanying the declaration.

▼ **M21***Article 547a*

The import duties to be charged under Article 121(1) of the Code on import goods eligible, at the time when the declaration of entry for the arrangements was accepted, for favourable tariff treatment by reason of their end-use shall be calculated at the rate corresponding to such end-use. This shall be allowed only if an authorisation for such end-use could have been granted and if the conditions attaching to the granting of favourable tariff treatment would have been fulfilled.

▼ **M20***Article 548*

1. The list of compensating products subject to the import duties appropriate to them in accordance with the first indent of Article 122(a) of the Code is in Annex 75.

▼ M20

2. Where compensating products other than those mentioned on the list referred to in paragraph 1 are destroyed, they shall be treated as if they were re-exported.

Article 549

1. Where the compensating products or goods in the unaltered state are entered for one of the suspensive arrangements or introduced in a free zone of control type I within the meaning of Article 799 or in a free warehouse or placed in a free zone of control type II within the meaning of Article 799 enabling the arrangements to be discharged, the documents or records used for the said customs-approved treatment or use or any documents replacing them, shall contain one of the following indications:

- Mercancías PA/S,
- AF/S-varer,
- AV/S-Waren,
- Εμπορεύματα ET/A,
- IP/S goods,
- Marchandises PA/S,
- Merci PA/S,
- AV/S-goederen,
- Mercadorias AA/S,
- SJ/S-tavaroita,
- AF/S-varor,

▼ A2

- Zboží AZS/P,
- ST/P kaup,
- IP/ATL preces,
- LP/S prekės,
- AF/F áruk,
- Oğğetti PI/S,
- Towary UCz/Z,
- AO/O blago,
- AZS/PS tovar.

▼ M20

2. Where import goods entered for the arrangements are subject to specific commercial policy measures and such measures continue to be applicable at the time when the goods, either in the unaltered state or in the form of compensating products, are entered for one of the suspensive arrangements or introduced in a free zone of control type I within the meaning of Article 799 or in a free warehouse or placed in a free zone of control type II within the meaning of Article 799, the indication referred to in paragraph 1 shall be supplemented by one of the following:

- Política comercial,
- Handelspolitik,
- Handelspolitik,
- Εμπορική πολιτική,
- Commercial policy,
- Politique commerciale,
- Política commerciale,
- Handelspolitiek,
- Política comercial,
- Kauppapolitiikka,
- Handelspolitik,

▼ A2

- Obchodní politika,
- Kaubanduspoliitika,
- Tirdzniecības politika,
- Prekybos politika,

▼ **A2**

- Kereskedelempolitika,
- Politika kummerčjali,
- Polityka handlowa,
- Trgovinska politika,
- Obchodná politika.

▼ **M20**

Section 5

Provision concerning the operation of the drawback system*Article 550*

Where goods under the drawback system are assigned a customs-approved treatment or use referred to in Article 549(1), the indications required for that provision shall be the following:

- Mercancías PA/R,
- AF/T-varer,
- AV/R-Waren,
- Εμπορεύματα ET/E,
- IP/D goods,
- Marchandises PA/R,
- Merci PA/R,
- AV/T-goederen,
- Mercadorias AA/D,
- SJ/T-tavaroita,
- AF/R-varor,

▼ **A2**

- Zboží AZS/N,
- ST/T kaup,
- IP/ATM preces,
- LP/D prekès,
- AF/V áruk,
- Oġġetti PI/SR,
- Towary UCz/Zw,
- AO/P blago,
- AZS/SV tovar.

▼ **M20**

CHAPTER 4

Processing under customs control*Article 551*

1. The arrangements for processing under customs control shall apply for goods the processing of which leads to products which are subject to a lower amount of import duties than that applicable to the import goods.

The arrangements shall also apply for goods which have to undergo operations to ensure their compliance with technical requirements for their release for free circulation.

2. Article 542(1) and (2) shall apply *mutatis mutandis*.

3. For the purposes of determining the customs value of processed products declared for free circulation, the declarant may choose any of the methods referred to in Article 30(2) (a), (b) or (c) of the Code or the customs value of the import goods plus the processing costs. ► **M22** Processing costs means all costs incurred in making the processed products, including overheads and the value of any Community goods used. ◀

▼ **M20***Article 552*

1. For the types of goods and operations mentioned in Annex 76, Part A, the economic conditions shall be deemed to be fulfilled.

For other types of goods and operations examination of the economic conditions shall take place.

2. For the types of goods and operations mentioned in Annex 76, Part B and not covered by Part A, the examination of the economic conditions shall take place in the Committee. Article 504(3) and (4) shall apply.

*CHAPTER 5**Temporary importation*

Section 1

General provisions*Article 553*

1. Animals, unless of negligible commercial value, born of animals placed under the arrangements are considered to be non-Community goods and placed themselves under those arrangements.

2. The customs authorities shall ensure that the total period for which the goods remain under the arrangements for the same purpose and under the responsibility of the same holder does not exceed 24 months, even where the arrangements were discharged by entry for another suspensive arrangement and subsequently entered again for temporary importation.

However, at the holder's request, they may extend this period for the time during which the goods are not used, in accordance with the conditions laid down by them.

3. For the purposes of Article 140(3) of the Code, exceptional circumstances means any event as a result of which the goods must be used for a further period in order to fulfil the purpose of the temporary importation operation.

4. Goods placed under the arrangements must remain in the same state.

Repairs and maintenance, including overhaul and adjustments or measures to preserve the goods or to ensure their compliance with the technical requirements for their use under the arrangements are admissible.

Article 554

Temporary importation with total relief from import duties (hereinafter: 'total relief from import duties') shall only be granted in accordance with Articles 555 to 578.

Temporary importation with partial relief from import duties shall not be granted for consumable goods.

▼ **M20**

Section 2

Conditions for total relief from import duties

Subsection 1

Means of transport*Article 555*

1. For the purposes of this subsection:

▼ **M24**

- (a) ‘commercial use’ means the use of means of transport for the transport of persons for remuneration or the industrial or commercial transport of goods, whether or not for remuneration;

▼ **M20**

- (b) ‘private use’ means the use other than commercial of a means of transport;
 - (c) ‘internal traffic’ means the carriage of persons or goods picked up or loaded in the customs territory of the Community for setting down or unloading at a place within that territory.
2. Means of transport include normal spare parts, accessories and equipment accompanying them.

Article 556

Total relief from import duties shall be granted for pallets.

The arrangements shall also be discharged when pallets of the same type and substantially the same value are exported or re-exported.

Article 557

1. Total relief from import duties shall be granted for containers where they have been durably marked in an appropriate and clearly visible place with the following information:

- (a) the identity of the owner or operator shown by either his full name or an established identification, symbols such as emblems or flags being excluded;
- (b) with the exception of swap bodies used for combined rail-road transport, the identification marks and numbers of the container, given by the owner or operator; its tare weight, including all its permanently fixed equipment;
- (c) with the exception of containers used for transport by air, the country to which the container belongs, shown either in full or by means of the ISO alpha-2 country code provided for in International Standards ISO 3166 or 6346 or by the distinguishing initials used to indicate the country of registration of motor vehicles in international road traffic, or in numbers, in the case of swap bodies used for combined rail-road transport.

Where the application for authorisation is made in accordance with the first subparagraph of Article 497(3)(c), the containers shall be monitored by a person represented in the customs territory of the Community being able to communicate at all times their location and particulars of entry and discharge.

▼ **M20**

2. Containers may be used in internal traffic before being re-exported. However, they may be used only once during each stay in a Member State, for transporting goods loaded and intended to be unloaded within the territory of the same Member State, where the containers would otherwise have to make a journey unloaded within that territory.

3. Under the conditions of the Convention of Geneva of 21 January 1994 on Customs Treatment of Pool Containers used in International Transport, as approved by Council Decision 95/137/EC ⁽¹⁾, the customs authorities shall permit the arrangements to be discharged where containers of the same type or the same value are exported or re-exported.

Article 558

1. Total relief from import duties shall be granted for means of road, rail, air, sea and inland waterway transport where they:

- (a) are registered outside the customs territory of the Community in the name of a person established outside that territory; however, if the means of transport are not registered, the above condition may be deemed to be met where they are owned by a person established outside the customs territory of the Community;
- (b) are used by a person established outside that territory, without prejudice to Articles 559, 560 and 561; and
- (c) in the case of commercial use and with the exception of means of rail transport, are used exclusively for transport which begins or ends outside the customs territory of the Community; however, they may be used in internal traffic where the provisions in force in the field of transport, in particular those concerning admission and operations, so provide.

2. Where the means of transport referred to in paragraph 1 are rehired by a professional hire service established in the customs territory of the Community to a person established outside that territory, they must be re-exported within eight days of entry into force of the contract.

Article 559

Persons established in the customs territory of the Community shall benefit from total relief from import duties where:

- (a) means of rail transport are put at the disposal of such persons under an agreement whereby each network may use the rolling stock of the other networks as its own;
- (b) a trailer is coupled to a means of road transport registered in the customs territory of the Community;
- (c) means of transport are used in connection with an emergency situation and their use does not exceed five days; or
- (d) means of transport are used by a professional hire firm for the purpose of re-exportation within a period not exceeding five days.

Article 560

1. Natural persons established in the customs territory of the Community shall benefit from total relief from import duties where they privately use means of transport occasionally, on the instructions of the registration holder, this holder being in the customs territory at the time of use.

Such persons shall also benefit from total relief, for the private use of means of transport hired under a written contract, occasionally:

- (a) to return to their place of residence in the Community;

⁽¹⁾ OJ L 91, 22.4.1995, p. 45.

▼ **M20**

- (b) to leave the Community; or
 - (c) where this is permitted on a general level by the customs administrations concerned.
2. The means of transport shall be re-exported or returned to the hire service established in the customs territory of the Community within:
- (a) five days of the entry into force of the contract in the case mentioned in paragraph 1(a);
 - (b) eight days of the entry into force of the contract in the case mentioned in paragraph 1(c).

The means of transport shall be re-exported within two days of the entry into force of the contract in the case mentioned under paragraph 1(b).

Article 561

1. Total relief from import duties shall be granted where means of transport are to be registered under a temporary series in the customs territory of the Community, with a view to re-exportation in the name of one of the following persons:
- (a) in the name of a person established outside that territory;
 - (b) in the name of a natural person established inside that territory where the person concerned is preparing to transfer normal residence to a place outside that territory.

In the case referred to in point (b), the means of transport must be exported within three months of the date of registration.

2. Total relief from import duties shall be granted where means of transport are used commercially or privately by a natural person established in the customs territory of the Community and employed by the owner of the means of transport established outside that territory or otherwise authorised by the owner.

Private use must have been provided for in the contract of employment.

Customs authorities may restrict the temporary importation of means of transport under this provision in the case of systematic use.

3. Total relief from import duties may in exceptional cases be granted where means of transport are commercially used for a limited period by persons established in the customs territory of the Community.

Article 562

Without prejudice to other special provisions, the periods for discharge are the following:

- (a) for means of rail transport: 12 months;
- (b) for commercially used means of transport other than rail transport: the time required for carrying out the transport operations;
- (c) for means of road transport privately used:
 - by students: the period the student stays in the customs territory of the Community for the sole purpose of pursuing their studies;
 - by persons fulfilling assignments of a specified duration: the period this person stays in the customs territory of the Community for the sole purpose of fulfilling their assignment;
 - in other cases, including saddle or draught animals and the vehicles drawn by them: six months;
- (d) for privately used means of air transport: six months;
- (e) for privately used means of sea and inland waterway transport: 18 months.

▼ **M20**

Subsection 2

Personal effects and goods for sports purposes imported by travellers; welfare material for seafarers*Article 563*

Total relief from import duties shall be granted where personal effects reasonably required for the journey and goods for sports purposes are imported by a traveller as defined in Article 236(A)(1).

Article 564

Total relief from import duties shall be granted for welfare materials for seafarers in the following cases:

- (a) where they are used on a vessel engaged in international maritime traffic;
- (b) where they are unloaded from such a vessel and temporarily used ashore by the crew;
- (c) where they are used by the crew of such a vessel in cultural or social establishments managed by non-profit-making organisations or in places of worship where services for seafarers are regularly held.

Subsection 3

Disaster relief material; medical, surgical and laboratory equipment; animals; goods for use in frontier zones*Article 565*

Total relief from import duties shall be granted for disaster relief material where it is used in connection with measures taken to counter the effects of disasters or similar situations affecting the customs territory of the Community and intended for state bodies or bodies approved by the competent authorities.

Article 566

Total relief from import duties shall be granted where medical, surgical and laboratory equipment is dispatched on loan at the request of a hospital or other medical institution which has urgent need of such equipment to make up for the inadequacy of its own facilities and where it is intended for diagnostic or therapeutic purposes.

Article 567

Total relief from import duties shall be granted for animals owned by a person established outside the customs territory of the Community.

It shall be granted for the following goods intended for activities in keeping with the particularities of the frontier zone as defined by the provisions in force:

- (a) equipment owned by a person established in the frontier zone adjacent to the frontier zone of temporary importation and used by a person established in that adjacent frontier zone;
- (b) goods used for the building, repair or maintenance of infrastructure in such a frontier zone under the responsibility of public authorities.

▼ **M20**

Subsection 4

Sound, image or data carrying media, publicity material; professional equipment; pedagogic material and scientific equipment*Article 568*

Total relief from import duties shall be granted for goods:

- (a) carrying sound, image or data processing information for the purpose of presentation prior to commercialisation, or free of charge, or for provision with a sound track, dubbing or copying; or
- (b) exclusively used for publicity purposes.

Article 569

1. Total relief from import duties shall be granted where professional equipment is:

- (a) owned by a person established outside the customs territory of the Community;
- (b) imported either by a person established outside the customs territory of the Community or by an employee of the owner, the employee may be established in the customs territory of the Community; and
- (c) used by the importer or under their supervision, except in cases of audiovisual co-productions.

2. Total relief shall not be granted where equipment is to be used for the industrial manufacture or packaging of goods or, except in the case of hand tools, for the exploitation of natural resources, for the construction, repair or maintenance of buildings or for earth moving and like projects.

Article 570

Total relief from import duties shall be granted where pedagogic material and scientific equipment are:

- (a) owned by a person established outside the customs territory of the Community;
- (b) imported by public or private scientific, teaching or vocational training establishments which are essentially non-profit making and exclusively used in teaching, vocational training or scientific research under their responsibility;
- (c) imported in reasonable numbers, having regard to the purpose of the importation; and
- (d) not used for purely commercial purposes.

Subsection 5

Packings; moulds, dies, blocks, drawings, sketches, measuring, checking and testing instruments and other similar articles; special tools and instruments; goods to carry out tests or subject to tests; samples; replacement means of production*Article 571*

Total relief from import duties shall be granted where packings:

- (a) if imported filled, are intended for re-exportation whether empty or filled;
- (b) if imported empty, are intended for re-exportation filled.

Packings are not to be used in internal traffic, except with a view to the export of goods. In the case of packings imported filled, this shall apply only from the time that they are emptied of their contents.

▼ **M20***Article 572*

1. Total relief from import duties shall be granted where moulds, dies, blocks, drawings, sketches, measuring, checking and testing instruments and other similar articles are:

- (a) owned by a person established outside the customs territory of the Community; and
- (b) used in manufacturing by a person established in the customs territory of the Community and at least 75 % of the production resulting from their use is exported.

2. Total relief from import duties shall be granted for special tools and instruments where the goods are:

- (a) owned by a person established outside the customs territory of the Community; and
- (b) made available free of charge to a person established in the customs territory of the Community for the manufacture of goods which are to be exported in their entirety.

Article 573

Total relief from import duties shall be granted for the following goods:

- (a) goods subjected to tests, experiments or demonstrations;
- (b) goods imported, subject to satisfactory acceptance tests in connection with a sales contract containing the provisions of the satisfactory acceptance tests and subjected to those tests;
- (c) goods used to carry out tests, experiments or demonstrations without financial gain.

For the goods referred to in point (b), the period for discharge is six months.

Article 574

Total relief from import duties shall be granted where samples are imported in reasonable quantities and solely used for being shown or demonstrated in the customs territory of the Community.

Article 575

Total relief from import duties shall be granted where replacement means of production are temporarily made available to a customer by a supplier or repairer, pending the delivery or repair of similar goods.

The period for discharge is six months.

Subsection 6

Goods for events or for sale*Article 576*

1. Total relief from import duties shall be granted for goods to be exhibited or used at a public event not purely organised for the commercial sale of the goods, or obtained at such events from goods placed under the arrangements.

In exceptional cases, the competent customs authorities may authorise the arrangements for other events.

2. Total relief from import duties shall be granted for goods for approval where they cannot be imported as samples and the consignor for his part wishes to sell the goods and the consignee may decide to purchase them after inspection.

The period for discharge is two months.

▼ **M20**

3. Total relief from import duties shall be granted for the following:
- (a) works of art, collectors' items and antiques as defined in 'Annex I' of Directive 77/388/EEC, imported for the purposes of exhibition, with a view to possible sale;
 - (b) goods other than newly manufactured ones imported with a view to their sale by auction.

Subsection 7

Spare parts, accessories and equipment; other goods*Article 577*

Total relief from import duties shall be granted where spare parts, accessories and equipment are used for repair and maintenance, including overhaul, adjustments and preservation of goods entered for the arrangements.

Article 578

Total relief from import duties may be granted where goods other than those listed in Articles 556 to 577 or not complying with the conditions of these Articles, are imported:

- (a) occasionally and for a period not exceeding three months; or
- (b) in particular situations having no economic effect.

Section 3

Provisions concerning the operation of the arrangements*Article 579*

Where personal effects, goods imported for sports purposes or means of transport are declared orally or by any other act for entry of the arrangements, customs authorities may require a written declaration when a high amount of import duties is at stake or a serious risk of non-compliance with obligations of the arrangements exists.

Article 580

1. Declarations for entry for the arrangements using ATA/CPD carnets shall be accepted if they are issued in a participating country and endorsed and guaranteed by an association forming part of an international guarantee chain.

Unless otherwise provided for by bilateral or multilateral agreements, 'participating country' means a contracting party to the ATA Convention, or to the Istanbul Convention having accepted the Customs Cooperation Council recommendations of 25 June 1992 concerning acceptance of the ATA Carnet and the CPD Carnet for the temporary admission procedure.

2. Paragraph 1 shall apply only if the ATA/CPD carnets:
- (a) relate to goods and uses covered by those Conventions or agreements;
 - (b) are certified by the customs authorities in the appropriate section of the cover page; and
 - (c) are valid throughout the customs territory of the Community.

The ATA/CPD carnet shall be presented at the office of entry into the customs territory of the Community, except where this office is unable to check the fulfilment of the conditions for the procedure.

3. Articles 454, 455 and 458 to 461 apply *mutatis mutandis* for goods placed under the arrangements and covered by ATA carnets.

▼ **M20***Article 581*

1. Without prejudice to the special guarantee systems for ATA/CPD carnets, entry for the arrangements by written declaration shall be subject to the provision of security, except in the cases referred to in Annex 77.
2. In order to facilitate control of the arrangements, the customs authorities may require records to be kept.

Article 582

1. Where goods placed under the arrangements in accordance with Article 576 are discharged by their entry for free circulation, the amount of the debt shall be determined on the basis of the elements of assessment appropriate to these goods at the moment of acceptance of the declaration for free circulation.

Where goods placed under the arrangements in accordance with Article 576 are put on the market, they shall be considered as presented to customs when they are declared for release for free circulation before the end of the period for discharge.

2. For the purposes of discharging the arrangements in respect of goods referred to in Article 576(1), their consumption, destruction or distribution free of charge to the public at the event shall be considered as re-exportation, provided their quantity corresponds to the nature of the event, the number of visitors and the extent of the holder's participation therein.

The first subparagraph shall not apply to alcoholic beverages, tobacco goods or fuels.

Article 583

Where the goods placed under the arrangements are entered for one of the suspensive arrangements or introduced in a free zone of control type I within the meaning of Article 799 or in a free warehouse or placed in a free zone of control type II within the meaning of Article 799, enabling temporary importation to be discharged, the documents other than ATA/CPD carnets or records used for the said customs-approved treatment or use or any document replacing them shall contain one of the following indications:

- Mercancías IT,
- MI-varer,
- VV-Waren,
- Εμπορεύματα ΠΕ,
- TA goods,
- Marchandises AT,
- Merci AT,
- TI-goederen,
- Mercadorias IT,
- VM-tavaroita,
- TI-varor,

▼ **A2**

- Zboží DP,
- AI kaup,
- PI preces,
- Lı prekès,
- IB áruk,
- Oġġetti TA,
- Towary OCz,
- ZU blago,
- DP tovar.

▼ **M20***Article 584*

For means of rail transport used jointly under an agreement, the arrangements shall also be discharged when means of rail transport of the same type or the same value as those which were put at the disposal of a person established in the customs territory of the Community are exported or re-exported.

*CHAPTER 6****Outward processing***

Section 1

Additional conditions concerning the granting of the authorisation*Article 585*

1. Except where indications to the contrary exist, the essential interests of Community processors shall be deemed not to be seriously harmed.
2. Where an application for authorisation is made by a person who exports the temporary export goods without arranging for the processing operations, the customs authorities shall conduct a prior examination of the conditions set out in Article 147(2) of the Code on the basis of supporting documents. Articles 503 and 504 shall apply *mutatis mutandis*.

Article 586

1. The authorisation shall specify the means and methods to establish that the compensating products have resulted from processing of the temporary export goods or to verify that the conditions for using the standard exchange system are met.

Such means and methods may include the use of the information document set out in Annex 104 and the examination of the records.

2. Where the nature of the processing operations does not allow it to be established that the compensating products have resulted from the temporary export goods, the authorisation may nevertheless be granted in duly justified cases, provided the applicant can offer sufficient guarantees that the goods used in the processing operations share the same eight-digit CN code, the same commercial quality and the same technical characteristics as the temporary export goods. The authorisation shall lay down the conditions for using the arrangements.

Article 587

Where the arrangements are requested for repair, the temporary export goods must be capable of being repaired and the arrangements shall not be used to improve the technical performance of the goods.

Section 2

Provisions concerning the operation of the arrangements*Article 588*

1. The authorisation shall specify the period for discharge. Where the circumstances so warrant, this period may be extended even when that originally set has expired.
2. Article 157(2) of the Code applies, even after the original period has expired.

Article 589

1. The declaration entering the temporary export goods for the arrangements shall be made in accordance with the provisions laid down for exportation.

▼ **M20**

2. In the case of prior importation, the documents accompanying the declaration for free circulation shall include a copy of the authorisation unless such authorisation is applied for in accordance with Article 497(3)(d). Article 220(3) applies *mutatis mutandis*.

Section 3

Provisions concerning the calculation of the duty relief*Article 590*

1. For the calculation of the amount to be deducted, no account shall be taken of anti-dumping duties and countervailing duties.

Secondary compensating products that constitute waste scrap, residues, offcuts and remainders shall be deemed to be included.

2. In determining the value of the temporary export goods in accordance with one of the methods referred to in the second subparagraph of Article 151(2) of the Code, the loading, transport, and insurance costs for the temporary export goods to the place where the processing operation or the last such operation took place shall not be included in:

- (a) the value of the temporary export goods which is taken into account when determining the customs value of the compensating products in accordance with Article 32(1)(b)(i) of the Code; or
- (b) the processing costs, where the value of the temporary export goods cannot be determined in accordance with Article 32(1)(b)(i) of the Code.

The loading, transport and insurance costs for the compensating products from the place where the processing operation or the last processing operation took place to the place of their entry into the customs territory of the Community shall be included in the processing costs.

Loading, transport and insurance costs shall include:

- (a) commissions and brokerage, except buying commissions;
- (b) the cost of containers not integral to the temporary export goods;
- (c) the cost of packing, including labour and materials;
- (d) handling costs incurred in connection with transport of the goods.

Article 591

Partial relief from import duties by taking the cost of the processing operation as the basis of the value for duty shall be granted on request.

With the exception of goods of a non-commercial nature, ► **C9** the first subparagraph ◀ shall not apply where the temporary export goods which are not of Community origin within the meaning of Title II, Chapter 2, Section 1, of the Code have been released for free circulation at a zero duty rate.

▼ **C9**

Articles 29 to 35 of the Code shall apply *mutatis mutandis* to the processing costs which shall not take into account the temporary export goods.

▼ **M20***Article 592*

In the case of undertakings frequently carrying out processing operations under an authorisation not covering repair, the customs authorities may, on request of the holder, set an average rate of duty applicable to all those operations (aggregated discharge).

This rate shall be determined for each period not exceeding twelve months and shall apply provisionally for compensating products released for free circulation during that period. At the end of each period, the customs authorities shall make a final calculation and,

▼ **M20**

where appropriate, apply the provisions of Article 220(1) or Article 236 of the Code.

▼ **C9**▼ **B**

TITLE IV

IMPLEMENTING PROVISIONS RELATING TO EXPORT*CHAPTER 1**Permanent exportation**Article 788*

1. The exporter, within the meaning of Article 161 (5) of the Code, shall be considered to be the person on whose behalf the export declaration is made and who is the owner of the goods or has a similar right of disposal over them at the time when the declaration is accepted.

2. Where ownership or a similar right of disposal over the goods belongs to a person established outside the Community pursuant to the contract on which the export is based, the exporter shall be considered to be the contracting party established in the Community.

Article 789

In cases involving sub-contracting, the export declaration may also be lodged at the customs office responsible for the place where the sub-contractor is established.

Article 790

Where, for administrative reasons, the first sentence of Article 161 (5) of the Code cannot be applied, the declaration may be lodged with any customs office, in the Member State concerned, which is competent for the operation in question.

Article 791

1. Where there are duly justified good reasons, an export declaration may be accepted:

— at a customs office other than that referred to in the first sentence of Article 161 (5) of the Code,

or

— at a customs office other than that referred to in Article 790.

In this case, controls relating to the application of prohibitions and restrictions shall take account of the special nature of the situation.

2. Where, in the cases referred to in paragraph 1, export formalities are not completed in the exporter's Member State, the customs office where the export declaration has been lodged shall send a copy of the Single Administrative Document to a designated office in the exporter's Member State.

Article 792

Without prejudice to Article 207, where the export declaration is made on the basis of the Single Administrative Document, copies 1, 2 and 3 shall be used. The customs office where the export declaration has been lodged (customs office of export) shall stamp Box A and, where appropriate, complete box D. On granting release of the goods, it shall retain copy 1, send copy 2 to the statistical office of the Member State of the customs office of export and return copy 3 to the person concerned.

▼B*Article 793*

1. Copy 3 of the Single Administrative Document and the goods released for export shall be presented to customs at the customs office of exit.
2. Customs office of exit means:
 - (a) in the case of goods exported by rail, post, air or sea, the customs office competent for the place where the goods are taken over under a single transport contract for transport to a third country by the railway companies, the postal authorities, the airlines or the shipping companies;
 - (b) in the case of goods exported by pipeline and of electrical energy, the office designated by the Member State where the exporter is established;
 - (c) in the case of goods exported by other means or in circumstances not covered by (a) and (b), the last customs office before the goods leave the customs territory of the Community.
3. ►**M5** The customs office of exit shall satisfy itself that the goods presented correspond to those declared and shall supervise their physical departure. Where the declarant enters 'RET-EXP' in Box 44 or otherwise indicates his wish to have Copy No 3 returned to him, the said office shall certify the physical departure of the goods by means of an endorsement on the back of Copy No 3 and shall give that copy to the person who presented it or, where that is not possible, to an intermediary named in Box 50 and established in the district of the office of exit, for return to the declarant. The endorsement shall take the form of a stamp showing the name of the office and the date. ◀

In the case of split exportation, the endorsement shall be given only for those goods which are actually exported. In the case of split exportation via several different customs offices, the customs office of exit where the original of copy 3 was presented shall, upon receiving a duly substantiated request, certify a copy of copy 3 for each part of the goods in question, with a view to it being presented to another office of exit concerned. The original of copy 3 shall be noted accordingly.

When the entire operation is carried out on the territory of one Member State, that Member State may provide for the non-endorsement of copy 3, in which case this copy shall not be returned.

4. Where the customs office of exit establishes that goods are missing, it shall note the copy of the declaration presented and inform the customs office of export.

Where the customs office of exit establishes that there are goods in excess, it shall refuse exit to these goods until the export formalities have been completed.

When the customs office of exit establishes a discrepancy in the nature of the goods, it shall refuse exit until the export formalities have been completed, and shall also inform the customs office of export.

5. In the cases referred to in paragraph 2 (a), the customs office of exit shall endorse copy 3 of the export declaration in accordance with paragraph 3 after making the endorsement 'Export' in red on the transport document and affixing its stamp. Where, in the case of regular shipping lines or direct transport or flights to third country destinations, the operators are able to guarantee the regularity of operations by other means, the endorsement 'Export' shall not be required.

6. Where goods sent to a third country or a customs office of exit under a transit procedure are concerned, the office of departure shall endorse copy 3 in accordance with paragraph 3 and return it to the declarant after making the endorsement 'Export', in red, on all copies of the transit document or any other document replacing it. The customs office of exit shall control the physical exit of the goods.

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The first subparagraph shall not apply where presentation at the office of departure as referred to in Article 419 (4) and (7) and Article 434 (6) and (9) is dispensed with.

▼M5

6a. Where goods under excise duty suspension arrangements are sent to a third country under cover of the accompanying document provided for by Regulation (EEC) No 2719/92, the customs office of export shall endorse Copy No 3 of the Single Administrative Document in accordance with paragraph 3 and return it to the declarant after entering the word 'Export' in red and affixing the stamp referred to in paragraph 3 on all copies of the accompanying document.

Reference shall be made to the accompanying document on Copy No 3 of the Single Administrative Document and vice versa.

The customs office of exit shall supervise the physical exit of the goods and send back the copy of the accompanying document in accordance with Article 19 (4) of Council Directive 92/12/EEC ⁽¹⁾.

Where paragraph 4 applies, the annotation shall be entered (SIC! entered) on the excise accompanying document.

▼B

7. ►**C3** The customs office of export may ask the exporter to provide evidence ◀ that the goods have left the customs territory of the Community.

Article 794

1. Goods not subject to prohibition or restriction and not exceeding ECU 3 000 in value per consignment and per declarant may be declared at the customs office of exit.

Member States may provide that this provision shall not apply when the person making the export declaration is acting as a professional customs agent on behalf of others.

2. Oral declarations may be made only at the customs office of exit.

Article 795

Where goods leave the customs territory of the Community without an export declaration, such declaration shall be lodged retrospectively by the exporter at the customs office competent for the place where he is established. The provisions of Article 790 shall apply in these circumstances.

Acceptance of this declaration shall be subject to presentation by the exporter, to the satisfaction of the customs authorities of the customs office concerned, of evidence concerning the nature and quantity of the goods in question and the circumstances under which they left the customs territory of the Community. That office shall also endorse copy 3 of the Single Administrative Document.

Retrospective acceptance of the declaration shall not preclude application of the penalties in force nor the consequences which may arise as regards the common agricultural policy.

Article 796

1. Where goods released for export do not leave the customs territory of the Community, the exporter shall immediately inform the customs office of export. Copy 3 of the declaration in question shall be returned to that office.

2. Where, in the cases referred to in Article 793 (5) or (6), a change in the transport contract has the effect of terminating inside the customs territory of the Community a transport operation which should have finished outside it, the companies or authorities in question may

⁽¹⁾ OJ No L 76, 26. 3. 1992, p. 1.

▼B

only carry out the amended contract with the agreement of the customs office referred to in Article 793 (2) (a) or, in the case of a transit operation, the office of departure. In this case copy 3 should be returned.

CHAPTER 2

*Temporary exportation using an ATA carnet**Article 797*

1. An ATA carnet may be used for export where the following conditions are fulfilled:

- (a) the ATA carnet shall be issued in a Member State of the Community and endorsed and guaranteed by an association established in the Community forming part of an international guarantee chain.

The Commission shall publish a list of the associations;

- (b) the ATA carnet shall be applicable only to Community goods:
 - which have not been subject on export from the customs territory of the Community to customs export formalities with a view to the payment of refunds or other export amounts under the common agricultural policy,
 - in respect of which no other financial benefit has been granted under the common agricultural policy, coupled with an obligation to export the said goods,
 - in respect of which no request for repayment has been submitted;
- (c) the documents referred to in Article 221 must be presented. The customs authorities may require production of the transport document;
- (d) the goods must be intended for reimportation.

2. Where goods covered by an ATA carnet are entered for the purposes of temporary exportation, the customs office of export shall carry out the following formalities:

- (a) verify the information given in boxes A to G of the exportation voucher against the goods under cover of the carnet;
- (b) complete, where appropriate, the box on the cover page of the carnet headed 'Certificate by customs authorities';
- (c) complete the counterfoil and box H of the exportation voucher;
- (d) enter its name in box H (b) of the reimportation voucher;
- (e) retain the exportation voucher.

3. If the customs office of export is not the office of exit, the customs office of export shall carry out the formalities referred to in paragraph 2, but it shall not complete box 7 of the exportation counterfoil, which must be completed by the customs office of exit.

4. The time limit for reimportation of the goods laid down by the customs authorities in box H (b) of the exportation voucher may not exceed the validity of the carnet.

Article 798

Where goods which left the customs territory of the Community under cover of an ATA carnet are no longer intended to be reimported, an export declaration containing the particulars referred to in Annex 37 shall be presented to the customs office of export.

On presentation of the carnet in question, the latter shall endorse copy 3 of the export declaration and shall invalidate the reimportation voucher and counterfoil.

▼ B

TITLE V

OTHER CUSTOMS-APPROVED TREATMENTS OR USES

▼ M20

CHAPTER 1

Free zones and free warehouses

Section 1

Provisions common to Sections 2 and 3

Subsection 1

Definitions and general provisions*Article 799*

For the purposes of this Chapter:

- (a) 'control type I' means controls principally based on the existence of a fence;
- (b) 'control type II' means controls principally based on the formalities carried out in accordance with the requirements of the customs warehousing procedure;
- (c) 'operator' means any person carrying on an activity involving the storage, working, processing, sale or purchase of goods in a free zone or a free warehouse.

Article 800

Any person may apply to the customs authorities designated by the Member States for a part of the customs territory of the Community to be designated a free zone or for a free warehouse to be set up.

Article 801

1. The application for an authorisation to build in a free zone shall be made in writing.
2. The application referred to in paragraph 1 shall specify the activity for which the building will be used and give any other information that will enable the customs authorities designated by the Member States to evaluate the grounds for granting the authorisation.
3. The competent customs authorities shall grant authorisation in cases where the application of customs rules would not be impeded.
4. Paragraphs 1, 2 and 3 shall also apply where a building in a free zone or a building constituting a free warehouse is converted.

Article 802

The customs authorities of the Member States shall communicate the following information to the Commission:

- (a) the free zones in existence and in operation in the Community according to the classification under Article 799;
- (b) the designated customs authorities to which the application referred to in Article 804 must be presented.

The Commission shall publish the information referred to in (a) and (b) in the *Official Journal of the European Communities*, C series.

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Subsection 2

Approval of the stock records*Article 803*

1. The carrying on of activities by an operator shall be subject to the approval by the customs authorities of the stock records referred to:
 - in Article 176 of the Code in the case of a free zone of control type I or a free warehouse;
 - in Article 105 of the Code in the case of a free zone of control type II.
2. The approval shall be issued in writing. It shall be accorded only to persons offering all the necessary guarantees concerning the application of the provisions on free zones or free warehouses.

Article 804

1. The application for approval of the stock records shall be submitted in writing to the customs authorities designated by the Member State where the free zone or free warehouse is located.
2. The application referred to in paragraph 1 shall specify which activities are envisaged, this information being considered as the notification referred to in Article 172(1) of the Code. It shall include the following:
 - (a) a detailed description of the stock records kept or to be kept;
 - (b) the nature and customs status of the goods to which these activities relate;
 - (c) where applicable, the customs procedure under which the activities are to be carried out;
 - (d) any other information needed by the customs authorities in order to ensure the proper application of the provisions.

Section 2

Provisions applicable to free zones of control type I and to free warehouses

Subsection 1

Controls*Article 805*

The fence enclosing free zones shall be such as to facilitate supervision by the customs authorities outside the free zone and prevent any goods being removed irregularly from the free zone.

► **C9** The first subparagraph ◀ shall also apply *mutatis mutandis* to free warehouses.

The area immediately outside the fence shall be such as to permit adequate supervision by the customs authorities. Access to the said area shall require the consent of the said authorities.

Article 806

The stock records to be kept for the free zone or free warehouse shall include in particular:

- (a) particulars of marks, identifying numbers, number and kind of packages, the quantity and usual commercial description of the goods and, where relevant, the identification marks of the container;
- (b) information enabling the goods to be monitored at any time, in particular their location, the customs-approved treatment or use assigned to them after storage in the free zone or free warehouse

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- or their re-entry into another part of the customs territory of the Community;
- (c) reference particulars of the transport document used on entry and removal of the goods;
 - (d) indication of customs status and, where relevant, reference particulars of the certificate certifying this status referred to in Article 812;
 - (e) particulars of usual forms of handling;
 - (f) as the case may be, one of the indications referred to in Articles 549, 550 or 583;
 - (g) particulars concerning goods which would not be subject upon release for free circulation or temporary importation to import duties or commercial policy measures, the use or destination of which must be checked.

The customs authorities may waive the requirement for some of this information where supervision or control of the free zone or the free warehouse is not affected.

Where records have to be kept for the purposes of a customs procedure, the information contained in those records need not appear in the stock records.

Article 807

The inward processing or processing under customs control procedures shall be discharged in respect of the compensating products, processed products or goods in the unaltered state situated in a free zone or free warehouse by entry in the stock records of the free zone or free warehouse. Reference particulars of such entry shall be recorded in the records for inward processing or processing under customs control, as the case may be.

Subsection 2

Other provisions concerning the operation of free zone of control type I and free warehouses*Article 808*

Commercial policy measures provided for in Community acts shall be applicable to non-Community goods placed in a free zone or free warehouse only to the extent that they refer to the entry of goods into the customs territory of the Community.

Article 809

Where the elements for assessment of the customs debt to be taken into consideration are those applicable before the goods have undergone usual forms of handling referred to in Annex 72, an Information Sheet INF8 may be issued in accordance with Article 523.

Article 810

A victualling warehouse may be set up in a free zone or a free warehouse in accordance with Article 40 of Regulation (EC) No 800/1999.

Article 811

In the case of the re-exportation of non-Community goods which are not unloaded or which are transhipped, the notification referred to in Article 182(3) of the Code shall not be required.

Article 812

Where the customs authorities certify the Community or non-Community status of the goods, in accordance with Article 170(4) of the Code, they shall use a form conforming to the model and provisions in Annex 109.

▼ M20

The operator shall certify the Community status of the goods by means of that form where non-Community goods are declared for release for free circulation in accordance with Article 173(a) of the Code, including where discharging the inward processing or processing under customs control procedures.

Section 3

Provisions applicable to free zones of control type II*Article 813*

Without prejudice to the provisions in section 1 and in Article 814, the provisions laid down for the customs warehouse arrangements shall be applicable to the free zone of control type II.

Article 814

Where non-Community goods which are not unloaded or which are only transhipped are placed under the free zone using the local clearance procedure and re-exported later using the same procedure, the customs authorities may relieve the operator from the obligation to inform the competent customs office of each arrival or departure of such goods. In this case, the control measures shall take account of the special nature of the situation.

The short-term storage of goods in connection with such transhipment shall be considered to be an integral part of the transhipment.

▼ B

CHAPTER 2

Re-exportation, destruction and abandonment**▼ M22***Article 841*

Where re-exportation is subject to a customs declaration, the provisions of Articles 788 to 796 shall apply *mutatis mutandis*, without prejudice to particular provisions which may apply when the previous customs procedure with economic impact is discharged.

Where an ATA carnet is used for re-exportation of goods under temporary importation, the customs declaration may be lodged at a customs office other than that referred to in the first sentence of Article 161(5) of the Code.

▼ B*Article 842*

1. For the purposes of Article 182 (3) of the Code, notification of destruction of goods shall be made in writing and signed by the person concerned. The notification must be made in sufficient time to allow the customs authorities to supervise the destruction.

2. Where the goods in question are already the subject of a declaration accepted by the customs authorities, they shall make a reference to the destruction on the declaration and invalidate the declaration in accordance with Article 66 of the Code.

The customs authorities present when the goods are destroyed shall specify on the form or declaration the type and quantity of any waste or scrap resulting from the destruction in order to determine the items of charge applicable to them and to be used when they are assigned another customs-approved treatment or use.

3. The provisions of the first subparagraph of paragraph 2 shall apply *mutatis mutandis* to goods abandoned to the Exchequer.

▼B

TITLE VI

GOODS LEAVING THE CUSTOMS TERRITORY OF THE
COMMUNITY▼M18*Article 843*

1. This Title lays down the conditions applicable to goods moving from one point in the customs territory of the Community to another which temporarily leave that territory, whether or not crossing the territory of a third country, whose removal or export from the customs territory of the Community is prohibited or is subject to restrictions, duties or other charges on export by a Community measure in so far as that measure so provides and without prejudice to any special provisions which it may comprise.

These conditions shall not, however, apply:

- where, on declaration of the goods for export from the customs territory of the Community, proof is furnished to the customs office at which export formalities are carried out that an administrative measure freeing the goods from restriction has been taken, that any duties, taxes or other charges due have been paid or that, in the circumstances obtaining, the goods may leave the customs territory of the Community without further formalities, or
- where the goods are transported by direct flight without stopping outside the customs territory of the Community, or by a regular shipping service within the meaning of Article 313a.

2. Where the goods are placed under a Community transit procedure, the principal shall enter on the document used for the Community transit declaration, specifically in box 44 ('Additional information') of the Single Administrative Document where that is used, one of the following phrases:

- Salida de la Comunidad sometida a restricciones o imposiciones en virtud del (de la) Reglamento/Directiva/Decisión nº ...
- Udpassage fra Fællesskabet undergivet restriktioner eller afgifter i henhold til forordning/direktiv/afgørelse nr. ...
- Ausgang aus der Gemeinschaft — gemäß Verordnung/Richtlinie/Beschluß Nr. ... Beschränkungen oder Abgaben unterworfen.
- Η έξοδος από την Κοινότητα υποβάλλεται σε περιορισμούς ή σε επιβαρύνσεις από τον κανονισμό/την οδηγία/την απόφαση αριθ. ...
- Exit from the Community subject to restrictions or charges under Regulation/Directive/Decision No ...
- Sortie de la Communauté soumise à des restrictions ou à des impositions par le règlement ou la directive/décision nº ...
- Uscita dalla Comunità soggetta a restrizioni o ad imposizioni a norma del(la) regolamento/direttiva/decisione n. ...
- Bij uitgang uit de Gemeenschap zijn de beperkingen of heffingen van Verordening/Richtlijn/Besluit nr. ... van toepassing.
- Saída da Comunidade sujeita a restrições ou a imposições pelo(a) Regulamento/Directiva/Decisão nº ...
- Yhteisöstä vientiin sovelletaan asetusten/direktiivinl./päätöksen N:o ... mukaisia rajoituksia tai maksuja
- Utförsel från gemenskapen omfattas i enlighet med förordning/direktiv/beslut ... av restriktioner eller pålagor

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- Výstup ze Společenství podléhá omezením nebo dávkám podle nařízení/směrnice/rozhodnutí č...
- Ühenduse territooriumilt väljumine on aluseks piirangutele ja maksudele vastavalt määrusele/direktiivile/otsusele nr...
- Izvešana no Kopienas, piemērojot ierobežojumus vai maksājumus saskaņā ar Regulu/ Direktīvu/ Lēmumu Nr. ...
- Išvežimui iš Bendrijos taikomi apribojimai arba mokesčiai, nustatyti Reglamentu/ Direktyva/ Sprendimu Nr. ...

▼ **A2**

- A kilépés a Közösség területéről a ... rendelet /irányelv/határozat szerinti korlátozás vagy vámteherfizetési kötelezettség alá esik
- ħruġ mill-Komunita'suġġett għa-restrizzjonijiet jew ħlasijiet taħt Regola/Direttiva/Deciżjoni Nru...
- Wyprowadzenie ze Wspólnoty podlega ograniczeniom lub opłatom zgodnie z rozporządzeniem / dyrektywą / decyzją nr ...
- Iznos iz Skupnosti zavezan omejitvam ali obveznim plačilom na podlagi uredbe/direktive/odločbe št...
- Výstup zo spoločenstva podlieha obmedzeniam alebo platbám podľa nariadenia/smernice/rozhodnutia č...

▼ **M18**

3. Where the goods are:
 - (a) placed under a customs procedure other than the Community transit procedure, or
 - (b) moved without being under a customs procedure.

The T5 control copy shall be made out in accordance with Articles 912a to 912g. In box 104 of the T5 form a cross shall be entered in the square 'Other (specify)' and the phrase stipulated in paragraph 2 added.

In the case of goods falling within point (a) of the first subparagraph, the T5 control copy shall be made out at the customs office at which the formalities required for consignment of the goods are completed. In the case of goods falling within point (b) of the first subparagraph, the T5 control copy shall be presented with the goods at the competent customs office for the place where the goods leave the customs territory of the Community.

Those offices shall specify the latest date by which the goods, must be presented at the customs office of destination and, where appropriate, shall enter in the customs document under cover of which the goods are to be transported the phrase specified in paragraph 2.

For the purposes of the T5 control copy, the office of destination shall be either the office of destination for the customs procedure under point (a) of the first subparagraph or, where point (b) of the first subparagraph applies, the competent customs office for the place where the goods are brought back into the customs territory of the Community.

4. Paragraph 3 shall also apply to goods moving from one point in the customs territory of the Community to another through the territory of one or more of the EFTA countries referred to in Article 309(f) which are reconsigned from one of those countries.

5. If the Community measure referred to in paragraph 1 provides for the lodging of a guarantee, that guarantee shall be lodged in accordance with Article 912b(2).

6. Where the goods, on arrival at the office of destination, either are not immediately recognised as having Community status or do not immediately undergo the customs formalities required for goods brought into the customs territory of the Community, the office of destination shall take all the measures prescribed for them.

7. In the circumstances described in paragraph 3, the office of destination shall return the original of the T5 control copy without delay to the address shown in box B 'Return to ...' of the T5 form once all the required formalities have been completed and annotations made.

8. Where the goods are not brought back into the customs territory of the Community, they shall be deemed to have left the customs territory of the Community irregularly from the Member State where either they were placed under the procedure referred to in paragraph 2 or the T5 control copy was made out.

▼B

PART III

▼M13**Privileged operations**

TITLE I

RETURNED GOODS▼B*Article 844*

1. In accordance with Article 185 (2) (b) of the Code, the following shall be exempt from import duties:

- goods previously exported from the customs territory of the Community, in respect of which the customs export formalities have been completed with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy,
- or
- goods in respect of which a financial advantage other than the said refunds or other amounts has been granted under the common agricultural policy, entailing an obligation to export the said goods,

provided it is established, as appropriate, that the refunds or other amounts paid have been repaid, or that the necessary steps have been taken by the competent authorities for such sums to be withheld, or that the other financial advantages granted have been cancelled, and that the goods:

- (i) could not be entered for home use in the country to which they were sent on account of laws in force in that country;
- (ii) were returned by the consignee as being defective or not in accordance with the provisions of the contract relating to them;
- (iii) were reimported into the customs territory of the Community because they could not be used for the purposes intended owing to other circumstances outside the exporter's control.

2. The circumstances referred to in paragraph 1 (iii) shall include the following:

- (a) goods returned to the customs territory of the Community following damage occurring before delivery to the consignee, either to the goods themselves or to the means of transport on which they were carried;
- (b) goods originally exported for the purposes of consumption or sale in the course of a trade fair or similar occasion which have not been so consumed or sold;
- (c) goods which could not be delivered to the consignee on account of his physical or legal incapacity to honour the contract under which the goods were exported;
- (d) goods which, because of natural, political or social disturbances, could not be delivered to their consignee or which reached him after the mandatory delivery date stipulated in the contract under which the goods were exported;
- (e) products covered by the common organization of the market in fruit and vegetables, exported and sent for sale on consignment, but which were not sold in the market of the third country of destination.

3. Goods exported under the common agricultural policy with an export licence or an advance fixing certificate shall not be exempt from import duties unless it is established that the relevant Community provisions have been complied with.

4. The goods referred to in paragraph 1 shall not be exempt from import duties unless they are entered for free circulation in the customs territory of the Community within twelve months of the date of completion of the customs formalities relating to their exportation.

▼M14

However, where the goods are declared for free circulation after expiry of the period referred to in the first subparagraph, the customs authorities of the Member State of reimportation may allow the period to be exceeded where exceptional circumstances justify this. Where the customs authorities do allow the period to be exceeded, they shall send details of the case to the Commission.

▼B*Article 845*

Returned goods shall be exempt from import duties even where they represent only a proportion of the goods previously exported from the customs territory of the Community.

The same applies where the goods consist of parts or accessories belonging to machines, instruments, apparatus or other products previously exported from the customs territory of the Community.

Article 846

1. By way of derogation from Article 186 of the Code, returned goods in one of the following situations shall be exempt from import duties:

- (a) goods which, after having been exported from the customs territory of the Community, have received no treatment other than that necessary to maintain them in good condition or handling which alters their appearance only;
- (b) goods which, after having been exported from the customs territory of the Community, received treatment other than that necessary to maintain them in good condition or handling other than that altering their appearance, but which proved to be defective or unsuitable for their intended use, provided that one of the following conditions is fulfilled:
 - such treatment or handling was applied to the goods solely with a view to repairing them or restoring them to good condition,
 - their unsuitability for their intended use became apparent only after such treatment or handling had commenced.

2. Where returned goods have undergone treatment or handling permitted under paragraph 1 (b) and such treatment would have rendered them liable to import duties if they had come under outward processing arrangements, the rules in force for charging duty under the said arrangements shall apply.

However, if goods have undergone an operation consisting of repair or restoration to good condition which became necessary as a result of unforeseen circumstances which arose outside the customs territory of the Community, this being established to the satisfaction of the customs authorities, relief from import duties shall be granted provided that the value of the returned goods is not higher, as a result of such operation, than their value at the time of export from the customs territory of the Community.

3. For the purposes of the second subparagraph of paragraph 2:

- (a) repair or restoration to good condition which became necessary means: any operation to remedy operating defects or material damage suffered by goods while they were outside the customs territory of the Community, without which the goods could no longer be used in the normal way for the purposes for which they were intended;
- (b) the value of returned goods shall be considered not to be higher, as a result of the operation which they have undergone, than their value at the time of export from the customs territory of the Community, when the operation does not exceed that which is strictly necessary to enable them to continue to be used in the same way as at that time.

When the repair or restoration to good condition of goods necessitates the incorporation of spare parts, such incorporation shall be limited to

▼B

those parts strictly necessary to enable the goods to be used in the same way as at the time of export.

Article 847

When completing the customs export formalities, the customs authorities shall, at the request of the person concerned, issue a document containing the information necessary for identification of the goods in the event of their being returned to the customs territory of the Community.

Article 848

1. The following shall be accepted as returned goods:
 - goods for which the following documents are produced in support of the declaration for release for free circulation:
 - (a) the copy of the export declaration returned to the exporter by the customs authorities, or a copy of such document certified true by the said authorities; or
 - (b) the information sheet provided for in Article 850.

Where evidence available to the customs authorities at the customs office of reimportation or ascertainable by them from the person concerned indicates that the goods declared for free circulation were originally exported from the customs territory of the Community, and at that time satisfied the conditions for acceptance as returned goods, the documents referred to at (a) and (b) shall not be required.

- goods covered by an ATA carnet issued in the Community.

These goods may be accepted as returned goods, within the limits laid down by Article 185 of the Code, even when the validity of the ATA carnet has expired.

In all cases, the formalities laid down in Article 290 (2) shall be carried out.

2. The first indent of paragraph 1 shall not apply to the international movement of packing materials, means of transport or certain goods admitted under specific customs arrangements where autonomous or conventional provisions lay down that customs documents are not required in these circumstances.

Nor shall it apply in cases where goods may be declared for release for free circulation orally or by any other act.

3. Where they consider it necessary, the customs authorities at the customs office of reimportation may ask the person concerned ►C1 to submit additional evidence, in particular for the purposes of identification of the returned goods. ◀

Article 849

1. A declaration for release for free circulation relating to returned goods whose export may have given rise to the completion of customs export formalities with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, shall be supported not only by the documents referred to in Article 848, but by a certificate issued by the authorities responsible for the grant of such refunds or amounts in the Member State of exportation. Such certificate shall contain the particulars necessary to allow the customs office where the goods concerned were declared for free circulation to verify that it relates to the said goods.

2. When the export of the goods did not give rise to the completion of customs export formalities with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, the certificate shall bear one of the following indications:

- Sin concesión de restituciones u otras cantidades a la exportación,
- Ingen restitutioner eller andre beløb ydet ved udførslen,

▼B

- Keine Ausfuhrerstattungen oder sonstige Ausfuhrvergünstigungen,
- Δεν έτυχαν επιδοτήσεων ή άλλων χορηγήσεων κατά την εξαγωγή,
- No refunds or other amounts granted on exportation,
- Sans octroi de restitutions ou autres montants à l'exportation,
- Senza concessione di restituzioni o altri importi all'esportazione,
- Geen restituties of andere bij de uitvoer verleende bedragen,
- Sem concessão de restituições ou outros montantes na exportação,

▼A1

- Vietäessä ei myönnetty vientitukea eikä muita määriä — Inga bidrag eller andra belopp har beviljats vid exporten,
- Inga bidrag eller andra belopp har beviljats vid exporten,

▼A2

- Bez vývozních náhrad nebo jiných částek poskytovaných při vývozu,
- Eksportidil ei makstud toetusi ega muid summasid,
- Bez kompensācijas vai citām summām, kas paredzētas par preču izvešanu,
- Eksportas teisės į gražinamosias išmokas arba kitas pinigų sumas nesuteikia,
- Kivitel esetén visszatérítést vagy egyéb kedvezményt nem vettek igénybe,
- L-ebda rifużjoni jew ammonti oħra mogħtija fuq esportazzjoni,
- Nie przyznano dopłat lub innych kwot wynikających z wywozu,
- Brez izvoznih nadomestil ali drugih izvoznih ugodnosti,
- Pri vývoze sa neposkytujú žiadne náhrady alebo iné peňažné čiastky.

▼B

3. When the export of the goods did give rise to the completion of customs export formalities with a view to obtaining refunds or other amounts provided for on exportation under the common agricultural policy, the certificate shall bear one of the following indications:

- Restituciones y otras cantidades a la exportación reintegradas por ... (cantidad),
- De ved udførslen ydede restitutioner eller andre beløb er tilbagebetalt for ... (mængde),
- Ausfuhrerstattungen und sonstige Ausfuhrvergünstigungen für ... (Menge) zurückbezahlt,
- Επιδοτήσεις και άλλες χορηγήσεις κατά την εξαγωγή επεστράφησαν για ... (ποσότητα),
- Refunds and other amounts on exportation repaid for ... (quantity),
- Restitutions et autres montants à l'exportation remboursés pour ... (quantité),
- Restituzioni e altri importi all'esportazione rimborsati per ... (quantità),
- Restituties en andere bedragen bij de uitvoer voor ... (hoeveelheid) terugbetaald,
- Restituições e outros montantes na exportação reembolsados para ... (quantidade),

▼A1

- Vientituki ja muut vietäessä maksetut määrät maksettu takaisin ... (määrä) osalta — De vid exporten beviljade bidragen eller andra belopp har betalats tillbaka för ... (kvantitet),
- De vid exporten beviljade bidragen eller andra belopp har betalats tillbaka för ... (kvantitet),

▼A2

- Vývozní náhrady nebo jiné částky poskytované při vývozu vyplaceny za ... (množství),
- Eksportidil makstud toetused ja muud summad tagastatud ... (kogus) eest,

▼ A2

- Kompensācijas un citas par preču izvešanu paredzētas summas atmaksātas par ... (daudzums),
 - Gražinamosios išmokos ir kitos eksporto atveju mokamos pinigų sumos išmokėtos už ... (kiekis),
 - Kivitel esetén igénybevett visszatérítés vagy egyéb kedvezmény ... (mennysiség) után visszafizetve,
 - Rifuzjoni jew ammonti oħra fuq esportazzjoni mogħtija lura għal ... (kwantita'),
 - Dopłaty i inne kwoty wynikające z wywozu wyplacono za ... (ilość),
 - Izvozna nadomestila ali zneski drugih izvoznih ugodnosti povrnjeni za ... (količina),
 - Náhrady a iné peňažné čiastky pri vývoze vyplatené za ... (množstvo),
- or
- Título de pago de restituciones u otras cantidades a la exportación anulado por ... (cantidad),
 - Ret til udbetaling af restitutioner eller andre beløb ved udførslen er annulleret for ... (mængde),
 - Auszahlungsanordnung über die Ausfuhrerstattungen und sonstigen Ausfuhrvergünstigungen für ... (Menge) ungültig gemacht,
 - Αποδεικτικό πληρωμής επιδοτήσεων ή άλλων χορηγήσεων κατά την εξαγωγή ακυρωμένο για ... (ποσότητας),
 - Entitlement to payment of refunds or other amounts on exportation cancelled for ... (quantity),
 - Titre de paiement des restitutions ou autres montants à l'exportation annulé pour ... (quantité),
 - Titolo di pagamento delle restituzioni o di altri importi all'esportazione annullato per ... (quantità),
 - Aanspraak op restituties of andere bedragen bij uitvoer vervallen voor ... (hoeveelheid),
 - Título de pagamento de restituições ou outros montantes à exportação anulado para ... (quantidade),

▼ A1

- Oikeus vientitukeen tai muihin vietäessä maksettuihin määriin peruutettu ... (määrä) osalta — Rätt till utbetalning av bidrag och andra belopp vid exporten har annullerats för ... (kvantitet),
- Rätt till utbetalning av bidrag och andra belopp vid exporten har annullerats för ... (kvantitet),

▼ A2

- Nárok na vyplacení vývozních náhrad nebo jiných částek poskytnutých při vývozu za ... (množství) zanikl,
- Õigus saada toetusi või muid summasid ekspordil on ... (kogus) eest kehtetuks tunnistatud,
- Tiesības izmaksāt kompensācijas vai citas summas, kas paredzētas par preču izvešanu, atceltas attiecībā uz ... (daudzums),
- Teisė į gražinamųjų išmokų arba kitų eksporto atveju mokamų pinigų sumų mokėjimą už ... (kiekis) panaikinta,
- Kivitel esetén ... igénybevett visszatérítésre vagy egyéb kedvezményre való jogosultság ... (mennysiség) után megszűnt,
- Mħux intitolati għal fħlas ta'rifuzjoni jew ammonti oħra fuq l-esportazzjoni għal ... (kwantita'),
- Uprawnienie do otrzymania dopłat lub innych kwot wynikających z wywozu anulowano dla ... (ilość),
- Upravičenost do izplačila izvoznih nadomestil ali zneskov drugih izvoznih ugodnosti razveljavljena za ... (količina),
- Nárok na vyplatenie náhrad alebo iných peňažných čiastok pri vývoze za ... (množstvo) zanikol,

▼B

depending on whether the refunds or other amounts provided for on exportation have or have not already been paid by the competent authorities.

4. In the case referred to in subparagraph (b) of the first indent of Article 848 (1), the certificate referred to in paragraph 1 shall be made out on the information sheet INF 3 provided for in Article 850.

5. When the customs authorities at the customs office where the goods are declared for release for free circulation have the means to satisfy themselves that no refund or other amount provided for on exportation under the common agricultural policy has been granted, and cannot subsequently be granted, the certificate referred to in paragraph 1 shall not be required.

Article 850

Information sheet INF 3 shall be drawn up in an original and two copies on forms which conform to the specimens appearing in Annex 110.

Article 851

1. Subject to paragraph 3, information sheet INF 3 shall be issued at the exporter's request by the customs authorities at the customs office of exportation at the time of completion of the export formalities for the goods concerned, if the exporter declares that it is probable that these goods will be returned via a customs office other than the customs office of exportation.

2. Information sheet INF 3 may also be issued, at the exporter's request, by the customs authorities at the customs office of exportation after completion of the export formalities for the goods concerned, provided that these authorities can establish, on the basis of the information at their disposal, that the particulars in the exporter's request relate to the goods exported.

3. In the case of the goods referred to in Article 849 (1), information sheet INF 3 may be issued only after completion of the relevant customs export formalities, and subject to the proviso in paragraph 2.

In addition, it may be issued only on condition that:

- (a) box B has been completed and endorsed by the customs authorities beforehand; and
- (b) box A has been completed and endorsed by the customs authorities beforehand, where the information contained therein is required.

Article 852

1. Information sheet INF 3 shall contain all items of information required by the customs authorities for the purpose of identifying the exported goods.

2. Where it is expected that the exported goods will be returned to the customs territory of the Community through several customs offices other than the customs office of exportation, the exporter may ask for several information sheets INF 3 to be issued to cover the total quantity of the goods exported.

Similarly, the exporter may ask the customs authorities which issued an information sheet INF 3 to replace it by several information sheets INF 3 covering the total quantity of goods included in the information sheet INF 3 initially issued.

The exporter may also ask for an information sheet INF 3 to be issued in respect of a proportion only of the exported goods.

Article 853

The original and one copy of information sheet INF 3 shall be returned to the exporter for presentation at the customs office of reimportation.

▼B

The second copy shall be kept in the official files of the customs authorities who issued it.

Article 854

The customs office of reimportation shall record on the original and on the copy of information sheet INF 3 the quantity of returned goods exempted from import duties, retaining the original and sending the copy, bearing the reference number and the date of declaration for free circulation, to the customs authorities who issued it.

The said customs authorities shall compare this copy with the one in their possession and retain it in their official files.

Article 855

In the event of theft, loss or destruction of the original information sheet INF 3, the person concerned may ask the customs authorities which issued it for a duplicate. They shall comply with this request if the circumstances warrant it. A duplicate so issued shall bear one of the following indications:

- DUPLICADO,
- DUPLIKAT,
- DUPLIKAT,
- ANTIΓΡΑΦΟ,
- DULICATE,
- DUPLICATA,
- DUPLICATO,
- DUPLICAAT,
- SEGUNDA VIA,

▼A1

- KAKSOISKAPPALE — DUPLIKAT,
- DUPLIKAT,

▼A2

- DUPLIKÁT,
- DUPLIKAAT,
- DUBLIKĀTS,
- DUBLIKATAS,
- MÁSODLAT,
- DUPLIKAT,
- DUPLIKAT,
- DVOJNIK,
- DUPLIKÁT.

▼B

The customs authorities shall record on the copy of information sheet INF 3 in their possession that a duplicate has been issued.

Article 856

1. At the request of the customs authorities at the customs office of reimportation, the customs authorities at the customs office of exportation shall communicate to the former all the information at their disposal to enable them to determine whether the goods meet the conditions necessary to benefit from the provisions of this part.

2. Information sheet INF 3 may be used for the request and the transmission of the information referred to in paragraph 1.

▼M13

TITLE II

**PRODUCTS OF SEA-FISHING AND OTHER PRODUCTS
TAKEN FROM THE TERRITORIAL SEA OF A THIRD
COUNTRY BY COMMUNITY FISHING VESSELS***Article 856a*

1. Exemption from import duties for the products referred to in Article 188 of the Code shall be subject to the presentation of a certificate in support of the declaration for release for free circulation relating to those products.

2. For products to be released for free circulation in the Community, in the situations referred to in Article 329(a) to (d), the master of the Community vessel making the catch shall complete boxes 3, 4 and 5 and, if need be, box 9, of the certificate. If the catch has been processed on board, the master of the vessel shall also complete boxes 6, 7 and 8.

Articles 330, 331 and 332 shall apply to completion of the corresponding boxes on the certificate.

When the declaration is made for release for free circulation of these products, the declarant shall complete boxes 1 and 2 of the certificate.

3. The certificate must conform to the model set out in Annex 110a and be drawn up in accordance with paragraph 2.

4. Where the products are declared for release for free circulation at the port where they were unloaded from the Community fishing vessel which made the catch, the derogation referred to in Article 326(2) shall apply *mutatis mutandis*.

5. For the purposes of paragraphs 1 to 4, the meaning of 'Community fishing vessel' and 'Community factory vessel' shall be as defined in Article 325(1) while 'products' shall be taken to mean those products and goods referred to in Articles 326 to 332, where reference is made to those provisions.

6. In order to ensure that paragraphs 1 to 5 are complied with, the Member State administrations shall accord each other mutual assistance in checking that certificates are authentic and the particulars in them accurate.

▼B

PART IV

CUSTOMS DEBT

TITLE I

SECURITY*Article 857*

1. The types of security other than cash deposits or guarantors, within the meaning of Articles 193, 194 and 195 of the Code, and the cash deposit or the submission of securities for which Member States may opt even if they do not comply with the conditions laid down in Article 194 (1) of the Code, shall be as follows:

- (a) the creation of a mortgage, a charge on land, an antichresis or other right deemed equivalent to a right pertaining to immovable property;
- (b) the cession of a claim, the pledging, with or without surrendering possession, of goods, securities or claims or, in particular, a savings bank book or entry in the national debt register;
- (c) the assumption of joint contractual liability for the full amount of the debt by a third party approved for that purpose by the customs authorities and, in particular, the lodging of a bill of exchange the payment of which is guaranteed by such third party;

▼B

- (d) a cash deposit or security deemed equivalent thereto in a currency other than that of the Member State in which the security is given;
 - (e) participation, subject to payment of a contribution, in a general guarantee scheme administered by the customs authorities.
2. The circumstances in which and the conditions under which recourse may be had to the types of security referred to in paragraph 1 shall be determined by the customs authorities.

Article 858

Where security is given by making a cash deposit, no interest thereon shall be payable by the customs authorities.

TITLE II

INCURRENCE OF THE DEBT

CHAPTER 1

*Failures which have no significant effect on the operation of temporary storage or of the customs procedure**Article 859*

The following failures shall be considered to have no significant effect on the correct operation of the temporary storage or customs procedure in question within the meaning of Article 204 (1) of the Code, provided:

- they do not constitute an attempt to remove the goods unlawfully from customs supervision,
- they do not imply obvious negligence on the part of the person concerned, and
- all the formalities necessary to regularize the situation of the goods are subsequently carried out:
 1. exceeding the time limit allowed for assignment of the goods to one of the customs-approved treatments or uses provided for under the temporary storage or customs procedure in question, where the time limit would have been extended had an extension been applied for in time;

▼M21

2. in the case of goods placed under a transit procedure, failure to fulfil one of the obligations entailed by the use of that procedure, where the following conditions are fulfilled:
 - (a) the goods entered for the procedure were actually presented intact at the office of destination;
 - (b) the office of destination has been able to ensure that the goods were assigned a customs-approved treatment or use or were placed in temporary storage at the end of the transit operation;
 - (c) where the time limit set under Article 356 has not been complied with and paragraph 3 of that Article does not apply, the goods have nevertheless been presented at the office of destination within a reasonable time;

▼B

3. in the case of goods placed in temporary storage or under the customs warehousing procedure, handling not authorized in advance by the customs authorities, provided such handling would have been authorized if applied for;
4. in the case of goods placed under the temporary importation procedure, use of the goods otherwise than as provided for in the authorization, provided such use would have been authorized under that procedure if applied for;
5. in the case of goods in temporary storage or placed under a customs procedure, unauthorized movement of the goods,

▼B

provided the goods can be presented to the customs authorities at their request;

▼M20

6. in the case of goods in temporary storage or entered for a customs procedure, removal of the goods from the customs territory of the Community or their introduction into a free zone of control type I within the meaning of Article 799 or into a free warehouse without completion of the necessary formalities;

▼M21

7. in the case of goods or products physically transferred within the meaning of Articles 296, 297 or 511, failure to fulfil one of the conditions under which the transfer takes place, where the following conditions are fulfilled:
- (a) the person concerned can demonstrate, to the satisfaction of the customs authorities, that the goods or products arrived at the specified premises or destination and, in cases of transfer based on Articles 296, 297, 512(2) or 513, that the goods or products have been duly entered in the records of the specified premises or destination, where those Articles require such entry in the records;
 - (b) where a time limit set in the authorisation was not observed, the goods or products nevertheless arrived at the specified premises or destination within a reasonable time;

▼M12

8. in the case of goods eligible on release for free circulation for the total or partial relief from import duties referred to in Article 145 of the Code, the existence of one of the situations referred to in Article 204 (1) (a) or (b) of the Code while the goods concerned are in temporary storage or under another customs procedure before being released for free circulation;

▼M20

9. in the framework of inward processing and processing under customs control, exceeding the time-limit allowed for submission of the bill of discharge, provided the limit would have been extended had an extension been applied for in time;
10. exceeding the time-limit allowed for temporary removal from a customs warehouse, provided the limit would have been extended had an extension been applied for in time.

▼B*Article 860*

The customs authorities shall consider a customs debt to have been incurred under Article 204 (1) of the Code unless the person who would be the debtor establishes that the conditions set out in Article 859 are fulfilled.

Article 861

The fact that the failures referred to in Article 859 do not give rise to a customs debt shall not preclude the application of provisions of criminal law in force or of provisions allowing cancellation and withdrawal of authorizations issued under the customs procedure in question.

*CHAPTER 2**Natural wastage**Article 862*

1. For the purposes of Article 206 of the Code, the customs authorities shall, at the request of the person concerned, take account of the quantities missing wherever it can be shown that the losses observed result solely from the nature of the goods and not from any negligence or manipulation on the part of that person.

▼B

2. In particular, negligence or manipulation shall mean any failure to observe the rules for transporting, storing, handling, working or processing the goods in question imposed by the customs authorities or by normal practice.

Article 863

The customs authorities may waive the obligation for the person concerned to show that the goods were irretrievably lost for reasons inherent in their nature where they are satisfied that there is no other explanation for the loss.

Article 864

The national provisions in force in the Member States concerning standard rates for irretrievable loss due to the nature of the goods themselves shall be applied where the person concerned fails to show that the real loss exceeds that calculated by application of the standard rate for the goods in question.

▼M1*CHAPTER 3**Goods in special situations***▼B***Article 865*

The presentation of a customs declaration for the goods in question, or any other act having the same legal effects, and the production of a document for endorsement by the competent authorities, shall be considered as removal of goods from customs supervision within the meaning of Article 203 (1) of the Code, where these acts have the effect of wrongly conferring on them the customs status of Community goods.

▼M14

However, in the case of airline companies authorised to use a simplified transit procedure with the use of an electronic manifest, the goods shall not be considered to have been removed from customs supervision if, at the initiative or on behalf of the person concerned, they are treated in accordance with their status as non-Community goods before the customs authorities find the existence of an irregular situation and if the behaviour of the person concerned does not suggest any fraudulent dealing

▼B*Article 866*

Without prejudice to the provisions laid down concerning prohibitions or restrictions which may be applicable to the goods in question, where a customs debt on importation is incurred pursuant to Articles 202, 203, 204 or 205 of the Code and the import duties have been paid, those goods shall be deemed to be Community goods without the need for a declaration for entry into free circulation.

Article 867

The confiscation of goods pursuant to Article 233 (c) and (d) of the Code shall not affect the customs status of the goods in question.

▼M1*Article 867a*

1. Non-Community goods which have been abandoned to the Exchequer or seized or confiscated shall be considered to have been entered for the customs warehousing procedure.

2. The goods referred to in paragraph 1 may be sold by the customs authorities only on the condition that the buyer immediately carries out the formalities to assign them a customs-approved treatment or use.

▼M1

Where the sale is at a price inclusive of import duties, the sale shall be considered as equivalent to release for free circulation, and the customs authorities themselves shall calculate the duties and enter them in the accounts.

In these cases, the sale shall be conducted according to the procedures in force in the Member States.

3. Where the administration decides to deal with the goods referred to in paragraph 1 otherwise than by sale, it shall immediately carry out the formalities to assign them one of the customs-approved treatments or uses laid down in Article 4 (15) (a), (b), (c) and (d) of the code.

▼B

TITLE III

▼M10**RECOVERY OF THE AMOUNT OF THE CUSTOMS DEBT****▼B***Article 868*

Member States need not enter in the accounts amounts of duty of less than ECU 10.

There shall be no post-clearance recovery of import duties or export duties where the amount per recovery action is less than ECU 10.

Article 869

The customs authorities shall themselves decide not to enter uncollected duties in the accounts:

(a) in cases in which preferential tariff treatment has been applied in the context of a tariff quota, a tariff ceiling or other arrangements when entitlement to this treatment had been ended at the time of acceptance of the customs declaration without that fact having been published in the *Official Journal of the European Communities* before the release for free circulation of the goods in question or, where such fact is not published, having been made known in an appropriate manner in the Member State concerned, the person liable for payment for his part having acted in good faith and complied with all the provisions laid down by the legislation in force as regards the customs declaration;

▼M23

(b) in cases in which they consider that the conditions laid down in Article 220(2)(b) of the Code are fulfilled, except those in which the dossier must be transmitted to the Commission pursuant to Article 871. However, where Article 871(2), second indent, is applicable, the customs authorities may not adopt a decision waiving entry in the accounts of the duties in question until the end of a procedure initiated in accordance with Articles 871 to 876.

Where a request is submitted for repayment or remission under Article 236 of the Code in conjunction with Article 220(2)(b) of the Code, subparagraph (b) of the first paragraph of this Article and Articles 871 to 876 shall apply *mutatis mutandis*.

For the purposes of applying the above paragraphs the Member States shall give each other mutual assistance, particularly where an error by the customs authorities of a Member State other than the one responsible for taking the decision is concerned.

Article 870

1. Each Member State shall hold at the disposal of the Commission a list of the cases in which the following provisions have been applied:

— Article 869(a),

▼ **M23**

- Article 236 of the Code in conjunction with Article 220(2)(b) of the Code, where no communication is required under paragraph 2,
 - Article 869(b), where no communication is required under paragraph 2.
2. Each Member State shall communicate to the Commission a list of the cases in which the amount not collected from the operator concerned in respect of one or more import or export operations but in consequence of a single error is more than EUR 50 000, and the provisions of Article 236 of the Code in conjunction with Article 220(2)(b) of the Code or of Article 869(b) have been applied, giving a short summary of each case. This communication shall be forwarded during the first and third quarters of each year for all cases in which it was decided not to enter the uncollected duties in the accounts during the preceding half-year.

Article 871

1. The customs authority shall transmit the case to the Commission to be settled under the procedure laid down in Articles 872 to 876 where it considers that the conditions laid down in Article 220(2)(b) of the Code are fulfilled and:
- it considers that the Commission has committed an error within the meaning of Article 220(2)(b) of the Code,
 - the circumstances of the case are related to the findings of a Community investigation carried out under Council Regulation (EC) No 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters ⁽¹⁾ or under any other Community legislation or any agreement concluded by the Community with a country or group of countries in which provision is made for carrying out such Community investigations, or
 - the amount not collected from the operator concerned in respect of one or more import or export operations but in consequence of a single error is EUR 500 000 or more.
2. However, the cases referred to in paragraph 1 shall not be transmitted where:
- the Commission has already adopted a decision under the procedure provided for in Articles 872 to 876 on a case involving comparable issues of fact and of law,
 - the Commission is already considering a case involving comparable issues of fact and of law.
3. The dossier submitted to the Commission shall contain all the information required for full consideration. It shall include detailed information on the behaviour of the operator concerned, and in particular on his professional experience, good faith and diligence. This assessment shall be accompanied by all information that may demonstrate that the operator acted in good faith. The dossier shall also include a statement, signed by the applicant for repayment or remission, certifying that he has read the dossier and either stating that he has nothing to add or listing all the additional information that he considers should be included.
4. As soon as it receives the dossier the Commission shall inform the Member State concerned accordingly.
5. Should it be found that the information supplied by the Member State is not sufficient to enable a decision to be taken on the case concerned in full knowledge of the facts, the Commission may request that additional information be supplied.
6. Where one of the following situations occurs the Commission shall return the dossier to the customs authority and the procedure

⁽¹⁾ OJ L 82, 22.3.1997, p. 1.

▼ M23

referred to in Articles 872 to 876 shall be deemed never to have been initiated:

- the dossier shows that there is a disagreement between the customs authority that has transmitted the dossier and the person who signed the statement referred to in paragraph 3 as regards the account of the facts,
- the dossier is obviously incomplete since it contains nothing that would justify its consideration by the Commission,
- under paragraphs 1 and 2, the dossier should not be transmitted,
- the existence of a customs debt has not been established,
- new information relating to the dossier and of a nature to alter substantially its presentation of the facts or legal assessment has been transmitted by the customs authority to the Commission while it is considering the dossier.

Article 872

The Commission shall send to the Member States a copy of the dossier referred to in Article 871(3) within 15 days of the date on which it received that dossier.

Consideration of the case in question shall be included as soon as possible on the agenda of a meeting of the group of experts provided for in Article 873.

▼ M14*Article 872a*

Where, at any time in the procedure provided for in Articles 872 and 873, the Commission intends to take a decision unfavourable towards the person concerned by the case presented, it shall communicate its objections to him/her in writing, together with all the documents on which it bases those objections. The person concerned by the case submitted to the Commission shall express his/her point of view in writing within a period of one month from the date on which the objections were sent. If he/she does not give a point of view within that period, he/she shall be deemed to have waived the right to express a position.

▼ M23*Article 873*

After consulting a group of experts composed of representatives of all Member States, meeting within the framework of the Committee to consider the case in question, the Commission shall decide whether the circumstances under consideration are such that the duties in question need not be entered in the accounts.

That decision shall be taken within nine months of the date on which the dossier referred to in Article 871(3) is received by the Commission. However, where the declaration or detailed assessment of the operator's behaviour referred to in Article 871(3) is not included in the dossier, the nine months shall be counted only from the date of receipt of these documents by the Commission. The Commission shall notify the customs authority and the person concerned accordingly.

Where the Commission has found it necessary to ask for additional information from the Member State in order to reach its decision, the nine months shall be extended by a period equivalent to that between the date the Commission sent the request for additional information and the date it received that information. The Commission shall notify the person concerned of the extension of the procedure.

Where the Commission conducts investigations itself in order to reach a decision, the nine months shall be extended by the time necessary to complete the investigations. Such an extension shall not exceed nine months. The Commission shall notify the customs authority and the person concerned of the dates on which investigations are opened and closed.

▼ M23

Where the Commission has notified the person concerned of its objections in accordance with Article 872a, the period of nine months shall be extended by one month.

Article 874

The Member State concerned shall be notified of the decision referred to in Article 873 as soon as possible and in any event within one month of the expiry of the period specified in that Article.

The Commission shall notify the Member States of the decisions it has adopted in order to help customs authorities to reach decisions in situations involving comparable issues of fact and law.

Article 875

Where it is established by the decision referred to in Article 873 that the circumstances under consideration are such that the duties in question need not be entered in the accounts, the Commission may specify the conditions under which the Member States may refrain from post-clearance entry in the account in cases involving comparable issues of fact and of law.

▼ B*Article 876*

If the Commission fails to take a decision within the period referred to in Article 873 or fails to notify a decision to the Member State concerned within the period referred to in Article 874, the customs authorities of that Member State shall not enter the duties in question in the accounts.

▼ M10*Article 876a*

1. The customs authorities shall suspend the debtor's obligation to pay the duties until such time as they have taken a decision on the request, provided that, where the goods are no longer under customs supervision, security is lodged for the amount of those duties, and that:

- (a) in cases where a request for invalidation of a declaration has been presented, this request is likely to be met;
- (b) in cases where a request has been presented for remission pursuant to Article 236 in conjunction with Article 220 (2) (b) of the Code or pursuant to Article 238 or Article 239, the customs authorities consider that the conditions laid down in the relevant provision may be regarded as having been fulfilled;
- (c) in cases other than those referred to under (b), a request has been presented for remission pursuant to Article 236 of the Code and the conditions referred to in the second paragraph of Article 244 of the Code have been fulfilled.

It shall not be necessary to require a security where such requirement would be likely, owing to the debtor's circumstances, to cause serious economic or social difficulties.

2. In cases where goods in one of the circumstances referred to in the second indent of Article 233 (c) or in Article 233 (d) of the Code are seized, the customs authorities shall suspend the debtor's obligation to pay the duties if they consider that the conditions for confiscation may be regarded as having been fulfilled.

▼ M22

3. Where a customs debt is incurred under Article 203 of the Code, the customs authorities shall suspend the obligation of the person referred to in the fourth indent of paragraph 3 of that Article to pay the duties where at least one other debtor has been identified and the amount of the duties has also been communicated to him in accordance with Article 221 of the Code.

▼ **M22**

The suspension may be granted only on the condition that the person referred to in the fourth indent of Article 203(3) of the Code is not also covered by one of the other indents of the said paragraph and has not been obviously negligent in fulfilling his obligations.

The duration of the suspension shall be limited to one year. However, this period may be extended by the customs authorities for duly justified reasons.

The suspension shall be conditional on the lodging by the person for whose benefit it is granted of a valid security for the amount of the duties at stake, except where such a security covering the whole amount of duties at stake already exists and the guarantor has not been released from his undertakings. Such security need not be required where such a requirement would be likely, owing to the debtor's circumstances, to cause serious economic or social difficulties.

▼ **B**

TITLE IV

REPAYMENT OR REMISSION OF IMPORT OR EXPORT DUTIES*CHAPTER 1****General provisions****Article 877*

1. For the purposes of this Title:
 - (a) *customs office of entry in the accounts* means: the customs office where the import or export duties whose repayment or remission is requested were entered in the accounts;
 - (b) *decision-making customs authority* means: the customs authority competent to decide on an application for repayment or remission of import or export duties in the Member State where the duties concerned were entered in the accounts;
 - (c) *supervising customs office* means: the customs office having jurisdiction over the goods which gave rise to entry in the accounts of the import or export duties whose repayment or remission is requested, the said office carrying out certain checks required for appraisal of the application;
 - (d) *implementing customs office* means: the customs office which adopts the measures necessary to ensure that the decision to repay or remit the import or export duties is correctly implemented.
2. The functions of office of entry in the accounts, decision-making customs authority, supervising customs office and implementing customs office may be carried out wholly or in part by the same customs office

*CHAPTER 2****Implementing provisions relating to Articles 236 to 239 of the Code***

Section 1

Application*Article 878*

1. Application for repayment or remission of import or export duties, hereinafter referred to as 'application for repayment or remission', shall be made by the person who paid or is liable to pay those duties, or the persons who have taken over his rights and obligations.

Application for repayment or remission may also be made by the representative of the person or persons referred in the first subparagraph.

▼B

2. Without prejudice to Article 882, application for repayment or remission shall be made, in one original and one copy, on a form conforming to the specimen and provisions in Annex 111.

However, application for repayment or remission may also be made, at the request of the person or persons referred to in paragraph 1, on plain paper, provided it contains the information appearing in the said Annex.

Article 879

1. Applications for repayment or remission, accompanied by the documents referred to in Article 6 (1) of the Code, must be lodged with the customs office of entry in the accounts, unless the customs authorities designate another office for this purpose; the said office shall transmit it immediately after acceptance to the decision-making customs authority if it is not itself designated as such.

2. The customs office referred to in paragraph 1 shall enter the date of receipt on the original and the copy of the application. It shall return the copy to the applicant.

Where the second subparagraph of Article 878 (2) is applied, the said customs office shall acknowledge receipt in writing to the applicant.

Article 880

Without prejudice to any specific provisions adopted in this connection under the common agricultural policy, an application relating to goods in respect of which an import or export licence or advance fixing certificate was produced when the relevant customs declaration was lodged must also be accompanied by certification issued by the authorities responsible for issuing such licence or certificate attesting that the necessary steps have been taken to cancel the effects of the said licence or certificate.

Such certification shall not be required, however:

- where the customs authority to which the application is submitted itself issued the licence or certificate in question,
- where the ground relied upon in support of the application is a substantive error that has no effect on the attribution of the licence or certificate in question.

Article 881

1. The customs office referred to in Article 879 may accept an application not containing all the information provided for on the form referred to in Article 878 (2). However, the application must contain at least the information to be entered in boxes 1 to 3 and 7.

2. Where paragraph 1 is applied, the said customs office shall set a time limit for the supply of any missing particulars and/or documents.

3. Where the time limit set by the customs office pursuant to paragraph 2 is not observed, the application shall be considered to have been withdrawn.

The applicant shall be informed of this immediately.

Article 882

1. For returned goods on which export duties were levied at the time of their export from the customs territory of the Community, repayment or remission of these duties shall be subject to the presentation to the customs authorities of a request accompanied by:

- (a) the document issued as evidence of payment, where the amounts concerned have already been collected;
- (b) the original, or the copy certified by the customs office of reimportation, of the declaration for free circulation relating to the returned goods.

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This document shall bear one of the following endorsements made by the customs office of reimportation:

- Mercancías de retorno en aplicación de la letra (b) del apartado 2 del artículo 185 del Código,
- Returvarer i henhold til kodeksens artikel 185, stk. 2, litra (b),
- Rückwaren gemäß Artikel 185 Absatz 2 Buchstabe (b) des Zollkodex,
- Εμπορεύματα επανεισαγόμενα κατ' εφαρμογή του άρθρου 185 παράγραφος 2 στοιχείο (β) του κώδικα,
- Goods admitted as returned goods under Article 185 (2) (b) of the Code,
- Marchandises en retour en application de l'article 185 paragraphe 2 point (b) du code,
- Merci in reintroduzione in applicazione dell'articolo 185, paragrafo 2, lettera (b) del codice,
- Goederen die met toepassing van artikel 185, lid 2, onder (b), van het Wetboek kunnen worden toegelaten als terugkerende goederen,
- Mercadorias de retorno por aplicação da alínea (b) do n.º 2 do artigo 185.º do código,

▼A1

- Yhteisön tullikoodeksin 185 artiklan 2 kohdan b alakohdan mukaista palautustavaraa — Returvaror enligt artikel 185.2 (b) i gemenskapens tullkod,
- Returvaror enligt artikel 185.2 b i gemenskapens tullkodex,

▼A2

- Vrácené zboží podle čl. 185 odst. 2 písm. b) kodexu,
- Seadustiku artikli 185(2)(b) alusel tagasitoodud kaubaks tunnistatud kaup,
- Preces atzītas par atpakāļievēstām saskaņā ar Kodeksa 185. panta 2. punkta b) apakšpunktu,
- Prekės įvežtos kaip grąžintos prekės vadovaujantis Kodekso 185 straipsnio 2 dalies b punktu,
- A Vámkódex 185. cikke (2) bekezdésének b) pontja értelmében tértiárúként behozott áruk,
- Ögğetti mdahhla bhala ögğetti miğjuba lura taht Artikolu 185(2)(b) tal-Kodiçi,
- Towary dopuszczone jako towary powracające zgodnie z art. 185 ust. 2 lit. b) Kodeksu,
- Blago se ponovno uvažá v skladu s členom 185(2)(b) Zakonika,
- Vrátený tovar podľa článku 185 ods. 2 písm. b) colného zákonníka;

▼B

- (c) the copy of the export declaration returned to the exporter at the time of completion of the export formalities for the goods, or a copy thereof certified by the customs office of exportation.

Where the decision-making customs authority is already in possession of the particulars contained in one or more of the declarations referred to at (a), (b) or (c) above, the declaration or declarations concerned need not be produced.

2. The request referred to in paragraph 1 must be lodged with the customs office referred to in Article 879 within 12 months of the date of acceptance of the export declaration.

Section 2

Procedure for granting repayment or remission*Article 883*

The decision-making customs authority may authorize completion of the customs formalities to which any repayment or remission may be subject before it has ruled on the application for repayment or remis-

▼B

sion. Such authorization shall be entirely without prejudice to its decision on the application.

Article 884

Without prejudice to Article 883 and until a decision has been taken on the application for repayment or remission, the goods in respect of which repayment or remission of duties has been requested may not be transferred to a location other than that specified in the said application unless the applicant notifies in advance the customs office referred to in Article 879, which shall in turn inform the decision-making customs authority.

Article 885

1. Where an application for repayment or remission relates to a case where supplementary information must be obtained or where the goods must be examined in order to ensure that the conditions for repayment or remission laid down in the Code and in this Title are satisfied, the decision-making customs authority shall adopt the measures necessary to that end, if necessary by requesting the assistance of the supervising customs office, specifying the nature of the information to be obtained or of the checks to be carried out.

The supervising customs office shall comply promptly with this request and shall forward the information obtained and the results of the checks carried out to the decision-making customs authority.

2. Where the application relates to goods which are situated in a Member State other than that in which the import or export duties were entered in the accounts, the provisions of Chapter 4 of this Title shall apply.

Article 886

1. When the decision-making customs authority possesses all the necessary particulars, it shall give its decision in writing on the application for repayment or remission in accordance with Article 6 (2) and (3) of the Code.

2. Where the application is approved, the decision shall include all the particulars necessary for its implementation.

Depending on the circumstances, some or all of the following particulars shall appear in the decision:

- (a) the information necessary for identifying the goods to which it applies;
- (b) the grounds for repayment or remission of the import or export duties and a reference to the corresponding article of the Code and, where appropriate, the corresponding article of this Title;
- (c) the use to which the goods may be put or the destination to which they may be sent, depending on the possibilities available in the particular case under the Code and where appropriate on the basis of a specific authorization by the decision-making customs authority;
- (d) the time limit for completion of the formalities to which repayment or remission of the import or export duties is subject;
- (e) a statement indicating that the import or export duties will not be repaid or remitted until the implementing customs office has informed the decision-making customs authority that the formalities to which repayment or remission is subject have been completed;
- (f) particulars of any requirements to which the goods remain subject pending implementation of the decision;
- (g) a notice informing the recipient that he must give the original of the decision to the implementing customs office of his choice when presenting the goods.

▼B*Article 887*

1. The implementing customs office shall take steps to ensure:
 - where appropriate, that the requirements referred to in Article 886 (2) (f) are met,
 - that in all cases the goods are actually used in the manner or sent to the destination specified in the decision to repay or remit import or export duties.
2. Where the decision specifies that the goods may be placed in a customs warehouse, a free zone or a free warehouse, and the recipient avails himself of this opportunity, the necessary formalities must be carried out with the implementing customs office.
3. Where the decision to repay or remit duties specifies a use to which the goods are to be put or a destination to which they are to be sent which can be established only in a Member State other than that in which the implementing customs office is located, proof of compliance shall be furnished by production of a control copy T 5 issued and used in accordance with the provisions of ►M18 Articles 912a to 912g ◀, and of this Article.

The control copy T 5 must contain the following:

- (a) box 33 shall contain the combined nomenclature code of the goods;
 - (b) box 103 shall indicate in words the net quantity of the goods;
 - (c) box 104 shall contain, as appropriate, either the words ‘exit from the customs territory of the Community’, or one of the following under the heading ‘other’:
 - Delivery free of charge to the following charity ...,
 - Destruction under customs supervision,
 - Entry for the following customs procedure ...,
 - Placing in a free zone or free warehouse;
 - (d) box 106 shall contain reference particulars of the decision granting repayment or remission of duties;
 - (e) box 107 shall contain the words ‘Articles 877 to 912 of Regulation (EEC) No 2454/93’.
4. The supervising customs office which establishes or on whose responsibility it is established that the goods have actually been used for the purpose specified or have arrived at the prescribed destination shall complete the box entitled ‘Control of use and/or destination’ of the control document by entering a cross against ‘have received the use and/or destination declared overleaf’ and giving the relevant date.
 5. When the implementing customs office has satisfied itself that the conditions set out in paragraph 1 are fulfilled, it shall send a certificate to that effect to the decision-making customs authority.

Article 888

A decision-making customs authority having approved an application for repayment or remission of duties shall repay or remit such duty only after receiving the certificate referred to in Article 887 (5).

Article 889

1. Where the request for repayment or remission is based on the existence, at the time when the declaration of release for free circulation was accepted, of a reduced or zero rate of import duty on the goods under a tariff quota, a tariff ceiling or other preferential tariff arrangements, repayment or remission shall be granted only on condition that, at the time of lodging the application for repayment or remission accompanied by the necessary documents:
 - in the case of a tariff quota, its volume has not been exhausted,
 - in other cases, the rate of duty normally due has not been re-established.

▼B

If the conditions laid down in the preceding paragraph are not fulfilled, repayment or remission shall nevertheless be granted where the failure to apply the reduced or zero rate of duty to the goods was the result of an error on the part of the customs authorities themselves and the declaration for free circulation contained all the particulars and was accompanied by all the documents necessary for application of the reduced or zero rate.

▼M13

2. Each Member State shall keep at the disposal of the Commission a list of the cases in which the provisions of the second subparagraph of paragraph 1 have been applied

▼B*Article 890***▼M22**

The decision-making customs authority shall grant repayment or remission when:

- (a) the request is accompanied with a certificate of origin, a movement certificate, a certificate of authenticity, an internal Community transit document or with any other appropriate document, indicating that the imported goods were eligible, at the time of acceptance of the declaration for free circulation, for Community treatment, preferential tariff treatment or favourable tariff treatment by reason of the nature of goods;
- (b) the document thus produced refers specifically to the goods in question;
- (c) all the conditions relating to acceptance of the said document are fulfilled;
- (d) all the other conditions for the granting of the Community treatment, a preferential tariff treatment or of a favourable tariff treatment by reason of the nature of goods are fulfilled.

▼M15

Repayment or remission shall take place upon presentation of the goods. Where the goods cannot be presented to the implementing customs office, the decision-making customs authority shall grant repayment or remission only where it has information showing unequivocally that the certificate or document produced post-clearance applies to the said goods.

▼B*Article 891*

Repayment or remission of duty shall not be granted where certificates for the advance fixing of levies are presented in support of the application.

Article 892

Import duties shall not be repaid or remitted under Article 238 of the Code where:

- the defective nature of the goods was taken into consideration in drawing up the terms of the contract, in particular the price, under which the goods were entered for a customs procedure involving the obligation to pay import duties,
- the goods are sold by the importer after it has been ascertained that they are defective or do not comply with the terms of the contract.

Article 893

1. Without prejudice to Article 900 (1) (c), the decision-making customs authority shall set a deadline, no later than two months from the date of notification of the decision to repay or remit import duties or export duties, for completion of the customs formalities to which the repayment or remission of duties is subject.

▼B

2. Failure to observe the deadline referred to in paragraph 1 shall result in loss of entitlement to repayment or remission except where the person concerned by the decision proves that he was prevented from meeting this deadline by unforeseeable circumstances or *force majeure*.

Article 894

Where destruction of the goods authorized by the decision-making customs authority produces waste or scrap, such waste or scrap shall be regarded as non-Community goods once a decision has been taken accepting the application for repayment or remission.

Article 895

Where the authorization referred to in the second subparagraph of Article 238 (2) (b) of the Code is granted, the customs authorities shall take all necessary steps to ensure that goods placed in a customs warehouse, free zone or free warehouse may subsequently be recognized as non-Community goods.

Article 896

1. Goods which, under the common agricultural policy, are entered for a customs procedure involving the obligation to pay import duties under an import licence or advance fixing certificate shall benefit from Articles 237, 238 and 239 of the Code only where the customs office referred to in Article 879 is satisfied that the necessary steps have been taken by the competent authorities to cancel the effects with regard to the certificate under which the importation took place.

2. Paragraph 1 shall also apply in the case of re-exportation, placing in a customs warehouse, free zone or free warehouse, or destruction of the goods.

Article 897

Where it is not the complete article that is exported, re-exported or destroyed or assigned to another authorized customs treatment or use, but one or more parts or components of that article, the amount to be repaid or remitted shall be the difference between the amount of import duties on the complete article and the amount of import duties which would have been chargeable on the remainder of the article if the latter had been entered in the unaltered state for a customs procedure involving the obligation to pay such duties on the date on which the complete article was so entered.

Article 898

The amount referred to in Article 240 of the Code is hereby set at ECU 10.

*CHAPTER 3**Specific provisions relating to the application of Article 239 of the Code*

Section 1

Decisions to be taken by the customs authorities of the Member States**▼M23***Article 899*

1. Where the decision-making customs authority establishes that an application for repayment or remission submitted to it under Article 239(2) of the Code:

— is based on grounds corresponding to one of the circumstances referred to in Articles 900 to 903, and that these do not result

▼M23

from deception or obvious negligence on the part of the person concerned, it shall repay or remit the amount of import or export duties concerned,

- is based on grounds corresponding to one of the circumstances referred to in Article 904, it shall not repay or remit the amount of import or export duties concerned.

2. In other cases, except those in which the dossier must be submitted to the Commission pursuant to Article 905, the decision-making customs authority shall itself decide to grant repayment or remission of the import or export duties where there is a special situation resulting from circumstances in which no deception or obvious negligence may be attributed to the person concerned.

Where Article 905(2), second indent, is applicable, the customs authorities may not decide to authorise repayment or remission of the duties in question until the end of a procedure initiated in accordance with Articles 906 to 909.

3. For the purposes of Article 239(1) of the Code and of this Article, 'the person concerned' shall mean the person or persons referred to in Article 878(1) or their representatives, and any other person who was involved with the completion of the customs formalities relating to the goods concerned or gave the instructions necessary for the completion of these formalities.

4. For the purposes of applying paragraphs 1 and 2 the Member States shall give each other mutual assistance, particularly where an error by the customs authorities of a Member State other than that responsible for taking the decision is concerned.

▼B*Article 900*

1. Import duties shall be repaid or remitted where:

- (a) non-Community goods placed under a customs procedure involving total or partial relief from import duties or goods released for free circulation with favourable tariff treatment by reason of their end-use are stolen, provided that the goods are recovered promptly and placed again in their original customs situation in the state they were in when they were stolen;
- (b) non-Community goods are inadvertently withdrawn from the customs procedure involving total or partial relief from the said duties under which they had been placed, provided that, as soon as the error is found, they are placed again in their original customs situation in the state they were in when they were withdrawn;
- (c) it is impossible to operate the mechanism for opening the means of transport on which goods previously released for free circulation are located and accordingly to unload them on arrival at their destination, provided that they are immediately re-exported;
- (d) goods originally released for free circulation are subsequently returned to their non-Community supplier, under the outward processing arrangements, to enable him — free of charge — to eliminate defects existing prior to the release of the goods (even if found after release of the goods) or to bring them into line with the provisions of the contract under which they were released for free circulation, and the said supplier decides to keep the goods permanently because he is unable to remedy the defects or because it would not be economic to do so;
- (e) it is found, when the customs authorities decide on post-clearance entry in the accounts of import duties actually due on goods released for free circulation with full relief from such duties, that the goods in question have been re-exported from the customs territory of the Community without customs supervision, provided it is established that the substantive conditions laid down in the Code for the repayment or remission of such import duties would

▼B

- actually have been met at the time of re-exportation if the amount had been levied when the goods were released for free circulation;
- (f) a judicial body has forbidden the marketing of an item previously entered for a customs procedure obliging the person concerned to pay import duties under normal conditions, and the said item is re-exported from the customs territory of the Community or destroyed under the control of the customs authorities, provided it is established that the item in question has not actually been used in the Community;
 - (g) the goods have been entered for a customs procedure involving the obligation to pay such duties by a declarant empowered to do so on his own initiative and, through no fault of the declarant, it has not been possible to deliver them to the consignee;
 - (h) the goods have been addressed to the consignee in error by the consignor;
 - (i) the goods are found to be unsuitable for the use for which the consignee intended them because of an obvious factual error in his order;
 - (j) after having been released for a customs procedure involving the obligation to pay import duties, the goods are found not to have complied, at the time of their release, with the rules in force concerning their use or marketing and therefore cannot be used for the purpose intended by the consignee;
 - (k) the use of the goods by the consignee for the purpose intended is prevented or substantially restricted as a result of measures of general scope taken, after the date of release for a customs procedure involving the obligation to pay import duties, by an authority or other body having the appropriate power of decision;
 - (l) total or partial import duty relief applied for by the person concerned in accordance with existing provisions cannot, through no fault of the person concerned, be granted by the customs authorities, who shall accordingly enter in the accounts the import duties which have become due;
 - (m) the goods reached the consignee after the binding delivery dates stipulated in the contract under which they were entered for a customs procedure involving the obligation to pay import duties;
 - (n) it has not been possible to sell the goods in the customs territory of the Community and they are delivered free of charge to charities:
 - carrying out their activities in a third country, provided that they are represented in the Community,
 - or
 - carrying out their activities in the customs territory of the Community, provided that they are eligible for relief in the case of importation for free circulation of similar goods from third countries.

▼M5

- (o) the customs debt has been incurred otherwise than under Article 201 of the Code and the person concerned is able to produce a certificate of origin, a movement certificate, an internal Community transit document or other appropriate document showing that if the imported goods had been entered for free circulation they would have been eligible for Community treatment or preferential tariff treatment, provided the other conditions referred to in Article 890 were satisfied.

▼M22

2. Repayment or remission of import duties in the cases referred to in paragraph 1(c) and (f) to (n) shall, except where the goods are destroyed by order of a public authority or delivered free of charge to charities carrying out their activities in the Community, be conditional upon their re-export from the customs territory of the Community under the supervision of the customs authorities.

▼M22

If requested, the decision-making authority shall permit re-export of the goods to be replaced by their destruction or by placing them under the external Community transit procedure, under the customs warehousing arrangements, or in a free zone or free warehouse.

Goods to be assigned one of these treatments shall be considered to be non-Community goods.

In this case, the customs authorities shall take all requisite measures to ensure that the goods placed in a customs warehouse, in a free zone or in a free warehouse may later be recognised as non-Community goods.

▼B

4. In addition, the supervising customs office must be satisfied that the goods have been neither used nor sold before their re-exportation.

Article 901

1. Import duties shall be repaid or remitted where:
 - (a) goods entered in error for a customs procedure involving the obligation to pay import duties have been re-exported from the customs territory of the Community without having been previously entered for the customs procedure under which they should have been placed, provided the other conditions laid down in Article 237 of the Code have been met;
 - (b) the goods have been re-exported or destroyed in accordance with Article 238 (2) (b) of the Code without customs supervision, provided the other conditions laid down in the said Article have been met;
 - (c) the goods have been re-exported or destroyed without customs supervision in accordance with Article 900 (1) (c) and (f) to (n), provided the other conditions laid down in Article 900 (2) and (4) have been met.
2. Repayment or remission of import duties in the circumstances referred to in paragraph 1 shall be conditional on:
 - (a) production of all the evidence needed to enable the decision-making customs authority to satisfy itself that the goods in respect of which repayment or remission is requested:
 - have actually been re-exported from the customs territory of the Community, or
 - have been destroyed under the supervision of authorities or persons empowered to certify such destruction officially;
 - (b) the return to the decision-making customs authority of any document certifying the Community status of the goods in question under cover of which the said goods may have left the customs territory of the Community, or the presentation of whatever evidence the said authority considers necessary to satisfy itself that the document in question cannot be used subsequently in connection with any importation of goods into the Community.

Article 902

1. For the purposes of Article 901 (2):
 - (a) the evidence needed to enable the decision-making customs authority to satisfy itself that the goods in respect of which repayment or remission is requested have actually been re-exported from the customs territory of the Community shall consist of the presentation by the applicant of:
 - the original or a certified copy of the declaration for export of the goods from the customs territory of the Community,
 - and
 - certification by the customs office through which the goods actually left the customs territory of the Community.

▼B

Where such certification cannot be produced, proof that the goods have left the customs territory of the Community may be presented in the form of:

- certification by the customs office in the third country of destination confirming that the goods have arrived, or
- the original or a certified copy of the customs declaration for the goods made in the third country of destination.

These documents must be accompanied by administrative and commercial documentation enabling the decision-making customs authority to check that the goods exported from the customs territory of the Community are the same as those which had been declared for a customs procedure involving the obligation to pay import duties, namely:

- the original or a certified copy of the declaration for the said procedure,
- and
- where this is considered necessary by the decision-making customs authority, commercial or administrative documents (such as invoices, dispatch details, transit documents or health certificates) containing a full description of the goods (trade description, quantities, marks and other identifying particulars) which were presented with the declaration for the said procedure or with the declaration for export from the customs territory of the Community or the customs declaration made for the goods in the third country of destination, as the case may be;

- (b) The evidence needed to enable the decision-making customs authority to satisfy itself that the goods in respect of which repayment or remission is requested have actually been destroyed under the supervision of authorities or persons authorized to certify officially such destruction shall consist of the presentation by the applicant of:

- a report or declaration of destruction drawn up by the authorities under whose supervision the goods were destroyed, or a certified copy thereof, or
- a certificate drawn up by the person authorized to certify destruction, accompanied by evidence of his authority.

These documents shall contain a sufficiently full description of the destroyed goods (trade description, quantities, marks and other identifying particulars) to enable the customs authorities to satisfy themselves, by means of comparison with the particulars given in the declaration for a customs procedure involving the obligation to pay import duties and the accompanying commercial documents (invoices, dispatch details, etc.), that the destroyed goods are those which had been declared for the said procedure.

2. Where the evidence referred to in paragraph 1 is insufficient to allow the decision-making customs authority to take a decision on the case submitted to it in full knowledge of the facts, or where certain evidence is not available, such evidence may be supplemented or replaced by any other documents considered necessary by the said authority.

Article 903

1. For returned goods in respect of which an export duty was levied when they were exported from the customs territory of the Community, entry for free circulation shall give the right to repayment of the amounts levied.
2. Paragraph 1 shall apply only to goods which are in one of the situations referred to in Article 844.

It must be proved to the satisfaction of the customs office where the goods are declared for release for free circulation that the goods are in one of the situations referred to in Article 185 (2) (b) of the Code.

▼B

3. Paragraph 1 shall apply even where the returned goods constitute only a proportion of the goods previously exported from the customs territory of the Community.

Article 904

Import duties shall not be repaid or remitted where the only grounds relied on in the application for repayment or remission are, as the case may be:

- (a) re-export from the customs territory of the Community of goods previously entered for a customs procedure involving the obligation to pay import duties, for reasons other than those referred to in Article 237 or 238 of the Code or in Article 900 or 901, notably failure to sell;
- (b) destruction, for any reason whatsoever, save in the cases expressly provided for by Community legislation, of goods entered for a customs procedure involving the obligation to pay import duties after their release by the customs authorities;
- (c) presentation, for the purpose of obtaining preferential tariff treatment of goods declared for free circulation, of documents subsequently found to be forged, falsified or not valid for that purpose, even where such documents were presented in good faith.

▼M23*Article 904a*

1. When no communication is required under paragraph 2, each Member State shall hold at the disposal of the Commission the list of the cases in which Article 899(2) was applied.

2. Each Member State shall communicate to the Commission a list of the cases in which it has applied the provisions of Article 899(2) and the amount repaid or remitted in respect of one or more import or export operations but in consequence of a single special situation is more than EUR 50 000, giving a short summary of each case. This communication shall be forwarded during the first and third quarters of each year for all cases in which it was decided to repay or remit duties during the preceding half-year.

▼B

Section 2

Decisions to be taken by the Commission**▼M23***Article 905*

1. Where the application for repayment or remission submitted under Article 239(2) of the Code is supported by evidence which might constitute a special situation resulting from circumstances in which no deception or obvious negligence may be attributed to the person concerned, the Member State to which the decision-making customs authority belongs shall transmit the case to the Commission to be settled under the procedure laid down in Articles 906 to 909 where:

- the authority considers that a special situation is the result of the Commission failing in its obligations,
- the circumstances of the case are related to the findings of a Community investigation carried out under Regulation (EC) No 515/97, or under any other Community legislation or any agreement concluded by the Community with countries or groups of countries in which provision is made for carrying out such Community investigations, or
- the amount for which the person concerned may be liable in respect of one or more import or export operations but in consequence of a single special situation is EUR 500 000 or more.

The term 'the person concerned' shall be interpreted in the same way as in Article 899.

▼ **M23**

2. However, the cases referred to in paragraph 1 shall not be transmitted where:
- the Commission has already adopted a decision under the procedure provided for in Articles 906 to 909 on a case involving comparable issues of fact and of law,
 - the Commission is already considering a case involving comparable issues of fact and of law.
3. The dossier submitted to the Commission shall contain all the information required for full consideration. It shall include detailed information on the behaviour of the operator concerned, and in particular on his professional experience, good faith and diligence. This assessment shall be accompanied by all information that may demonstrate that the operator acted in good faith. The dossier shall also include a statement, signed by the applicant for repayment or remission, certifying that he has read the dossier and either stating that he has nothing to add or listing all the additional information that he considers should be included.
4. As soon as it receives the dossier the Commission shall inform the Member State concerned accordingly.
5. Should it be found that the information supplied by the Member State is not sufficient to enable a decision to be taken on the case concerned in full knowledge of the facts, the Commission may request that additional information be supplied.
6. Where one of the following situations occurs the Commission shall return the dossier to the customs authority and the procedure referred to in Articles 906 to 909 shall be deemed never to have been initiated:
- the dossier shows that there is a disagreement between the customs authority that has transmitted the dossier and the person who signed the statement referred to in paragraph 3 as regards the account of the facts,
 - the dossier is obviously incomplete since it contains nothing that would justify its consideration by the Commission,
 - under paragraphs 1 and 2, the dossier should not be transmitted,
 - the existence of a customs debt has not been established,
 - new information relating to the dossier and of a nature to alter substantially its presentation of the facts or legal assessment has been transmitted by the customs authority to the Commission while it is considering the dossier.

Article 906

The Commission shall forward to the Member States a copy of the dossier referred to in Article 905(3) within 15 days of the date on which it received that dossier.

Consideration of the case in question shall be included as soon as possible on the agenda of a meeting of the group of experts provided for in Article 907.

▼ **M14***Article 906a*

Where, at any time in the procedure provided for in Articles 906 and 907, the Commission intends to take a decision unfavourable towards the applicant for repayment or remission, it shall communicate its objections to him/her in writing, together with all the documents on which it bases those objections. The applicant for repayment or remission shall express his/her point of view in writing within a period of one month from the date on which the objections were sent. If he/she does not give his/her point of view within that period, he/she shall be deemed to have waived the right to express a position.

▼ **M23***Article 907*

After consulting a group of experts composed of representatives of all Member States, meeting within the framework of the Committee to consider the case in question, the Commission shall decide whether or not the situation which has been considered justifies repayment or remission.

That decision shall be taken within nine months of the date on which the case referred to in Article 905(3) is received by the Commission. However, where the declaration or detailed assessment of the operator's behaviour referred to in Article 905(3) is not included in the dossier, the nine months shall be counted only from the date of receipt of these documents by the Commission. The customs authority and the person applying for repayment or remission shall be notified accordingly.

Where the Commission has found it necessary to ask for additional information from the Member State in order to reach its decision, the nine months shall be extended by a period equivalent to that between the date the Commission sent the request for additional information and the date it received that information. The person applying for repayment or remission shall be notified of the extension.

Where the Commission conducts investigations itself in order to reach its decision, the nine months shall be extended by the time necessary to complete the investigations. Such an extension shall not exceed nine months. The customs authority and the person applying for repayment or remission shall be notified of the dates on which investigations are opened and closed.

Where the Commission has notified the person applying for repayment or remission of its objections in accordance with Article 906a, the period of nine months shall be extended by one month.

Article 908

1. The Member State concerned shall be notified of the decision referred to in Article 907 as soon as possible and in any event within one month of the expiry of the period specified in that Article.

The Commission shall notify the Member States of the decisions it has adopted in order to help customs authorities to reach decisions on cases involving comparable issues of fact and law.

2. The decision-making authority shall decide whether to grant or refuse the application made to it on the basis of the Commission's decision notified in accordance with paragraph 1.

3. Where it is established by the decision referred to in Article 907 that the circumstances under consideration justify repayment or remission, the Commission may specify the conditions under which the Member States may repay or remit duties in cases involving comparable issues of fact and of law.

▼ **B***Article 909*

If the Commission fails to take a decision within the time limit set in Article 907, or fails to notify a decision to the Member State in question within the time limit set in Article 908, the decision-making customs authority shall grant the application.

*CHAPTER 4**Administrative assistance between the Customs authorities of the Member States**Article 910*

In the cases referred to in Article 885 (2), the decision-making customs authority shall send the supervising customs office two copies of its request made out in writing on a form conforming to the model in Annex 112. The request shall be accompanied by originals or copies

▼B

of the application for repayment or remission and of all documents necessary to enable the supervising customs office to obtain the information or carry out the checks requested.

Article 911

1. Within two weeks of the date of receipt of the request the supervising customs office shall obtain the information or carry out the checks requested by the decision-making customs authority. It shall enter the results obtained in the portion of the original of the document referred to in Article 910 reserved for that purpose and shall return the said document to the decision-making customs authority together with all the documents forwarded to it.

2. Where it is unable to obtain the information or carry out the checks requested within the two-week period referred to in paragraph 1, the supervising customs office shall acknowledge receipt of the request submitted to it within that period by returning to the decision-making customs authority the copy of the document referred to in Article 910 duly annotated.

Article 912

The implementing customs office shall send the certificate referred to in Article 887 (5) to the decision-making customs authority on a form conforming to the specimen in Annex 113.

▼M18

Part IVa

CONTROLS ON THE USE AND/OR DESTINATION OF GOODS*Article 912a*

1. For purposes of this part:

- (a) ‘competent authorities’ means: the customs authorities or any other Member State authority responsible for applying this part;
- (b) ‘office’ means: the customs office or body responsible at local level for applying this part;
- (c) ‘T5 control copy’ means: a T5 original and copy made out on forms corresponding to the specimen in Annex 63 accompanied where appropriate by either one or more original and copy forms T5 *bis* corresponding to the specimen in Annex 64 or one or more original and copy loading list T5 corresponding to the specimen in Annex 65. The forms shall be printed and completed in accordance with the explanatory note in Annex 66 and, where appropriate, any additional instructions laid down in other Community rules.

2. Where application of Community rules concerning goods imported into, exported from, or moving within the customs territory of the Community is subject to proof of compliance with ►**C6** the conditions provided for or prescribed by that measure ◀ for the use and/or destination of the goods, such proof shall be furnished by production of a T5 control copy, completed and used in accordance with the provisions of this part.

3. All goods entered on a given T5 control copy shall be loaded on a single means of transport within the meaning of the second subparagraph of ►**M21** Article 349(1) ◀, intended for a single consignee and the same use and/or destination.

The competent authorities may allow the form corresponding to the specimen in Annex 65 to be replaced by T5 loading lists made out by an integrated electronic or automatic data-processing system or by descriptive lists drawn up for the purposes of carrying out dispatch/export formalities which include all the particulars provided for in the Annex 65 specimen form, provided such lists are designed and completed in such a way that they can be used without difficulty by the authorities in question and offer all the safeguards considered appropriate by those authorities.

▼ M18

4. In addition to obligations imposed under specific rules, any person who signs a T5 control copy shall be required to put the goods described in that document to the declared use and/or dispatch the goods to the declared destination.

That person shall be liable in the event of the misuse by any person of any T5 control copy which the former has drawn up.

5. By way of derogation from paragraph 2 and unless otherwise provided in the Community rules requiring a control on the use and/or destination of the goods, each Member State shall have the right to require that the proof of goods having been assigned to the use and/or destination provided for or prescribed shall be furnished in accordance with a national procedure, provided that the goods do not leave its territory before they have been assigned to that use and/or destination.

Article 912b

1. A T5 control copy shall be made out in one original and at least one copy. Each of their forms must bear the original signature of the person concerned and include all the particulars regarding the description of goods and any additional information required by the provisions relating to the Community rules imposing the control.

2. Where the Community rules imposing the control provide for the lodging of a guarantee, it shall be lodged:

- at the agency designated by those rules or, failing that, at either the office which issues the T5 control copy or another office designated for that purpose by the Member State to which that office belongs, and
- in that manner laid down in those rules or, failing that, by the authorities of that Member State.

In that case, one of the following phrases shall be entered in box 106 of the T5 form:

- Garantía constituida por un importe de ... euros
- Sikkerhed på ... EUR
- Sicherheit in Höhe von ... EURO geleistet
- Κατατεθείσα εγγύηση ποσού ... ΕΥΡΩ
- Guarantee of EUR ... lodged
- Garantie d'un montant de ... euros déposée
- Garanzia dell'importo di ... EURO depositata
- Zekerheid voor ... euro
- Entregue garantía num montante de ... EURO
- Annettu ... euron suuruinen vakuus
- Säkerhet ställd till et belopp av ... euro

▼ A2

- Celní dluh ve výši ... EUR zajištěn
- Esitatud tagatis EUR ...
- Galvojums par EUR ... iesniegts
- Pateikta garantija ... EUR sumai
- ... EUR vámbiztosíték letétbe helyezve
- Garanzija fuq l-EUR ... saret
- Złożono zabezpieczenie w wysokości ... EUR
- Položeno zavarovanje v višini ... EUR
- Poskytnuté zabezpečenie vo výške ... EUR.

▼ M18

3. Where the Community rules imposing the control specify a time limit for assigning the goods to a particular use and/or destination, the statement 'Time limit of ... days for completion' in box 104 of the T5 form shall be completed.

4. Where the goods are moving under a customs procedure, the T5 control copy shall be issued by the customs office where the goods are dispatched.

▼ M18

The document for the produce shall bear a reference to the T5 control copy issued. Similarly, box 109 of the T5 form issued shall contain a reference to the document used for the procedure.

5. Where the goods are not placed under a customs procedure, the T5 control copy shall be issued by the office where the goods are dispatched.

One of the following phrases shall be entered in box 109 of the T5 form:

- Mercancías no incluidas en un régimen aduanero
- Ingen forsendelsesprocedure
- Nicht in einem Zollverfahren befindliche Waren
- Εμπορεύματα εκτός τελωνειακού καθεστώτος
- Goods not covered by a customs procedure
- Marchandises hors régime douanier
- Merci non vincolate ad un regime doganale
- Geen douaneregeling
- Mercadorias não sujeitas a regime aduaneiro
- Tullimenettelyn ulkopuoella olevat tavarat
- Varorna omfattas inte av något tullförfarande

▼ A2

- Zboží mimo celní režim
- Kaup, millele ei rakendata tolliprotseduuri
- Preces, kurām nav piemērota muitas procedūra
- Prekės, kurioms netaikoma muitinės procedūra
- Vámeljárás alá nem vont áruk
- Oggetti mhux koperti bi procedura tad-Dwana
- Towary nieobjęte procedurą celną
- Blago ni vključeno v carinski postopek
- Tovar nie je v colnom režime.

▼ M18

6. The T5 control copy shall be endorsed by the office referred to in paragraphs 4 and 5. Such endorsement shall comprise the following, to appear in box A (office of departure) of those documents:

- (a) in the case of the T5 form, the name and stamp of the office, the signature of the competent person, the date of authentication and a registration number which may be pre-printed;
- (b) in the case of the T5bis form or T5 loading list, the registration number appearing on the T5 form. That number shall be inserted either by means of a stamp incorporating the name of the office or by hand; in the latter case it shall be accompanied by the official stamp of the said office.

7. Unless otherwise provided in the Community rules requiring a control on the use and/or destination of the goods, ► **M21** Article 357 ◀ shall apply *mutatis mutandis*. The office referred to in paragraphs 4 and 5 shall verify the consignment and shall complete and endorse box D, 'Control by office of departure', on the front of the T5 form.

8. The office referred to in paragraphs 4 and 5 shall keep a copy of each T5 control copy. The originals of these documents shall be returned to the person concerned as soon as all administrative formalities have been carried out, and boxes A (Office of departure), and B (Return to ...) of the T5 form, duly completed.

▼ M21

9. Article 360 shall apply *mutatis mutandis*.

▼ M18*Article 912c*

1. The goods and the originals of the T5 control copies shall be presented at the office of destination.

▼ M18

Unless otherwise provided in the Community rules requiring a control on the use and/or destination of the goods, the office of destination may allow the goods to be delivered direct to the consignee on such conditions as it shall lay down to enable it to carry out its control on or after arrival of the goods.

Any person who presents a T5 control copy and the consignment to which it relates to the office of destination may, on request, obtain a receipt made out on a form corresponding to the specimen in Annex 47. The receipt may not replace the T5 control copy.

2. Where the Community rules require a control on the exit of goods from the customs territory of the Community:

- for goods leaving by sea, the office of destination shall be the office responsible for the port where the goods are loaded on the vessel operating a service other than a regular shipping service within the meaning of Article 313a,
- for goods leaving by air, the office of destination shall be the office responsible for the international Community airport, within the meaning of Article 190(b), at which the goods are loaded on an aircraft bound for an airport outside the Community,

▼ M21

- for goods leaving by any other modes of transport, the office of destination shall be the office of exit referred to in Article 793(2).

▼ M18

3. The office of destination shall carry out controls on the use and/or destination ► **C6** provided for or prescribed. ◀ It shall register the particulars of the T5 control copy by keeping a copy of the said document where appropriate, and the result of the controls which have been carried out.

4. The office of destination shall return the original of the T5 control copy to the address shown in box B ('Return to ...') of the T5 form once all the required formalities have been completed and annotations made.

Article 912d

1. Where the issue of the T5 control copy calls for a guarantee under Article 912b(2), the provisions of paragraphs 2 and 3 shall apply:

2. Where quantities of goods have not been assigned to the prescribed use and/or destination, by the expiry of a specified time limit under Article 912b(3) where applicable, the competent authorities shall take the necessary steps to enable the office referred to in Article 912b(2) to recover, where applicable from the guarantee lodged, the proportion corresponding to those quantities.

However, at the request of the person concerned, those authorities may decide to collect, where applicable from the guarantee, an amount obtained by taking the proportion of the guarantee corresponding to the amount of goods not assigned to the specified use and/or destination by the end of the prescribed time limit, and multiplying that by the quotient obtained from dividing the number of days over the time limit required for those quantities to be assigned their use and/or destination by the length, in days, of the timelimit.

This paragraph shall not apply where the person concerned can show that the goods in question have been lost through *force majeure*.

3. If, within six months either of the date on which the T5 control copy was issued or of expiry of the time limit entered in box 104 of the T5 form under 'Time limit of ..., days for completion', as the case may be, that copy, duly endorsed by the office of destination, has not been received by the return office specified in box B of the document, the competent authorities shall take the necessary steps to require the office referred to in Article 912b(2) to recover the guarantee provided for in that Article.

This paragraph shall not apply where the delay in returning the T5 control copy was not attributable to the person concerned.

▼ **M18**

4. The provisions of paragraphs 2 and 3 shall apply unless otherwise provided in the Community rules requiring a control on the use and/or destination of the goods and, in any event, without prejudice to the provisions concerning the customs debt.

Article 912e

1. Unless otherwise provided in the Community rules requiring a control on the use and/or destination of the goods, the T5 control copy and the consignment which it accompanies may be divided before completion of the procedure for which the form was issued. Consignments resulting from such division may themselves be further divided.

2. The office at which the division takes place shall issue, in accordance with Article 912b, an extract of the T5 control copy for each part of the divided consignment.

Each extract shall contain, *inter alia*, the additional information shown in boxes 100, 104, 105, 106 and 107 of the initial T5 control copy, and shall state the net mass and net quantity of the goods to which that extract applies. One of the following phrases shall be entered in box 106 of the T5 form used for each extract:

- Extracto del ejemplar de control T5 inicial (número de registro, fecha, oficina y país de expedición): ...
- Udskrift af det oprindelige kontrolksemplar T5 (registreringsnummer, dato, sted og udstedelsesland): ...
- Auszug aus dem ursprünglichen Kontrollexemplar T5 (Registrierennummer, Datum, ausstellende Stelle und Ausstellungsland): ...
- Απόσπασμα του αρχικού αντιτύπου ελέγχου T5 (αριθμός πρωτοκόλλου, ημερομηνία, τελωνείο και χώρα έκδοσης): ...
- Extract of the initial T5 control copy (registration number, date, office and country of issue): ...
- Extrait de l'exemplaire de contrôle T5 initial (numéro d'enregistrement, date, bureau et pays de délivrance): ...
- Estratto dell'esemplare di controllo T5 originale (numero di registrazione, data, ufficio e paese di emissione): ...
- Uittreksel van het oorspronkelijke controle-exemplaar T5 (registratienummer, datum, kantoor en land van afgifte): ...
- Extracto do exemplar de controlo T5 inicial (número de registo, data, estância e país de emissão): ...
- Ote alun perin annetusta T5-valvontakappaleesta (kirjaamisnumero, antamispäivämäärä, -toimipaikka ja -maa): ...
- Utdrag ur ursprungligt kontrollexemplar T5 (registreringsnummer, datum, utfärdande kontor och land): ...

▼ **A2**

- Výpis z původního kontrolního výtisku T5 (evidenční číslo, datum, úřad a země vystavení): ...
- Väljavõtte esialgsest T5 kontrolleksemplarist (registreerimisnumber, kuupäev, väljaandnud asutus ja riik): ...
- Izraksts no sākotnējā T5 kontrolleksemplāra (reģistrācijas numurs, datums, izdevēja iestāde un valsts): ...
- Išrašas iš pirminio T5 kontrolinio egzemplioriaus (registracijos numeris, data, išdavusi įstaiga ir valstybė): ...
- Az eredeti T5 ellenőrző példány kivonata (nyilvánartási szám, kiállítás dátuma, a kiállító ország és hivatal neve): ...
- Estratt tal-kopja ta' kontroll tat-T5 inizjali (numru ta'registrazzjoni, data, ufficiċju u pajjiż fejn ġie maħruġ id-dokument)
- Wyciąg z wyjściowej karty kontrolnej T5 (numer ewidencyjny, data, urząd i kraj wystawienia): ...
- Izpisek iz prvotnega kontrolnega izvoda T5 (evidenčna številka, datum, urad in država izdaje): ...
- Výpis z pôvodného kontrolného výtlačku T5 (registračné číslo, dátum, vydávajúci úrad a krajina vydania):

▼ M18

Box B ‘Return to ...’ of the T5 form shall contain the information shown in the corresponding box of the initial T5 form.

One of the following phrases shall be entered in box J ‘Controls on the use and/or destination’ of the initial T5 form:

- ... (número) extractos expedidos — copias adjuntas
- ... (antal) udstedte udskrifter — kopier vedføjjet
- ... (Anzahl) Auszüge ausgestellt — Durchschriften liegen bei
- ... (αριθμός) εκδοθέντα αποσπάσματα — συνημμένα αντίγραφα
- ... (number) extracts issued — copies attached
- ... (nombre) extraits délivrés — copies ci-jointes
- ... (numero) estratti rilasciati — copie allegate
- ... (aantal) uittreksels afgegeven — kopieën bijgevoegd
- ... (número) de extractos emitidos — cópias juntas
- Annettu ... (lukumäärä) otetta — jäljennökset liitteenä
- ... (antal) utdrag utfärdade — kopier bifogas

▼ A2

- ... (počet) vystavených výpisů — kopie přiloženy
- väljavõtted ... (arv) — koopiad lisatud
- Izsniegti ... (skaits) izraksti — kopijas pielikumā
- Išduota ... (skaičius) išrašų — kopijos pridedamos
- ... (számú) kivonat kiadva — másolatok csatolva
- ... (numru) estratti mahruġa kopji mehmuża
- ... (ilość) wydanych wyciągów — kopie załączone
- ... (število) izdani izpiski — izvodi priloženi
- ... (počet) vydaných výpisov — kópie priložené.

▼ M18

The initial T5 control copy shall be returned without delay to the address shown in box B ‘Return to ...’ of the T5 form, accompanied by copies of the extracts issued.

The office where the division takes place shall keep a copy of the initial T5 control copy and extracts. The originals of the extract T5 control copies shall accompany each part of the divided consignment to the corresponding offices of destination where the provisions referred to in Article 912c shall be applied.

3. In the case of further division pursuant to paragraph 1, paragraph 2 shall be applied *mutatis mutandis*.

Article 912f

1. The T5 control copy may be issued retrospectively on condition that:

- the person concerned is not responsible for the failure to apply for or to issue that document when the goods were dispatched or he can furnish proof that the failure is not due to any deception or obvious negligence on his part,
- the person concerned furnishes proof that the T5 control copy relates to goods in respect of which all the formalities have been completed,
- the person concerned produces the documents required for the issue of the said T5 control copy,
- it is established to the satisfaction of the competent authorities that the retrospective issue of the T5 control copy cannot give rise to the securing of financial benefits which would not be warranted in the light of the procedure used, the customs status of the goods and their use and/or destination.

Where the T5 control copy is issued retrospectively, the T5 form shall contain in red one of the following phrases:

- Expedido *a posteriori*
- Udstedt efterfølgende

▼ M18

- nachträglich ausgestellt
- Εκδοθέν εκ των υστέρων
- Issued retrospectively
- Délivré a posteriori
- Rilasciato a posteriori
- achteraf afgegeven
- Emitido a posteriori
- Annettu jälkikäteen
- Utfärdat i efterhand

▼ A2

- Vystaveno dodatečně
- Välja antud tagasiulatuvalt
- Izsniegts retrospektīvi
- Retrospektyvusis išdavimas
- Utólag kiállítva
- Mahruğ retrospektivament
- Wystawiona retrospektywnie
- Izdano naknadno
- Vydané dodatočne

▼ M18

and the person concerned shall enter on it the identity of the means of transport by which the goods were dispatched, the date of departure and, if appropriate, the date on which the goods were produced at the office of destination.

2. Duplicates of T5 control copies and extract T5 control copies may be issued by the issuing office at the request of the person concerned in the event of the loss of the originals. The duplicate shall bear the stamp of the office and the signature of the competent official and in red block letters, one of the following words:

- DUPLICADO
- DUPLIKAT
- DUPLIKAT
- ΑΝΤΙΓΡΑΦΟ
- DUPLICATE
- DUPLICATA
- DUPLICATO
- DUPLICAAT
- SEGUNDA VIA
- KAKSOISKAPPALE
- DUPLIKAT

▼ A2

- DUPLIKÁT
- DUPLIKAAT
- DUBLIKĀTS
- DUBLIKATAS
- MÁSODLAT
- DUPLIKAT
- DUPLIKAT
- DVOJNIK
- DUPLIKÁT.

▼ M18

3. T5 control copies issued retrospectively and duplicates may be annotated by the office of destination only where that office establishes that the goods covered by the document in question have been assigned to the use and/or destination provided for or prescribed by the Community rules.

▼ **M18***Article 912g*

1. The competent authorities of each Member State may, within the scope of their competence, authorise any person who fulfils the conditions laid down in paragraph 4 and who intends to consign goods in respect of which a T5 control copy must be made out (hereinafter referred as 'the authorised consignor' not to present at the office of departure either the goods concerned or the T5 control copy covering them.

2. With regard to the T5 control copy used by authorised consignors, the competent authorities may:

- (a) prescribe the use of forms bearing a distinctive mark as a means of identifying the authorised consignors;
- (b) stipulate that box A of the form, 'Office of departure':
 - be stamped in advance with the stamp of the office of departure and signed by an official of that office; or
 - be stamped by the authorised consignor with a special approved metal stamp conforming to the specimen in Annex 62, or
 - be pre-printed with the imprint of the special stamp conforming to the specimen in Annex 62 if printed by a printer approved for that purpose. This imprint may also be entered by an integrated electronic or automatic data-processing system;
- (c) authorise the authorised consignor not to sign forms stamped with the special approved stamp referred to in Annex 62 which are made out by an integrated electronic or automatic data-processing system. In this event, the space reserved for the signature of the declarant in box 110 of the forms shall contain one of the following phrases:
 - Dispensa de la firma, artículo 912 octavo del Reglamento (CEE) n° 2454/93
 - Underskriftsdispensation, artikel 912g i förordning (EØF) nr. 2454/93
 - Freistellung von der Unterschriftsleistung, Artikel 912g der Verordnung (EWG) Nr. 2454/93
 - Απαλλαγή από την υποχρέωση υπογραφής, άρθρο 912 ζ του κανονισμού (ΕΟΚ) αριθ. 2454/93
 - Signature waived — Article 912g of Regulation (EEC) No 2454/93
 - Dispense de signature, article 912 octies du règlement (CEE) n° 2454/93
 - Dispensa dalla firma, articolo 912 octies del regolamento (CEE) n. 2454/93
 - Vrijstelling van ondertekening — artikel 912 octies van Verordening (EEG) nr. 2454/93
 - Dispensada a assinatura, artigo 912º — G do Regulamento (CE) n. 2454/93
 - Vapautettu allekirjoituksesta — asetuksen (ETY) N:o 2454/93 912g artikla
 - Befriad från underskrift, artikel 912g i förordning (EEG) nr 2454/93

▼ **A2**

- Podpis se nevyžaduje — článek 912g nařízení (EHS) č. 2454/93
- Allkirjanõudest loobutud — määruse (EMÜ) nr 2454/93 artikkel 912g
- Derīgs bez paraksta — Regulas (EEK) Nr.2454/93 912.g pants
- Leista nepasirašyti — Reglamentas (EEB) Nr. 2454/93, 912g straipsnis
- Aláírás alól mentesítve — a 2454/93/EGK rendelet 912g. cikke
- Firma mhux meħtieġa — Artikolu 912g tar-Regolament (KEE) 2454/93
- Zwolniony ze składania podpisu — art. 912g rozporządzenia (EWG) nr 2454/93

▼ A2

- Opustitev podpisa — člen 912g člen uredbe (EGS) št. 2454/93
- Podpis sa nevyžaduje — článok 912g nariadenia (EHS) č. 2454/93.

▼ M18

3. The authorised consignor shall complete the T5 control copy, entering the required particulars, including:

- in box A ('Office of departure') the date on which the goods were consigned and the number allocated to the declaration, and
- in box D ('Control by office of departure') of the T5 form one of the endorsements:
 - Procedimiento simplificado, artículo 912 octavo del Reglamento (CEE) n° 2454/93
 - Forenklet fremgangsmåde, artikel 912g i forordning (EØF) nr. 2454/93
 - Vereinfachtes Verfahren, Artikel 912g der Verordnung (EWG) Nr. 2454/93
 - Απλουστευμένη διαδικασία, άρθρο 912 ζ) του κανονισμού (ΕΟΚ) αριθ. 2454/93
 - Simplified procedure — Article 912g of Regulation (EEC) No 2454/93
 - Procédure simplifiée, article 912 octies du règlement (CEE) n° 2454/93
 - Procedura simplificata, articolo 912 octies del regolamento (CEE) n. 2454/93
 - Vereenvoudigde procedure, artikel 912 octies van Verordening (EEG) nr. 2454/93
 - Procedimento simplificado, artigo 912º — G do Regulamento (CE) n° 2454/93
 - Yksinkertaistettu menettely — asetuksen (ETY) N:o 2454/93 912g artikla
 - Förenklat förfarande, artikel 912g i förordning (EEG) nr 2454/93

▼ A2

- Zjednodušený postup—článek 912g Nařízení (EHS) č. 2454/93
- Lihtsustatud tolliprotseduur — määruse (EMÜ) nr 2454/93 artikkel 912g
- Vienkāršota procedūra — Regulas (EEK) Nr.2454/93 912.g pants
- Supraprastinta procedūra — Reglamentas (EEB) Nr. 2454/93, 912g straipsnis
- Egyszerűsített eljárás — a 2454/93/EGK rendelet 912g. cikke
- Procedura simplifikata — Artikolu 912g tar-Regolament (KEE) 2454/93
- Procedura uproszczona — art. 912g rozporządzenia (EWG) nr 2454/93
- Poenostavljen postopek — člen 912g uredbe (EGS) št. 2454/93
- Zjednodušený postup — článok 912g nariadenia (EHS) č. 2454/93

▼ M18

and, where appropriate, particulars of the period within which the goods must be presented at the office of destination, the identification measures applied and references to the dispatch document.

That copy, duly completed and, where appropriate, signed by the approved consignor, shall be deemed to have been issued by the office indicated by the stamp referred to in paragraph 2(b).

After dispatch of the goods, the authorised consignor shall without delay send the office of departure a copy of the T5 control copy, together with any document on the basis of which the T5 control copy was drawn up.

▼M18

4. The authorisation referred to in paragraph 1 shall be granted only to persons who frequently consign goods, whose records enable the competent authorities to check on their operations and who have not committed serious or repeated offences against the legislation in force.

The authorisation shall specify in particular:

- the office or offices competent to act as offices of departure for consignments,
- the period within which, and the procedure by which, the authorised consignor is to inform the office of departure of the consignment to be sent, in order that the office may carry out any controls, including any required by Community rules, before the departure of the goods,
- the period within which the goods must be presented at the office of destination; this period shall be determined according to the conditions of transport or by Community rules,
- the measures to be taken to identify the goods, which may include the use of special seals approved by the competent authorities and affixed by the authorised consignor,
- the means for providing guarantees where the issue of the T5 control copy is conditional thereon.

5. The authorised consignor shall take all necessary measures to ensure the safekeeping of the special stamp or of the forms bearing the imprint of the stamp of the office of departure or the imprint of the special stamp.

The authorised consignor shall bear all the consequences, in particular the financial consequences, of any errors, omissions or other faults in the T5 control copies which he draws up or in the performance of the procedures incumbent on him under the authorisation provided for in paragraph 1.

In the event of the misuse by any person of T5 control copy forms stamped in advance with the stamp of the office of departure or with the special stamp, the authorised consignor shall be liable, without prejudice to any criminal proceedings, for the payment of duties and other charges which have not been paid and for the repayment of any financial benefits which have been wrongly obtained following such misuse, unless he can satisfy the competent authorities by whom he was authorised that he took all the measures required to ensure the safekeeping of the special stamp or of the forms bearing the imprint of the stamp of the office of departure or the imprint of the special stamp.

▼B

PART V

FINAL PROVISIONS*Article 913*

The following Regulation and Directives shall be repealed:

- Regulation (EEC) No 37/70 of the Commission of 9 January 1970 on determining the origin of essential spare parts for use with any piece of equipment machine, apparatus or vehicle dispatched beforehand ⁽¹⁾,
- Regulation (EEC) No 2632/70 of the Commission of 23 December 1970 determining the origin of radio and television receivers ⁽²⁾,

⁽¹⁾ OJ No L 7, 10. 1. 1970, p. 6.

⁽²⁾ OJ No L 279, 24. 12. 1970, p. 35.

▼B

- Regulation (EEC) No 315/71 of the Commission of 12 February 1971 on determining the origin of basic wines intended for the preparation of vermouth, and the origin of vermouth ⁽¹⁾,
- Regulation (EEC) No 861/71 of the Commission of 27 April 1971 on determining the origin of tape recorders ⁽²⁾,
- Regulation (EEC) No 3103/73 of the Commission of 14 November 1973 on certificates of origin and applications for such certificates ⁽³⁾,
- Commission Regulation (EEC) No 2945/76 of 26 November 1976 laying down provisions for the implementation of Council Regulation (EEC) No 754/76 on the customs treatment applicable to goods returned to the customs territory of the Community ⁽⁴⁾, as last amended by the Act of Accession of Spain and Portugal,
- Commission Regulation (EEC) No 137/79 of 19 December 1978 on the institution of a special method of administrative cooperation for applying intra-Community treatment to the fishery catches of vessels of Member States ⁽⁵⁾, as last amended by Regulation (EEC) No 3399/91 ⁽⁶⁾,
- Commission Regulation (EEC) No 1494/80 of 11 June 1980 on interpretative notes and generally accepted accounting principles for the purposes of customs value ⁽⁷⁾,
- Commission Regulation (EEC) No 1495/80 of 11 June 1980 implementing certain provisions of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes ⁽⁸⁾, as last amended by Regulation (EEC) No 558/91 ⁽⁹⁾,
- Commission Regulation (EEC) No 1496/80 of 11 June 1980 on the declaration of particulars relating to customs value and on documents to be furnished ⁽¹⁰⁾, as last amended by Regulation (EEC) No 979/93 ⁽¹¹⁾,
- Commission Regulation (EEC) No 1574/80 of 20 June 1980 laying down provisions for the implementation of Articles 16 and 17 of Council Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties ⁽¹²⁾,
- Commission Regulation (EEC) No 3177/80 of 5 December 1980 on the place of introduction to be taken into consideration in applying Article 14 (2) of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes ⁽¹³⁾, as last amended by Regulation (EEC) No 2779/90 ⁽¹⁴⁾;
- Commission Regulation (EEC) No 3179/80 of 5 December 1980 on postal charges to be taken into consideration when determining the customs value of goods sent by post ⁽¹⁵⁾, as last amended by Regulation (EEC) No 1264/90 ⁽¹⁶⁾,
- Commission Regulation (EEC) No 553/81 of 12 February 1981 on certificates of origin and applications for such certificates ⁽¹⁷⁾,

⁽¹⁾ OJ No L 36, 13. 2. 1971, p. 10.

⁽²⁾ OJ No L 95, 28. 4. 1971, p. 11.

⁽³⁾ OJ No L 315, 16. 11. 1973, p. 34.

⁽⁴⁾ OJ No L 335, 4. 12. 1976, p. 1.

⁽⁵⁾ OJ No L 20, 27. 1. 1979, p. 1.

⁽⁶⁾ OJ No L 320, 22. 11. 1991, p. 19.

⁽⁷⁾ OJ No L 154, 21. 6. 1980, p. 3.

⁽⁸⁾ OJ No L 154, 21. 6. 1980, p. 14.

⁽⁹⁾ OJ No L 62, 8. 3. 1991, p. 24.

⁽¹⁰⁾ OJ No L 154, 21. 6. 1980, p. 16.

⁽¹¹⁾ OJ No L 101, 27. 4. 1993, p. 7.

⁽¹²⁾ OJ No L 161, 26. 6. 1980, p. 3.

⁽¹³⁾ OJ No L 335, 12. 12. 1980, p. 1.

⁽¹⁴⁾ OJ No L 267, 29. 9. 1990, p. 36.

⁽¹⁵⁾ OJ No L 335, 12. 12. 1980, p. 62.

⁽¹⁶⁾ OJ No L 124, 15. 5. 1990, p. 32.

⁽¹⁷⁾ OJ No L 59, 5. 3. 1981, p. 1.

▼B

- Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3334/90 ⁽²⁾,
- Commission Directive 82/57/EEC of 17 December 1981 laying down certain provisions for implementing Council Directive 79/695/EEC on the harmonization of procedures for the release of goods for free circulation ⁽³⁾, as last amended by Directive 83/371/EEC ⁽⁴⁾,
- Commission Directive 82/347/EEC of 23 April 1982 laying down certain provisions for implementing Council Directive 81/177/EEC on the harmonization of procedures for the export of Community goods ⁽⁵⁾,
- Commission Regulation (EEC) No 3040/83 of 28 October 1983 laying down provisions for the implementation of Articles 2 and 14 of Council Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties ⁽⁶⁾,
- Commission Regulation (EEC) No 3158/83 of 9 November 1983 on the incidence of royalties and licence fees in customs value ⁽⁷⁾,
- Commission Regulation (EEC) No 1751/84 of 13 June 1984 laying down certain provisions for the application of Council Regulation (EEC) No 3599/82 ⁽⁸⁾, as last amended by Regulation (EEC) No 3693/92 ⁽⁹⁾,
- Commission Regulation (EEC) 3548/84 of 17 December 1984 laying down certain provisions for the application of Regulation (EEC) No 2763/83 on arrangements permitting goods to be processed under customs control before being put into free circulation ⁽¹⁰⁾, as last amended by Regulation (EEC) No 2361/87 ⁽¹¹⁾,
- Commission Regulation (EEC) No 1766/85 of 27 June 1985 on the rates of exchange to be used in the determination of customs value ⁽¹²⁾, as last amended by Regulation (EEC) No 593/91 ⁽¹³⁾,
- Commission Regulation (EEC) No 3787/86 of 11 December 1986 on the annulment or revocation of authorizations issued under certain customs procedures with economic impact ⁽¹⁴⁾,
- Commission Regulation (EEC) No 3799/86 of 12 December 1986 laying down provisions for the implementation of Council Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties ⁽¹⁵⁾,
- Commission Regulation (EEC) No 2458/87 of 31 July 1987 laying down provisions for the implementation of Council regulation (EEC) No 2473/86 on outward processing relief arrangements and the standard exchange system ⁽¹⁶⁾, as last amended by Regulation (EEC) No 3692/92 ⁽¹⁷⁾,
- 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 subhead-

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 321, 21. 11. 1990, p. 6.

⁽³⁾ OJ No L 28, 5. 2. 1982, p. 38.

⁽⁴⁾ OJ No L 204, 28. 7. 1983, p. 63.

⁽⁵⁾ OJ No L 156, 7. 6. 1982, p. 1.

⁽⁶⁾ OJ No L 297, 29. 10. 1983, p. 13.

⁽⁷⁾ OJ No L 309, 10. 11. 1983, p. 19.

⁽⁸⁾ OJ No L 171, 29. 6. 1984, p. 1.

⁽⁹⁾ OJ No L 374, 22. 12. 1992, p. 28.

⁽¹⁰⁾ OJ No L 331, 19. 12. 1984, p. 5.

⁽¹¹⁾ OJ No L 215, 5. 8. 1987, p. 9.

⁽¹²⁾ OJ No L 168, 28. 6. 1985, p. 21.

⁽¹³⁾ OJ No L 66, 13. 3. 1991, p. 14.

⁽¹⁴⁾ OJ No L 350, 12. 12. 1986, p. 14.

⁽¹⁵⁾ OJ No L 352, 13. 12. 1986, p. 19.

⁽¹⁶⁾ OJ No L 230, 17. 8. 1987, p. 1.

⁽¹⁷⁾ OJ No L 374, 22. 12. 1992 p. 26.

▼B

- ings 2401 10 10 to 2401 10 49 and 2401 10 49 and 2401 20 10 to 2401 20 49 of the combined nomenclature ⁽¹⁾,
- 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 listed in Annex C to the Agreement between the European Economic Community and Yugoslavia ⁽²⁾,
 - Commission Regulation (EEC) No 4130/87 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 ⁽³⁾,
 - 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 ⁽⁴⁾, as last amended by Regulation (EEC) No 2490/91 ⁽⁵⁾,
 - 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 ⁽⁶⁾,
 - 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 ⁽⁷⁾,
 - 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 ⁽⁸⁾,
 - 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 91 10 respectively of the combined nomenclature ⁽⁹⁾,
 - 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 ⁽¹⁰⁾,
 - Commission Regulation (EEC) No 4137/87 of 9 December 1987 determining the conditions of entry of goods under subheadings 0408 11 90, 0408 91 90, 0408 99 90, 1106 20 10, 2501 00 51, 3502 10 10 and 3502 90 10 of the combined nomenclature ⁽¹¹⁾,
 - Commission Regulation (EEC) No 4138/87 of 9 December 1987 determining the conditions under which contain potatoes, sweet corn, cereals, oil seeds and oleaginous (SIC! oleaginous) fruit, for sowing, are eligible on import for a favourable tariff arrangement by reason of their end-use ⁽¹²⁾,
 - Commission Regulation (EEC) No 4139/87 of 9 December 1987 determining the conditions under which certain petroleum products

⁽¹⁾ OJ No L 387, 31. 12. 1987, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1987, p. 9.

⁽³⁾ OJ No L 387, 31. 12. 1987, p. 16.

⁽⁴⁾ OJ No L 387, 31. 12. 1987, p. 22.

⁽⁵⁾ OJ No L 231, 20. 8. 1991, p. 1.

⁽⁶⁾ OJ No L 387, 31. 12. 1987, p. 36.

⁽⁷⁾ OJ No L 387, 31. 12. 1987, p. 42.

⁽⁸⁾ OJ No L 387, 31. 12. 1987, p. 48.

⁽⁹⁾ OJ No L 387, 31. 12. 1987, p. 54.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1987, p. 60.

⁽¹¹⁾ OJ No L 387, 31. 12. 1987, p. 63.

⁽¹²⁾ OJ No L 387, 31. 12. 1987, p. 67.

▼B

- are eligible on import for a favourable tariff arrangement by reason of their end-use ⁽¹⁾,
- 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 ⁽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 on import for a favourable tariff arrangement by reason of their end-use ⁽³⁾, as last amended by Regulation (EEC) No 1418/81 ⁽⁴⁾,
 - 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 3803/92 ⁽⁶⁾,
 - Commission Regulation (EEC) No 693/88 of 4 March 1988 on the definition of the concept of originating products for purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries ⁽⁷⁾, as last amended by Regulation (EEC) No 3660/92 ⁽⁸⁾,
 - Commission Regulation (EEC) No 809/88 of 14 March 1988 on the definition of the concept of 'originating products' and methods of administrative cooperation applicable to imports into the Community of products originating in the Occupied Territories ⁽⁹⁾, as last amended by Regulation (EEC) No 2774/88 ⁽¹⁰⁾,
 - Commission Regulation (EEC) No 4027/88 of 21 December 1988 laying down provisions for the temporary importation of containers ⁽¹¹⁾, as last amended by Regulation (EEC) No 3348/89 ⁽¹²⁾,
 - Commission Regulation (EEC) No 288/89 of 3 February 1989 on determining the origin of integrated circuits ⁽¹³⁾,
 - Commission Regulation (EEC) No 597/89 of 8 March 1989 laying down provisions for the implementation of Council Regulation (EEC) No 2144/87 on customs debt ⁽¹⁴⁾,
 - Commission Regulation (EEC) No 2071/89 of 11 July 1989 on determining the origin of photocopying apparatus, incorporating an optical system or of the contract type ⁽¹⁵⁾,
 - Commission Regulation (EEC) No 3850/89 of 15 December 1989 laying down provisions for the implementation of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods in respect of certain agricultural products subject to special import arrangements ⁽¹⁶⁾,
 - Commission Regulation (EEC) No 2561/90 of 30 July 1990 laying down provisions for the implementation of Council Regulation (EEC) No 2503/88 on customs warehouses ⁽¹⁷⁾, as last amended by Commission Regulation (EEC) No 3001/92 ⁽¹⁸⁾,
 - Commission Regulation (EEC) No 2562/90 of 30 July 1990 laying down provisions for the implementation of Council Regulation

⁽¹⁾ OJ No L 387, 31. 12. 1987, p. 70.

⁽²⁾ OJ No L 387, 31. 12. 1987, p. 74.

⁽³⁾ OJ No L 387, 31. 12. 1987, p. 76.

⁽⁴⁾ OJ No L 135, 30. 5. 1991, p. 28.

⁽⁵⁾ OJ No L 387, 31. 12. 1987, p. 82.

⁽⁶⁾ OJ No L 384, 30. 12. 1992 p. 15.

⁽⁷⁾ OJ No L 77, 22. 3. 1988, p. 77.

⁽⁸⁾ OJ No L 370, 19. 12. 1992, p. 11.

⁽⁹⁾ OJ No L 86, 30. 3. 1988, p. 1.

⁽¹⁰⁾ OJ No L 249, 8. 9. 1988, p. 5.

⁽¹¹⁾ OJ No L 355, 23. 12. 1988, p. 22.

⁽¹²⁾ OJ No L 323, 8. 11. 1989, p. 17.

⁽¹³⁾ OJ No L 33, 4. 2. 1989, p. 23.

⁽¹⁴⁾ OJ No L 65, 9. 3. 1989, p. 11.

⁽¹⁵⁾ OJ No L 196, 12. 7. 1989, p. 24.

⁽¹⁶⁾ OJ No L 374, 22. 12. 1989, p. 8.

⁽¹⁷⁾ OJ No L 246, 10. 9. 1990, p. 1.

⁽¹⁸⁾ OJ No L 301, 17. 10. 1992, p. 16.

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- (EEC) No 2504/88 on free zones and free warehouses ⁽¹⁾, as last amended by Commission Regulation (EEC) No 2485/91 ⁽²⁾,
- Commission Regulation (EEC) No 2883/90 of 5 October 1990 on determining the origin or grape juice ⁽³⁾,
 - Commission Regulation (EEC) No 2884/90 of 5 October 1990 on determining the origin of certain goods produced from eggs ⁽⁴⁾,
 - Commission Regulation (EEC) No 3561/90 of 11 December 1990 on determining the origin of certain ceramic products ⁽⁵⁾,
 - Commission Regulation (EEC) No 3620/90 of 14 December 1990 on determining the origin of the meat and offals, fresh, chilled or frozen, of certain domestic animals ⁽⁶⁾,
 - Commission Regulation (EEC) No 3672/90 of 18 December 1990 on determining the origin of ball, roller or needle roller bearings ⁽⁷⁾,
 - Commission Regulation (EEC) No 3716/90 of 19 December 1990 laying down provisions for the implementation of Council Regulation (EEC) No 4046/89 on the security to be given to ensure payment of a customs debt ⁽⁸⁾,
 - Commission Regulation (EEC) No 3796/90 of 21 December 1990 laying down provisions for the implementation of Council Regulation (EEC) No 1714/90 on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature ⁽⁹⁾, as last amended by Regulation (EEC) No 2674/92 ⁽¹⁰⁾,
 - Commission Regulation (EEC) No 1364/91 of 24 May 1991 determining the origin of textiles and textile articles falling within Section XI of the Combined Nomenclature ⁽¹¹⁾,
 - Commission Regulation (EEC) No 1365/91 of 24 May 1991 on determining the origin of cotton linters, impregnated felt and nonwovens, articles of apparel of leather, footwear and watch straps of textiles ⁽¹²⁾,
 - Commission Regulation (EEC) No 1593/91 of 12 June 1991 providing for the implementation of Council Regulation (EEC) No 719/91 on the use in the Community of TIR carnets and ATA carnets as transit documents ⁽¹³⁾,
 - Commission Regulation (EEC) No 1656/91 of 13 June 1991 laying down special provisions applicable to certain types of inward processing operations or processing under customs control ⁽¹⁴⁾,
 - Commission Regulation (EEC) No 2164/91 of 23 July 1991 laying down provisions for the implementation of Article 5 (2) of Council Regulation (EEC) No 1697/79 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties ⁽¹⁵⁾,
 - Commission Regulation (EEC) No 2228/91 of 26 June 1991 laying down provisions for the implementation of Regulation (EEC) No 1999/85 on inward processing relief arrangements ⁽¹⁶⁾, as last amended by Regulation (EEC) No 3709/92 ⁽¹⁷⁾,
 - Commission Regulation (EEC) No 2249/91 of 25 July 1991 laying down provisions for the implementation of Council Regulation

⁽¹⁾ OJ No L 246, 10. 9. 1990, p. 33.

⁽²⁾ OJ No L 228, 17. 8. 1991, p. 34.

⁽³⁾ OJ No L 276, 6. 10. 1990, p. 13.

⁽⁴⁾ OJ No L 276, 6. 10. 1990, p. 14.

⁽⁵⁾ OJ No L 347, 12. 12. 1990, p. 10.

⁽⁶⁾ OJ No L 351, 15. 12. 1990, p. 25.

⁽⁷⁾ OJ No L 356, 19. 12. 1990, p. 30.

⁽⁸⁾ OJ No L 358, 21. 12. 1990, p. 48.

⁽⁹⁾ OJ No L 365, 28. 12. 1990, p. 17.

⁽¹⁰⁾ OJ No L 271, 16. 9. 1992, p. 5.

⁽¹¹⁾ OJ No L 130, 25. 5. 1991, p. 18.

⁽¹²⁾ OJ No L 130, 25. 5. 1991, p. 28.

⁽¹³⁾ OJ No L 148, 13. 6. 1991, p. 11.

⁽¹⁴⁾ OJ No L 151, 15. 6. 1991, p. 39.

⁽¹⁵⁾ OJ No L 201, 24. 7. 1991, p. 16.

⁽¹⁶⁾ OJ No L 210, 31. 7. 1991, p. 1.

⁽¹⁷⁾ OJ No L 378, 23. 12. 1992, p. 6.

▼B

- (EEC) No 1855/89 for the temporary importation of means of transport ⁽¹⁾,
- Commission Regulation (EEC) No 2365/91 of 31 July 1991 laying down the conditions for use of the ATA carnet for the temporary importation of goods into the customs territory of the Community or their temporary exportation from that territory ⁽²⁾,
 - Commission Regulation (EEC) No 3717/91 of 18 December 1991 drawing up the list of goods which may benefit from the arrangements permitting goods to be processed under customs control before being put into free circulation ⁽³⁾, as last amended by Regulation (EEC) No 209/93 ⁽⁴⁾,
 - Commission Regulation (EEC) No 343/92 of 22 January 1992 on the definition of the concept of originating products and methods of administrative cooperation applicable to imports into the Community of products originating in the Republics of Croatia and Slovenia and the Yugoslav Republics of Bosnia-Herzegovina and Macedonia ⁽⁵⁾, as last amended by Regulation (EEC) No 3660/92 ⁽⁶⁾,
 - Commission Regulation (EEC) No 1214/92 of 12 April 1992 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure ⁽⁷⁾, as last amended by Regulation (EEC) No 3712/92 ⁽⁸⁾,
 - Commission Regulation (EEC) No 1823/92 of 3 July 1992 laying down detailed rules for the application of Council Regulation (EEC) No 3925/91 concerning the elimination of controls and formalities applicable to the cabin and hold baggage of persons taking an intra-Community flight and the baggage of persons taking an intra-Community sea crossing ⁽⁹⁾,
 - Commission Regulation (EEC) No 2453/92 of 31 July 1992 implementing Council Regulation (EEC) No 717/91 concerning the Single Administrative Document ⁽¹⁰⁾, as last amended by Regulation (EEC) No 607/93 ⁽¹¹⁾,
 - Commission Regulation (EEC) No 2674/92 of 15 September 1992 supplementing the implementing provisions of Council Regulation (EEC) No 1715/90 on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature ⁽¹²⁾,
 - Commission Regulation (EEC) No 2713/92 of 17 September 1992 on the movement of goods between certain parts of the customs territory of the Community ⁽¹³⁾,
 - Commission Regulation (EEC) No 3269/92 of 10 November 1992 laying down certain implementing provisions of Articles 161, 182 and 183 of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, relating to the export and re-export procedure and to goods leaving the customs territory of the Community ⁽¹⁴⁾,
 - Commission Regulation (EEC) No 3566/92 of 8 December 1992 on the documents to be used for the purpose of implementing Community measures entailing verification of the use and/or destination of goods ⁽¹⁵⁾,

⁽¹⁾ OJ No L 204, 27. 7. 1991, p. 31.

⁽²⁾ OJ No L 216, 3. 8. 1991, p. 24.

⁽³⁾ OJ No L 351, 20. 12. 1991, p. 23.

⁽⁴⁾ OJ No L 25, 2. 2. 1993, p. 18.

⁽⁵⁾ OJ No L 38, 14. 2. 1992, p. 1.

⁽⁶⁾ OJ No L 370, 19. 12. 1992, p. 11.

⁽⁷⁾ OJ No L 132, 16. 5. 1992, p. 1.

⁽⁸⁾ OJ No L 378, 23. 12. 1992, p. 15.

⁽⁹⁾ OJ No L 185, 4. 7. 1992, p. 8.

⁽¹⁰⁾ OJ No L 249, 28. 8. 1992, p. 1.

⁽¹¹⁾ OJ No L 65, 17. 3. 1993, p. 5.

⁽¹²⁾ OJ No L 271, 16. 9. 1992, p. 1.

⁽¹³⁾ OJ No L 275, 18. 9. 1992, p. 11.

⁽¹⁴⁾ OJ No L 326, 12. 11. 1992, p. 11.

⁽¹⁵⁾ OJ No L 362, 11. 12. 1992, p. 11.

▼B

- Commission Regulation (EEC) No 3689/92 of 21 December 1992 laying down detailed rules for the application of Council Regulation (EEC) No 719/91 on the use in the Community of TIR carnets and ATA carnets as transit documents and of Council Regulation (EEC) No 3599/82 on temporary importation arrangements ⁽¹⁾,
- Commission Regulation (EEC) No 3691/92 of 21 December 1992 laying down provisions for the implementation of Council Regulation (EEC) No 719/91 on the use in the Community of TIR carnets and ATA carnets as transit documents and Council Regulation (EEC) No 3599/82 on temporary importation arrangements ⁽²⁾,
- Commission Regulation (EEC) No 3710/92 of 21 December 1992 establishing the procedures for transfers of goods or products covered by inward processing arrangements (suspension system) ⁽³⁾,
- Commission Regulation (EEC) No 3903/92 of 21 December 1992 on air transport costs ⁽⁴⁾.

Article 914

References to the provisions repealed shall be understood as referring to this Regulation.

Article 915

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

It shall apply from 1 January 1994.

▼M5

Article 791 (2) shall cease to apply from 1 January 1996.

▼B

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

⁽¹⁾ OJ No L 374, 22. 12. 1992, p. 14.

⁽²⁾ OJ No L 374, 22. 12. 1992, p. 25.

⁽³⁾ OJ No L 378, 23. 12. 1992, p. 9.

⁽⁴⁾ OJ No L 393, 31. 12. 1992, p. 1.

▼B

IMPLEMENTING PROVISIONS FOR THE COMMUNITY CUSTOMS CODE

ANNEXES



LIST OF ANNEXES

Number	Subject
1	Binding tariff information — Notification form
1 A	Binding origin information
1 A	Application for binding tariff information (BTI)
6	<i>Deleted</i>
6 A	<i>Deleted</i>
9	Introductory notes to the lists of working or processing operations conferring or non-conferring originating status to manufactured products when they are carried out on non-originating materials
10	List of working or processing operations conferring or non-conferring originating status to manufactured products when they are carried out on non-originating materials. Textiles and textile articles falling within section XI
11	List of working or processing operations conferring or non-conferring originating status to manufactured products when they are carried out on non-originating materials. Products other than textiles and textile articles falling within section XI
12	Certificate of origin and related application
13	Certificate of origin for imports of agricultural products into the European Economic Community
14	Introductory notes to the list in Annex 15
15	List of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status
16	Working excluded from GSP regional cumulation
17	Certificate of origin form A
18	Invoice declaration
21	Movement certificate EUR.1 and relevant applications
22	Invoice declaration
23	Interpretative notes on customs value
24	Application of generally accepted accounting principles for the determination of customs value
25	Air transport costs to be included in the customs value
26	Classification of goods subject to unit values
27	Marketing centres for the purpose of calculating unit prices by classification heading
28	Declaration of particulars relating to customs value — D.V.1
29	Continuation sheet — D.V.1 bis
30	Tag to be affixed on hold baggage checked in a Community airport
31	SAD — Single Administrative Document
32	SAD — Computerized declaration processing system
33	SAD — Supplementary form
34	SAD — Supplementary form
35	Indications of the copies of the forms shown in Annexes 31 and 33 and on which the information must appear by a self-copying process
36	Indication of the copies of the forms shown in Annexes 32 and 34 and on which the information must appear by a self-copying process
37	SAD — User notice
37 A	Explanatory note on the use of transit declarations by the exchange of EDI standard messages
37 C	Additional codes for the computerised transit system
38	Codes to be used in the forms
38 A	Customs declaration for registered baggage
38 B	Application of Article 290a
42	Yellow label
42 A	Certificate of regular shipping services

▼B

Number	Subject
42 B	Yellow label
43	Form T2M
44	Notes to appear on page 2 of the cover of the booklet containing forms T2M
44 A	Explanatory note on the loading list
44 B	Provisions concerning forms used in community transit
44 C	Goods involving greater risk of fraud
45	Loading list
45 A	Transit accompanying document
45 B	List of items
46	TC 10 — Transit advice note
46 A	Characteristics of seals
46 B	Criteria referred to in Articles 380 and 381
47	TC 11 — Receipt
47 A	Application of Article 94(6) and (7) of the code
48	Comprehensive guarantee
49	Common / Community transit procedure — Individual guarantee
50	Common / Community transit procedure — Individual guarantee in the form of voucher
51	TC 31 — Comprehensive guarantee certificate
51 A	TC 33 — Guarantee waiver certificate
51 B	Explanatory note on comprehensive guarantee certificates and guarantee waiver certificates
54	TC 32 — Individual guarantee voucher
58	Label (Articles 417 and 432)
59	Model of the information memo referred to in Article 459
60	Taxation form
61	Model of discharge
62	Special stamp
63	Control copy T5 form
64	Control copy T5 bis form
65	Loading list T5
66	Instructions for use of the forms required to draw up control copy T5
67	Application and authorisation forms
68	Transfer of goods or products covered by the arrangements from one holder to another
69	Standard rates of yield
70	Economic conditions and administrative cooperation
71	Information sheets
72	List of usual forms of handling referred to in Article 531 and Article 809
73	Import goods for which the economic conditions are deemed not to be fulfilled by virtue of Article 539, first paragraph
74	Special provisions concerning equivalent goods
75	List of compensating products subject to the import duties appropriate to them
76	Economic conditions in the framework of the arrangements for processing under customs control
77	(Article 581)
104	Information document to facilitate the temporary exportation of goods sent from one country for manufacture, processing or repair in another
109	Certificate of customs status
110	Information sheet INF 3 — Returned goods
110 A	Certificate on fishery products caught by Community fishing vessels in the territorial waters of a third country

▼B

Number	Subject
111	Application for repayment/remission
112	Repayment or remission of duties. Request for examination
113	Certificate for repayment or remission of duty

▼ M24

ANNEX I

MODEL OF BINDING TARIFF INFORMATION (BTI) NOTIFICATION FORM

EUROPEAN COMMUNITY - BINDING TARIFF INFORMATION		BTI
COPY FOR HOLDER	1 <input type="checkbox"/> Competent customs authority	2 BTI reference 
	3 Holder (Name and address) confidential	4 Date of start of validity 
	Important notice Without prejudice to the provisions of Article 12 (4) and (5) of Council Regulation (EEC) No 2913/92 this BTI remains valid for 6 years as from the date of start of validity. The information supplied will be stored on a database of the Commission of the European Communities for the purpose of the application of Commission Regulation (EEC) No 2454/93 and the data of the BTI, including any photograph(s), sketch(es), brochure(s) etc., but with the exception of the information contained in boxes 3 and 8, may be disclosed to the public via the Internet. The holder shall have the right to appeal against this BTI.	5 Date and reference of the application 
	1	6 Classification of the goods in the customs nomenclature  
7 Description of the goods		
8 Commercial denomination and additional information		confidential
9 Justification of the classification of the goods		
10 This BTI has been issued on the basis of the following material provided by the applicant:		
Description  Brochures  Photos  Samples  Other 		
Place	Signature	
Date		Stamp

▼ **M24****EUROPEAN COMMUNITY - BINDING TARIFF INFORMATION****BTI**

COPY FOR COMMISSION	2	1 Competent customs authority <input type="checkbox"/>	2 BTI reference 
		3 Holder (Name and address) confidential	4 Date of start of validity 
		Important notice Without prejudice to the provisions of Article 12 (4) and (5) of Council Regulation (EEC) No 2913/92 this BTI remains valid for 6 years as from the date of start of validity. The information supplied will be stored on a database of the Commission of the European Communities for the purpose of the application of Commission Regulation (EEC) No 2454/93 and the data of the BTI, including any photograph(s), sketch(es), brochure(s) etc., but with the exception of the information contained in boxes 3 and 8, may be disclosed to the public via the Internet. The holder shall have the right to appeal against this BTI.	5 Date and reference of the application  6 Classification of the goods in the customs nomenclature  
	2	7 Description of the goods	
	8 Commercial denomination and additional information confidential		
	9 Justification of the classification of the goods		
	10 This BTI has been issued on the basis of the following material provided by the applicant: Description <input type="checkbox"/> Brochures <input type="checkbox"/> Photos <input type="checkbox"/> Samples <input type="checkbox"/> Other <input type="checkbox"/> Place _____ Signature _____ Date _____ Stamp _____		

▼ **M24****EUROPEAN COMMUNITY - BINDING TARIFF INFORMATION****BTI**

3 COPY FOR MEMBER STATE	1 Competent customs authority <input type="checkbox"/>	2 BTI reference 
	3 Holder (Name and address) confidential	4 Date of start of validity 
	Important notice Without prejudice to the provisions of Article 12 (4) and (5) of Council Regulation (EEC) No 2913/92 this BTI remains valid for 6 years as from the date of start of validity. The information supplied will be stored on a database of the Commission of the European Communities for the purpose of the application of Commission Regulation (EEC) No 2454/93 and the data of the BTI, including any photograph(s), sketch(es), brochure(s) etc., but with the exception of the information contained in boxes 3 and 8, may be disclosed to the public via the Internet. The holder shall have the right to appeal against this BTI.	5 Date and reference of the application 
		6 Classification of the goods in the customs nomenclature  
3	7 Description of the goods	
	8 Commercial denomination and additional information confidential	
	9 Justification of the classification of the goods	
	10 This BTI has been issued on the basis of the following material provided by the applicant: Description  Brochures  Photos  Samples  Other  Place _____ Signature _____ Date _____ Stamp _____	

▼ **M24**

BTI

5 COPY FOR MEMBER STATE 5	11 Competent customs authority to be contacted for additional information (name, full address, telephone, telefax) <input type="checkbox"/>	12 BTI reference _____
	13 Language ▶ ⁽¹⁾ CS ◀ DA DE EL EN ES ▶ ⁽²⁾ ET ◀ FI FR ▶ ⁽³⁾ HU ◀ IT ▶ ⁽⁴⁾ LT LV MT ◀ NL ▶ ⁽⁵⁾ PL ◀ PT SE ▶ ⁽⁶⁾ SK SL ◀	
14 Key words: _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____		

▼ **M10**

EUROPEAN COMMUNITY – BINDING ORIGIN INFORMATION

ANNEX 1A

BOI

10 Ex-works price (if required) (confidential)	11 BOI reference										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%; padding: 5px;"> 12 Principal materials used (if required) </th> <th style="width: 15%; padding: 5px;">Country of origin</th> <th style="width: 20%; padding: 5px;">HS heading/CN code</th> <th style="width: 15%; padding: 5px;">Value</th> <th style="width: 15%; padding: 5px;">(confidential)</th> </tr> </thead> <tbody> <tr> <td style="height: 500px;"></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		12 Principal materials used (if required)	Country of origin	HS heading/CN code	Value	(confidential)					
12 Principal materials used (if required)	Country of origin	HS heading/CN code	Value	(confidential)							
Place											
Date Year Month Day	Signature	Stamp									

▼ **M24**

ANNEX 1B

MODEL OF BINDING TARIFF INFORMATION (BTI) APPLICATION FORM

EUROPEAN COMMUNITY		APPLICATION FOR BINDING TARIFF INFORMATION (BTI)	
1. Applicant (full name and address) <input type="checkbox"/> Telephone Number : Fax Number : Customs ID :		For Official use Registration Number : Place of Receipt : Date of Receipt : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> BTI Application Language : Images to be scanned : Yes <input type="checkbox"/> # ... No <input type="checkbox"/> Date of Issue : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> Issuing Officer : All Samples returned : <input type="checkbox"/>	
2. Holder (full name and address) (Confidential) Telephone Number : Fax Number : Customs ID :		Important note By signing the declaration, the applicant accepts responsibility for the accuracy and completeness of the particulars given on this form and on any continuation sheet(s) lodged with it. The applicant accepts that this information and any photograph(s), sketch(es), brochure(s) etc. can be stored on a database of the European Commission and that the data, including any photograph(s), sketch(es), brochure(s) etc., submitted with the application or obtained (or obtainable) by the administration, and which have not been marked in boxes 2 and 9 of the application as being confidential can be disclosed to the public via the Internet.	
3. Agent or Representative (full name and address) Telephone Number : Fax Number : Customs ID :		4. Reissue of a BTI If you are applying for the reissue of a BTI, please complete this box. BTI Reference Number : Valid from : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> Nomenclature Code :	
5. Customs Nomenclature Please indicate in which nomenclature the goods are to be classified : <input type="checkbox"/> Harmonized System (HS) <input type="checkbox"/> Combined Nomenclature (CN) <input type="checkbox"/> TARIC <input type="checkbox"/> Refund nomenclature <input type="checkbox"/> Other (Specify) :		6. Type of Transaction Does this application relate to an import or export actually envisaged ? Yes <input type="checkbox"/> No <input type="checkbox"/>	
		7. Classification Envisaged Please indicate where, in your view, the goods are classified. Nomenclature Code :	
8. Description of the Goods. Include, where necessary, the precise composition of the goods, the method of analysis used, the type of manufacturing process undergone, the value (including the components), the use of the goods, the usual trade name and, where appropriate, the packaging for retail sale in the case of sets of goods (<i>Please use a separate sheet, if more space is required</i>).			

▼ **M24**

9. Commercial denomination and additional information*	(Confidential)
<p>Please indicate which of the information, provided in accordance with box 10 of this application or obtained (or obtainable) by the administration is to be treated as confidential:</p>	
10. Samples etc.	
<p>Please indicate which, if any, of the following are enclosed with your application.</p>	
<p>Description <input type="checkbox"/> Brochures <input type="checkbox"/> Photographs <input type="checkbox"/> Samples <input type="checkbox"/> Other <input type="checkbox"/></p>	
<p>Do you wish your samples to be returned ? Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>Special costs incurred by the Customs authorities as a result of analysis, expert reports or the return of samples, may be charged to the applicant.</p>	
11. Other BTI Applications* and other BTIs held*	
<p>Please indicate if you have applied for, or been issued with, BTIs for identical or similar goods, at other Customs offices or in other Member States.</p>	
<p>Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details and enclose a photocopy of the BTI :</p>	
<p>Country of Application : Place of Application : Date of Application : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> BTI Reference : Date of Start of Validity : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> Nomenclature Code :</p>	<p>Country of Application : Place of Application : Date of Application : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> BTI Reference : Date of Start of Validity : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> Nomenclature Code :</p>
12. BTIs issued to other Holders*	
<p>Please indicate if you are aware of BTIs for identical or similar products, already issued to other holders.</p>	
<p>Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please give details:</p>	
<p>Issuing Country : BTI Reference : Date of Start of Validity : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> Nomenclature Code :</p>	<p>Issuing Country : BTI Reference : Date of Start of Validity : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/> Nomenclature Code :</p>
13. Date and Signature	
<p>Your reference : Date : Year <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> <input type="text"/> Day <input type="text"/> <input type="text"/></p>	
<p>Signature :</p>	
For Official Use	

* Please use a separate sheet of paper, if more space is required.

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ANNEX 6

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ANNEX 6A

▼ A1

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▼ M18



ANNEX 9

INTRODUCTORY NOTES TO THE LISTS OF WORKING OR PROCESSING OPERATIONS CONFERRING OR NON-CONFERRING ORIGINATING STATUS TO MANUFACTURED PRODUCTS WHEN THEY ARE CARRIED OUT ON NON-ORIGINATING MATERIALS

GENERAL CONSIDERATIONS

Note 1

- 1.1. The first two columns in the lists in Annexes 10 and 11 describe the product obtained. The first column gives the heading number, or the chapter number, used in the combined nomenclature and the second column gives the description of goods used in the combined nomenclature for that heading or chapter. For each entry in the first two columns, a rule is specified in column 3. Where the entry in the first column is preceded by an 'ex', this signifies that the rule in column 3 only applies to the part of that heading or chapter as described in column 2.
- 1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of product in column 2 is therefore given in general terms, the adjacent rule in column 3 applies to all products which, under the combined nomenclature, are classified in headings of the chapter or in any of the headings grouped together in column 1.
- 1.3. Where the lists include different rules applying to different products within one heading, each indent contains the description of that part of the heading covered by the adjacent rule in column 3.

Note 2

- 2.1. The term 'manufacture' covers any kind of working or processing including 'assembly' or specific operations.
- 2.2. The term 'material' covers any 'ingredient', 'raw material', 'component' or 'part', etc., used in the manufacture of the product.
- 2.3. The term 'product' refers to the product being manufactured, even if it is intended for later use in another manufacturing operation.

Note 3

- 3.1. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.
- 3.2. If a product, made from non-originating materials which has itself acquired originating status during manufacture, is used as a material in the process of manufacture of another product, then the list rule applicable to the product in which it is incorporated does not apply to it.

For example:

Unembroidered fabric may obtain origin by being woven from yarn. If this is then used in making embroidered bed linen, then the percentage value limit imposed on the use of unembroidered fabric does not apply in this case.

Note 4

- 4.1. The rules in the lists represent the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.
- 4.2. When a rule in a list specifies that a product may be manufactured from more than one material, this means that any one or more of the materials may be used. It does not require that all be used.

For example:

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the rule for yarns says that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used, one can use one or the other or both.

- 4.3. When a rule in a list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

Note 5

For all products which are not mentioned in Annex 11 (other than textiles falling within Section XI), origin is determined case-by-case by evaluating any process or operation in relation to the concept of the last substantial processing or working as defined in Article 24 of the Code.

Note 6

- 6.1. The term 'fibres' used in the list in Annex 10 covers 'natural fibres' and 'man-made staple fibres' falling within CN codes 5501 to 5507, and fibres of a kind used for the manufacture of paper.
- 6.2. The term 'natural fibres' is used in the list in Annex 10 to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste, and unless otherwise specified, the term 'natural fibres' includes fibres that have been carded, combed or otherwise processed but not spun.
- 6.3. The term 'natural fibres' includes horsehair falling within CN code 0503, silk falling within CN codes 5002 and 5003 as well as the wool fibres, fine or coarse animal hair falling within CN codes 5101 to 5105, cotton fibres falling within CN codes 5201 to 5203 and other vegetable fibres falling within CN codes 5301 to 5305.
- 6.4. The term 'man-made staple fibres' is used in the list in Annex 10 to refer to synthetic or artificial filament tow, staple fibres or waste, falling within CN codes 5501 to 5507.
- 6.5. The terms 'textile pulp' and 'chemical materials' are used in the list in Annex 10 to describe the non-textile materials (these are not classified in Chapters 50 to 63) which can be used to manufacture artificial or synthetic fibres or yarns, or fibres of a kind used for the manufacture of paper.
- 6.6. For products obtained from two or more textile materials the provisions appearing in column 3 are applicable for each of the textile materials of which the mixture is composed.

Note 7

- 7.1. The term 'prebleached', used in the list in Annex 10 to characterize the level of manufacture required when certain non-originating materials are used, applies to certain yarns, woven fabrics and knitted or crocheted fabrics which have only been washed after the spinning or weaving operation.

Prebleached products are at an earlier stage of manufacture than bleached products, which have undergone several baths in bleaching agents (oxydizing agents such as hydrogen peroxyde and reducing agents).

- 7.2. The term 'complete making-up' used in the list in Annex 10 means that all the operations following cutting of the fabric or knitting or crocheting of the fabric directly to shape have to be performed.

However, making-up shall not necessarily be considered as incomplete where one or more finishing operations have not been carried out.

The following is a list of examples of finishing operations:

- fitting of buttons and/or other types of fastenings,
- making of button-holes,
- finishing off the ends of trouser legs and sleeves or the bottom hemming of skirts and dresses,
- fitting of trimmings and accessories such as pockets, labels, badges, etc.,
- ironing and other preparations of garments for sale 'ready made'

Remarks concerning finishing operations — Special cases

It is possible that in particular manufacturing operations, the accomplishment of finishing operations, especially in the case of a combination of

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operations, is of such importance that these operations must be considered as going beyond simple finishing.

In these particular cases, the non-accomplishing of finishing operations will deprive the making-up of its complete nature.

- 7.3. The term 'Impregnation, coating, covering or laminating' does not cover those operations designed to bind fabrics together.



ANNEX 10

LIST OF WORKING OR PROCESSING OPERATIONS CONFERRING OR NON-CONFERRING ORIGINATING STATUS TO MANUFACTURED PRODUCTS WHEN THEY ARE CARRIED OUT ON NON-ORIGINATING MATERIALS

Textiles and textile articles falling within Section XI

CN Code	Description of product	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 5101	Wool, not carded or combed: — degreased, not carbonized	Manufacture from greasy, including piece-wasted wool, the value of which does not exceed 50 % of the ex-works price of the product
	— carbonized	Manufacture from degreased wool, not carbonized, the value of which does not exceed 50 % of the ex-works price of the product
ex 5103	Waste of wool or of fine or coarse animal hair, carbonized	Manufacture from non-carbonized waste, the value of which does not exceed 50 % of the ex-works price of the product
ex 5201	Cotton, not carded or combed, bleached	Manufacture from raw cotton, the value of which does not exceed 50 % of the ex-works price of the product
5501 to 5507	Man-made staple fibres: — not carded or combed or otherwise processed for spinning — carded or combed or other	Manufacture from chemical materials or textile pulp Manufacture from chemical materials or textile pulp or waste falling within CN code 5505
ex Chapters 50 to 55	Yarn, monofilament and thread, other than paper yarn: — printed or dyed	Manufacture from: — natural fibres not carded or combed or otherwise prepared for spinning, — grege silk or silk waste, — chemical materials or textile pulp, or — man-made staple fibres, filament tow or waste of fibres, not carded or combed or otherwise prepared for spinning or Printing or dyeing of yarn or monofilaments, unbleached or prebleached ⁽¹⁾ , accompanied by preparatory or finishing operations, twisting or texturizing not being considered as such, the value of non-originating material (Including yarn), not exceeding 48 % of the ex-works price of the product
	— other	Manufacture from: — natural fibres not carded or combed or otherwise prepared for spinning, — grege silk or silk waste, — chemical materials or textile pulp, or — man-made staple fibres, filament tow or waste of fibres, not carded or combed or otherwise prepared for spinning

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(1)	(2)	(3)
	Woven fabrics, other than fabrics of paper yarn: — printed or dyed — other	Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾ Manufacture from yarn
5601	Wadding of textile materials and articles thereof; textile fibres not exceeding 5 mm in length (flock), textile dust and mill neps	Manufacture from fibres
5602	Felt, whether or not impregnated, coated, covered or laminated: — printed or dyed — Impregnated, coated, covered or laminated — other	Manufacture from fibres or Printing or dyeing of unbleached or prebleached felt, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾ Impregnation, coating, covering or laminating of non-wovens, unbleached ⁽²⁾ Manufacture from fibres
5603	Non-wovens, whether or not impregnated, coated, covered or laminated: — printed or dyed — impregnated, coated, covered or laminated — other	Manufacture from fibres or Printing or dyeing of unbleached or prebleached non-wovens, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾ Impregnation, coating, covering or laminating of non-wovens, unbleached ⁽²⁾ Manufacture from fibres
5604	Rubber thread and cord, textile covered, textile yarn and strip, and the like falling within CN codes 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics: — rubber thread and cord, textile covered — other	Manufacture from rubber thread or cord, not textile covered Impregnation, coating, covering or sheathing of textile yarn and strip and the like, unbleached
5607	Twine cordage, rope and cables, whether or not plaited or braided and whether or not impregnated, coated, covered or sheathed with rubber or plastics	Manufacture from fibres, coir yarn, synthetic or artificial filament yarn or monofilament
5609	Articles of yarn, strip or the like falling within CN codes 5404 or 5405, twine, cordage, rope or cables, not elsewhere specified or included	Manufacture from fibres, coir yarn, synthetic or artificial filament yarn or monofilament
5704	Carpets and other textile floor coverings, of felt, not tufted or flocked, whether or not made up	Manufacture from fibres
Chapter 58	Special woven fabrics; tufted textile fabrics; lace; tapestries, trimmings; embroidery:	

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(1)	(2)	(3)
	— embroidery in the piece, in strips or in motifs (CN code 5810)	Manufacture in which the value of the materials used does not exceed 50 % of the ex-works price of the product
	— printed or dyed	Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, felt or non-wovens, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
	— impregnated, coated or covered	Manufacture from unbleached fabrics, felt or non-wovens
	— other	Manufacture from yarn
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas, buckram and similar stiffened textile fabrics of a kind for hat foundations	Manufacture from unbleached fabrics
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon	Manufacture from yarn
5903	Textile fabrics, impregnated, coated, covered or laminated with plastics, other than those falling within CN code 5902	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory (SIC! preparatory) or finishing operations ⁽¹⁾ ⁽²⁾
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from unbleached fabrics, felt or non-wovens
5905	Textile wall coverings	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
5906	Rubberized textile fabrics, other than those falling within CN code 5902	Manufacture from bleached knitted or crocheted fabrics, or from other unbleached fabrics
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like	Manufacture from unbleached fabrics or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾
5908	Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles and the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated	Manufacture from yarn
5909	Textile hosepiping and similar textile tubing with or without lining, amour or accessories of other materials	Manufacture from yarn or fibres

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(1)	(2)	(3)
5910	Transmission or conveyor belts or belting, of textile material, whether or not reinforced with metal or other material	Manufacture from yarn of fibres
5911	Textile products and articles, for technical uses, specified in Note 7 to Chapter 59 of the contained nomenclature: — polishing discs or rings other than of felt — other	Manufacture from yarn, waste fabrics or rags falling within CN code 6310 Manufacture from yarn or fibres
Chapter 60	Knitted or crocheted fabrics: — printed or dyed — other	Manufacture from yarn or Printing or dyeing of unbleached or prebleached fabrics, accompanied by preparatory or finishing operations ⁽¹⁾ ⁽²⁾ Manufacture from yarn
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted: — obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form — other	Complete making up ⁽⁴⁾ Manufacture from yarn
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted, except those falling within CN codes 6213 and 6214 for which the rules are set out below: — finished or complete — unfinished or incomplete	Complete making up ⁽⁴⁾ Manufacture from yarn
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like: — embroidered — other	Manufacture from yarn or Manufacture from unembroidered fabric, provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product Manufacture from yarn
6301 to ex 6306	Blankets and travelling rugs; bed linen, table linen, toilet linen and kitchen linen; curtains (including drapes) and interior blinds; curtain and bed valances; other furnishing articles (excluding those falling within CN code 9494); sacks and bags of a kind used for the packing of goods; tarpaulins, awnings, and camping goods: — of felt or non-wovens: — not impregnated, coated, covered or laminated — impregnated, coated, covered or laminated — other:	Manufacture from fibres Impregnation, coating, covering or laminating of felt or non-wovens, unbleached ⁽⁴⁾

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(1)	(2)	(3)
6307	— knitted or crocheted — unembroidered — embroidered — not knitted or crocheted: — unembroidered — embroidered Other made up textile articles (including dress patterns), except for fans and hand screens, nonmechanical, frames and handles therefore and parts of such frames and handles: — floor cloths, dish cloths, dusters and the like — other	Complete making up ⁽⁵⁾ (SIC! ⁽⁴⁾) Complete making up ⁽⁶⁾ (SIC! ⁽⁴⁾) or Manufacture from unembroidered knitted or crocheted fabric provided the value of the unembroidered knitted or crocheted fabric used does not exceed 40 % of the ex-works price of the product Manufacture from yarn Manufacture from yarn or Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product Manufacture from yarn Manufacture in which the value of the materials used does not exceed 40 % of the ex-works price of the product
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Incorporation in a set in which the total value of all the non-originating articles incorporated does not exceed 25 % of the ex-works price of the set
▼ M20 6309	Worn clothing and other worn articles	Collection and packing for shipment

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- ⁽¹⁾ See introductory note 7.1 in Annex 9.
⁽²⁾ However, to be regarded as a working or processing conferring origin, thermoprinting has to be accompanied by printing of the transfer paper.
⁽³⁾ See introductory note 7.3 in Annex 9.
⁽⁴⁾ See introductory note 7.2 in Annex 9.



ANNEX 11

LIST OF WORKING OR PROCESSING OPERATIONS CONFERRING OR NON-CONFERRING ORIGINATING STATUS TO MANUFACTURED PRODUCTS WHEN THEY ARE CARRIED OUT ON NON-ORIGINATING MATERIALS

Products other than textiles and textile articles falling within Section XI

CN code	Description of products	Working or processing carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
0201	Meat of bovine animals, fresh or chilled	Slaughter, preceded by a fattening period of at least three months ⁽¹⁾
0202	Meat of bovine animals, frozen	Slaughter, preceded by a fattening period of at least three months ⁽¹⁾
0203	Meat of swine, fresh, chilled or frozen	Slaughter, preceded by a fattening period of at least two months ⁽¹⁾
0204	Meat of sheep or goats, fresh, chilled or frozen	Slaughter, preceded by a fattening period of at least two months ⁽¹⁾
0205	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen	Slaughter, preceded by a fattening period of at least three months ⁽¹⁾
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	Slaughter, preceded by a fattening period of at least three months, or two months in the case of swine, sheep or goats ⁽¹⁾
ex 0408	Birds' eggs, not in shell, dried, and egg yolks, dried	Drying (after breaking and separation, where appropriate) of: <ul style="list-style-type: none"> — birds' eggs, in shell, fresh or preserved, falling within CN code ex 0407 — birds' eggs, not in shell, other than dried, falling within CN code ex 0408 — egg whites, other than dried, falling within CN code ex 0408
ex 1404	Cotton linters, bleaches	Manufacture from raw cotton, the value of which does not exceed 50 % of the ex-works price of the product
CN code	Description of products	Working or processing carried out on non-originating materials that does not confer the status of originating products
(1)	(2)	(3)
ex 2009	Grape juice, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture from grape must
ex 2204	Wine of fresh grapes intended for the preparation of vermouth containing added must of fresh grapes, concentrated or not, or alcohol	Manufacture from wine of fresh grapes

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CN code	Description of products	Process or operation carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 2205	Vermouth	Manufacture from wine of fresh grapes containing must of fresh grapes, concentrated or not, or alcohol, falling within CN code 2204
ex 3401	Felt and non-wovens, impregnated, coated or covered with soap or detergent	Manufacture from felt or non-wovens
ex 3405	Felt and non-wovens, impregnated, coated or covered with polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations	Manufacture from felt or non-wovens
ex 3502	Dried egg albumin	Drying (after breaking and separation, where appropriate) of: <ul style="list-style-type: none"> — birds' eggs, in shell, fresh or preserved, falling within CN code ex 0407 — birds' eggs, not in shell, other than dried, falling within CN code ex 0408 or — egg whites, other than dried, falling within CN code ex 3502
ex 4203	Articles of apparel of leather or of composition leather	Sewing or assembly of two or more pieces of leather or of composition leather
ex 4910	Ceramic calendars of any kind, printed, including calendar clocks, decorated	Decoration of the ceramic article concerned, provided this decoration has resulted in the classification of the products obtained in a tariff heading other than that covering the products uses
6401 to 6405	Footwear	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components falling within CN code 6406
ex 6911 to ex 6913	Ceramic tableware, kitchenware, other household (SIC! household) articles and toilet articles; statuettes and other ornamental ceramic articles; decorated	Decoration of the ceramic article concerned, provided this decoration has resulted in the classification of the products obtained in a tariff heading other than that covering the products used
ex 7117	Ceramic imitation jewellery, decorated	Decoration of the ceramic article concerned, provided this decoration has resulted in the classification of the products obtained in a tariff heading other than that covering the products used
ex 8482	Ball, roller or needle roller bearings, assembled (²)	Assembly preceded by heat treatment, grinding and polishing of the inner and outer rings

▼B

(1)	(2)	(3)
ex 8520	Magnetic tape recorders, whether or not incorporating a sound reproducing device	<p>Manufacture where the increase in value acquired as a result of assembly operations and, if applicable, the incorporation of parts originating in the country of assembly represents at least 45 % of the ex-works price of the product</p> <p>When the 45 % rule is not met, the apparatus shall be treated as originating in the country of origin of parts whose ex-works price represents more than 35 % of the ex-works price of the apparatus</p> <p>When the 35 % rule is met in two countries, the apparatus shall be treated as originating in the country of origin of the parts representing the greater percentage value</p>
▼M10	ex 8523 20 90	Unrecorded 3.5" magnetic micro diskettes, whether or not pre-formatted and with or without an analogue signal for the purposes of checking the quality of the disk's coating recorded on it
		<p>Assembly of the diskette (including insertion of the magnetic disk and assembly of the shells) plus manufacture of:</p> <p>either the magnetic disk (including polishing) or the upper and lower shells.</p> <p>If neither the disk nor upper and lower shells are manufactured in the country where assembly of the diskette takes place, the diskettes shall have the origin of the country where the components representing the highest percentage of the ex-works price originated. Assembly of the diskette (including insertion of the magnetic disk and assembly of the shells) and packing alone shall not confer origin.</p>
▼B	ex 8527	Reception apparatus for radio-broadcasting, whether or not combined in the same housing with sound recording or reproducing apparatus or a clock
		<p>Manufacture where the increase in value acquired as a result of assembly operations and, if applicable, the incorporation of parts originating in the country of assembly represents at least 45 % of the ex-works price of the products</p> <p>When the 45 % rule is not met, the apparatus shall be treated as originating in the country of origin of parts whose ex-works price represents more than 35 % of the ex-works price of the apparatus</p> <p>When the 35 % rule is met in two countries, the apparatus shall be treated as originating in the country of origin of the parts representing the greater percentage value</p>
ex 8528	Television receivers, (excluding videotuners, television projection equipment and video monitors), whether or not combined, in the same housing, with radio-broadcast receivers or sound recording or reproducing apparatus, but not with videorecording or reproducing apparatus	Manufacture where the increase in value acquired as a result of assembly operations and, if applicable the incorporation of parts originating in the country of assembly represents at least 45 % of the ex-works price of the products

▼B

(1)	(2)	(3)
ex 8542	Integrated circuits	<p>When the 45 % rule is not met, the apparatus shall be treated as originating in the country of origin of parts whose ex-works price represents more than 35 % of the ex-works price of the apparatus</p> <p>When the 35 % rule is met in two countries, the apparatus shall be treated as originating in the country of origin of parts representing the greater percentage value</p> <p>The operation of diffusion (where integrated circuits are formed on a semiconductor substrate by the selective introduction of an appropriate dopant)</p>

CN code	Description of products	Working or processing carried out on non-originating materials that does not confer the status of originating products
(1)	(2)	(3)
ex 9009	Photocopying apparatus incorporating an optical system or of the contact type	Assembly of photocopying apparatus accompanied by the manufacture of the harness, drum, rollers, side plates, roller bearings, screws and nuts

CN code	Description of products	Process or operation carried out on non-originating materials that confers the status of originating products
(1)	(2)	(3)
ex 9113	Watch straps, watch bands and watch bracelets, and parts thereof, of textiles	Manufacture in which the value of the materials used does not exceed 40 % of the ex-works price of the product
ex 9401 and ex 9403	Ceramic seats (other than those falling within CN code 9402) whether or not convertible into beds and other furniture, and parts thereof, decorated	Decoration of the ceramic article concerned, provided this decoration has resulted in the classification of the products obtained in a tariff heading other than that covering the products used
ex 9405	Ceramic lamps and ceramic lighting fittings, including searchlights and spotlights and parts thereof, not elsewhere specified or included decorated; illuminated ceramic signs, nameplates and the like, having a permanently fixed light source, and parts thereof, not elsewhere specified or included decorated	Decoration of the ceramic article concerned (SIC! concerned), provided this decoration has resulted in the classification of the product obtained in a tariff heading other than that covering the products used

(¹) Where these conditions are not met, the meat (offal) shall be considered as originating in the country where the animals from which they were obtained were fattened or reared for the longest period.

(²) The term 'assembled' includes partially assembled but excludes parts in their unassembled state.

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ANNEX 12

1 Consignor <i>(Space reserved for translation)</i>	No. 000000	ORIGINAL
	<i>(Space reserved for issuing number)</i>	<i>(Space reserved for translation)</i>
2 Consignee <i>(Space reserved for translation)</i>	EUROPEAN COMMUNITY <i>(Space reserved for translation)</i> <hr/> CERTIFICATE OF ORIGIN <i>(Space reserved for translation)</i>	
	3 Country of Origin <i>(Space reserved for translation)</i>	
4 Transport details (Optional) <i>(Space reserved for translation)</i>	5 Remarks <i>(Space reserved for translation)</i>	
6 Item number; marks, numbers, number and kind of packages; description of goods <i>(Space reserved for translation)</i>	7 Quantity <i>(Space reserved for translation)</i>	
8 THE UNDERSIGNED AUTHORITY CERTIFIES THAT THE GOODS DESCRIBED ABOVE ORIGINATE IN THE COUNTRY SHOWN IN BOX 3 <i>(Space reserved for translation)</i>		
Place and date of issue, name, signature and stamp of competent authority <i>(Space reserved for translation)</i>		

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1 Consignor <i>(Space reserved for translation)</i>	N. 000000	COPY
	<i>(Space reserved for issuing number)</i>	<i>(Space reserved for translation)</i>
2 Consignee <i>(Space reserved for translation)</i>	EUROPEAN COMMUNITY <i>(Space reserved for translation)</i> <hr/> CERTIFICATE OF ORIGIN <i>(Space reserved for translation)</i>	
	3 Country of Origin <i>(Space reserved for translation)</i>	
4 Transport details (Optional) <i>(Space reserved for translation)</i>	5 Remarks <i>(Space reserved for translation)</i>	
6 Item number; marks, numbers, number and kind of packages; description of goods <i>(Space reserved for translation)</i>	7 Quantity <i>(Space reserved for translation)</i>	
8 THE UNDERSIGNED AUTHORITY CERTIFIES THAT THE GOODS DESCRIBED ABOVE ORIGINATE IN THE COUNTRY SHOWN IN BOX 3 <i>(Space reserved for translation)</i> Place and date of issue, name, signature and stamp of competent authority <i>(Space reserved for translation)</i>		

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1 Consignor (Name, or name of firm, and full address, where applicable as shown in the commercial register)	No. 000000	APPLICATION
	<i>(Space reserved for issuing number)</i>	
2 Consignee (Name or name of firm, and full address if known or mention 'to order')	EUROPEAN COMMUNITY <hr/> CERTIFICATE OF ORIGIN	
	3 Country of origin ('European Community' or country of origin concerned)	
4 Transport details (Optional)	5 Remarks	
6 Item number; marks, numbers, number and kind of packages; description of goods (For goods not packed indicate number or 'in bulk')	7 Quantity (Expressed in gross or net mass or other units of measure)	
8 I, the undersigned, — APPLY for the issue of a certificate of origin indicating that the goods described above originate in the country shown in box 3, — DECLARE that the particulars given in this application and the supporting documents and information furnished to the competent authorities with a view to the issue of this certificate are correct, that the goods to which such documents and information relate are those in respect of which this application is made, that the goods fulfil the conditions laid down by the rules concerning the common definition of the concept of the origin of goods, — UNDERTAKE to furnish, at the request of the competent authorities, such additional information and supporting documents as may be required for the issue of the certificate.		
9 Applicant (If not the consignor)	<hr/> Place and date Signature of the applicant ⁽¹⁾	

(1) The signature of an agent must be followed by his name in block capitals.

▼B

(Space for additional particulars required by individual States)

RULES TO BE OBSERVED WHEN COMPLETING A CERTIFICATE OF ORIGIN AND THE APPLICATION FOR SUCH CERTIFICATE

1. The forms shall be completed in typescript or by hand, in an identical manner, in one of the official languages of the Community or, depending on the practice and requirements of trade, in any other language. Where forms are completed by hand, this shall be done in ink and in block capitals.
2. The certificate and the application must not contain erasures or superimposed corrections. Alterations are to be made by crossing out the erroneous entries and adding the correct entries as required. Any such alteration must be authenticated by the person making it and endorsed by the competent authorities.
3. Each item listed in the application and on the certificate must be preceded by an item number. A horizontal line must be drawn immediately below the final entry. Lines must be drawn through unused spaces to make any subsequent addition impossible.
4. If the needs of the export trade so require, one or more extra copies of this certificate may be made.

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ANNEX 13

1 Consignor	CERTIFICATE OF ORIGIN for imports of agricultural products into the European Economic Community	
2 Consignee (optional)	3 ISSUING AUTHORITY	ORIGINAL
NOTES A. The certificate must be completed in typescript or by means of a mechanical data-processing system, or similar procedure. B. The original of the certificate must be lodged together with the declaration of release for free circulation with the relevant customs office in the Community.	4 Country of origin	
6 Item number — Markings and numbers — Number and kind of packages — DESCRIPTION OF GOODS	5 Remarks	
8 THIS IS TO CERTIFY THAT THE ABOVE PRODUCTS ORIGINATE IN THE COUNTRY INDICATED IN BOX 4 AND THAT THE INDICATIONS IN BOX 5 ARE CORRECT.	7 Gross and net mass (kg)	
9 RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY	Place and date of issue	Signature
		Issuing authority's stamp

▼ **M22***ANNEX 14***INTRODUCTORY NOTES TO THE LIST IN ANNEX 15****Note 1:**

The list sets out the conditions required for all products to be considered as sufficiently worked or processed within the meaning of Articles 69 and 100.

Note 2:

- 2.1. The first two columns in the list describe the product obtained. The first column gives the heading number or chapter number used in the Harmonised System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns, a rule is specified in column 3 or 4. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rules in column 3 or 4 apply only to the part of that heading as described in column 2.
- 2.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of products in column 2 is therefore given in general terms, the adjacent rules in column 3 or 4 apply to all products which, under the Harmonised System, are classified in headings of the chapter or in any of the headings grouped together in column 1.
- 2.3. Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rules in column 3 or 4.
- 2.4. Where, for an entry in the first two columns, a rule is specified in both columns 3 and 4, the exporter may opt, as an alternative, to apply either the rule set out in column 3 or that set out in column 4. If no origin rule is given in column 4, the rule set out in column 3 is to be applied.

Note 3:

- 3.1. The provisions of Articles 69 and 100, concerning products having acquired originating status which are used in the manufacture of other products, shall apply, regardless of whether this status has been acquired inside the factory where these products are used or in another factory in the beneficiary country or republic or in the Community.

Example:

An engine of heading 8407, for which the rule states that the value of the non originating materials which may be incorporated may not exceed 40 % of the ex works price, is made from 'other alloy steel roughly shaped by forging' of heading ex 7224.

If this forging has been forged in the beneficiary country or republic from a non originating ingot, it has already acquired originating status by virtue of the rule for heading ex 7224 in the list. The forging can then count as originating in the value-calculation for the engine, regardless of whether it was produced in the same factory or in another factory in the beneficiary country or republic. The value of the non-originating ingot is thus not taken into account when adding up the value of the non-originating materials used.

- 3.2. The rule in the list represents the minimum amount of working or processing required, and the carrying-out of more working or processing also confers originating status; conversely, the carrying-out of less working or processing cannot confer originating status. Thus, if a rule provides that non-originating material, at a certain level of manufacture, may be used, the use of such material at an earlier stage of manufacture is allowed, and the use of such material at a later stage is not.
- 3.3. Without prejudice to Note 3.2, where a rule uses the expression 'Manufacture from materials of any heading', then materials of any heading(s) (even materials of the same description and heading as the product) may be used, subject, however, to any specific limitations which may also be contained in the rule.

However, the expression 'Manufacture from materials of any heading, including other materials of heading ...' or 'Manufacture from materials of any heading, including other materials of the same heading as the product' means that materials of any heading(s) may be used, except those of the same description as the product as given in column 2 of the list.

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- 3.4. When a rule in the list specifies that a product may be manufactured from more than one material, this means that one or more materials may be used. It does not require that all be used.

Example:

The rule for fabrics of headings 5208 to 5212 provides that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used; it is possible to use one or the other, or both.

- 3.5. Where a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule. (See also Note 6.2 below in relation to textiles.)

Example:

The rule for prepared foods of heading 1904, which specifically excludes the use of cereals and their derivatives, does not prevent the use of mineral salts, chemicals and other additives which are not products from cereals.

However, this does not apply to products which, although they cannot be manufactured from the particular materials specified in the list, can be produced from a material of the same nature at an earlier stage of manufacture.

Example:

In the case of an article of apparel of ex Chapter 62 made from non-woven materials, if the use of only non-originating yarn is allowed for this class of article, it is not possible to start from non-woven cloth - even if non-woven cloths cannot normally be made from yarn. In such cases, the starting material would normally be at the stage before yarn - that is, the fibre stage.

- 3.6. Where, in a rule in the list, two percentages are given for the maximum value of non originating materials that can be used, then these percentages may not be added together. In other words, the maximum value of all the non-originating materials used may never exceed the higher of the percentages given. Furthermore, the individual percentages must not be exceeded, in relation to the particular materials to which they apply.

Note 4:

- 4.1. The term 'natural fibres' is used in the list to refer to fibres other than artificial or synthetic fibres. It is restricted to the stages before spinning takes place, including waste, and, unless otherwise specified, includes fibres which have been carded, combed or otherwise processed, but not spun.
- 4.2. The term 'natural fibres' includes horsehair of heading 0503, silk of headings 5002 and 5003, as well as wool-fibres and fine or coarse animal hair of headings 5101 to 5105, cotton fibres of headings 5201 to 5203, and other vegetable fibres of headings 5301 to 5305.
- 4.3. The terms 'textile pulp', 'chemical materials' and 'paper-making materials' are used in the list to describe the materials, not classified in Chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.
- 4.4. The term 'man-made staple fibres' is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of headings 5501 to 5507.

Note 5:

- 5.1. Where, for a given product in the list, reference is made to this Note, the conditions set out in column 3 shall not be applied to any basic textile materials used in the manufacture of this product and which, taken together, represent 10 % or less of the total weight of all the basic textile materials used. (See also Notes 5.3 and 5.4 below.)
- 5.2. However, the tolerance mentioned in Note 5.1 may be applied only to mixed products which have been made from two or more basic textile materials.

The following are the basic textile materials:

- silk;
- wool;
- coarse animal hair;
- fine animal hair;

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- horsehair;
- cotton;
- paper-making materials and paper;
- flax;
- true hemp;
- jute and other textile bast fibres;
- sisal and other textile fibres of the genus *Agave*;
- coconut, abaca, ramie and other vegetable textile fibres;
- synthetic man-made filaments;
- artificial man-made filaments;
- current-conducting filaments;
- synthetic man-made staple fibres of polypropylene;
- synthetic man-made staple fibres of polyester;
- synthetic man-made staple fibres of polyamide;
- synthetic man-made staple fibres of polyacrylonitrile;
- synthetic man-made staple fibres of polyimide;
- synthetic man-made staple fibres of polytetrafluoroethylene;
- synthetic man-made staple fibres of poly(phenylene sulphide);
- synthetic man-made staple fibres of poly(vinyl chloride);
- other synthetic man-made staple fibres;
- artificial man-made staple fibres of viscose;
- other artificial man-made staple fibres;
- yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped;
- yarn made of polyurethane segmented with flexible segments of polyester, whether or not gimped;
- products of heading 5605 (metallised yarn) incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of a transparent or coloured adhesive between two layers of plastic film;
- other products of heading 5605.

Example:

A yarn, of heading 5205, made from cotton fibres of heading 5203 and synthetic staple fibres of heading 5506, is a mixed yarn. Therefore, non-originating synthetic staple fibres which do not satisfy the origin-rules (which require manufacture from chemical materials or textile pulp) may be used, provided that their total weight does not exceed 10 % of the weight of the yarn.

Example:

A woollen fabric, of heading 5112, made from woollen yarn of heading 5107 and synthetic yarn of staple fibres of heading 5509, is a mixed fabric. Therefore, synthetic yarn which does not satisfy the origin-rules (which require manufacture from chemical materials or textile pulp), or woollen yarn which does not satisfy the origin-rules (which require manufacture for natural fibres, not carded or combed or otherwise prepared for spinning), or a combination of the two, may be used, provided that their total weight does not exceed 10 % of the weight of the fabric.

Example:

Tufted textile fabric, of heading 5802, made from cotton yarn of heading 5205 and cotton fabric of heading 5210, is a only mixed product if the cotton fabric is itself a mixed fabric made from yarns classified in two separate headings, or if the cotton yarns used are themselves mixtures.

Example:

If the tufted textile fabric concerned had been made from cotton yarn of heading 5205 and synthetic fabric of heading 5407, then, obviously, the yarns used are two separate basic textile materials and the tufted textile fabric is, accordingly, a mixed product.

- 5.3. In the case of products incorporating 'yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped', this tolerance is 20 % in respect of this yarn.

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- 5.4. In the case of products incorporating 'strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of a transparent or coloured adhesive between two layers of plastic film', this tolerance is 30 % in respect of this strip.

Note 6:

- 6.1. Where, in the list, reference is made to this Note, textile materials (with the exception of linings and interlinings), which do not satisfy the rule set out in the list in column 3 for the made-up product concerned, may be used, provided that they are classified in a heading other than that of the product and that their value does not exceed 8 % of the ex-works price of the product.
- 6.2. Without prejudice to Note 6.3, materials, which are not classified within Chapters 50 to 63, may be used freely in the manufacture of textile products, whether or not they contain textiles.

Example:

If a rule in the list provides that, for a particular textile item (such as trousers), yarn must be used, this does not prevent the use of metal items, such as buttons, because buttons are not classified within Chapters 50 to 63. For the same reason, it does not prevent the use of slide-fasteners, even though slide-fasteners normally contain textiles.

- 6.3. Where a percentage-rule applies, the value of materials which are not classified within Chapters 50 to 63 must be taken into account when calculating the value of the non-originating materials incorporated.

Note 7:

- 7.1. For the purposes of headings ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, the 'specific processes' are the following:
- (a) vacuum-distillation;
 - (b) redistillation by a very thorough fractionation-process ⁽¹⁾;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all of the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolourisation and purification with naturally-active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerisation;
 - (h) alkylation;
 - (i) isomerisation.
- 7.2. For the purposes of headings 2710, 2711 and 2712, the 'specific processes' are the following:
- (a) vacuum-distillation;
 - (b) redistillation by a very thorough fractionation-process ⁽¹⁾;
 - (c) cracking;
 - (d) reforming;
 - (e) extraction by means of selective solvents;
 - (f) the process comprising all of the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolourisation and purification with naturally-active earth, activated earth, activated charcoal or bauxite;
 - (g) polymerisation;
 - (h) alkylation;
 - (ij) isomerisation;
 - (k) in respect of heavy oils of heading ex 2710 only, desulphurisation with hydrogen, resulting in a reduction of at least 85 % of the sulphur-content of the products processed (ASTM D 1266-59 T method);

⁽¹⁾ See additional explanatory Note 4(b) to Chapter 27 of the Combined Nomenclature.

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- (l) in respect of products of heading 2710 only, deparaffining by a process other than filtering;
 - (m) in respect of heavy oils of heading ex 2710 only, treatment with hydrogen, at a pressure of more than 20 bar and a temperature of more than 250 °C, with the use of a catalyst, other than to effect desulphurisation, when the hydrogen constitutes an active element in a chemical reaction. The further treatment, with hydrogen, of lubricating oils of heading ex 2710 (e.g. hydrofinishing or decolourisation), in order, more especially, to improve colour or stability shall not, however, be deemed to be a specific process;
 - (n) in respect of fuel oils of heading ex 2710 only, atmospheric distillation, on condition that less than 30 % of these products distils, by volume, including losses, at 300 °C, by the ASTM D 86 method;
 - (o) in respect of heavy oils other than gas oils and fuel oils of heading ex 2710 only, treatment by means of a high-frequency electrical brush-discharge.
 - (p) in respect of crude products (other than petroleum jelly, ozokerite, lignite wax or peat wax, paraffin wax containing by weight less than 0,75 % of oil) of heading ex 2712 only, de-oiling by fractional crystallisation.
- 7.3. For the purposes of headings ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, simple operations, such as cleaning, decanting, desalting, water-separation, filtering, colouring, marking, obtaining a sulphur-content as a result of mixing products with different sulphur-contents, or any combination of these operations or like operations, do not confer origin.

ANNEX 15

LIST OF WORKING OR PROCESSING REQUIRED TO BE CARRIED OUT ON NON-ORIGINATING MATERIALS IN ORDER THAT THE PRODUCT MANUFACTURED CAN OBTAIN ORIGINATING STATUS

HS heading	Description of product	Working or processing, carried out on non-originating materials, which confers originating status
(1)	(2)	(3) or (4)
Chapter 1	Live animals	All the animals of Chapter 1 shall be wholly obtained
Chapter 2	Meat and edible meat offal	Manufacture in which all the materials of Chapters 1 and 2 used are wholly obtained
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates	Manufacture in which all the materials of Chapter 3 used are wholly obtained
ex Chapter 4	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included; except for: Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa	Manufacture in which all the materials of Chapter 4 used are wholly obtained Manufacture in which: — all the materials of Chapter 4 used are wholly obtained, — all the fruit juice (except that of pineapple, lime or grapefruit) of heading 2009 used is originating, and — the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
ex Chapter 5	Products of animal origin, not elsewhere specified or included; except for: Prepared pigs', hogs' or boars' bristles and hair	Manufacture in which all the materials of Chapter 5 used are wholly obtained Cleaning, disinfecting, sorting and straightening of bristles and hair
Chapter 6	Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage	Manufacture in which: — all the materials of Chapter 6 used are wholly obtained, and

(1)	(2)	(3) or (4)
Chapter 7	Edible vegetables and certain roots and tubers	<p>— the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> <p>Manufacture in which all the materials of Chapter 7 used are wholly obtained</p>
Chapter 8	Edible fruit and nuts; peel of citrus fruits or melons	<p>Manufacture in which:</p> <p>— all the fruit and nuts used are wholly obtained, and</p> <p>— the value of all the materials of Chapter 17 used does not exceed 30 % of the value of the ex-works price of the product</p>
ex Chapter 9	Coffee, tea, maté and spices; except for:	Manufacture in which all the materials of Chapter 9 used are wholly obtained
0901	Coffee, whether or not roasted or decaffeinated; coffee husks and skins; coffee substitutes containing coffee in any proportion	Manufacture from materials of any heading
0902	Tea, whether or not flavoured	Manufacture from materials of any heading
ex 0910	Mixtures of spices	Manufacture from materials of any heading
Chapter 10	Cereals	Manufacture in which all the materials of Chapter 10 used are wholly obtained
ex Chapter 11	Products of the milling industry; malt; starches; inulin; wheat gluten; except for:	Manufacture in which all the materials, edible vegetables, roots and tubers of heading 0714 or fruit used are wholly obtained
ex 1106	Flour, meal and powder of the dried, shelled leguminous vegetables of heading 0713	Drying and milling of leguminous vegetables of heading 0708
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture in which all the materials of Chapter 12 used are wholly obtained

(1)	(2)	(3) or (4)
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example; balsams)	Manufacture in which the value of all the materials of heading 1301 used does not exceed 50 % of the ex-works price of the product
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products: - Mucilages and thickeners, modified, derived from vegetable products - Other	Manufacture from non-modified mucilages and thickeners Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 14	Vegetable plaiting materials; vegetable products not elsewhere specified or included	Manufacture in which all the materials of Chapter 14 used are wholly obtained
ex Chapter 15	Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes; except for:	Manufacture from materials of any heading, except that of the product
1501	Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503: - Fats from bones or waste - Other	Manufacture from materials of any heading, except those of heading 0203, 0206 or 0207 or bones of heading 0506 Manufacture from meat or edible offal of swine of heading 0203 or 0206 or of meat and edible offal of poultry of heading 0207
1502	Fats of bovine animals, sheep or goats, other than those of heading 1503 - Fats from bones or waste - Other	Manufacture from materials of any heading, except those of heading 0201, 0202, 0204 or 0206 or bones of heading 0506 Manufacture in which all the materials of

(1)	(2)	(3) or (4)
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: - Solid fractions - Other	Chapter 2 used are wholly obtained
ex 1505	Refined lanolin	Manufacture from materials of any heading, including other materials of heading 1504
1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified: - Solid fractions - Other	Manufacture in which all the materials of Chapters 2 and 3 used are wholly obtained
1507 to 1515	Vegetable oils and their fractions: - Soya, ground nut, palm, copra, palm kernel, babassu, tung and oiticica oil, myrtle wax and Japan wax, fractions of jojoba oil and oils for technical or industrial uses other than the manufacture of foodstuffs for human consumption - Solid fractions, except for that of jojoba oil - Other	Manufacture from crude wool grease of heading 1505
1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared	Manufacture from materials of any heading, including other materials of heading 1506 Manufacture in which all the materials of Chapter 2 used are wholly obtained
		Manufacture from materials of any heading, except that of the product
		Manufacture from other materials of headings 1507 to 1515
		Manufacture in which all the vegetable materials used are wholly obtained
		Manufacture in which: — all the materials of Chapter 2 used are wholly obtained, and — all the vegetable materials used are wholly obtained. However, materials

(1)	(2)	(3) or (4)
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading 1516	of headings 1507, 1508, 1511 and 1513 may be used Manufacture in which: — all the materials of Chapters 2 and 4 used are wholly obtained, and — all the vegetable materials used are wholly obtained. However, materials of headings 1507, 1508, 1511 and 1513 may be used
Chapter 16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates	Manufacture: — from animals of Chapter 1, and/or — in which all the materials of Chapter 3 used are wholly obtained
ex Chapter 17 ex 1701 1702 ex 1703	Sugars and sugar confectionery; except for: Cane or beet sugar and chemically pure sucrose, in solid form, containing added flavouring or colouring matter Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: - Chemically-pure maltose and fructose - Other sugars in solid form, containing added flavouring or colouring matter - Other Molasses resulting from the extraction or refining of sugar, containing added flavouring or colouring matter	Manufacture from materials of any heading, except that of the product Manufacture in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture from materials of any heading, including other materials of heading 1702 Manufacture in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product Manufacture in which all the materials used are originating Manufacture in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex works price of

(1)	(2)	(3) or (4)
1704	Sugar confectionery (including white chocolate), not containing cocoa	<p>the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
Chapter 18	Cocoa and cocoa preparations	<p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
1901	<p>Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:</p> <ul style="list-style-type: none"> - Malt extract - Other 	<p>Manufacture from cereals of Chapter 10</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of the materials of each of Chapters 4 and 17 used does not exceed 30 % of the ex-works price of the product
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi,	

(1)	(2)	(3) or (4)
	ravioli, cannelloni; couscous, whether or not prepared: - Containing 20 % or less by weight of meat, meat offal, fish, crustaceans or molluscs - Containing more than 20 % by weight of meat, meat offal, fish, crustaceans or molluscs	Manufacture in which all the cereals and derivatives (except durum wheat and its derivatives) used are wholly obtained Manufacture in which: — all the cereals and their derivatives (except durum wheat and its derivatives) used are wholly obtained, and all the materials of Chapters 2 and 3 used are wholly obtained — all the materials of Chapters 2 and 3 used are wholly obtained
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	Manufacture from materials of any heading, except potato starch of heading 1108 Manufacture:
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included	— from materials of any heading, except those of heading 1806, — in which all the cereals and flour (except durum wheat and <i>Zea mays</i> <i>indurata</i> maize, and their derivatives) used are wholly obtained, and — in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from materials of any heading, except those of Chapter 11
ex Chapter 20 ex 2001	Preparations of vegetables, fruit, nuts or other parts of plants; except for: Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used are wholly obtained Manufacture from materials of any heading, except that of the product

(1)	(2)	(3) or (4)
ex 2004 and ex 2005	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid	Manufacture from materials of any heading, except that of the product
2006	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised)	Manufacture in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
ex 2008	- Nuts, not containing added sugar or spirits	Manufacture in which the value of all the originating nuts and oil seeds of headings 0801, 0802 and 1202 to 1207 used exceeds 60 % of the ex-works price of the product
	- Peanut butter; mixtures based on cereals; palm hearts; maize (corn)	Manufacture from materials of any heading, except that of the product
	- Other except for fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
ex Chapter 21	Miscellaneous edible preparations, except for:	Manufacture from materials of any heading, except that of the product
2101	Extracts, essences and concentrates, of	Manufacture:

(1)	(2)	(3) or (4)
2103	<p>coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof</p> <p>Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:</p> <p>- Sauces and preparations therefor; mixed condiments and mixed seasonings</p> <p>- Mustard flour and meal and prepared mustard</p>	<p>— from materials of any heading, except that of the product, and</p> <p>— in which all the chicory used is wholly obtained</p>
ex 2104	Soups and broths and preparations therefor	<p>Manufacture from materials of any heading, except that of the product. However, mustard flour or meal or prepared mustard may be used</p> <p>Manufacture from materials of any heading</p>
2106	Food preparations not elsewhere specified or included	<p>Manufacture from materials of any heading, except prepared or preserved vegetables of headings 2002 to 2005</p> <p>Manufacture:</p> <p>— from materials of any heading, except that of the product, and</p> <p>— in which the value of the materials of each of Chapters 4 and 17 used does not exceed 30 % of the ex-works price of the product</p>
ex Chapter 22	Beverages, spirits and vinegar; except for:	<p>Manufacture:</p> <p>— from materials of any heading, except that of the product, and</p> <p>— in which all the grapes or materials derived from grapes used are wholly obtained</p>
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009	<p>Manufacture:</p> <p>— from materials of any heading, except that of the product,</p> <p>— in which the value of all the materials of Chapter 17 used does not exceed 30 % of the ex-works price</p>

(1)	(2)	(3) or (4)
2207	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher; ethyl alcohol and other spirits, denatured, of any strength	<p>of the product, and</p> <ul style="list-style-type: none"> — in which all the fruit juice used (except that of pineapple, lime or grapefruit) is originating <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except heading 2207 or 2208, and — in which all the grapes or materials derived from grapes used are wholly obtained or, if all the other materials used are already originating, arrack may be used up to a limit of 5 % by volume <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except heading 2207 or 2208, and — in which all the grapes or materials derived from grapes used are wholly obtained or, if all the other materials used are already originating, arrack may be used up to a limit of 5 % by volume
ex Chapter 23 ex 2301 ex 2303 ex 2306 2309	<p>Residues and waste from the food industries; prepared animal fodder; except for:</p> <p>Whale meal; flours, meals and pellets of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption</p> <p>Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight</p> <p>Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3 % of olive oil</p> <p>Preparations of a kind used in animal feeding</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture in which all the materials of Chapters 2 and 3 used are wholly obtained</p> <p>Manufacture in which all the maize used is wholly obtained</p> <p>Manufacture in which all the olives used are wholly obtained</p> <p>Manufacture in which:</p>

(1)	(2)	(3) or (4)
ex Chapter 24	Tobacco and manufactured tobacco substitutes; except for:	— all the cereals, sugar or molasses, meat or milk used are originating, and — all the materials of Chapter 3 used are wholly obtained
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture in which all the materials of Chapter 24 used are wholly obtained
ex 2403	Smoking tobacco	Manufacture in which at least 70 % by weight of the unmanufactured tobacco or tobacco refuse of heading 2401 used is originating
ex Chapter 25	Salt; sulphur; earths and stone; plastering materials, lime and cement; except for:	Manufacture from materials of any heading, except that of the product
ex 2504	Natural crystalline graphite, with enriched carbon content, purified and ground	Enriching of the carbon content, purifying and grinding of crude crystalline graphite
ex 2515	Marble, merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm
ex 2516	Granite, porphyry, basalt, sandstone and other monumental or building stone, merely cut, by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of stone (even if already sawn) of a thickness exceeding 25 cm
ex 2518	Calcined dolomite	Calcination of dolomite not calcined
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically-sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture from materials of any heading, except that of the product. However, natural magnesium carbonate (magnesite) may be used
ex 2520	Plasters specially prepared for dentistry	Manufacture in which the value of all the

(1)	(2)	(3) or (4)
ex 2524 ex 2525 ex 2530	Natural asbestos fibres Mica powder Earth colours, calcined or powdered	materials used does not exceed 50 % of the ex-works price of the product Manufacture from asbestos concentrate Grinding of mica or mica waste Calcination or grinding of earth colours
Chapter 26	Ores, slag and ash	Manufacture from materials of any heading, except that of the product
ex Chapter 27 ex2707	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes; except for: Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65 % by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	Manufacture from materials of any heading, except that of the product Operations of refining and/or one or more specific process(es) ⁽¹⁾ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
ex 2709	Crude oils obtained from bituminous minerals	Destructive distillation of bituminous materials
2710	Petroleum oils and oils obtained from bituminous materials, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous materials, these oils being the basic constituents of the preparations; waste oils	Operations of refining and/or one or more specific process(es) ⁽²⁾ or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
2711	Petroleum gases and other gaseous hydrocarbons	Operations of refining and/or one or more specific process(es) ⁽²⁾ or Other operations in which all the mate-

(1)	(2)	(3) or (4)
2712	<p>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</p>	<p>materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p> <p>Operations of refining and/or one or more specific process(es) (2)</p> <p>or</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p>
2713	<p>Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous materials</p>	<p>Operations of refining and/or one or more specific process(es) (1)</p> <p>or</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p>
2714	<p>Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks</p>	<p>Operations of refining and/or one or more specific process(es) (1)</p> <p>or</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p>
2715	<p>Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example; bitumi-</p>	<p>Operations of refining and/or one or more specific process(es) (1)</p> <p>or</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
	nous mastics, cut-backs)	Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes; except for:	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 2805	'Mischmetall'	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 2811	Sulphur trioxide	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 2833	Aluminium sulphate	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 29	Organic chemicals; except for:	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
		<p>Operations of refining and/or one or more specific process(es) (1)</p> <p>or</p> <p>Other operations in which all the materials used are classified within a heading</p>

(1)	(2)	(3) or (4)
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	<p>other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p> <p>Operations of refining and/or one or more specific process(es) (1)</p> <p>or</p> <p>Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p>
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 2932	- Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
2933	- Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives Heterocyclic compounds with nitrogen hetero-atom(s) only	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
2934 ex 2939	Nucleic acids and their salts, whether or not chemically defined; other heterocyclic compounds Concentrates of poppy straw containing not less than 50 % by weight of alkaloids	Manufacture from materials of any heading. However, the value of all the materials of headings 2932, 2933 and 2934 used shall not exceed 20 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 30 3002	Pharmaceutical products; except for: Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products: - Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale - Other: - - Human blood - - Animal blood prepared for therapeutic or prophylactic uses	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product

Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product

Manufacture from materials of any heading. However, the value of all the materials of headings 2932, 2933 and 2934 used shall not exceed 20 % of the ex-works price of the product

Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product

Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product

Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product

Manufacture from materials of any heading, including other materials of

(1)	(2)	(3) or (4)
3003 and 3004	<ul style="list-style-type: none"> - - Blood fractions other than antisera, haemoglobin, blood globulins and serum globulins - - Haemoglobin, blood globulins and serum globulins - - Other <p>Medicaments (excluding goods of heading 3002, 3005 or 3006):</p> <ul style="list-style-type: none"> - Obtained from amikacin of heading 2941 - Other 	<p>heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading 3002. However, materials of the same description as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, except that of the product. However, materials of headings 3003 and 3004 may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product. However, materials of headings 3003 and 3004 may be used, provided that their total value does not exceed 20 % of the ex-works price of the product, and

(1)	(2)	(3) or (4)
ex 3006	Waste pharmaceuticals specified in note 4(k) to Chapter 30	<p>— in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> <p>The origin of the product in its original classification shall be retained</p>
ex Chapter 31	Fertilizers; except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 3105	<p>Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorous and potassium; other fertilizers; goods of this Chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for:</p> <ul style="list-style-type: none"> — sodium nitrate — calcium cyanamide — potassium sulphate — magnesium potassium sulphate 	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
ex Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks; except for:	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from tanning extracts of vegetable origin</p>
ex 3201	Tannins and their salts, ethers, esters and other derivatives	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
3205	Colour lakes; preparations as specified in note 3 to this Chapter based on colour lakes ⁽¹⁾	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)	(3) or (4)
ex Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations; except for:	product	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; extracted oleoresins; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Manufacture from materials of any heading, including materials of a different 'group' (*) in this heading. However, materials of the same group as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster; except for:	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Operations of refining and/or one or more specific process(es) (1) or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 3403	Lubricating preparations containing less than 70 % by weight of petroleum oils or oils obtained from bituminous minerals		
3404	Artificial waxes and prepared waxes: - With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax	Manufacture from materials of any heading, except that of the product. However, materials of the same heading	

(1)	(2)	(3) or (4)	
	<p>- Other</p>	<p>as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, except:</p> <ul style="list-style-type: none"> — hydrogenated oils having the character of waxes of heading 1516, — fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading 3823, and — materials of heading 3404 <p>However, these materials may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
<p>ex Chapter 35</p> <p>3505</p>	<p>Albuminoidal substances; modified starches; glues; enzymes; except for:</p> <p>Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches:</p> <ul style="list-style-type: none"> - Starch ethers and esters - Other <p>Prepared enzymes not elsewhere specified or included</p>	<p>Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading 3505</p> <p>Manufacture from materials of any heading, except those of heading 1108</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
<p>Chapter 36</p>	<p>Explosives; pyrotechnic products;</p>	<p>Manufacture from materials of any</p>	<p>Manufacture in which the value of all the</p>

(1)	(2)	(3) or (4)	
	matches; pyrophoric alloys; certain combustible preparations	headings, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product	materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 37 3701	Photographic or cinematographic goods; except for: Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitised, unexposed, whether or not in packs: - Instant print film for colour photography, in packs - Other	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Manufacture from materials of any heading, except those of headings 3701 and 3702. However, materials of heading 3702 may be used, provided that their total value does not exceed 30 % of the ex-works price of the product Manufacture from materials of any heading, except those of headings 3701 and 3702. However, materials of headings 3701 and 3702 may be used, provided that their total value does not exceed 20 % of the ex-works price of the product Manufacture from materials of any heading, except those of headings 3701 and 3702	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
3702	Photographic film in rolls, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitised, unexposed	Manufacture from materials of any heading, except those of headings 3701 and 3702	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
3704	Photographic plates, film paper, paperboard and textiles, exposed but not developed	Manufacture from materials of any heading, except those of headings 3701 to 3704	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product

(1)	(2)	(3) or (4)
ex Chapter 38	Miscellaneous chemical products; except for:	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 3801	- Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20 % of the ex-works price of the product
ex 3803	- Graphite in paste form, being a mixture of more than 30 % by weight of graphite with mineral oils Refined tail oil	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Refining of crude tail oil
ex 3805	Spirits of sulphate turpentine, purified	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 3806	Ester gums	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 3807	Wood pitch (wood tar pitch)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
3808	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly-papers)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

(1)	(2)	(3) or (4)
3810	<p>included</p> <p>Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3811	<p>Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils:</p> <p>- Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals</p> <p>- Other</p>	<p>Manufacture in which the value of all the materials of heading 3811 used does not exceed 50 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3812	<p>Prepared rubber accelerators; compound plasticisers for rubber or plastics, not elsewhere specified or included; anti-oxidising preparations and other compound stabilisers for rubber or plastics</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3813	<p>Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3814	<p>Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3818	<p>Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3819	<p>Hydraulic brake fluids and other</p>	<p>Manufacture in which the value of all the</p>

(1)	(2)	(3) or (4)
3820	<p>prepared liquids for hydraulic transmission, not containing or containing less than 70 % by weight of petroleum oils or oils obtained from bituminous minerals</p> <p>Anti-freezing preparations and prepared de-icing fluids</p>	<p>materials used does not exceed 50 % of the ex-works price of the product</p>
3822	<p>Diagnostic or laboratory reagents on a backing, prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006; certified reference materials</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3823	<p>Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols:</p> <ul style="list-style-type: none"> - Industrial monocarboxylic fatty acids, acid oils from refining - Industrial fatty alcohols 	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
3824	<p>Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included:</p> <ul style="list-style-type: none"> - The following of this heading: - - Prepared binders for foundry moulds or cores based on natural resinous products - - Naphthenic acids, their water-insoluble salts and their esters - - Sorbitol other than that of heading 2905 - - Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, 	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from materials of any heading, including other materials of heading 3823</p>
		<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
	and acrylonitrile-butadiene-styrene copolymer (ABS)	heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50 % of the ex-works price of the product ^(c)
- Polyester		Manufacture in which the value of all the materials of Chapter 39 used does not exceed 20 % of the ex works price of the product and/or manufacture from polycarbonate of tetrabromo-(bisphenol A)
3912	Cellulose and its chemical derivatives, not elsewhere specified or included, in primary forms	Manufacture in which the value of all the materials of the same heading as the product used does not exceed 20 % of the ex-works price of the product
3916 to 3921	Semi-manufactures and articles of plastics; except for headings ex 3916, ex 3917, ex 3920 and ex 3921, for which the rules are set out below: - Flat products, further worked than only surface-worked or cut into forms other than rectangular (including square); other products, further worked than only surface-worked - Other:	Manufacture in which the value of all the materials of Chapter 39 used does not exceed 50 % of the ex-works price of the product
- - Addition homopolymerisation products in which a single monomer contributes more than 99 % by weight to the total polymer content		Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
- - Other		Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
ex 3916 and ex 3917	Profile shapes and tubes	Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
		Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product

(1)	(2)	(3) or (4)
ex 3920	<p>- Ionomer sheet or film</p> <p>- Sheets of regenerated cellulose, polyamides or polyethylene</p>	<p>— the value of all the materials used does not exceed 50 % of the ex-works price of the product, and</p> <p>— within the above limit, the value of all the materials of the same heading as the product used does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and methacrylic acid partly neutralised with metal ions, mainly zinc and sodium</p> <p>Manufacture in which the value of all the materials of the same heading as the product used does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture from highly-transparent polyester-foils with a thickness of less than 23 micron ⁽⁶⁾</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p> <p>the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
ex 3921 3922 to 3926	Foils of plastic, metallised Articles of plastics	Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
ex Chapter 40 ex 4001 4005 4012	<p>Rubber and articles thereof, except for:</p> <p>Laminated slabs of crepe rubber for shoes</p> <p>Compounded rubber, unvulcanised, in primary forms or in plates, sheets or strip</p> <p>Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, tyre treads and tyre flaps, of rubber:</p> <p>- Retreaded pneumatic, solid or cushion tyres, of rubber</p> <p>- Other</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Lamination of sheets of natural rubber</p> <p>Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50 % of the ex-works price of the product</p> <p>Retreading of used tyres</p> <p>Manufacture from materials of any heading, except those of headings 4011 and 4012</p>

(1)	(2)	(3) or (4)
ex 4017	Articles of hard rubber	Manufacture from hard rubber
ex Chapter 41	Raw hides and skins (other than furskins) and leather; except for:	Manufacture from materials of any heading, except that of the product
ex 4102	Raw skins of sheep or lambs, without wool on	Removal of wool from sheep or lamb skins, with wool on
4104 to 4106	Tanned or crust hides and skins, without wool or hair on, whether or not split, but not further prepared	Retanning of tanned leather or
4107, 4112 and 4113	Leather further prepared after tanning or crusting, including parchment-dressed leather, without wool or hair on, whether or not split, other than leather of heading 4114	Manufacture from materials of any heading, except that of the product
ex 4114	Patent leather and patent laminated leather; metallised leather	Manufacture from materials of headings 4104 to 4113
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)	Manufacture from materials of headings 4104 to 4106, 4107, 4112 or 4113, provided that their total value does not exceed 50 % of the ex-works price of the product
ex Chapter 43	Furskins and artificial fur; manufactures thereof; except for:	Manufacture from materials of any heading, except that of the product
ex 4302	Tanned or dressed furskins, assembled: - Plates, crosses and similar forms - Other	Manufacture from materials of any heading, except that of the product
4303	Articles of apparel, clothing accessories and other articles of furskin	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins
ex Chapter 44	Wood and articles of wood; wood char-	Manufacture from non-assembled, tanned or dressed furskins
		Manufacture from non-assembled tanned or dressed furskins of heading 4302
		Manufacture from materials of any heading, except that of the product



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(1)	(2)	(3) or (4)
ex 4403	coal; except for: Wood roughly squared	heading, except that of the product Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or end-jointed	Planing, sanding or end-jointing
ex 4408	Sheets for veneering (including those obtained by slicing laminated wood) and for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled of a thickness not exceeding 6 mm, planed, sanded or end-jointed	Splicing, planing, sanding or end-jointing
ex 4409	Wood continuously shaped along any of its edges, ends or faces, whether or not planed, sanded or end-jointed: - Sanded or end-jointed - Beadings and mouldings	Sanding or end-jointing Beading or moulding
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beading or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4416	Casks, barrels, vats, tubs and other coopers' products and parts thereof, of wood	Manufacture from riven staves, not further worked than sawn on the two principal surfaces
ex 4418	- Builders' joinery and carpentry of wood - Beadings and mouldings	Manufacture from materials of any heading, except that of the product. However, cellular wood panels, shingles and shakes may be used Beading or moulding
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading, except drawn wood of heading 4409
ex Chapter 45	Cork and articles of cork; except for:	Manufacture from materials of any heading, except that of the product

(1)	(2)	(3) or (4)
4503	Articles of natural cork	Manufacture from cork of heading 4501
Chapter 46	Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork	Manufacture from materials of any heading, except that of the product
Chapter 47	Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard	Manufacture from materials of any heading, except that of the product
ex Chapter 48	Paper and paperboard; articles of paper pulp, of paper or of paperboard; except for:	Manufacture from materials of any heading, except that of the product
ex 4811	Paper and paperboard, ruled, lined or squared only	Manufacture from paper-making materials of Chapter 47
4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes	Manufacture from paper-making materials of Chapter 47
4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 4818	Toilet paper	Manufacture from paper-making materials of Chapter 47
ex 4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 4820	Letter pads	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres,	Manufacture from paper-making materials of Chapter 47



(1)	(2)	(3) or (4)
	cut to size or shape	
ex Chapter 49 4909 4910	Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans; except for: Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings Calendars of any kind, printed, including calendar blocks: - Calendars of the 'perpetual' type or with replaceable blocks mounted on bases other than paper or paperboard - Other	Manufacture from materials of any heading, except that of the product Manufacture from materials of any heading, except those of headings 4909 and 4911 Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from materials of any heading, except those of headings 4909 and 4911
ex Chapter 50 ex 5003 5004 to ex 5006	Silk; except for: Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed Silk yarn and yarn spun from silk waste	Manufacture from materials of any heading, except that of the product Carding or combing of silk waste Manufacture from (7): — raw silk or silk waste, carded or combed or otherwise prepared for spinning, — other natural fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials

(1)	(2)	(3) or (4)
		<ul style="list-style-type: none"> — natural fibres, — man-made staple fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p>
<p>ex Chapter 52</p> <p>5204 to 5207</p> <p>5208 to 5212</p>	<p>Cotton; except for:</p> <p>Yarn and thread of cotton</p> <p>Woven fabrics of cotton:</p> <p>- Incorporating rubber thread</p> <p>- Other</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — raw silk or silk waste, carded or combed or otherwise prepared for spinning, — natural fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials <p>Manufacture from single yarn (7)</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — man-made staple fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or



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(1)	(2)	(3) or (4)
		<p>— paper</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p>
<p>ex Chapter 53</p> <p>5306 to 5308</p>	<p>Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn; except for:</p> <p>Yarn of other vegetable textile fibres; paper yarn</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — raw silk or silk waste, carded or combed or otherwise prepared for spinning, — natural fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials
<p>5309 to 5311</p>	<p>Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn:</p> <ul style="list-style-type: none"> - Incorporating rubber thread - Other 	<p>Manufacture from single yarn (7)</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — man-made staple fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper <p>or</p> <p>Printing accompanied by at least two</p>

(1)	(2)	(3) or (4)
5401 to 5406	Yarn, monofilament and thread of man-made filaments	<p>preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — raw silk or silk waste, carded or combed or otherwise prepared for spinning, — natural fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials
5407 and 5408	<p>Woven fabrics of man-made filament yarn:</p> <ul style="list-style-type: none"> - Incorporating rubber thread - Other 	<p>Manufacture from single yarn (7)</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — man-made staple fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p>



(1)	(2)	(3) or (4)
5501 to 5507 5508 to 5511	Man-made staple fibres Yarn and sewing thread of man-made staple fibres	Manufacture from chemical materials or textile pulp Manufacture from (7): — raw silk or silk waste, carded or combed or otherwise prepared for spinning, — natural fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper-making materials
5512 to 5516	Woven fabrics of man-made staple fibres: - Incorporating rubber thread - Other	Manufacture from single yarn (7) Manufacture from (7): — coir yarn, — natural fibres, — man-made staple fibres, not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
ex Chapter 56	Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof; except for:	Manufacture from (7): — coir yarn, — natural fibres, — chemical materials or textile pulp, or — paper-making materials

(1)	(2)	(3) or (4)
5602	Felt, whether or not impregnated, coated, covered or laminated: - Needleloom felt	<p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres, or — chemical materials or textile pulp <p>However:</p> <ul style="list-style-type: none"> — polypropylene filament of heading 5402, — polypropylene fibres of heading 5503 or 5506, or — polypropylene filament tow of heading 5501, <p>of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used, provided that their total value does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres made from casein, or — chemical materials or textile pulp
5604	<p>Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics:</p> <p>- Rubber thread and cord, textile covered</p> <p>- Other</p>	<p>Manufacture from rubber thread or cord, not textile covered</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres, not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres,
5605	Metallised yarn, whether or not gimped, being textile yarn, or strip or the like of heading 5404 or 5405, combined with	<p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres,

(1)	(2)	(3) or (4)
5606	<p>metal in the form of thread, strip or powder or covered with metal</p> <p>Gimped yarn, and strip and the like of heading 5404 or 5405, gimped (other than those of heading 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn</p>	<ul style="list-style-type: none"> — man-made staple fibres, not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials
Chapter 57	<p>Carpets and other textile floor coverings:</p> <p>- Of needleloom felt</p> <p>- Of other felt</p> <p>- Other</p>	<p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres, or — chemical materials or textile pulp <p>However:</p> <ul style="list-style-type: none"> — polypropylene filament of heading 5402, — polypropylene fibres of heading 5503 or 5506, or — polypropylene filament tow of heading 5501, <p>of which the denomination in all cases of a single filament or fibre is less than 9 decitex, may be used, provided that their total value does not exceed 40 % of the ex-works price of the product</p> <p>Jute fabric may be used as a backing</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> — natural fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp <p>Manufacture from (7):</p>

(1)	(2)	(3) or (4)
		<ul style="list-style-type: none"> — coir yarn or jute yarn, — synthetic or artificial filament yarn, — natural fibres, or — man-made staple fibres, not carded or combed or otherwise processed for spinning <p>Jute fabric may be used as a backing</p>
<p>ex Chapter 58</p>	<p>Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery; except for:</p> <ul style="list-style-type: none"> - Combined with rubber thread - Other 	<p>Manufacture from single yarn (1)</p> <p>Manufacture from (2):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the mate-
5805	<p>Hand-woven tapestries of the types Gobelins, Flanders, Aubusson, Beauvais and the like, and needle-worked tapestries (for example, petit point, cross stitch), whether or not made up</p>	
5810	<p>Embroidery in the piece, in strips or in motifs</p>	

(1)	(2)	(3) or (4)
		rials used does not exceed 50 % of the ex-works price of the product
5901	Textile fabrics coated with gum or amylose substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from yarn
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon: - Containing not more than 90 % by weight of textile materials - Other	Manufacture from yarn
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading 5902	Manufacture from chemical materials or textile pulp Manufacture from yarn or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product
5904	Linoleum, whether or note cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from yarn (7)
5905	Textile wall coverings: - Impregnated, coated, covered or laminated with rubber, plastics or other materials - Other	Manufacture from yarn Manufacture from (7): — coir yarn,

(1)	(2)	(3) or (4)
5906	<p>Rubberised textile fabrics, other than those of heading 5902:</p> <ul style="list-style-type: none"> - Knitted or crocheted fabrics - Other fabrics made of synthetic filament yarn, containing more than 90 % by weight of textile materials - Other 	<ul style="list-style-type: none"> — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp <p>or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p> <p>Manufacture from (1):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp <p>Manufacture from chemical materials</p> <p>Manufacture from yarn</p> <p>Manufacture from yarn</p> <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of the unprinted fabric used does not exceed 47,5 % of the ex-works price of the product</p>
5907	<p>Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio back-cloths or the like</p>	

(1)	(2)	(3) or (4)
5908	<p>Textile wicks, woven, plaited or knitted, for lamps, stoves, lighters, candles or the like; incandescent gas mantles and tubular knitted gas mantle fabric therefor, whether or not impregnated:</p> <ul style="list-style-type: none"> - Incandescent gas mantles, impregnated - Other 	<p>Manufacture from tubular knitted gas-mantle fabric</p> <p>Manufacture from materials of any heading, except that of the product</p>
5909 to 5911	<p>Textile articles of a kind suitable for industrial use:</p> <ul style="list-style-type: none"> - Polishing discs or rings other than of felt of heading 5911 - Woven fabrics, of a kind commonly used in papermaking or other technical uses, felted or not, whether or not impregnated or coated, tubular or endless with single or multiple warp and/or weft, or flat woven with multiple warp and/or weft of heading 5911 	<p>Manufacture from yarn or waste fabrics or rags of heading 6310</p> <p>Manufacture from (7):</p> <ul style="list-style-type: none"> - coir yarn, - the following materials: <ul style="list-style-type: none"> - - yarn of polytetrafluoroethylene (8), - - yarn, multiple, of polyamide, coated impregnated or covered with a phenolic resin, - - yarn of synthetic textile fibres of aromatic polyamides, obtained by polycondensation of <i>m</i>-phenylenediamine and isophthalic acid, - - monofil of polytetrafluoroethylene (8), - - yarn of synthetic textile fibres of poly(<i>p</i>-phenylene terephthalamide), - - glass fibre yarn, coated with phenol resin and gimped with acrylic yarn (8), - - copolyester monofilaments of a polyester and a resin of terephthalic acid and 1,4 cyclohexanediethanol and isophthalic acid, - - natural fibres, - - man-made staple fibres not carded or combed or otherwise processed for spinning, or

(1)	(2)	(3) or (4)
	<p>- Other</p>	<p>- - chemical materials or textile pulp Manufacture from (7): — coir yarn, — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp</p>
Chapter 60	Knitted or crocheted fabrics	<p>Manufacture from (7): — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp</p>
Chapter 61	<p>Articles of apparel and clothing accessories, knitted or crocheted: - Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form - Other</p>	<p>Manufacture from yarn (7) (8) Manufacture from (7): — natural fibres, — man-made staple fibres, not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp</p>
<p>Chapter 62 ex 6202, ex 6204, ex 6206, ex 6209 and ex 6211</p>	<p>Articles of apparel and clothing accessories, not knitted or crocheted; except for: Women's, girls' and babies' clothing and clothing accessories for babies, embroidered</p>	<p>Manufacture from yarn (7) (8) Manufacture from yarn (8) or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 %</p>



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(1)	(2)	(3) or (4)
ex 6210 and ex 6216	Fire-resistant equipment of fabric covered with foil of aluminised polyester	of the ex-works price of the product (°) Manufacture from yarn (°)
6213 and 6214	Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like: - Embroidered	or Manufacture from uncoated fabric, provided that the value of the uncoated fabric used does not exceed 40 % of the ex-works price of the product (°) Manufacture from unbleached single yarn (°) (°)
	- Other	Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product (°) Manufacture from unbleached single yarn (°) (°) or Making up, followed by printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling), provided that the value of all the unprinted goods of headings 6213 and 6214 used does not exceed 47,5 % of the ex-works price of the product
6217	Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading 6212: - Embroidered	Manufacture from yarn (°) or Manufacture from unembroidered fabric, provided that the value of the unembroidered fabric used does not exceed 40 %

(1)	(2)	(3) or (4)
	<ul style="list-style-type: none"> - Fire-resistant equipment of fabric covered with foil of aluminised polyester - Interlinings for collars and cuffs, cut out - Other 	<p>of the ex-works price of the product (°)</p> <p>Manufacture from yarn (°)</p> <p>or</p> <p>Manufacture from uncoated fabric, provided that the value of the uncoated fabric used does not exceed 40 % of the ex-works price of the product (°)</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product <p>Manufacture from yarn (°)</p>
<p>ex Chapter 63</p> <p>6301 to 6304</p> <p>6305</p>	<p>Other made-up textile articles; sets; worn clothing and worn textile articles; rags; except for:</p> <p>Blankets, travelling rugs, bed linen etc.; curtains etc.; other furnishing articles:</p> <ul style="list-style-type: none"> - Of felt, of nonwovens - Other: - - Embroidered - - Other <p>Sacks and bags, of a kind used for the packing of goods</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from (°):</p> <ul style="list-style-type: none"> — natural fibres, or — chemical materials or textile pulp <p>Manufacture from unbleached single yarn (°) (19)</p> <p>or</p> <p>Manufacture from unembroidered fabric (other than knitted or crocheted), provided that the value of the unembroidered fabric used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture from unbleached single yarn (°) (19)</p> <p>Manufacture from (°):</p> <ul style="list-style-type: none"> — natural fibres,

(1)	(2)	(3) or (4)
6306	<p>Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods:</p> <p>- Of nonwovens</p> <p>- Other</p>	<p>— man-made staple fibres, not carded or combed or otherwise processed for spinning, or</p> <p>— chemical materials or textile pulp</p> <p>Manufacture from (7) (8):</p> <p>— natural fibres, or</p> <p>— chemical materials or textile pulp</p> <p>Manufacture from unbleached single yarn (7) (8)</p>
6307	Other made-up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes, or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided that their total value does not exceed 15 % of the ex-works price of the set
ex Chapter 64	Footwear, gaiters and the like; parts of such articles; except for:	Manufacture from materials of any heading, except from assemblies of uppers affixed to inner soles or to other sole components of heading 6406
6406	Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof	Manufacture from materials of any heading, except that of the product
ex Chapter 65	Headgear and parts thereof; except for:	Manufacture from materials of any heading, except that of the product
6503	Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading 6501, whether or not lined or	Manufacture from yarn or textile fibres (8)

(1)	(2)	(3) or (4)	
6505	<p>trimmed</p> <p>Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed</p>	Manufacture from yarn or textile fibres ⁽¹⁰⁾	
<p>ex Chapter 66</p> <p>6601</p>	<p>Umbrellas, sun umbrellas, walking-sticks, seat-sticks, whips, riding-crops, and parts thereof; except for:</p> <p>Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>	
Chapter 67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	Manufacture from materials of any heading, except that of the product	
<p>ex Chapter 68</p> <p>ex 6803</p> <p>ex 6812</p>	<p>Articles of stone, plaster, cement, asbestos, mica or similar materials; except for:</p> <p>Articles of slate or of agglomerated slate</p> <p>Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from worked slate</p> <p>Manufacture from materials of any heading</p>	
ex 6814	Articles of mica, including agglomerated or reconstituted mica, on a support of paper, paperboard or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)	
Chapter 69	Ceramic products	Manufacture from materials of any heading, except that of the product	
<p>ex Chapter 70</p> <p>ex 7003,</p> <p>ex 7004 and</p> <p>ex 7005</p>	<p>Glass and glassware; except for:</p> <p>Glass with a non-reflecting layer</p>	<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from materials of heading 7001</p>	

(1)	(2)	(3) or (4)
7006	Glass of heading 7003, 7004 or 7005, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials: - Glass-plate substrates, coated with a dielectric thin film, and of a semiconductor grade in accordance with SEMI-standards ⁽¹⁾ - Other	Manufacture from non-coated glass-plate substrate of heading 7006
7007	Safety glass, consisting of toughened (tempered) or laminated glass	Manufacture from materials of heading 7001
7008	Multiple-walled insulating units of glass	Manufacture from materials of heading 7001
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of heading 7001
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture from materials of any heading, except that of the producer or Cutting of glassware, provided that the total value of the uncut glassware used does not exceed 50 % of the ex-works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading 7010 or 7018)	Manufacture from materials of any heading, except that of the product or Cutting of glassware, provided that the total value of the uncut glassware used does not exceed 50 % of the ex-works price of the product or Hand-decoration (except silk-screen printing) of hand-blown glassware, provided that the total value of the hand-blown glassware used does not exceed 50 % of the ex-works price of the product
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from:

(1)	(2)	(3) or (4)
		<ul style="list-style-type: none"> — uncoloured slivers, rovings, yarn or chopped strands, or — glass wool
ex Chapter 71 ex 7101 ex 7102, ex 7103 and ex 7104	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for: Natural or cultured pearls, graded and temporarily strung for convenience of transport Worked precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture from materials of any heading, except that of the product
7106, 7108 and 7110	Precious metals: - Unwrought	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from unwrought precious or semi-precious stones
ex 7107, ex 7109 and ex 7111	- Semi-manufactured or in powder form Metals clad with precious metals, semi-manufactured	Manufacture from materials of any heading, except those of headings 7106, 7108 and 7110 or Electrolytic, thermal or chemical separation of precious metals of heading 7106, 7108 or 7110 or Alloying of precious metals of heading 7106, 7108 or 7110 with each other or with base metals
7116	- Semi-manufactured or in powder form Metals clad with precious metals, semi-manufactured	Manufacture from unwrought precious metals Manufacture from metals clad with precious metals, unwrought
7117	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed) Imitation jewellery	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from materials of any heading, except that of the product

(1)	(2)	(3) or (4)
ex Chapter 72	Iron and steel; except for:	or Manufacture from base metal parts, not plated or covered with precious metals, provided that the value of all the materials used does not exceed 50 % of the ex-works price of the product
7207	Semi-finished products of iron or non-alloy steel	Manufacture from materials of any heading, except that of the product
7208 to 7216	Flat-rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel	Manufacture from materials of heading 7201, 7202, 7203, 7204 or 7205
7217	Wire of iron or non-alloy steel	Manufacture from ingots or other primary forms of heading 7206
ex 7218, 7219 to 7222	Semi-finished products, flat-rolled products, bars and rods, angles, shapes and sections of stainless steel	Manufacture from semi-finished materials of heading 7207
7223	Wire of stainless steel	Manufacture from ingots or other primary forms of heading 7218
ex 7224, 7225 to 7228	Semi-finished products, flat-rolled products, hot-rolled bars and rods, in irregularly wound coils; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel	Manufacture from semi-finished materials of heading 7218
7229	Wire of other alloy steel	Manufacture from ingots or other primary forms of heading 7206, 7218 or 7224
ex Chapter 73	Articles of iron or steel; except for:	Manufacture from semi-finished materials of heading 7224
ex 7301	Sheet piling	Manufacture from materials of any heading, except that of the product
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-	Manufacture from materials of heading 7206 Manufacture from materials of heading 7206

(1)	(2)	(3) or (4)
<p>7304, 7305 and 7306</p> <p>ex 7307</p> <p>7308</p> <p>ex 7315</p>	<p>ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialised for jointing or fixing rails</p> <p>Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel</p> <p>Tube or pipe fittings of stainless steel (ISO No X5CrNiMo 1712), consisting of several parts</p> <p>Structures (excluding prefabricated buildings of heading 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel</p> <p>Skid chain</p>	<p>Manufacture from materials of heading 7206, 7207, 7218 or 7224</p> <p>Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks, provided that the total value of the forged blanks used does not exceed 35 % of the ex-works price of the product</p> <p>Manufacture from materials of any heading, except that of the product. However, welded angles, shapes and sections of heading 7301 may not be used</p> <p>Manufacture in which the value of all the materials of heading 7315 used does not exceed 50 % of the ex-works price of the product</p>
<p>ex Chapter 74</p> <p>7401</p> <p>7402</p> <p>7403</p>	<p>Copper and articles thereof; except for:</p> <p>Copper mattes; cement copper (precipitated copper)</p> <p>Unrefined copper; copper anodes for electrolytic refining</p> <p>Refined copper and copper alloys, unwrought:</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product <p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from materials of any heading, except that of the product</p>

(1)	(2)	(3) or (4)
<p>- Refined copper</p> <p>- Copper alloys and refined copper containing other elements</p> <p>Copper waste and scrap</p> <p>Master alloys of copper</p>		<p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from refined copper, unwrought, or waste and scrap of copper</p> <p>Manufacture from materials of any heading, except that of the product</p> <p>Manufacture from materials of any heading, except that of the product</p>
<p>7404</p> <p>7405</p> <p>ex Chapter 75</p>	<p>Nickel and articles thereof; except for:</p> <p>Nickel mattes, nickel oxide sinters and other intermediate products of nickel metallurgy; unwrought nickel; nickel waste and scrap</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product <p>Manufacture from materials of any heading, except that of the product</p>
<p>7501 to 7503</p> <p>ex Chapter 76</p> <p>7601</p> <p>7602</p>	<p>Aluminium and articles thereof; except for:</p> <p>Unwrought aluminium</p> <p>Aluminium waste or scrap</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product <p>or</p> <p>Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste and scrap of aluminium</p> <p>Manufacture from materials of any heading, except that of the product</p>



(1)	(2)	(3) or (4)
ex 7616	Aluminium articles other than gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, and expanded metal of aluminium	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product. However, gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium may be used; and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 77	Reserved for possible future use in the HS	
ex Chapter 78	Lead and articles thereof; except for: Unwrought lead: - Refined lead - Other Lead waste and scrap	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from 'bullion' or 'work' lead Manufacture from materials of any heading, except that of the product. However, waste and scrap of heading 7802 may not be used Manufacture from materials of any heading, except that of the product
ex Chapter 79	Zinc and articles thereof; except for: Unwrought zinc	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from materials of any heading, except that of the product.

(1)	(2)	(3) or (4)
7902	Zinc waste and scrap	However, waste and scrap of heading 7902 may not be used Manufacture from materials of any heading, except that of the product
ex Chapter 80 8001 8002 and 8007	Tin and articles thereof; except for: Unwrought tin Tin waste and scrap; other articles of tin	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product Manufacture from materials of any heading, except that of the product. However, waste and scrap of heading 8002 may not be used Manufacture from materials of any heading, except that of the product
Chapter 81	Other base metals; cermets; articles thereof: - Other base metals, wrought; articles thereof - Other	Manufacture in which the value of all the materials of the same heading as the product used does not exceed 50 % of the ex-works price of the product Manufacture from materials of any heading, except that of the product
ex Chapter 82 8206 8207	Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for: Tools of two or more of the headings 8202 to 8205, put up in sets for retail sale Interchangeable tools for hand tools, whether or not power-operated, or for	Manufacture from materials of any heading, except that of the product Manufacture from materials of any heading, except those of headings 8202 to 8205. However, tools of headings 8202 to 8205 may be incorporated into the set, provided that their total value does not exceed 15 % of the ex-works price of the set Manufacture: — from materials of any heading,

(1)	(2)	(3) or (4)
<p>8208</p> <p>Knives and cutting blades, for machines or for mechanical appliances</p>	<p>machine-tools (for example; for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning, or screwdriving), including dies for drawing or extruding metal, and rock drilling or earth boring tools</p>	<p>except that of the product, and</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
<p>ex 8211</p>	<p>Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading 8208</p>	<p>Manufacture from materials of any heading, except that of the product. However, knife blades and handles of base metal may be used</p>
<p>8214</p>	<p>Other articles of cutlery (for example; hair clippers, butchers' or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)</p>	<p>Manufacture from materials of any heading, except that of the product. However, handles of base metal may be used</p>
<p>8215</p>	<p>Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware</p>	<p>Manufacture from materials of any heading, except that of the product. However, handles of base metal may be used</p>
<p>ex Chapter 83</p>	<p>Miscellaneous articles of base metal; except for:</p>	<p>Manufacture from materials of any heading, except that of the product</p>
<p>ex 8302</p>	<p>Other mountings, fittings and similar articles suitable for buildings, and automatic door closers</p>	<p>Manufacture from materials of any heading, except that of the product. However, other materials of heading 8302 may be used, provided that their total value does not exceed 20 % of the ex-works price of the product</p>
<p>ex 8306</p>	<p>Statuettes and other ornaments, of base metal</p>	<p>Manufacture from materials of any heading, except that of the product. However, other materials of heading 8306 may be used, provided that their total value does not exceed</p>

(1)	(2)	(3) or (4)
ex Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for:	30 % of the ex-works price of the product
ex 8401	Nuclear fuel elements	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture from materials of any heading, except that of the product ⁽¹²⁾
8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture from materials of any heading, except those of headings 8403 and 8404
8403 and ex 8404	Central heating boilers other than those of heading 8402 and auxiliary plant for central heating boilers	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8406	Steam turbines and other vapour turbines	Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8409	Parts suitable for use solely or principally with the engines of heading 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8411	Turbo-jets, turbo-propellers and other gas turbines	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product

(1)	(2)	(3) or (4)
8412	Other engines and motors	the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 8413	Rotary positive displacement pumps	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
ex 8414	Industrial fans, blowers and the like	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
8415	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 8415	Manufacture: — from materials of any heading, except that of the product, — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
ex 8419	Machines for wood, paper pulp, paper and paperboard industries	Manufacture in which: — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — within the above limit, the value of all the materials of the same heading as the product used does not exceed the value of all the materials used does not exceed 30 % of the ex-works price of the product

(1)	(2)	(3) or (4)
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	<p>25 % of the ex-works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — within the above limit, the value of all the materials of the same heading as the product used does not exceed 25 % of the ex-works price of the product
8423	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight operated counting or checking machines; weighing machine weights of all kinds	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
8425 to 8428	Lifting, handling, loading or unloading machinery	<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
8429	<p>Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers:</p> <p>- Road rollers</p> <p>- Other</p>	<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
		<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
		<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
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		<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	ex-works price of the product Manufacture in which: — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — within the above limit, the value of all the materials of heading 8431 used does not exceed 10 % of the ex-works price of the product
ex 8431	Parts suitable for use solely or principally with road rollers	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8444 to 8447 ex 8448	Machines of these headings for use in the textile industry Auxiliary machinery for use with machines of headings 8444 and 8445	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8452	Sewing machines, other than book-sewing machines of heading 8440; furniture, bases and covers specially designed	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product

(1)	(2)	(3) or (4)
	for sewing machines; sewing machine needles:	
- Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor		<p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, — the value of all the non-originating materials used in assembling the head (without motor) does not exceed the value of all the originating materials used, and — the thread-tension, crochet and zigzag mechanisms used are originating
- Other		<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
8456 to 8466	Machine-tools and machines and their parts and accessories of headings 8456 to 8466	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
8469 to 8472	Office machines (for example, typewriters, calculating machines, automatic data processing machines, duplicating machines, stapling machines)	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product</p>
8482	Ball or roller bearings	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal; sets or assortments of gaskets and similar	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
8485	joints, dissimilar in composition, put up in pouches, envelopes or similar packings; mechanical seals Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex Chapter 85	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles; except for:	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8501	Electric motors and generators (excluding generating sets)	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8502	Electric generating sets and rotary converters	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
ex 8504	Power supply units for automatic data-processing machines	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; audio-frequency electric amplifiers; electric sound amplifier sets	Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product

(1)	(2)	(3) or (4)
8519	Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device	<p>materials used does not exceed the value of all the originating materials used</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
8520	Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
8521	Video recording or reproducing apparatus, whether or not incorporating a video tuner	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
8522	Parts and accessories suitable for use solely or principally with the apparatus of headings 8519 to 8521	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>
8524	Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37:	

(1)	(2)	(3) or (4)
<p>- Matrices and masters for the production of records</p> <p>- Other</p>		<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
8525	<p>Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras; still image video cameras and other video camera recorders; digital cameras</p>	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
8526	<p>Radar apparatus, radio navigational aid apparatus and radio remote control apparatus</p>	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
8527	<p>Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock</p>	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
8528	<p>Reception apparatus for television, whether or not incorporating radio broadcast receivers or sound or video recording or reproducing apparatus;</p>	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product, and</p>

(1)	(2)	(3) or (4)
8529	<p>video monitors and video projectors</p> <p>Parts suitable for use solely or principally with the apparatus of headings 8525 to 8528:</p> <p>- Suitable for use solely or principally with video recording or reproducing apparatus</p> <p>- Other</p>	<p>— the value of all the non-originating materials used does not exceed the value of all the originating materials used</p> <p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
8535 and 8536	<p>Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits</p>	<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
8537	<p>Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, and numerical control apparatus, other than switching apparatus of heading 8517</p>	<p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
ex 8541	<p>Diodes, transistors and similar semiconductor devices, except wafers not yet cut into chips</p>	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
8542	Electronic integrated circuits and micro-assemblies:	the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product
8544	Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating materials apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly, other than insulators of heading 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
8548	Waste and scrap of primary cells, primary batteries and electric accumulators; spent primary cells, spent primary	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product

(1)	(2)	(3) or (4)	
	batteries and spent electric accumulators; electrical parts of machinery or apparatus, not specified or included elsewhere in this Chapter		
ex Chapter 86 8608	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds; except for: Railway or tramway track fixtures and fittings; mechanical (including electro-mechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
ex Chapter 87 8709	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof; except for: Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8710	Tanks and other armoured fighting vehicles, motorised, whether or not fitted with weapons, and parts of such vehicles	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars: - With reciprocating internal combustion piston engine of a cylinder capacity:		

(1)	(2)	(3) or (4)	
	<p>- - Not exceeding 50 cm³</p> <p>- - Exceeding 50 cm³</p> <p>- Other</p>	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used 	<p>Manufacture in which the value of all the materials used does not exceed 20 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
ex 8712	Bicycles without ball bearings	Manufacture from materials of any heading, except those of heading 8714	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8715	Baby carriages and parts thereof	Manufacture:	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	<ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product 	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product



(1)	(2)	(3) or (4)
ex Chapter 88	Aircraft, spacecraft, and parts thereof, except for:	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 8804	Rotochutes	Manufacture from materials of any heading, except that of the product
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture from materials of any heading, including other materials of heading 8804
Chapter 89	Ships, boats and floating structures	Manufacture from materials of any heading, except that of the product. However, hulls of heading 8906 may not be used
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof, except for:	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading 8544; sheets and plates of polarizing material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9004	Spectacles, goggles and the like, corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 9005	Binoculars, monoculars, other optical telescopes, and mountings therefor, except for astronomical refracting tele-	Manufacture: <ul style="list-style-type: none"> — from materials of any heading, except that of the product, Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product

(1)	(2)	(3) or (4)
ex 9006	scopes and mountings therefor Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than electrically ignited flashbulbs	<ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product; and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus	<ul style="list-style-type: none"> — from materials of any heading, except that of the product, — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
9011	Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection	<ul style="list-style-type: none"> — from materials of any heading, except that of the product, — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — in which the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
ex 9014	Other navigational instruments and appliances	nating materials used Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9016	Balances of a sensitivity of 5 cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9017	Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9018	Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments: - Dentists' chairs incorporating dental appliances or dentists' spittoons - Other	Manufacture from materials of any heading, including other materials of heading 9018 Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9019	Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respira-	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product

(1)	(2)	(3) or (4)	
9020	<p>tion apparatus</p> <p>Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters</p>	<p>rials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product 	<p>Manufacture in which the value of all the materials used does not exceed 25 % of the ex-works price of the product</p>
9024	<p>Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>	
9025	<p>Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>	
9026	<p>Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 9014, 9015, 9028 or 9032</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>	
9027	<p>Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p>	
9028	<p>Gas, liquid or electricity supply or production meters, including calibrating meters therefor:</p> <p>- Parts and accessories</p>	<p>Manufacture in which the value of all the materials used does not exceed 40 % of</p>	

(1)	(2)	(3) or (4)	(3) or (4)
	- Other	the ex-works price of the product Manufacture in which: — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product
9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 9014 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
9033	Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
ex Chapter 91	Clocks and watches and parts thereof; except for:	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product	
9105	Other clocks	Manufacture in which: — the value of all the materials used does not exceed 40 % of the ex-	Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product

(1)	(2)	(3) or (4)
9109	Clock movements, complete and assembled	<p>works price of the product, and</p> <ul style="list-style-type: none"> — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — the value of all the non-originating materials used does not exceed the value of all the originating materials used <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
9110	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — the value of all the materials used does not exceed 40 % of the ex-works price of the product, and — within the above limit, the value of all the materials of heading 9114 used does not exceed 10 % of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
9111	Watch cases and parts thereof	<p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
9112	Clock cases and cases of a similar type for other goods of this Chapter, and parts thereof	<p>Manufacture:</p> <ul style="list-style-type: none"> — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 40 % of the ex-works price of the product <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>
9113	Watch straps, watch bands and watch bracelets, and parts thereof: - Of base metal, whether or not gold- or silver-plated, or of metal clad with precious metal	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 30 % of the ex-works price of the product</p>

(1)	(2)	(3) or (4)
	- Other	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
Chapter 92	Musical instruments; parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
Chapter 93	Arms and ammunition; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex Chapter 94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings; except for: Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less	Manufacture from materials of any heading, except that of the product Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
ex 9401 and ex 9403		Manufacture in which the value of all the materials used does not exceed 40 % of the ex-works price of the product
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture from cotton cloth already made up in a form ready for use with materials of heading 9401 or 9403, provided that: — the value of the cloth does not exceed 25 % of the ex-works price of the product, and — all the other materials used are originating and are classified in a heading other than heading 9401 or 9403 Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

(1)	(2)	(3) or (4)
ex Chapter 95		materials used does not exceed 50 % of the ex-works price of the product
9503	Toys, games and sports requisites; parts and accessories thereof; except for: Other toys; reduced-size ('scale') models and similar recreational models, working or not; puzzles of all kinds	Manufacture from materials of any heading, except that of the product Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 9506	Golf clubs and parts thereof	Manufacture from materials of any heading, except that of the product. However, roughly-shaped blocks for making golf-club heads may be used
ex Chapter 96	Miscellaneous manufactured articles; except for:	Manufacture from materials of any heading, except that of the product
ex 9601 and ex 9602	Articles of animal, vegetable or mineral carving materials	Manufacture from 'worked' carving materials of the same heading as the product
ex 9603	Brooms and brushes (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorised, paint pads and rollers, squeegees and mops	Manufacture in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided that their total value does not exceed 15 % of the ex-works price of the set
9606	Buttons, press-fasteners, snap-fasteners and press-studs, button moulds and other parts of these articles; button blanks	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product

(1)	(2)	(3) or (4)
9608	Ball-point pens; felt-tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading 9609	Manufacture from materials of any heading, except that of the product. However, nibs or nib-points of the same heading as the product may be used
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	Manufacture: — from materials of any heading, except that of the product, and — in which the value of all the materials used does not exceed 50 % of the ex-works price of the product
ex 9613	Lighters with piezo-igniter	Manufacture in which the value of all the materials of heading 9613 used does not exceed 30 % of the ex-works price of the product
ex 9614	Smoking pipes and pipe bowls	Manufacture from roughly-shaped blocks
Chapter 97	Works of art, collectors' pieces and antiques	Manufacture from materials of any heading, except that of the product

⁽¹⁾ For the special conditions relating to 'specific processes', see Introductory Notes 7.1 and 7.3.

⁽²⁾ For the special conditions relating to 'specific processes', see Introductory Note 7.2.

⁽³⁾ Note 3 to Chapter 32 says that these preparations are those of a kind used for colouring any material or used as ingredients in the manufacture of colouring preparations, provided that they are not classified in another heading in Chapter 32.

⁽⁴⁾ A 'group' is regarded as any part of the heading separated from the rest by a semicolon.

⁽⁵⁾ In the case of the products composed of materials classified within both headings 3901 to 3906, on the one hand, and within headings 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

⁽⁶⁾ The following foils shall be considered as highly transparent: foils, the optical dimming of which, measured according to ASTM-D 1003-16 by Gardner Hazemeter (i.e. Hazefactor), is less than 2 %.

⁽⁷⁾ For special conditions relating to products made of a mixture of textile materials, see Introductory Note 5.

⁽⁸⁾ The use of this material is restricted to the manufacture of woven fabrics of a kind used in paper-making machinery.

⁽⁹⁾ See Introductory Note 6.

⁽¹⁰⁾ For knitted or crocheted articles, not elastic or rubberised, obtained by sewing or assembling pieces of knitted or crocheted fabrics (cut out or knitted directly to shape), see Introductory Note 6.

⁽¹¹⁾ SEMII - Semiconductor Equipment and Materials Institute Incorporated.

⁽¹²⁾ This rule shall apply until 31.12.2005.

▼B*ANNEX 16***WORKING EXCLUDED FROM GSP REGIONAL CUMULATION**

Working such as:

- fitting of buttons and/or other types of fastenings,
- making of button-holes,
- finishing off the ends of trouser legs and sleeves or the bottom hemming of skirts and dresses etc.,
- hemming of handkerchiefs, table linen etc.,
- fitting of trimmings and accessories such as pockets, labels, badges, etc.,
- ironing and other preparations of garments for sale 'ready made',
- or any combination of such working.

▼M10*ANNEX 17***CERTIFICATE OF ORIGIN FORM A**

1. Certificates of origin Form A must conform to the specimen shown in this annex. The use of English or French for the notes on the reverse of the certificate shall not be obligatory. Certificates shall be made out in English or French. If completed by hand, entries must be in ink and in capital letters.
2. Each certificate shall measure 210 × 297 mm; a tolerance of up to plus 5 mm or minus 8 mm in the length may be allowed. The paper used shall be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

If the certificates have several copies, only the top copy which is the original shall be printed with a printed green guilloche-pattern background.

3. Each certificate shall bear a serial number, printed or otherwise, by which it can be identified.
4. Certificates, a specimen of which is shown in this annex, shall be acceptable from 1st January 1996; however certificates made out in accordance with the previous specimen, dated 1992, may be presented until 31st December 1997.

▼ **M10**

1. Goods consigned from (exporter's business name, address, country)		Reference No A GENERALIZED SYSTEM OF PREFERENCES CERTIFICATE OF ORIGIN (Combined declaration and certificate) FORM A Issued in (country) See notes overleaf			
2. Goods consigned to (consignee's name, address, country)					
3. Means of transport and route (as far as known)		4. For official use			
5. Item number	6. Marks and numbers of packages	7. Number and kind of packages, description of goods	8. Origin criterion (see notes overleaf)	9. Gross weight or other quantity	10. Number and date of invoices
11. Certification It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct. Place and date, signature and stamp of certifying authority		12. Declaration by the exporter The undersigned hereby declares that the above details and statements are correct; that all the goods were produced in (country) and that they comply with the origin requirements specified for those goods in the generalized system of preferences for goods exported to (importing country) Place and date, signature of authorized signatory			

▼ **M10****NOTES (1996)****I. Countries which accept Form A for the purposes of the generalized system of preferences (GSP):**

Australia*	Republic of Belarus	European Union:		
Canada	Republic of Bulgaria	Austria	Germany	Netherlands
Japan	Czech Republic	Belgium	Greece	Portugal
New Zealand**	Republic of Hungary	Denmark	Ireland	Spain
Norway	Republic of Poland	Finland	Italy	Sweden
Switzerland	Russian Federation	France	Luxembourg	United Kingdom
United States of America***	Slovakia			

Full details of the conditions covering admission to the GSP in these countries are obtainable from the designated authorities in the exporting preference-receiving countries or from the customs authorities of the preference-giving countries listed above. An information note is also obtainable from the UNCTAD secretariat.

II. General conditions

To qualify for preference, products must:

- (a) fall within a description of products eligible for preference in the country of destination. The description entered on the form must be sufficiently detailed to enable the products to be identified by the customs officer examining them;
- (b) comply with the rules of origin of the country of destination. Each article in a consignment must qualify separately in its own right; and,
- (c) comply with the consignment conditions specified by the country of destination. In general, products must be consigned direct from the country of exportation to the country of destination but most preference-giving countries accept passage through intermediate countries subject to certain conditions. (For Australia, direct consignment is not necessary.)

III. Entries to be made in Box 8

Preference products must either be wholly obtained in accordance with the rules of the country of destination or sufficiently worked or processed to fulfil the requirements of that country's origin rules.

- (a) Products wholly obtained: for export to all countries listed in Section I, enter the letter "P" in Box 8 (for Australia and New Zealand Box 8 may be left blank).
- (b) Products sufficiently worked or processed: for export to the countries specified below, the entry in Box 8 should be as follows:
 - (1) United States of America: for single country shipments, enter the letter "Y" in Box 8, for shipments from recognized associations of countries, enter the letter "Z", followed by the sum of the cost or value of the domestic materials and the direct cost of processing, expressed as a percentage of the ex-factory price of the exported products; (example "Y" 35 % or "Z" 35 %).
 - (2) Canada: for products which meet origin criteria from working or processing in more than one eligible least developed country, enter letter "G" in Box 8; otherwise "F".
 - (3) Japan, Norway, Switzerland and the European Union: enter the letter "W" in box 8 followed by the Harmonized Commodity Description and coding System (Harmonized System) heading at the 4-digit level of the exported product (example "W" 96.18).
 - (4) Bulgaria, Czech Republic, Hungary, Poland, the Russian Federation and Slovakia: for products which include value added in the exporting preference-receiving country, enter the letter "Y" in Box 8 followed by the value of imported materials and components expressed as a percentage of the fob price of the exported products (example "Y" 45 %); for products obtained in a preference-receiving country and worked or processed in one or more other such countries, enter "Pk".
 - (5) Australia and New Zealand: completion of Box 8 is not required. It is sufficient that a declaration be properly made in Box 12.

* For Australia, the main requirement is the exporter's declaration on the normal commercial invoice. Form A, accompanied by the normal commercial invoice, is an acceptable alternative, but official certification is not required.

** Official certification is not required.

*** The United States does not require GSP Form A. A declaration setting forth all pertinent detailed information concerning the production or manufacture of the merchandise is considered sufficient only if requested by the district collector of Customs.

▼ **M10**

1. Expéditeur (nom, adresse, pays de l'exportateur)		Référence n°			
2. Destinataire (nom, adresse, pays)		SYSTÈME GÉNÉRALISÉ DE PRÉFÉRENCES CERTIFICAT D'ORIGINE (Déclaration et certificat) FORMULE A			
		Délivré en (pays)			
		Voir notes au verso			
3. Moyen de transport et itinéraire (si connus)		4. Pour usage officiel			
5. N° d'ordre	6. Marques et numéros des colis	7. Nombre et type de colis; description des marchandises	8. Critère d'origine (voir notes au verso)	9. Poids brut ou quantité	10. N° et date de la facture
11. Certificat Il est certifié, sur la base du contrôle effectué, que la déclaration de l'exportateur est exacte.		12. Déclaration de l'exportateur Le soussigné déclare que les mentions et indications ci-dessus sont exactes, que toutes ces marchandises ont été produites en et qu'elles remplissent les conditions d'origine requises par le système généralisé de préférences pour être exportées à destination de (nom du pays importateur)			
..... Lieu et date, signature et timbre de l'autorité délivrant le certificat	 Lieu et date, signature du signataire habilité			

▼ **M10****NOTES (1996)****I. Pays qui acceptent la formule A aux fins du système généralisé de préférences (SGP):**

Australie*	Fédération de Russie	Union européenne:		
Canada	République de Bélarus	Allemagne	Finlande	Luxembourg
États-Unis d'Amérique***	République de Bulgarie	Autriche	France	Pays-Bas
Japon	République de Hongrie	Belgique	Grèce	Portugal
Norvège	République de Pologne	Danemark	Irlande	Royaume-Uni
Nouvelle-Zélande**	République tchèque	Espagne	Italie	Suède
Suisse	Slovaquie			

Des détails complets sur les conditions régissant l'admission au bénéfice du SGP dans ces pays peuvent être obtenus des autorités désignées par les pays exportateurs bénéficiaires ou de l'administration des douanes des pays donneurs qui figurent dans la liste ci-dessus. Une note d'information peut également être obtenue du secrétariat de la CNUCED.

II. Conditions générales

Pour être admis au bénéfice des préférences, les produits doivent:

- a) correspondre à la définition établie des produits pouvant bénéficier du régime de préférences dans le pays de destination. La description figurant sur la formule doit être suffisamment détaillée pour que les produits puissent être identifiés par l'agent des douanes qui les examine;
- b) satisfaire aux règles d'origine du pays de destination. Chacun des articles d'une même expédition doit répondre aux conditions prescrites
et
- c) satisfaire aux conditions d'expédition spécifiées par le pays de destination. En général, les produits doivent être expédiés directement du pays d'exportation au pays de destination; toutefois, la plupart des pays donneurs de préférences acceptent sous certaines conditions le passage par des pays intermédiaires (pour l'Australie, l'expédition directe n'est pas nécessaire).

III. Indications à porter dans la case 8

Pour bénéficier des préférences, les produits doivent avoir été, soit entièrement obtenus, soit suffisamment ouvrés ou transformés conformément aux règles d'origine des pays de destination.

- a) Produits entièrement obtenus: pour l'exportation vers tous les pays figurant dans la liste de la section I, il y a lieu d'inscrire la lettre "P" dans la case 8 (pour l'Australie et la Nouvelle-Zélande, la case 8 peut être laissée en blanc).
- b) Produits suffisamment ouvrés ou transformés: pour l'exportation vers les pays figurant ci-après, les indications à porter dans la case 8 doivent être les suivantes:
 1. États-Unis d'Amérique: dans le cas d'expédition provenant d'un seul pays, inscrire la lettre "Y" ou, dans le cas d'expéditions provenant d'un groupe de pays reconnu comme un seul, la lettre "Z", suivie de la somme du coût ou de la valeur des matières et du coût direct de la transformation, exprimée en pourcentage du prix départ usine des marchandises exportées (exemple: "Y" 35 % ou "Z" 35 %);
 2. Canada: il y a lieu d'inscrire dans la case 8 la lettre "G" pour les produits qui satisfont aux critères d'origine après ouvrison ou transformation dans plusieurs des pays les moins avancés; sinon, inscrire la lettre "F";
 3. Japon, Norvège, Suisse et Union européenne: inscrire dans la case 8 la lettre "W" suivie de la position tarifaire à quatre chiffres occupée par le produit exporté dans le Système harmonisé de désignation et de codification des marchandises (Système harmonisé) (exemple "W" 96.18);
 4. Bulgarie, Hongrie, Pologne, République tchèque, Fédération de Russie et Slovaquie: pour les produits avec valeur ajoutée dans le pays exportateur bénéficiaire de préférences, il y a lieu d'inscrire la lettre "Y" dans la case 8, en la faisant suivre de la valeur des matières et des composants importés, exprimée en pourcentage du prix fob des marchandises exportées (exemple: "Y" 45 %); pour les produits obtenus dans un pays bénéficiaire de préférences et ouvrés ou transformés dans un ou plusieurs autres pays bénéficiaires, il y a lieu d'inscrire les lettres "Pk" dans la case 8;
 5. Australie et Nouvelle-Zélande: il n'est pas nécessaire de remplir la case 8. Il suffit de faire une déclaration appropriée dans la case 12.

* Pour l'Australie, l'exigence de base est une attestation de l'exportateur sur la facture habituelle. La formule A, accompagnée de la facture habituelle, peut être acceptée en remplacement, mais une certification officielle n'est pas exigée.

** Un visa officiel n'est pas exigé.

*** Les États-Unis n'exigent pas de certificat SGP Formule A. Une déclaration reprenant toute information appropriée et détaillée concernant la production ou la fabrication de la marchandise est considérée comme suffisante, et doit être présentée uniquement à la demande du receveur des douanes du district (District Collector of Customs).

▼ **M10***ANNEX 18***Invoice declaration**

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

French version

L'exportateur des produits couverts par le présent document (autorisation (SIC! autorisation) douanière n° . . . ⁽¹⁾) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle . . . ⁽²⁾ au sens des règles d'origine du Système des préférences tarifaires généralisées de la Communauté européenne.

English version

The exporter of the products covered by this document (customs authorization No . . . ⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of . . . preferential origin ⁽²⁾ according to rules of origin of the Generalized System of Preferences of the European Community.

.....
(place and date) ⁽³⁾

.....
(Signature of the exporter; in addition the name of the person signing the declaration has to be indicated in clear script) ⁽⁴⁾

⁽¹⁾ When the invoice declaration is made out by an approved exporter within the meaning of Article 90a, the authorization number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated. When the invoice declaration relates, in whole or in part, to products originating in Ceuta and Melilla within the meaning of Article 96, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol "CM".

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ See Article 90 (5). In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.

▼M18**▼B**

*ANNEX 21***MOVEMENT CERTIFICATE EUR. 1 AND RELEVANT APPLICATIONS**

1. Movement certificate EUR. 1 shall be made out on the form of which a specimen appears in this Annex. This form shall be printed in one of the official languages of the Community. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State or territory. If they are handwritten, they shall be completed in ink and in capital letters.
2. Each certificate shall measure 210 × 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
3. The competent authorities of the exporting State or territory may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

▼ B

MOVEMENT CERTIFICATE

(1) If goods are not packed, indicate number of articles or states 'in bulk' as appropriate.

(*) Complete only where the regulations of the exporting country or territory require.

1. Exporter (Name, full address, country)		EUR. 1 No A 000.000	
		See notes overleaf before completing this form	
3. Consignee (Name, full address, country) (Optional)		2. Certificate used in preferential trade between and (Insert appropriate countries, groups of countries or territories)	
		4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination
6. Transport details (Optional)		7. Remarks	
8. Item number; Marks and numbers; Number and kind of packages (*) ; Description of goods.		9. (1) Gross mass (kg) or other measure (litres, m³, etc.)	10. Invoices (Optional)
		(Empty space for item details)	
11. CUSTOMS ENDORSEMENT Declaration certified Export document (*) Form No Customs office Issuing country or territory Date (Signature)		12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date (Signature)	

▼ B

13. REQUEST FOR VERIFICATION, to:	14. RESULT OF VERIFICATION,
<p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p>..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p>	<p>Verification carried out shows that this certificate (*)</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p> <p>(*) Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

▼ B

APPLICATION FOR A MOVEMENT CERTIFICATE

(*) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.	1. Exporter (Name, full address, country)		EUR.1 No A 000.000	
			See notes overleaf before completing this form	
	3. Consignee (Name, full address, country) (Optional)		2. Application for a certificate to be used in preferential trade between <p style="text-align: center;">and</p> (Insert appropriate countries, groups of countries or territories)	
		4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
6. Transport details (Optional)		7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages ('); Description of goods		9. ▶ ⁽¹⁾ Gross mass (kg) ◀ or other measure (litres, m ³ , etc.)	10. Invoices (Optional)	

▼B

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....
.....
.....
.....

SUBMIT the following supporting documents (1):

.....
.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

For example: Import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

▼ **M10***ANNEX 22***Invoice declaration**

The invoice declaration, the text of which is given below, must be made out in accordance with the footnotes. However, the footnotes do not have to be reproduced.

Spanish Version

El exportador de los productos incluidos en el presente documento (autorización aduanera nº . . . ⁽¹⁾) declara que, salvo indicación en sentido contrario, estos productos gozan de un origen preferencial . . . ⁽²⁾.

Danish Version

Eksportøren af varer, der er omfattet af nærværende dokument (toldmyndighedernes tilladelse nr. . . . ⁽¹⁾), erklærer, at varen, medmindre andet tydeligt er angivet, har præferenceoprindelse i . . . ⁽²⁾.

German Version

Der Ausführer (Ermächtigter Ausführer; Bewilligungs-Nr. . . . ⁽¹⁾) der Waren, auf die sich dieses Handelspapier bezieht, erklärt, daß diese Waren, soweit nicht anderes angegeben, präferenzbegünstigte . . . ⁽²⁾ Ursprungswaren sind.

Greek Version

Ο εξαγωγέας των προϊόντων που καλύπτονται από το παρόν έγγραφο (άδεια τελωνείου υπ' αριθ. . . . ⁽¹⁾) δηλώνει ότι, εκτός εάν δηλώνεται σαφώς άλλως, τα προϊόντα αυτά είναι προτιμησιακής καταγωγής . . . ⁽²⁾.

English Version

The exporter of the products covered by this document (customs authorization No . . . ⁽¹⁾) declares that, except where otherwise clearly indicated, these products are of . . . ⁽²⁾ preferential origin.

French Version

L'exportateur des produits couverts par le présent document (autorisation douanière n° . . . ⁽¹⁾) déclare que, sauf indication claire du contraire, ces produits ont l'origine préférentielle . . . ⁽²⁾.

Italian Version

L'esportatore delle merci contemplate nel presente documento (autorizzazione doganale n. . . . ⁽¹⁾) dichiara che, salvo indicazione contraria, le merci sono di origine preferenziale . . . ⁽²⁾.

Dutch Version

De exporteur van de goederen waarop dit document van toepassing is (douanevergunning nr. . . . ⁽¹⁾), verklaart dat, behoudens uitdrukkelijke andersluidende vermelding, deze goederen van preferentiële . . . oorsprong zijn ⁽²⁾.

Portugese Version

O abaixo assinado, exportador dos produtos cobertos pelo presente documento (autorização aduaneira nº . . . ⁽¹⁾), declara que, salvo expressamente indicado em contrário, estes produtos são de origem preferencial . . . ⁽²⁾.

Finnish Version

Tässä asiakirjassa mainittujen tuotteiden viejä (tullin lupan:o . . . ⁽¹⁾) ilmoittaa, että nämä tuotteet ovat, ellei toisin ole selvästi merkitty, etuuskohteluun oikeutettuja . . . alkuperätuotteita ⁽²⁾.

Swedish Version

Exportören av de varor som omfattas av detta dokument (tullmyndighetens tillstånd nr. . . . ⁽¹⁾) försäkrar att dessa varor, om inte annat tydligt markerats, har förmånsberättigande . . . ursprung ⁽²⁾.

▼ **M10**►⁽¹⁾ *Czech version*

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení ... (1)) prohlašuje, že kromě zřetelně označených, mají tyto výrobky preferenční původ v ... (2).

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliameti kinnitus nr ... (1)) deklareerib, et need tooted on ... (2) sooduspäritoluga, välja arvatud juhul kui on selgelt näidatud teisiti.

Latvian version

Eksportētājs produktiem, kuri ietverti šajā dokumentā (muitas pilnvara Nr. ... (1)), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir priekšrocību izcelsme no ... (2).

Lithuanian version

Šiame dokumente išvardintų prekių eksportuotojas (muitinės liudijimo Nr ... (1)) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra ... (2) preferencinės kilmės prekės.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: ... (1)) kijelentem, hogy eltérő jelzés hiányában az áruk kedvezményes ... (2) származásúak.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni tad-dwana nru. ... (1)) jiddikjara li, hlief fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali ... (2).

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych nr ... (1)) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają ... (2) preferencyjne pochodzenie.

Slovenian version

Izvoznik blaga, zajetega s tem dokumentom (pooblastilo carinskih organov št (1) izjavlja, da, razen če ni drugače jasno navedeno, ima to blago preferencialno (2) poreklo.

Slovak version

Vývozca výrobkov uvedených v tomto doklade (číslo povolenia ... (1)) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v ... (2). ◀

.....

(Place and date) ⁽³⁾

.....

(Signature of the exporter, in addition the name of the person signing the declaration has to be indicated in clear script) ⁽⁴⁾

⁽¹⁾ When the invoice declaration is made out by an approved exporter, the authorization number of the approved exporter must be entered in this space. When the invoice declaration is not made out by an approved exporter, the words in brackets shall be omitted or the space left blank.

⁽²⁾ Origin of products to be indicated. When the invoice declaration relates, in whole or in part, to products originating in Ceuta and Melilla, the exporter must clearly indicate them in the document on which the declaration is made out by means of the symbol "CM".

⁽³⁾ These indications may be omitted if the information is contained on the document itself.

⁽⁴⁾ See Article 117 (5). In cases where the exporter is not required to sign, the exemption of signature also implies the exemption of the name of the signatory.



ANNEX 23

INTERPRETATIVE NOTES ON CUSTOMS VALUE

First column	Second column
Reference to provisions of the Customs Code	Notes
Article 29 (1)	<p>The price actually paid or payable refers to the price for the imported goods. Thus the flow of dividends or other payments from the buyer to the seller that do not relate to the imported goods are not part of the customs value.</p>
Article 29 (1) (a), third indent	<p>An example of such restriction would be the case where a seller requires a buyer of automobiles not to sell or exhibit them prior to a fixed date which represents the beginning of a model year.</p>
Article 29 (1) (b)	<p>Some examples of this include:</p> <ul style="list-style-type: none"> (a) the seller establishes the price of the imported goods on condition that the buyer will also buy other goods in specified quantities (SIC! quantities); (b) the price of the import goods is dependent upon the price or prices at which the buyer of the imported goods sells other goods to the seller of the imported goods; (c) the price is established on the basis of a form of payment extraneous to the imported goods, such as where the imported goods are semi-finished goods which have been provided by the seller on condition that he will receive a specified quantity of the finished goods. <p>However, conditions or considerations relating to the production or marketing of the imported goods shall not result in rejection of the transaction value. For example, the fact that the buyer furnishes the seller with engineering and plans undertaken in the country of importation shall not result in rejection of the transaction value for the purposes of Article 29 (1).</p>
Article 29 (2)	<ol style="list-style-type: none"> 1. Paragraphs 2 (a) and (b) provide different means of establishing the acceptability of a transaction value. 2. Paragraph 2 (a) provides that where the buyer and the seller are related, the circumstances surrounding the sale shall be examined and the transaction value shall be accepted as the customs value provided that the relationship did not influence the price. It is not intended that there should be an examination of the circumstances in all cases where the buyer and the seller are related. Such examination will only be required where there are doubts about the acceptability of the price. Where the customs authorities have no doubts about the acceptability of the price, it should be accepted without requesting further information from the declarant. For example, the customs authorities may have previously examined the relationship, or it may already have detailed information concerning the buyer and the seller, and may already be satisfied from such examination or information that the relationship did not influence the price. 3. Where the customs authorities are unable to accept the transaction value without further inquiry, they should give the declarant an opportunity to supply such further detailed information as may be necessary to enable it to examine the circumstances surrounding the sale, in this context, the customs authorities should be prepared to examine relevant aspects of the transaction, including the way in which the buyer and seller organize their commercial relations and the way in which the price in question was arrived at, in order to determine whether the relationship influenced the price. Where it can be shown that the buyer and seller, although related under the provisions of Article 143 of this Regulation, buy from and sell to each other as if they were not related, this would demonstrate that the price had not been influenced by the relationship. As an example of this, if the price had been settled in a manner consistent with the normal pricing practices of the industry in question or with the way the seller settles prices for sales to buyers who are not related to him, this would demonstrate that the price had not been influenced by the relationship. As a further example, where it is shown that the price is adequate to ensure recovery of all costs plus a profit which is representative of the firm's overall profit realized over

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Reference to provisions of the Customs Code	Notes
	<p>a representative period of time (e.g. on an annual basis) in sales of goods of the same class or kind, this would demonstrate that the price had not been influenced.</p> <p>4. Paragraph 2 (b) provides an opportunity for the declarant to demonstrate that the transaction value closely approximates to a 'test' value previously accepted by the customs authorities and is therefore acceptable under the provisions of Article 29. Where a test under paragraph 2 (b) is met, it is not necessary to examine the question of influence under paragraph 2 (a). If the customs authorities already have sufficient information to be satisfied, without further detailed inquiries, that one of the tests provided in paragraph 2 (b) has been met, there is no reason for them to require the declarant to demonstrate that the test can be met.</p>
Article 29 (2) (b)	<p>A number of factors must be taken into consideration in determining whether one value 'closely approximates' to another value. These factors include the nature of the imported goods, the nature of the industry itself, the season in which the goods are imported, and, whether the difference in values is commercially significant. Since these factors may vary from case to case, it would be impossible to apply a uniform standard such as a fixed percentage, in each case. For example, a small difference in value in a case involving one type of goods could be unacceptable while a large difference in a case involving another type of goods might be acceptable in determining whether the transaction value closely approximates to the 'test' values set forth in Article 29 (2) (b).</p>
Article 29 (3) (a)	<p>An example of an indirect payment would be the settlement by the buyer, whether in whole or in part, of a debt owed by the seller.</p>
Article 30 (2) (a) Article 30 (2) (b)	<p>1. In applying these provisions, the customs authorities shall, where possible, use a sale of identical or similar goods, as appropriate, at the same commercial level and in substantially the same quantity as the goods being valued. Where no such sale is found, a sale of identical or similar goods, as appropriate, that takes place under any one of the following three conditions may be used:</p> <ul style="list-style-type: none"> (a) a sale at the same commercial level but in a different quantity; (b) a sale at a different commercial level but in substantially the same quantity; or (c) a sale at a different commercial level and in a different quantity. <p>2. Having found a sale under any one of these three conditions adjustments will then be made, as the case may be, for:</p> <ul style="list-style-type: none"> (a) quantity factors only; (b) commercial (SIC! commercial) level factors only; or (c) both commercial level and quantity factors. <p>►C1 ——— ◀</p> <p>4. A condition for adjustment because of different commercial levels or different quantities is that such adjustment, whether it leads to an increase or a decrease in the value, be made only on the basis of demonstrated evidence that clearly establishes the reasonableness and accuracy of the adjustment, e.g. valid price lists containing prices referring to different levels or different quantities. As an example of this, if the imported goods being valued consist of a shipment of 10 units and the only identical or similar imported goods, as appropriate, for which a transaction value exists involved a sale of 500 units, and it is recognized that the seller grants quantity discounts, the required adjustment may be accomplished by resorting to the seller's price list and using that price applicable to a sale of 10 units. This does not require that a sale had to have been made in quantities of 10 as long as the price list has been established as being bona fide through sales at other quantities. In the absence of such an objective measure, however, the determination of a customs value under the provisions of Article 30 (2) (a) and (b) is not appropriate.</p>
Article 30 (2) (d)	<p>1. As a general rule, customs value is determined under these provisions on the basis of information readily available in the Community. In order to determine a computed value, however, it may be necessary to examine the cost of producing the goods being valued and other information which has to be obtained from outside the Community. Further-</p>



Reference to provisions of the Customs Code	Notes
	<p>more, in most cases the producer of the goods will be outside the jurisdiction of the authorities of the Member States. The use of the computed value method will generally be limited to those cases where the buyer and seller are related, and the producer is prepared to supply to the authorities of the country of importation the necessary costings and to provide facilities for any subsequent verification which may be necessary.</p> <ol style="list-style-type: none"> 2. The 'cost or value' referred to in Article 30 (2) (d), first indent, is to be determined on the basis of information relating to the production of the goods being valued supplied by or on behalf of the producer. It is to be based upon the commercial accounts of the producer, provided that such accounts are consistent with the generally accepted accounting principles applied in the country where the goods are produced. 3. The 'amount for profit and general expenses' referred to in Article 30 (2) d), second indent, is to be determined on the basis of information supplied by or on behalf of the producer unless his figures are inconsistent with those usually reflected in sales of goods of the same class or kind as the goods being valued which are made by producers in the country of exportation for export to the country of importation. 4. No cost or value of the elements referred to in this Article shall be counted twice in determining the computed value. 5. It should be noted in this context that the 'amount for profit and general expenses' has to be taken as a whole. It follows that if, in any particular case, the producer's profit figure is low and his general expenses are high, his profit and general expenses taken together may nevertheless be consistent with that usually reflected in sales of goods of the same class or kind. Such a situation might occur, for example, if a product were being launched in the Community and the producer accepted a nil or low profit to offset high general expenses associated with the launch. Where the producer can demonstrate that he is taking a low profit on his sales of the imported goods because of particular commercial circumstances, his actual profit figures should be taken into account provided that he has valid commercial reasons to justify them and his pricing policy reflects usual pricing policies in the branch of industry concerned. Such a situation might occur, for example, where producers have been forced to lower prices temporarily because of an unforeseeable drop in demand, or where they sell goods to complement a range of goods being produced in the country of importation and accept a low profit to maintain competitiveness (SIC! competitiveness). Where the producer's own figures for profit and general expenses are not consistent with those usually reflected in sales of goods of the same class or kind as the goods being valued which are made by producers in the country of exportation for export to the country of importation, the amount for profit and general expenses may be based upon relevant information other than that supplied by or on behalf of the producer of the goods. 6. Whether certain goods are 'of the same class or kind' as other goods must be determined on a case-by-case basis with reference to the circumstances involved. In determining the usual profits and general expenses under the provisions of Article 30 (2) (d), sales for export to the country of importation of the narrowest group or range of goods, which includes the goods being valued, for which the necessary information can be provided, should be examined. For the purposes of Article 30 (2) (d), 'goods of the same class or kind' must be from the same country as the goods being valued.
Article 31 (1)	<ol style="list-style-type: none"> 1. Customs values determined under the provisions of Article 31 (1) should, to the greatest extent possible, be based on previously determined customs values. 2. The methods of valuation to be employed under Article 31 (1) should be those laid down in Articles 29 and 30 (2), but a reasonable flexibility in the application of such methods would be in conformity with the aims and provisions of Article 31 (1). 3. Some examples of reasonable flexibility are as follows: <ol style="list-style-type: none"> (a) <i>identical goods</i> — the requirement that the identical goods should be exported at or about the same time as the goods being valued could be flexibly interpreted; identical imported goods produced in a country other than the country of exportation of the goods being valued could be the basis for customs valuation; customs values of identical imported goods already determined under the

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Reference to provisions of the Customs Code	Notes
	<p>provisions of Articles 30 (2) (c) and (d) could be used;</p> <p>(b) <i>similar goods</i> — the requirement that the similar goods should be exported at or about the same time as the goods being valued could be flexibly interpreted; similar imported goods produced in a country other than the country of exportation of the goods being valued could be the basis for customs valuation; customs values of similar imported goods already determined under the provisions of Articles 30 (2) (c) and (d) could be used;</p> <p>(c) <i>deductive method</i> — the requirement that the goods shall have been sold in the ‘condition as imported’ in Article 152 (1) (a) of this Regulation could be flexibly interpreted; the ‘90 days’ requirement could be administered flexibly.</p>
Article 32 (1) (b) (ii)	<ol style="list-style-type: none"> 1. There are two factors involved in the apportionment of the elements specified in Article 32 (1) (b) (ii) to the imported goods — the value of the element itself and the way in which that value is to be apportioned to the imported goods. The apportionment of these elements should be made in reasonable manner appropriate to the circumstances and in accordance with generally accepted accounting principles. 2. Concerning the value of the element, if the buyer acquires the element from a seller not related to him at a given cost, the value of the element is that cost. If the element was produced by the buyer or by a person related to him, its value would be the cost of producing it. If the element had been previously used by the buyer, regardless of whether it had been acquired or produced by him, the original cost of acquisition or production would have to be adjusted downwards to reflect its use in order to arrive at the value of the element. 3. Once a value has been determined for the element, it is necessary to apportion that value to the imported goods. Various possibilities exist. For example, the value might be apportioned to the first shipment, if the buyer wishes to pay duty on the entire value at one time. As another example, he may request that the value be apportioned over the number of units produced up to the time of the first shipment. As a further example, he may request that the value be apportioned over the entire anticipated production where contracts or firm commitments exist for that production. The method of apportionment used will depend upon the documentation provided by the buyer. 4. As an illustration of the above, a buyer provides the producer with a mould to be used in the production of the imported goods and contracts with him to buy 10 000 units. By the time of arrival of the first shipment of 1 000 units, the producer has already produced 4 000 units. The buyer may request the customs authorities to apportion the value of the mould over 1 000, 4 000 or 10 000 units.
Article 32 (1) (b) (iv)	<ol style="list-style-type: none"> 1. Additions for the elements specified in Article 32 (1) (b) (iv) should be based on objective and quantifiable data. In order to minimize the burden for both the declarant and customs authorities in determining the values to be added, data readily available in the buyer's commercial record system should be used insofar as possible. 2. For those elements supplied by the buyer which were purchased or leased by the buyer, the addition would be the cost of the purchase or the lease. No addition shall be made for those elements available in the public domain, other than the cost of obtaining copies of them. 3. The ease with which it may be possible to calculate the values to be added will depend on a particular firm's structure and management practice, as well as its accounting methods. 4. For example, it is possible that a firm which imports a variety of products from several countries maintains the records of its design centre outside the country of importation in such a way as to show accurately the costs attributable to a given product. In such cases, a direct adjustment may appropriately be made under the provisions of Article 32. 5. In another case, a firm may carry the cost of the design centre outside the country of importation as a general overhead expense without allocation to specific products. In this instance, an appropriate adjustment could be made under the provisions of Article 32 with respect to the imported goods by apportioning total design centre costs over total production benefiting from the design centre and adding such apportioned cost on a unit basis to imports.

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Reference to provisions of the Customs Code	Notes
	<p>6. Variations in the above circumstances will, of course, require different factors to be considered in determining the proper method of allocation.</p> <p>7. In cases where the production of the element in question involves a number of countries and over a period of time, the adjustment should be limited to the value actually added to that element outside the Community.</p>
Article 32 (1) (c)	The royalties and licence fees referred to in Article 32 (1) (c) may include, among other things, payments in respect to patents, trademarks and copyrights.
Article 32 (2)	Where objective and quantifiable data do not exist with regard to the additions required to be made under the provisions of Article 32, the transaction value cannot be determined under the provisions of Article 29. As an illustration of this, a royalty is paid on the basis of the price in a sale in the importing country of a litre of a particular product that was imported by the kilogram and made up into a solution after importation. If the royalty is based partially on the imported goods and partially on other factors which have nothing to do with the imported goods (such as when the imported goods are mixed with domestic ingredients and are no longer separately identifiable, or when the royalty cannot be distinguished from special financial arrangements between the buyer and the seller), it would be inappropriate to attempt to make an addition for the royalty. However, if the amount of this royalty is based only on the imported goods and can be readily quantified, an addition to the price actually paid or payable can be made.

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First column	Second column
► <u>C1</u> Reference to provisions of the Customs Code Implementing Provisions ◀	► <u>C1</u> Notes ◀
Article 143 (1) (e)	One person shall be deemed to control another when the former is legally or operationally in a position to exercise restraint or direction over the latter.

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Article 150 (1) Article 151 (1)	The expression 'and/or' allows the flexibility to use the sales and make the necessary adjustments in any one of the three conditions described in paragraph 1 of the interpretative note to Articles 30 (2) (a) and (b)
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Article 152 (1) (a) (i)	<ol style="list-style-type: none"> The words 'profit and general expenses' should be taken as a whole. The figure for the purposes of this deduction should be determined on the basis of information supplied by the declarant unless his figures are inconsistent with those obtaining in sales in the country of importation of imported goods of the same class or kind. Where the declarant's figures are inconsistent with such figures, the amount for profit and general expenses may be based upon relevant information other than that supplied by the declarant. In determining either the commissions or the usual profits and general expenses under this provision, the question whether certain goods are of the same class or kind as other goods must be determined on a case-by-case basis by reference to the circumstances involved. Sales in the country of importation of the narrowest group or range of imported goods of the same class or kind, which includes the goods being valued, for which the necessary information can be provided, should be examined. For the purposes of this provision, 'goods of the same class or kind' includes goods imported from the same country as the goods being valued as well as goods imported from other countries. 																
Article 152 (2)	<ol style="list-style-type: none"> Where this method of valuation is used, deductions made for the value added by further processing shall be based on objective and quantifiable data relating to the cost of such work. Accepted industry formulas, recipes, methods of construction, and other industry practices would form the basis of the calculations. This method of valuation would normally not be applicable when, as a result of the further processing, the imported goods lose their identity. However, there can be instances where, although the identity of the imported goods is lost, the value added by the processing can be determined accurately without unreasonable difficulty. On the other hand, there can also be instances where the imported goods maintain their identity but form such a minor element in the goods sold in the country of importation that the use of this valuation method would be unjustified. In view of the above, each situation of this type must be considered on a case-by-case basis. 																
Article 152 (3)	<ol style="list-style-type: none"> As an example of this, goods are sold from a price list which grants favourable unit prices for purchases made in larger quantities. <table border="1" data-bbox="580 1648 1254 1984"> <thead> <tr> <th>Sale quantity</th> <th>Unit price</th> <th>Number of sales</th> <th>Total quantity sold at each price</th> </tr> </thead> <tbody> <tr> <td>1 to 10 units</td> <td>100</td> <td>10 sales of 5 units Five sales of 3 units</td> <td>65</td> </tr> <tr> <td>11 to 25 units</td> <td>95</td> <td>Five sales of 11 units</td> <td>55</td> </tr> <tr> <td>Over 25 units</td> <td>90</td> <td>One sale of 30 units One sale of 50 units</td> <td>80</td> </tr> </tbody> </table> <p>The greatest number of units sold at a price is 80; therefore, the unit price in the greatest aggregate quantity is 90.</p> As another example of this, two sales occur. In the first sale 500 units are sold at a price of 95 currency units each. In the second sale 400 	Sale quantity	Unit price	Number of sales	Total quantity sold at each price	1 to 10 units	100	10 sales of 5 units Five sales of 3 units	65	11 to 25 units	95	Five sales of 11 units	55	Over 25 units	90	One sale of 30 units One sale of 50 units	80
Sale quantity	Unit price	Number of sales	Total quantity sold at each price														
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11 to 25 units	95	Five sales of 11 units	55														
Over 25 units	90	One sale of 30 units One sale of 50 units	80														

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► C1 Reference to provisions of the Customs Code Implementing Provisions ◀	► C1 Notes ◀																										
	<p>units are sold at a price of 90 currency units each. In this example, the greatest number of units sold at a particular price is 500; therefore, the unit price in the greatest aggregate quantity is 95.</p> <p>3. A third example would be the following situation where various quantities are sold at various prices</p> <p>(a) Sales</p> <table data-bbox="614 517 1182 730"> <thead> <tr> <th><i>Sale quantity</i></th> <th><i>Unit price</i></th> </tr> </thead> <tbody> <tr> <td>40 units</td> <td>100</td> </tr> <tr> <td>30 units</td> <td>90</td> </tr> <tr> <td>15 units</td> <td>100</td> </tr> <tr> <td>50 units</td> <td>95</td> </tr> <tr> <td>25 units</td> <td>105</td> </tr> <tr> <td>35 units</td> <td>90</td> </tr> <tr> <td>5 units</td> <td>100</td> </tr> </tbody> </table> <p>(b) Total</p> <table data-bbox="614 779 1182 913"> <thead> <tr> <th><i>Total quantity sold</i></th> <th><i>Unit price</i></th> </tr> </thead> <tbody> <tr> <td>65</td> <td>90</td> </tr> <tr> <td>50</td> <td>95</td> </tr> <tr> <td>60</td> <td>100</td> </tr> <tr> <td>25</td> <td>105</td> </tr> </tbody> </table> <p>In this example, the greatest number of units sold at a particular price is 65; therefore, the unit price in the greatest aggregate quantity is 90.</p>	<i>Sale quantity</i>	<i>Unit price</i>	40 units	100	30 units	90	15 units	100	50 units	95	25 units	105	35 units	90	5 units	100	<i>Total quantity sold</i>	<i>Unit price</i>	65	90	50	95	60	100	25	105
<i>Sale quantity</i>	<i>Unit price</i>																										
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65	90																										
50	95																										
60	100																										
25	105																										

*ANNEX 24***APPLICATION OF GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR THE DETERMINATION OF CUSTOMS VALUE**

1. 'Generally accepted accounting principles' refers to the recognized consensus or substantial authoritative support within a country at a particular time as to which economic resources and obligations should be recorded as assets and liabilities, which changes in assets and liabilities should be recorded, how the assets and liabilities and changes in them should be measured, what information should be disclosed and how it should be disclosed, and which financial statements should be prepared. These standards may be broad guidelines of general application as well as detailed practices and procedures.
2. For the purposes of the application of the customs valuation provisions, the customs administration concerned shall utilize information prepared in a manner consistent with generally accepted accounting principles in the country which is appropriate for the Article in question. For example, the determination of usual profit and general expenses under the provisions of Article 152 (1) (a) (i) of this Regulation would be carried out utilizing information prepared in a manner consistent with generally accepted accounting principles of the country of importation. On the other hand, the determination of usual profit and general expenses under the provisions of Article 30 (2) (d) of the Code would be carried out utilizing information prepared in a manner consistent with generally accepted accounting principles of the country of production. As a further example, the determination of an element provided for in Article 32 (1) (b) (ii) of the Code undertaken in the country of importation would be carried out utilizing information in a manner consistent with the generally accepted accounting principles of that country.

▼ **M22***ANNEX 25***AIR TRANSPORT COSTS TO BE INCLUDED IN THE CUSTOMS VALUE**

1. The following table shows:
 - (a) third countries listed by continents and zones ⁽¹⁾ (column 1).
 - (b) the percentages which represent the part of the air transport costs from a given third country to the EC to be included in the customs value (column 2).
2. When goods are shipped from countries or from airports not included in the following table, other than the airports referred to in paragraph 3, the percentage given for the airport nearest to that of departure shall be taken.
3. As regards the French overseas departments of Guadeloupe, Guyana, Martinique and Reunion, of which territories the airports are not included in the table, the following rules shall apply:
 - (a) for goods shipped direct to those departments from third countries, the whole of the air transport cost is to be included in the customs value;
 - (b) for goods shipped to the European part of the Community from third countries and transhipped or unloaded in one of those departments, only the air transport costs which would have been incurred for carrying the goods only as far as the place of transhipment or unloading are to be included in the customs value;
 - (c) for goods shipped to those departments from third countries and transhipped or unloaded in an airport in the European part of the Community, the air transport costs to be included in the customs value are those which result from the application of the percentages given in the following table to the costs which would have been incurred for carrying the goods from the airport of departure to the airport of transhipment or unloading.

The transhipment or unloading shall be certified by an appropriate endorsement by the customs authorities on the air waybill or other air transport document, with the official stamp of the office concerned; failing this certification the provisions of the last subparagraph of Article 163(6) of this Regulation shall apply.

⁽¹⁾ The percentages are valid for all airports in a given country unless specific airports of departure are indicated.

▼ **M22**

1	2
Zone (country) of departure (third country)	Percentages of the air transport costs to be included in the customs value for zone of arrival EC
America	
<p><i>Zone A</i></p> <p>Canada: Gander, Halifax, Moncton, Montreal, Ottawa, Quebec, Toronto, (other airports see zone B)</p> <p>Greenland</p> <p>United States of America: Akron, Albany, Atlanta, Baltimore, Boston, Buffalo, Charleston, Chicago, Cincinnati, Columbus, Detroit, Indianapolis, Jacksonville, Kansas City, Lexington, Louisville, Memphis, Milwaukee, Minneapolis, Nashville, New Orleans, New York, Philadelphia, Pittsburgh, St Louis, Washington DC, (other airports see zones B and C)</p>	70
<p><i>Zone B</i></p> <p>Canada: Edmonton, Vancouver, Winnipeg, (other airports see zone A)</p> <p>United States of America: Albuquerque, Austin, Billings, Dallas, Denver, Houston, Las Vegas, Los Angeles, Miami, Oklahoma, Phoenix, Portland, Puerto Rico, Salt Lake City, San Francisco, Seattle, (other airports see zones A and C)</p> <p>Central America (all countries)</p> <p>South America (all countries)</p>	78
<p><i>Zone C</i></p> <p>United States of America: Anchorage, Fairbanks, Honolulu, Juneau, (other airports see zones A and B)</p>	89
Africa	
<p><i>Zone D</i></p> <p>Algeria, Egypt, Libya, Morocco, Tunisia</p>	33
<p><i>Zone E</i></p> <p>Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Côte d'Ivoire, Djibouti, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, Sudan, Togo</p>	50
<p><i>Zone F</i></p> <p>Burundi, Democratic Republic of Congo, Congo (Brazzaville), Equatorial Guinea, Gabon, Kenya, Rwanda, São Tomé and Príncipe, Seychelles, Somalia, St. Helena, Tanzania, Uganda</p>	61

▼ **M22**

1	2
Zone (country) of departure (third country)	Percentages of the air transport costs to be included in the customs value for zone of arrival EC
<i>Zone G</i> Angola, Botswana, Comoros, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Republic of South Africa, Swaziland, Zambia, Zimbabwe	74
Asia	
<i>Zone H</i> Armenia, Azerbaijan, Georgia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Syria	27
<i>Zone I</i> Bahrain, Muscat and Oman, Qatar, Saudi Arabia, United Arab Emirates, Yemen (Arab Republic)	43
<i>Zone J</i> Afghanistan, Bangladesh, Bhutan, India, Nepal, Pakistan.	46
<i>Zone K</i> Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Russia: Novosibirsk, Omsk, Perm, Sverdlovsk, (other airports see zones L, M, and O)	57
<i>Zone L</i> Brunei, China, Indonesia, Kampuchea, Laos, Macao, Malaysia, Maldives, Mongolia, Myanmar, Philippines, Singapore, Sri Lanka, Taiwan, Thailand, Vietnam Russia: Irkutsk, Kirensk, Krasnoyarsk, (other airports see zones K, M and O)	70
<i>Zone M</i> Japan, Korea (North), Korea (South) Russia: Khabarovsk, Vladivostok, (other airports see zones K, L and O)	83
Australia and Oceania	
<i>Zone N</i> Australia and Oceania	79
Europe	
<i>Zone O</i> Iceland, Russia: Gorky, Kuibishev, Moscow, Orel, Rostov, Volgograd, Voronej, (other airports see zones K, L and M), Ukraine	30
<i>Zone P</i> Albania, Belarus, Bosnia-Herzegovina, Bulgaria, Faroe Islands, Former Yugoslav Republic of Macedonia, Moldova, Norway, Romania, Serbia and Montenegro, Turkey	15

▼ M22

1	2
Zone (country) of departure (third country)	Percentages of the air transport costs to be included in the customs value for zone of arrival EC
<i>Zone Q</i> Croatia, Switzerland	5

▼ **M6**

ANNEX 26

CLASSIFICATION OF GOODS SUBJECT TO UNIT VALUES

Code	Description
	Species, varieties, CN code
1.10	New potatoes ▶ M18 0701 90 50 ◀
1.30	Onions (other than seed) 0703 10 19
1.40	Garlic 0703 20 00
1.50	Leeks ex 0703 90 00
1.60	Cauliflowers ▶ M18 0704 10 00 ◀
▼ M18	
▼ M6	
1.80	White cabbages and red cabbages 0704 90 10
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90
1.100	Chinese cabbage ex 0704 90 90
1.110	Cabbage lettuce (head lettuce) ▶ M18 0705 11 00 ◀
▼ M18	
▼ M6	
1.130	Carrots ex 0706 10 00
1.140	Radishes ex 0706 90 90
1.160	Peas (<i>Pisum sativum</i>) ▶ M18 0708 10 00 ◀
1.170	Beans:
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ▶ M18 ex 0708 20 00 ◀
1.170.2	▶ C3 Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ◀ ▶ M18 ex 0708 20 00 ◀
1.180	Broad beans ex 0708 90 00
1.190	Globe artichokes ▶ M18 0709 10 00 ◀

▼ **M6**

Code	Description
	Species, varieties, CN code
1.200	Asparagus:
1.200.1	— green ex 0709 20 00
1.200.2	— other ex 0709 20 00
1.210	Aubergines (eggplants) 0709 30 00
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>duke</i> (Mill.) Pers.) ex 0709 40 00
1.230	Chantarelles 0709 51 30
1.240	Sweet peppers 0709 60 10

▼ **M18**▼ **M6**

1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00
2.30	Pineapples, fresh ex 0804 30 00
2.40	Avocados, fresh ► M18 ex 0804 40 00 ◀
2.50	Guavas and mangoes, fresh ex 0804 50 00
2.60	Sweet oranges, fresh:
2.60.1	— Sanguines and semi-sanguines ► M18 0805 10 10 ◀
2.60.2	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins ► M18 0805 10 30 ◀
2.60.3	— Others ► M18 0805 10 50 ◀
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:
2.70.1	— Clementines ► M18 ex 0805 20 10 ◀
2.70.2	— Monreales and Satsumas ► M18 ex 0805 20 30 ◀
2.70.3	— Mandarines (SIC! Mandarins) and wilkings ► M18 ex 0805 20 50 ◀
2.70.4	— Tangerines and others ► M18 ex 0805 20 70 ex 0805 20 90 ◀

▼ **M6**

Code	Description
	Species, varieties, CN code
2.85	<p>► M18 Limes (<i>Citrus aurantifolia</i>, <i>Citrus latifolia</i>), fresh ◀</p> <p>► M18 ex 0805 30 90 ex 0805 90 00 ◀</p>
2.90	Grapefruit, fresh:
2.90.1	— white ► M18 ex 0805 40 00 ◀
2.90.2	— pink ► M18 ex 0805 40 00 ◀
2.100	Table grapes ► M18 0806 10 10 ◀
2.110	Water melons ► M18 0807 11 00 ◀
2.120	Melons (other than water melons):
2.120.1	— Amarillo, Cuper, Honey Dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro ► M18 ex 0807 19 00 ◀
2.120.2	— other ► M18 ex 0807 19 00 ◀
2.140	Pears
2.140.1	► M18 Pears — Nashi (<i>Pyrus pyrifolia</i>), Ya (<i>Pyrus Bretschneideri</i>) ◀ ► M18 ex 0808 20 50 ◀
2.140.2	Other ► M18 ex 0808 20 50 ◀
2.150	Apricots ► M18 0809 10 00 ◀
2.160	Cherries ► M18 0809 20 05 0809 20 95 ◀
2.170	Peaches ► M18 0809 30 90 ◀
2.180	Nectarines ► M18 ex 0809 30 10 ◀
2.190	Plums ► M18 0809 40 05 ◀
2.200	Strawberries ► M18 0810 10 00 ◀
2.205	Raspberries ► M18 0810 20 10 ◀
2.210	Fruit of the species (<i>Vaccinium myrtillus</i>) 0810 40 30
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) ► M18 0810 50 00 ◀

▼ **M6**

Code	Description
	Species, varieties, CN code
2.230	Pomegranates ex 0810 90 85
2.240	Khakis (including <i>Sharon fruit</i>) ex 0810 90 85
2.250	Lychees ex 0810 90 30

ANNEX 27

MARKETING CENTRES FOR THE PURPOSE OF CALCULATING UNIT PRICES BY CLASSIFICATION HEADING

Head- ing	CN code	Belgi- um	Germany				Gree- ce	Spain	France				Italy	Neth- erlan- ds	Austr- ia	United King- dom
		Brussels	Cologne	Frankfurt	Hamburg	Munich	Athens	Barcelona	Le Havre	Marseille	Perpignan	Rungis	Milan	Rotterdam	Vienna	London
1.10	0701 90 50	X			X				X				X	X	X	
1.30	0703 10 19	X	X			X			X				X	X	X	
1.40	0703 20 00	X		X			X		X			X	X	X	X	
1.50	ex 0703 90 00	X				X							X	X	X	
1.60	0704 10 00	X	X												X	
1.80	0704 90 10					X							X		X	
1.90	ex 0704 90 90 (Broccoli)			X									X		X	
1.100	ex 0704 90 90 (Chinese cabbage)	X		X		X							X		X	
1.110	0705 11 00			X									X			
1.130	ex 0706 10 00	X	X										X		X	
1.140	ex 0706 90 90			X									X		X	
1.160	0708 10 00	X	X										X		X	
1.170.1	ex 0708 20 00	X	X										X		X	

Head- ing	CN code	Belgi- um				Germany				Gree- ce	Spain	France				Italy	Neth- erlan- ds	Austr- ia	United King- dom
		Brussels	Cologne	Frankfurt	Hamburg	Munich	Athens	Barcelona	Le Havre	Marseille	Perpignan	Rungis	Milan	Rotterdam	Vienna	London			
1.170.2	ex 0708 20 00 (<i>vulgaris</i> var. <i>Compressus</i> <i>savi</i>)	X	X	X		X									X		X		
1.180	ex 0708 90 00	X	X	X											X		X		
1.190	0709 10 00	X		X										X	X			X	
1.200.1	ex 0709 20 00 (Green aspar- agus)	X	X		X						X			X	X			X	
1.200.2	ex 0709 20 00 (Other aspar- agus)	X	X	X		X								X	X		X		
1.210	0709 30 00	X		X		X								X	X		X		
1.220	ex 0709 40 00	X							X					X	X			X	
1.230	0709 51 30					X									X		X		
1.240	0709 60 10	X		X		X			X	X			X	X	X		X	X	
1.270	0714 20 10	X	X	X						X			X	X	X				
2.10	ex 0802 40 00	X		X									X	X	X				
2.30	ex 0804 30 00	X		X							X				X		X	X	
2.40	ex 0804 40 00	X									X		X	X	X			X	
2.50	ex 0804 50 00	X									X				X			X	

Head- ing	CN code	Belgi- um				Germany				Gree- ce	Spain	France				Italy	Neth- erlan- ds	Austri- a	United King- dom
		Brussels	Cologne	Frankfurt	Hamburg	Munich	Athens	Barcelona	Le Havre			Marseille	Perpignan	Rungis	Milan				
2.60.1	0805 10 10	X	X		X							X	X	X	X			X	
2.60.2	0805 10 30	X	X		X	X					X	X	X	X	X		X	X	
2.60.3	0805 10 50	X	X		X	X						X	X	X	X			X	
2.70.1	ex 0805 20 10	X	X	X							X	X	X	X	X			X	
2.70.2	ex 0805 20 30	X	X	X								X	X	X	X			X	
2.70.3	ex 0805 20 50	X	X	X								X	X	X	X			X	
2.70.4	ex 0805 20 70 ex 0805 20 90	X			X	X							X	X	X			X	
2.85	ex 0805 30 90 ex 0805 90 00 (<i>Citrus aurantifolia</i> , <i>Citrus latti- folia</i>)	X			X	X					X				X				
2.90.1	ex 0805 40 00 (Grapefruit, white)	X			X	X					X	X	X	X	X			X	
2.90.2	ex 0805 40 00 (Grapefruit pink)	X			X	X						X	X	X	X			X	
2.100	0806 10 10	X	X	X											X			X	
2.110	0807 11 00	X	X	X														X	

Head- ing	CN code	Belgi- um	Germany				Gree- ce	Spain	France				Italy	Neth- erlan- ds	Austr- ia	United King- dom
		Brussels	Cologne	Frankfurt	Hamburg	Munich	Athens	Barcelona	Le Havre	Marseille	Perpignan	Rungis	Milan	Rotterdam	Vienna	London
2.120.1	ex 0807 19 00 (Melons: Amarillo, etc.)	X	X								X	X	X	X	X	
2.120.2	ex 0807 19 00 (Melons: others)	X	X								X	X	X	X	X	
2.140.1	ex 0808 20 50 (Pears: Nashi and Ya)	X	X	X	X	X									X	X
2.140.2	ex 0808 20 50 (Pears: other)	X	X	X	X	X		X				X	X	X	X	X
2.150	0809 10 00	X	X	X	X	X							X	X	X	X
2.160	0809 20 05 0809 20 95	X		X	X	X							X	X	X	X
2.170	0809 30 90 (Peaches)	X		X	X	X								X	X	X
2.180	ex 0809 30 10 (Nectarines)	X	X	X	X	X								X	X	X
2.190	0809 40 05	X	X	X	X	X								X	X	X
2.200	0810 10 00	X		X	X	X								X	X	X
2.205	0810 20 10	X	X	X	X	X								X	X	X
2.210	0810 40 30		X	X	X	X								X	X	X

Head- ing	CN code	Belgi- um	Germany				Gree- ce	Spain	France				Italy	Neth- erlan- ds	Austr- ia	United King- dom
		Brussels	Cologne	Frankfurt	Hamburg	Munich	Athens	Barcelona	Le Havre	Marseille	Perpignan	Rungis	Milan	Rotterdam	Vienna	London
2.220	0810 50 00	X	X									X			X	
2.230	ex 0810 90 85 (Pomegra- nates)	X		X		X						X	X			
2.240	ex 0810 90 85 (Khakis, Sharon)	X		X								X		X		X
2.250	ex 0810 90 30 (Lychees)	X										X		X		X

▼B

ANNEX 28

EUROPEAN COMMUNITY **DECLARATION OF PARTICULARS RELATING TO CUSTOMS VALUE D.V. 1**

1 NAME AND ADDRESS OF SELLER (Block Letters)	FOR OFFICIAL USE	
2 (a) NAME AND ADDRESS OF BUYER (Block Letters)		
2 (b) NAME AND ADDRESS OF DECLARANT (Block Letters)		
IMPORTANT NOTE By signing and lodging the declaration the declarant accepts responsibility for the accuracy and completeness of the particulars given on this form and on any continuation sheet lodged with it and the authenticity of any document produced in support. The declarant also accepts responsibility to supply any additional information or document necessary to establish the customs value of the goods.	3 Terms of delivery	
	4 Number and date of invoice	
	5 Number and date of contract	
6 Number and date of any previous Customs decision concerning boxes 7 to 9	Enter X where applicable	
7 (a) Are the buyer and seller RELATED in the sense of Article 143 (*) of Regulation (EEC) No 2454/93? If 'NO', go to box 8. (b) Did the relationship INFLUENCE the price of the imported goods? (c) (reply optional) Does the transaction value of the imported goods CLOSELY APPROXIMATE to a value mentioned in Article 29 (2) (b) of Regulation (EEC) No 2913/92? If 'Yes', give details:	<input type="checkbox"/> YES <input type="checkbox"/> NO	
8 (a) Are there any RESTRICTIONS as to the disposition or use of the goods by the buyer, other than restrictions which: - are imposed or required by law or by the public authorities in the Community, - limit the geographical area in which the goods may be resold, or - do not substantially affect the value of the goods? (b) Is the sale or price subject to some CONDITION or CONSIDERATION for which a value cannot be determined with respect to the goods being valued? Specify the nature of the restrictions, conditions or considerations as appropriate:	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If the value of conditions or considerations can be determined, indicate the amount in box 11 (b).		
9 (a) Are any ROYALTIES and LICENCE FEES related to the imported goods payable either directly or indirectly by the buyer as a condition of the sale? (b) Is the sale subject to an arrangement under which part of the proceeds of any subsequent RESALE, DISPOSAL or USE accrues directly or indirectly to the seller? If 'YES' to either of these questions, specify conditions and, if possible, indicate the amounts in boxes 15 and 16	<input type="checkbox"/> YES <input type="checkbox"/> NO	
(*) NOTES TO BOX 7 1. PERSONS SHALL BE DEEMED TO BE RELATED ONLY IF: (a) they are officers or directors of one another's businesses; (b) they are legally recognized partners in business; (c) they are employer and employee; (d) any person directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both of them; (e) one of them directly or indirectly controls the other; (f) both of them are directly or indirectly controlled by a third person; (g) together they directly or indirectly control a third person; or (h) they are members of the same family. 2. The fact that the buyer and the seller are related need not preclude the use of a transaction value (see Article 29 (2) of Regulation (EEC) No 2913/92 and the Interpretative Notes on that provision in Annex 23).	10 (a) Number of continuation sheets D.V. 1 BIS attached	
	10 (b) Place: Date: Signature:	

▼ B

FOR OFFICIAL USE				
		Item	Item	Item
A. Basis of calculation	11 (a) Net price in CURRENCY OF INVOICE (Price actually paid or price payable for settlement at the material time for valuation for customs purposes)			
	(b) Indirect payments – see box 8 (b) (rate of exchange: _____)			
	12 Total A in NATIONAL CURRENCY			
B. ADDITIONS: Costs in NATIONAL CURRENCY NOT INCLUDED in A above (*) QUOTE BELOW previous relevant Customs decisions, if any:	13 Costs incurred by the buyer:			
	(a) commissions, except buying commissions			
	(b) brokerage			
	(c) containers and packing			
	14 Goods and services supplied by the buyer free of charge or at reduced cost for use in connection with the production and sale for export of the imported goods: The values shown represent an apportionment where appropriate.			
	(a) materials, components, parts and similar items incorporated in the imported goods			
	(b) tools, dies, moulds and similar items used in the production of the imported goods			
	(c) materials consumed in the production of the imported goods			
	(d) engineering, development, artwork, design work and plans and sketches undertaken elsewhere than in the Community and necessary for the production of the imported goods			
	15 Royalties and licence fees – see box 9 (a)			
	16 Proceeds of any subsequent resale, disposal or use accruing to the seller – see box 9 (b)			
	17 Costs of delivery to _____ (place of introduction)			
	(a) transport			
(b) loading and handling charges				
(c) insurance				
	18 Total B			
C. DEDUCTIONS: Costs in NATIONAL CURRENCY INCLUDED in A above (*)	19 Costs of transport after arrival at place of introduction			
	20 Charges for construction, erection, assembly, maintenance or technical assistance undertaken after importation			
	21 Other charges (specify) _____			
	22 Customs duties and taxes payable in the Community by reason of the importation or sale of the goods			
	23 Total C			
24 VALUE DECLARED (A + B – C)				
(*) Where amounts are payable in FOREIGN CURRENCY, indicate in this section the amount in foreign currency and the rate of exchange by reference to each relevant element and item.				
Reference	Amount	Rate of exchange		

▼ B

ANNEX 29

EUROPEAN COMMUNITY

CONTINUATION SHEET **D.V. 1** BIS

FOR OFFICIAL USE					
		Item	Item	Item	
A. Basis of calculation	11 (a) Net price in CURRENCY OF INVOICE (Price actually paid or price payable for settlement at the material time for valuation for customs purposes)				
	(b) Indirect payments – see box 8 (b) (rate of exchange:)				
	12 Total A in NATIONAL CURRENCY				
B. ADDITIONS: Costs in NATIONAL CURRENCY NOT INCLUDED in A above (*) QUOTE BELOW previous relevant Customs decisions, if any:	13 Costs incurred by the buyer:				
	(a) commissions, except buying commissions				
	(b) brokerage				
	(c) containers and packing				
	14 Goods and services supplied by the buyer free of charge or at reduced cost for use in connection with the production and sale for export of the imported goods: The values shown represent an apportionment where appropriate.				
	(a) materials, components, parts and similar items incorporated in the imported goods				
	(b) tools, dies, moulds and similar items used in the production of the imported goods				
	(c) materials consumed in the production of the imported goods				
	(d) engineering, development, artwork, design work and plans and sketches undertaken elsewhere than in the Community and necessary for the production of the imported goods				
	15 Royalties and licence fees – see box 9 (a)				
	16 Proceeds of any subsequent resale, disposal or use accruing to the seller – see box 9 (b)				
	17 Costs of delivery to _____ (place of introduction)				
(a) transport					
(b) loading and handling charges					
(c) insurance					
	18 Total B				
C. DEDUCTIONS: Costs in NATIONAL CURRENCY INCLUDED in A above (*)	19 Costs of transport after arrival at place of introduction				
	20 Charges for construction, erection, assembly, maintenance or technical assistance undertaken after importation				
	21 Other charges (specify) _____				
	22 Customs duties and taxes payable in the Community by reason of the importation or sale of the goods				
	23 Total C				
24 VALUE DECLARED (A + B – C)					
(*) Where amounts are payable in FOREIGN CURRENCY, indicate in this section the amount in foreign currency and the rate of exchange by reference to each relevant element and item.					
Reference	Amount	Rate of exchange			

▼ B

FOR OFFICIAL USE					
		Item	Item	Item	
A. Basis of calculation	11 (a) Net price in CURRENCY OF INVOICE (Price actually paid or price payable for settlement at the material time for valuation for customs purposes)				
	(b) Indirect payments – see box 8 (b) (rate of exchange: _____)				
	12 Total A in NATIONAL CURRENCY				
B. ADDITIONS: Costs in NATIONAL CURRENCY NOT INCLUDED in A above (*) QUOTE BELOW previous relevant Customs decisions, if any:	13 Costs incurred by the buyer:				
	(a) commissions, except buying commissions				
	(b) brokerage				
	(c) containers and packing				
	14 Goods and services supplied by the buyer free of charge or at reduced cost for use in connection with the production and sale for export of the imported goods: The values shown represent an apportionment where appropriate.				
	(a) materials, components, parts and similar items incorporated in the imported goods				
	(b) tools, dies, moulds and similar items used in the production of the imported goods				
	(c) materials consumed in the production of the imported goods				
	(d) engineering, development, artwork, design work and plans and sketches undertaken elsewhere than in the Community and necessary for the production of the imported goods				
	15 Royalties and licence fees – see box 9 (a)				
	16 Proceeds of any subsequent resale, disposal or use accruing to the seller – see box 9 (b)				
	17 Costs of delivery to _____ (place of introduction)				
	(a) transport				
(b) loading and handling charges					
(c) insurance					
18 Total B					
C. DEDUCTIONS: Costs in NATIONAL CURRENCY INCLUDED in A above (*)	19 Costs of transport after arrival at place of introduction				
	20 Charges for construction, erection, assembly, maintenance or technical assistance undertaken after importation				
	21 Other charges (specify) _____				
	22 Customs duties and taxes payable in the Community by reason of the importation or sale of the goods				
	23 Total C				
24 VALUE DECLARED (A + B – C)					
(*) Where amounts are payable in FOREIGN CURRENCY, indicate in this section the amount in foreign currency and the rate of exchange by reference to each relevant element and item.					
Reference	Amount	Rate of exchange			

▼B*ANNEX 30***TAG TO BE AFFIXED ON HOLD BAGGAGE CHECKED IN A
COMMUNITY AIRPORT****(Article 196)**

1. CHARACTERISTICS

The tag referred to in Article 196 shall be designed in such a way as to prevent its re-use.

- (a) This tag shall bear a green stripe of a least 5 mm width along the full length of the two edges of its routing and identification sections.

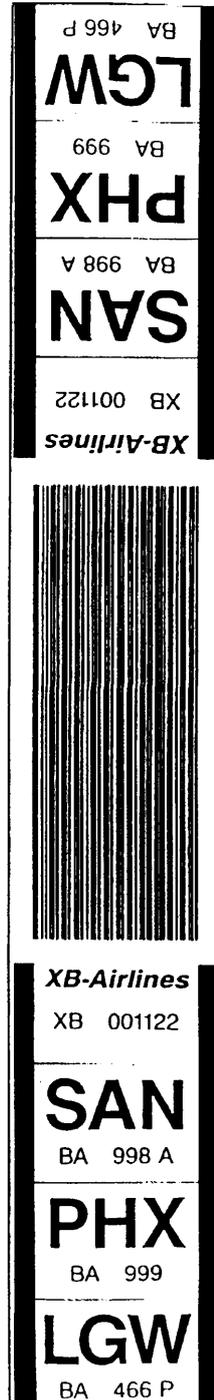
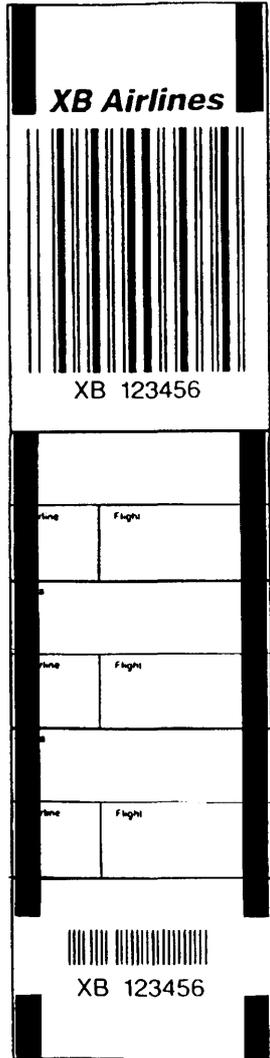
Moreover, these green stripes may extend also to other parts of the baggage tag, with the exception of all areas showing the barcoded tag number which must be printed on an unobscured white background. (See specimens at 2(a))

- (b) For 'expedite baggage', the tag shall be similar to the specified in IATA resolution No 743a with green instead of red stripes along its edges. (See specimen at 2(b))

▼ B

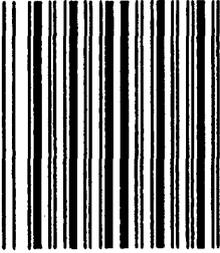
2. MODELS

a)



▼B

b)

<i>XB Airlines</i>	
	
XB 000123	
<small>Weight this piece</small>	
EXPEDITE BAGGAGE	
RUSH	
<small>To</small>	
<small>Airline</small>	<small>Flight</small>
<small>Via</small>	
<small>Airline</small>	<small>Flight</small>
<small>Via</small>	
<small>Airline</small>	<small>Flight</small>

▼ B

ANNEX 31

EUROPEAN COMMUNITY					1 DECLARATION		A OFFICE OF DISPATCH/EXPORT		
Copy for the country of dispatch/export	1	2 Consignor/Exporter No			3 Forms		4 Loading lists		
	8	Consignee No			5 Items		6 Total packages		
	14	Declarant/Representative No			7 Reference number		9 Person responsible for financial settlement No		
	10	Country /ust destin.		11 Trading country		13 C. A. P.			
	15	Country of dispatch/export		15 C. disp./exp. Code		17 Country destin. Code			
	16	Country of origin		17 Country of destination					
	18	Identity and nationality of means of transport at departure			19 Ctr.		20 Delivery terms		
	21	Identity and nationality of active means of transport crossing the border			22 Currency and total amount invoiced		23 Exchange rate		
	24	Nature of transaction		25 Mode of transport at the border		26 Inland mode of transport		27 Place of loading	
	28	Financial and banking data			29 Office of exit		30 Location of goods		
(1)	31	Packages and description of goods			32 Item No		33 Commodity Code		
		Marks and numbers - Container No(s) - Number and kind			34 Country origin Code		35 Gross mass (kg)		
					37 PROCEDURE		38 Net mass (kg)		
					40 Summary declaration/Previous document		39 Quota		
					41 Supplementary units		46 Statistical value		
44	Additional information/ Documents produced/ Certificates and authorizations			A. I. Code					
47	Calculation of taxes				48 Deferred payment		49 Identification of warehouse		
	Type	Tax base	Rate	Amount	MP	B ACCOUNTING DETAILS			
				Total:					
50	Principal No			Signature:		C OFFICE OF DEPARTURE			
51	Intended offices of transit (and country)			represented by Place and date:					
52	Guarantee not valid for			Code		53 Office of destination (and country)			
D CONTROL BY OFFICE OF DEPARTURE				Stamp:		54 Place and date:			
Result: Seats affixed: Number: identity: Time limit (date): Signature:						Signature and name of declarant/representative:			

▼B

E CONTROL BY OFFICE OF DISPATCH/EXPORT

▼ B

EUROPEAN COMMUNITY					A OFFICE OF DISPATCH/EXPORT		
Statistical copy - Country of dispatch/export	2 Consignor/Exporter No				1 DECLARATION		
	8 Consignee No				3 Forms 4 Loading lists		
	14 Declarant/Representative No				5 Items 6 Total packages 7 Reference number		
	18 Ident. and nationality of means of transport at departure				9 Person responsible for financial settlement No		
	21 Ident. and nationality of active means of transport crossing the border				10 Country first destin. 11 Trading country 13 C. A. P.		
	25 Mode of transport at the border 26 Inland mode of transport 27 Place of loading				15 Country of dispatch/export 15 C. disp./exp. Code 17 Country destin. Code		
	29 Office of exit				16 Country of origin 17 Country of destination		
	30 Location of goods				18 Identity and nationality of means of transport at departure 19 Ctr. 20 Delivery terms		
	31 Packages and description of goods				22 Currency and total amount invoiced 23 Exchange rate 24 Nature of transaction		
	32 Item No				28 Financial and banking data		
(1)	33 Commodity Code				34 Country origin Code 35 Gross mass (kg)		
	37 PROCEDURE				36 Net mass (kg) 38 Quota		
	40 Summary declaration/Previous document				41 Supplementary units		
44 Additional information/ Documents produced/ Certificates and authorizations	A. I. Code				48 Statistical value		
	47 Calculation of taxes				49 Deferred payment 49 Identification of warehouse		
Type Tax base Rate Amount MP				B ACCOUNTING DETAILS			
Total:							
50 Principal No				Signature: C OFFICE OF DEPARTURE			
51 Intended offices of transit (and country)				represented by Place and date:			
52 Guarantee not valid for				Code 53 Office of destination (and country)			
D CONTROL BY OFFICE OF DEPARTURE				Stamp: 54 Place and date:			
Result: Seals affixed: Number: identity: Time limit (date): Signature:				Signature and name of declarant/representative:			

▼ B

EUROPEAN COMMUNITY					A OFFICE OF DISPATCH/EXPORT		
Copy for the consignor/exporter	3 <input type="checkbox"/> 2 Consignor/Exporter No				1 DECLARATION		
					3 Forms	4 Loading lists	
					5 Items	6 Total packages	7 Reference number
	8 Consignee No				9 Person responsible for financial settlement No		
					10 Country first destin.	11 Trading country	13 C. A. P.
	14 Declarant/Representative No				15 Country of dispatch/export		15 C. disp./exp. Code
					16 Country of origin		17 Country destin. Code
	18 Identity and nationality of means of transport at departure				19 Ctr.	20 Delivery terms	
	21 Identity and nationality of active means of transport crossing the border				22 Currency and total amount invoiced		23 Exchange rate
	25 Mode of transport at the border				26 Inland mode of transport	27 Place of loading	
29 Office at exit Bureau d'entrée				30 Location of goods			
(1)	31 Packages and description of goods				32 Item No	33 Commodity Code	
					34 Country origin Code	35 Gross mass (kg)	
					37 PROCEDURE	38 Net mass (kg)	39 Quota
					40 Summary declaration/Previous document		
					41 Supplementary units		
					A. I. Code		
					46 Statistical value		
	44 Additional information/Documents produced/Certificates and authorizations						
	47 Calculation of taxes				48 Deferred payment		49 Identification of warehouse
	Type Tax base Rate Amount MP						
Total:							
50 Principal No				Signature:		C OFFICE OF DEPARTURE	
51 Intended offices of transit (and country)				represented by Place and date:			
52 Guarantee not valid for				Code 53 Office of destination (and country)			
D CONTROL BY OFFICE OF DEPARTURE				Stamp:		54 Place and date:	
Result:				Signature and name of declarant/representative:			
Seals affixed: Number:							
identity:							
Time limit (date):							
Signature:							

▼B

EUROPEAN COMMUNITY		A OFFICE OF DISPATCH/EXPORT	
Copy for the office of destination	4	1 <input type="checkbox"/> Consignor/Exporter No 8 Consignee No 14 Declarant/Representative No 18 Identity and nationality of means of transport at departure 18 Ctr. 21 Identity and nationality of active means of transport crossing the border 23 Mode of transport at the border 27 Place of loading	1 DECLARATION 3 Forms 4 Loading lists 5 Items 6 Total packages
	IMPORTANT NOTE Where this copy is used exclusively for establishing the COMMUNITY STATUS OF GOODS NOT MOVING UNDER THE COMMUNITY TRANSIT PROCEDURE, only the information in boxes 1, 2, 3, 5, 14, 31, 32, 35, 54 and, where appropriate, 4, 33, 36, 40 and 44 is needed for that purpose		15 Country of dispatch/export 17 Country of destination
	31 Packages and description of goods Marks and numbers - Container No(s) - Number and kind		32 Item No 33 Commodity Code 35 Gross mass (kg) 36 Net mass (kg) 40 Summary declaration/Previous document
	44 Additional information/ Documents produced/ Certificates and authorizations		A. I. Code
	55 Transshipments		Place and country: Ident. and. nat. new means transp.: Ctr. <input type="checkbox"/> (1) Identity of new container: (1) Enter 1 if YES or 0 if NO.
	F CERTIFICATION BY COMPETENT AUTHORITIES		Place and country: Ident. and. nat. new means transp.: Ctr. <input type="checkbox"/> (1) Identity of new container: (1) Enter 1 if YES or 0 if NO.
	50 Principal No Signature:		C OFFICE OF DEPARTURE
	51 Intended offices of transit (and country) represented by Place and date:		
	52 Guarantee not valid for		Code 53 Office of destination (and country)
	D CONTROL BY OFFICE OF DEPARTURE		Stamp 54 Place and date: Signature and name of declarant/representative:
Result: Seals affixed: Number: identity: Time limit (date): Signature:			

▼ **B**

56 Other incidents during carriage <i>Details and measures taken</i>		6 CERTIFICATION BY COMPETENT AUTHORITIES	
H A POSTERIORI CONTROL (Where this copy is used for establishing the Community status of the goods)			
REQUEST FOR VERIFICATION Verification of the authenticity of this document and the accuracy of the information contained therein is requested.		RESULT OF VERIFICATION This document (1)	
Place and date: Signature:		<input type="checkbox"/> was certified by the Customs office indicated and the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and regularity (see remarks below).	
Stamp:		Place and date: Signature:	
Stamp:		Stamp:	
Remarks			
(1) Enter <input type="checkbox"/> where applicable.			
I CONTROL BY OFFICE OF DESTINATION (COMMUNITY TRANSIT) Date of arrival: Examination of seals Remarks:		Copy no 5 returned on after registration under No Signature:	
Stamp:		Stamp:	

▼ B

EUROPEAN COMMUNITY		1 DECLARATION	
Copy for return - Community transit	5	2 Consignor/Exporter <input type="checkbox"/> No	3 Forms
			4 Loading lists
			5 Items
			6 Total packages
		6 Consignee No	
		15 Country of dispatch/export	
			17 Country of destination
	18 Identity and nationality of means of transport at departure	19 Ctr.	Tilbagesendes til: Επιστρεφτέο εις: Renvoyer à: Terugzenden aan: Palaualeaan:
	21 Identity and nationality of active means of transport crossing the border		Zurücksenden an: Return to: Rinviare a: Devolver a: Åter til:
	25 Mode of transport at the border	27 Place of loading	
5			
1 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind		32 Item No
			33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Summary declaration/Previous document
4 Additional information/Documents produced/Certificates and authorizations			A. I. Code
5 Transshipments	Place and country:	Place and country:	
	Ident. and. nat. new means transp. Ctr. (1) Identity of new container: (1) Enter 1 if YES or 0 if NO.	Ident. and. nat. new means transp. Ctr. (1) Identity of new container: (1) Enter 1 if YES or 0 if NO.	
CERTIFICATION BY COMPETENT AUTHORITIES	New seals: Number: identity: Stamp:	New seals: Number: identity: Stamp:	
	Signature:	Signature:	
1 Intended offices of transit (and country)	50 Principal No represented by Place and date:	Signature:	C OFFICE OF DEPARTURE
2 Guarantee not valid for		Code	59 Office of destination (and country)
CONTROL BY OFFICE OF DEPARTURE		Stamp:	
Result			
Seals affixed: Number: identity:			
Time limit (date):			
Signature:			

▶ (1) A1

▼ B

EUROPEAN COMMUNITY					1 DECLARATION												
6 Copy for the country of destination	2 Consignor/Exporter No				3 Forms		4 Loading lists										
	8 Consignee No				5 Items				6 Total packages		7 Reference number						
	14 Declarant/Representative No				9 Person responsible for financial settlement No				10 Country last consigned		11 Trad./Prod. country		12 Value details		13 P. A. C.		
	15 Country of dispatch/export				15 C. disp./exp. Code		17 Country destin. Code		16 Country of origin				17 Country of destination				
	18 Identity and nationality of means of transport on arrival				19 Cr.		20 Delivery terms										
	21 Identity and nationality of active means of transport crossing the border				22 Currency and total amount invoiced				23 Exchange rate		24 Nature of transaction						
	25 Mode of transport at the border		26 Inland mode of transport		27 Place of unloading		28 Financial and banking data										
	29 Office of entry				30 Location of goods												
	31 Packages and description of goods				32 Item No		33 Commodity Code										
							34 Country origin Code		35 Gross mass (kg)		36 Preference		37 PROCEDURE		38 Net mass (kg)		39 Quota
								40 Summary declaration/Previous document									
44 Additional information/Documents produced/Certificates and authorizations				41 Supplementary units		42 Item price		43 V. M. Code		A. I. Code		45 Adjustment		46 Statistical value			
47 Calculation of taxes				Type	Tax base	Rate	Amount	MP	48 Deferred payment				49 Identification of warehouse				
									B ACCOUNTING DETAILS								
				Total:													
50 Principal No				Signature:				C OFFICE OF DEPARTURE									
51 Intended offices of transit (and country)				represented by Place and date:													
52 Guarantee not valid for				Code				53 Office of destination (and country)									
J CONTROL BY OFFICE OF DESTINATION				54 Place and date:				Signature and name of declarant/representative:									

▼B

J CONTROL BY OFFICE OF DESTINATION

▼ B

7				EUROPEAN COMMUNITY				A OFFICE OF DESTINATION						
				1 DECLARATION										
Statistical copy - Country of destination	2 Consignor/Exporter			No			3 Forms		4 Loading lists					
	8 Consignee			No			5 Items		6 Total packages		7 Reference number			
	14 Declarant/Representative						No							
	10 Country last consigned				11 Trad./Prod. country		12 Value details		13 P. A. C.					
	15 Country of dispatch/export						15 C. disp./exp. Code		17 Country destin. Code					
	16 Country of origin						17 Country of destination							
	18 Identity and nationality of means of transport on arrival						19 Ctr.		20 Delivery terms					
	21 Identity and nationality of active means of transport crossing the border								22 Currency and total amount invoiced		23 Exchange rate		24 Nature of transaction	
	25 Mode of transport at the border		26 Inland mode of transport		27 Place of unloading		28 Financial and banking data							
	29 Office of entry				30 Location of goods									
7	31 Packages and description of goods						32 Item No		33 Commodity Code					
							34 Country origin Code		35 Gross mass (kg)		36 Preference			
							37 PROCEDURE		38 Net mass (kg)		39 Quota			
							40 Summary declaration/Previous document							
							41 Supplementary units		42 Item price		43 V. M. Code		45 Adjustment	
44 Additional information/Documents produced/Certificates and authorizations														
47 Calculation of taxes						48 Deferred payment		49 Identification of warehouse						
						B ACCOUNTING DETAILS								
50 Principal						No								
51 Intended offices of transit (and country)						represented by								
						Place and date:								
52 Guarantee not valid for						53 Office of destination (and country)		Code						
J CONTROL BY OFFICE OF DESTINATION						54 Place and date:								
						Signature and name of declarant/representative:								

▼ B

ANNEX 32

EUROPEAN COMMUNITY					A OFFICE OF DISPATCH/EXPORT/DESTINATION					
1 6		2 Consignor/Exporter			DECLARATION					
Copy for the country of dispatch/export	Copy for the country of destination	No			3 Forms		4 Loading lists			
		8 Consignee			5 Items		6 Total packages			
		No			7 Reference number					
		9 Person responsible for financial settlement			No					
		10 C. Invst. dest./last consig.		11 Trad./Prod. country		12 Value details		13 C. A. P.		
		14 Declarant/Representative			15 Country of dispatch/export		15 C. disp./exp. Code		17 Country destin. Code	
		No					a ₁ b ₁ a ₁ b ₁			
		16 Country of origin			17 Country of destination					
		18 Identity and nationality of means of transport at departure/on arrival			19 Ctr		20 Delivery terms			
		21 Identity and nationality of active means of transport crossing the border			22 Currency and total amount invoiced		23 Exchange rate		24 Nature of transaction	
25 Mode of transport at the border		26 Inland mode of transport		27 Place of loading/unloading		28 Financial and banking data				
1 6		29 Office of exit/entry			30 Location of goods					
(1)	31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind			32 Item No		33 Commodity Code			
							34 Country origin Code		35 Gross mass (kg)	
							a ₁ b ₁		36 Preference	
							37 PROCEDURE		38 Net mass (kg)	
							40 Summary declaration/Previous document		39 Quota	
	44 Additional information/Documents produced/Certificates and authorizations				41 Supplementary units		42 Item price		43 V.M. Code	
							A. I. Code		45 Adjustment	
							46 Statistical value			
47 Calculation of taxes	Type	Tax base	Rate	Amount	MP	48 Deferred payment		49 Identification of warehouse		
					B ACCOUNTING DETAILS					
					50 Principal					
					No					
					Signature					
					C OFFICE OF DEPARTURE					
51 Intended offices of transit (and country)	represented by									
	Place and date:									
52 Guarantee not valid for					Code					
D/J CONTROL BY OFFICE OF DEPARTURE/DESTINATION					53 Office of destination (and country)					
Stamp.					54 Place and date:					
Result:					Signature and name of declarant/representative					
Seals affixed: Number										
identity										
Time limit (date)										
Signature										

▼B

EJ CONTROL BY OFFICE OF DISPATCH/EXPORT/DESTINATION

▼ B

EUROPEAN COMMUNITY		A OFFICE OF DISPATCH/EXPORT/DESTINATION	
2 7	Statistical copy - Country of dispatch/export Statistical copy - Country of destination	2 Consignor/Exporter No	
		3 Forms 4 Loading lists	
		5 Items 6 Total packages 7 Reference number	
		8 Consignee No	
		9 Person responsible for financial settlement No	
		10 C. first dest./last consig. 11 Trad./Prod. country 12 Value details 13 C. A. P.	
		14 Declarant/Representative No	
		15 Country of dispatch/export 15 C. disp./exp. Code 17 Country destin. Code	
		16 Country of origin 17 Country of destination	
		18 Identity and nationality of means of transport at departure/on arrival 19 Ctr 20 Delivery terms	
21 Identity and nationality of active means of transport crossing the border 22 Currency and total amount invoiced 23 Exchange rate 24 Nature of transaction			
25 Mode of transport at the border 26 Inland mode of transport 27 Place of loading/unloading 28 Financial and banking data			
2 7	29 Office of exit/entry 30 Location of goods		
31 Packages and description of goods	31 Packages and description of goods		32 Item No. 33 Commodity Code
			34 Country origin Code 35 Gross mass (kg) 36 Preference
			37 PROCEDURE 38 Net mass (kg) 39 Quota
			40 Summary declaration/Previous document
			41 Supplementary units 42 Item price 43 V.M. Code
			A. L. Code 45 Adjustment
			46 Statistical value
			47 Calculation of taxes
			48 Deferred payment 49 Identification of warehouse
			B ACCOUNTING DETAILS
50 Principal No		Signature: C OFFICE OF DEPARTURE	
51 Intended offices of transit (and country)		represented by Place and date:	
52 Guarantee not valid for		Code 53 Office of destination (and country)	
D/J CONTROL BY OFFICE OF DEPARTURE/DESTINATION		Stamp: 54 Place and date: Signature and name of declarant/representative:	
Result: Seals affixed: Number: identity: Time limit (date): Signature:			

▶ (1)

▼ B

EUROPEAN COMMUNITY					A OFFICE OF DISPATCH/EXPORT/DESTINATION		
Copy for the consignor/exporter Copy for the consignee	3 8		2 Consignor/Exporter		1 DECLARATION		
			No		3 Forms		4 Loading lists
			8 Consignee		5 Items		6 Total packages
			No		7 Reference number		
			14 Declarant/Representative		9 Person responsible for financial settlement		
			No		10 C. first dest./last consig.		11 Trad./Prod. country
			18 Identity and nationality of means of transport at departure/on arrival		12 Value details		13 C. A. P.
			19 Ctr.		15 Country of dispatch/export		16 Country of origin
			20 Delivery terms		17 Country destin. Code		18 Country of destination
			21 Identity and nationality of active means of transport crossing the border		19 Ctr.		20 Delivery terms
		22 Currency and total amount invoiced		23 Exchange rate		24 Nature of transaction	
		25 Mode of transport at the border		26 Inland mode of transport		27 Place of loading/unloading	
		28 Financial and banking data		29 Office of exit/entry			
		30 Location of goods		31 Packages and description of goods			
		32 Item No		33 Commodity Code			
		34 Country origin Code		35 Gross mass (kg)		36 Preference	
		37 PROCEDURE		38 Net mass (kg)		39 Quota	
		40 Summary declaration/Previous document		41 Supplementary units			
		42 Item price		43 V.M. Code		44 Additional information/Documents produced/Certificates and authorizations	
		45 Adjustment		46 Statistical value			
		47 Calculation of taxes		48 Deferred payment		49 Identification of warehouse	
		Type		Tax base		Rate	
		Amount		MP		B ACCOUNTING DETAILS	
		Total:		50 Principal			
		No		Signature:			
		51 Intended offices of transit (and country)		C OFFICE OF DEPARTURE			
		represented by		Code			
		Place and date:		53 Office of destination (and country)			
		52 Guarantee not valid for		54 Place and date:			
		D/J CONTROL BY OFFICE OF DEPARTURE/DESTINATION		Stamp:			
		Result:		Signature and name of declarant/representative:			
		Seats affixed: Number:					
		identity:					
		Time limit (date):					
		Signature:					

▼ B

EUROPEAN COMMUNITY		A OFFICE OF DISPATCH/EXPORT	
Copy for the office of destination Copy for return - Community transit	4	5	1 DECLARATION 3 Forms 4 Loading lists 5 Items 6 Total packages
	2 Consignor/Exporter No		IMPORTANT NOTE Where this copy is used exclusively for establishing the COMMUNITY STATUS OF GOODS NOT MOVING UNDER THE COMMUNITY TRANSIT PROCEDURE, only the information in boxes 1, 2, 3, 5, 14, 31, 32, 35, 54 and, where appropriate, 4, 33, 38, 40 and 44 is needed for that purpose.
	8 Consignee No		
	14 Declarant/Representative No		
	15 Country of dispatch/export		
	16 Ident. and nationality of means of transport at departure 19 Ctr.		17 Country of destination
	21 Ident. and nationality of active means of transport crossing the border		Tilbagesendes til: Zurücksenden an: (3) Vratite: Ibgħat lura til: Επιστρεφτέο ελκ: Return to: Tegastada: Odeslać do: Revooyer à: Rinviare a: Nosūtīt atpakaļ: Vrniti: Terugzenden aan: Devolver a: Grāžinti į: Vrátiť: ◀ Palauletaan: Ater til: Visszaküldeni:
	25 Mode of transport at the border 27 Place of loading		
	4	5	
	31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	
44 Additional information/Documents produced/Certificates and authorizations			
55 Transshipments	Place and country: Ident. and. nat. new means transp.: Ctr. (1) Identity of new container: (1) Enter 1 if YES or 0 if NO		Place and country: Ident. and. nat. new means transp.: Ctr. (1) Identity of new container: (1) Enter 1 if YES or 0 if NO
F CERTIFICATION BY CDMPE-TENT AUTHORITIES	New seals : Number: identity: Signature: Stamp:		New seals : Number: identity: Signature: Stamp:
60 Principal	No Signature:		c OFFICE OF DEPARTURE
51 Intended offices of transit (and country)	represented by Place and date:		
52 Guarantee not valid for			Code 33 Office of destination (and country)
D CONTROL BY OFFICE OF DEPARTURE Result: Seals affixed: Number: identity: Time limit (date): Signature:		Stamp:	54 Place and date: Signature and name of declarant/representative:

▶ (1) A1
 ▶ (2) A2

▼ B

<p>56 Other incidents during carriage Details and measures taken</p>	<p>6 CERTIFICATION BY COMPETENT AUTHORITIES</p>
<p>H A POSTERIORI CONTROL (Where this copy is used for establishing the Community status of the goods)</p>	
<p>REQUEST FOR VERIFICATION Verification of the authenticity of this document and the accuracy of the information contained therein is requested.</p> <p>Place and date: Signature: _____ Stamp: _____</p>	<p>RESULT OF VERIFICATION This document (1) <input type="checkbox"/> was certified by the Customs office indicated and the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and regularity (see remarks below)</p> <p>Place and date: Signature: _____ Stamp: _____</p>
<p>Remarks:</p>	
<p>(1) Enter <input checked="" type="checkbox"/> where applicable</p>	
<p>I CONTROL BY OFFICE OF DESTINATION (COMMUNITY TRANSIT) Date of arrival: Examination of seals: Remarks:</p>	<p>Copy no 5 returned on after registration under No Signature: _____ Stamp: _____</p>

<p>COMMUNITY TRANSIT - RECEIPT (to be completed by the person concerned before presentation to the office of destination)</p>	
<p>This is to certify that the document issued by the Customs office at (name and country) under No has been lodged and that no irregularity has been observed to date concerning the consignment to which this document refers</p>	<p>Stamp of office of destination:</p>
<p>Date _____ Signature _____</p>	

▼ **B**

ANNEX 33

EUROPEAN COMMUNITY		A OFFICE OF DISPATCH/EXPORT																															
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 2px;"> 2 Consignor/Exporter No </div> <div style="border: 1px solid black; padding: 2px;"> 1 DECLARATION <div style="display: flex; justify-content: space-between;"> C BIS </div> </div> </div>		<div style="border: 1px solid black; padding: 2px;"> 3 Forms 1 </div>																															
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EUROPEAN COMMUNITY		1 DECLARATION		A OFFICE OF DISPATCH/EXPORT	
2 Consignor/Exporter <input type="checkbox"/> No		3 Forms C BIS		4	
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code	35 Gross mass (kg)	
				38 Net mass (kg)	
			40 Summary declaration/Previous document		
44 Additional information/Documents produced/Certificates and authorizations	A. I. Code				
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			40 Summary declaration/Previous document		
44 Additional information/Documents produced/Certificates and authorizations	A. I. Code				

4	Copy for the office of destination
C OFFICE OF DEPARTURE	

▼B

EUROPEAN COMMUNITY		1 DECLARATION	
2 Consignor/Exporter No		C	BIS
		3 Forms	5
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Summary declaration/Previous document
44 Additional information/Documents produced/Certificates and authorizations			A. I. Code
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Summary declaration/Previous document
44 Additional information/Documents produced/Certificates and authorizations			A. I. Code
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Summary declaration/Previous document
44 Additional information/Documents produced/Certificates and authorizations			A. I. Code

5	Copy for return - Community transit
C OFFICE OF DEPARTURE	

▼ B

EUROPEAN COMMUNITY		1 DECLARATION		A OFFICE OF DESTINATION							
2 Consignee <input type="checkbox"/> No		C BIS									
		3 Forms 6									
▶ (1)	31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code							
	44 Additional information/ Documents produced/ Certificates and authorizations			34 Country origin Code a) b)	35 Gross mass (kg) 36 Preferenc						
				37 PROCEDURE	38 Net mass (kg) 39 Quota						
				40 Summary declaration/Previous document							
				41 Supplementary units	42 Item price 43 V.M Cox						
				A. I. Code	45 Adjustment						
				46 Statistical value							
▶ (2)	31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code							
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				A. I. Code	45 Adjustment						
				46 Statistical value							
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				41 Supplementary units	42 Item price 43 V.M Cox						
				A. I. Code	45 Adjustment						
				46 Statistical value							
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						C OFFICE OF DEPARTURE					
Total third item:						G.T.:					

▼ **B**

EUROPEAN COMMUNITY				1 DECLARATION				A OFFICE OF DESTINATION					
<input type="checkbox"/> Consignee No				C BIS				3 Forms 7					
(1)	31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code	34 Country origin Code a b	35 Gross mass (kg)	36 Preference	37 PROCEDURE	38 Net mass (kg)	39 Quota			
				40 Summary declaration/Previous document									
				41 Supplementary units		42 Item price		43 V.M. Code		A.I. Code 45 Adjustment			
				46 Statistical value									
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				40 Summary declaration/Previous document									
				41 Supplementary units		42 Item price		43 V.M. Code		A.I. Code 45 Adjustment			
				46 Statistical value									
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				41 Supplementary units		42 Item price		43 V.M. Code		A.I. Code 45 Adjustment			
				46 Statistical value									
47 Calculation of taxes													
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		C OFFICE OF DEPARTURE											
Total third item:						G.T.							

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EUROPEAN COMMUNITY				1 DECLARATION		A OFFICE OF DESTINATION																																													
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▼ **B**

ANNEX 34

EUROPEAN COMMUNITY				1 DECLARATION				A OFFICE OF DISPATCH/EXPORT/DESTINATION															
2 Consignor/Exporter & Consignee No				C				BIS															
3 Forms				1				6															
▶ (1)	11 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code	34 Country origin Code a) b)	35 Gross mass (kg)	36 Preference	37 PROCEDURE	38 Net mass (kg)	39 Quota	40 Summary declaration/Previous document												
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				46 Statistical value																			
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47 Calculation of taxes																							
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Total first item:												Total second item:											
Type		Tax base		Rate		Amount		MP		Type		Amount		MP		← SUMMARY							
												1		Copy for the country of dispatch / export		6		Copy for the country of destination					
												C OFFICE OF DEPARTURE											
Total third item:												G.T.:											

▼ B

EUROPEAN COMMUNITY										1 DECLARATION		A OFFICE OF DISPATCH/EXPORT/DESTINATION			
2 Consignor/Exporter 0 Consignee No										C		BIS			
										3 Forms		2		7	
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		Total first item:					Total second item:								
		Type	Tax base	Rate	Amount	MP			Type	Amount	MP				
		Total third item:					G.T.:								

← SUMMARY

2	Statistical copy - Country of dispatch/export
7	Statistical copy - Country of destination

C OFFICE OF DEPARTURE

▼ **B**

EUROPEAN COMMUNITY										A OFFICE OF DISPATCH/EXPORT/DESTINATION																																																																												
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		a) b)															37 PROCEDURE															38 Net mass (kg)															39 Quota																																							
		40 Summary declaration/Previous document															41 Supplementary units															42 Item price															43 V.M. Code																																							
		A. I. Code															45 Adjustment															46 Statistical value																																																						
▶ (3)	31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind															32 Item No	33 Commodity Code																																																																				
		34 Country origin Code															35 Gross mass (kg)															36 Preference																																																						
		a) b)															37 PROCEDURE															38 Net mass (kg)															39 Quota																																							
		40 Summary declaration/Previous document															41 Supplementary units															42 Item price															43 V.M. Code																																							
		A. I. Code															45 Adjustment															46 Statistical value																																																						
▶	47 Calculation of taxes	Type	Tax base	Rate	Amount	MP	Type	Tax base	Rate	Amount	MP	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="15" style="text-align: center;">← SUMMARY</td> </tr> <tr> <td style="width: 5%; text-align: center;">3</td> <td colspan="14" style="text-align: center;">Copy for the Consignor/exporter</td> </tr> <tr> <td style="width: 5%; text-align: center;">8</td> <td colspan="14" style="text-align: center;">Copy for the consignee</td> </tr> <tr> <td colspan="15" style="text-align: center;">C OFFICE OF DEPARTURE</td> </tr> </table>															← SUMMARY															3	Copy for the Consignor/exporter														8	Copy for the consignee														C OFFICE OF DEPARTURE														
	← SUMMARY																																																																																					
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Total first item:						Total second item:																																																																																
Total third item:												G.T.:																																																																										

▼ **B**

EUROPEAN COMMUNITY		1 DECLARATION		A OFFICE OF DISPATCH/EXPORT	
2 Consignor/Exporter No		C		BIS	
		3 Forms		4 5	
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code	35 Gross mass (kg)	
				36 Net mass (kg)	
				40 Summary declaration/Previous document	
44 Additional information/Documents produced/Certificates and authorizations	A. I. Code				
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code	35 Gross mass (kg)	
				36 Net mass (kg)	
				40 Summary declaration/Previous document	
44 Additional information/Documents produced/Certificates and authorizations	A. I. Code				
31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Item No	33 Commodity Code	35 Gross mass (kg)	
				36 Net mass (kg)	
				40 Summary declaration/Previous document	
44 Additional information/Documents produced/Certificates and authorizations	A. I. Code				

4	Copy for the office of destination
5	Copy for return - Community transit

C OFFICE OF DEPARTURE

▼B

ANNEX 35

**INDICATION OF THE COPIES OF THE FORMS SHOWN IN ANNEXES
31 AND 33 ON WHICH PARTICULARS SHOULD APPEAR BY A SELF-
COPYING PROCESS**

(Counting copy 1)

Box number	Copies
I. BOXES FOR OPERATORS	
1	1 to 8 except middle subdivision: 1 to 3
2	1 to 5 ⁽¹⁾
3	1 to 8
4	1 to 8
5	1 to 8
6	1 to 8
7	1 to 3
8	1 to 5 ⁽¹⁾
9	1 to 3
10	1 to 3
11	1 to 3
12	—
13	1 to 3
14	1 to 4
15	1 to 8
15a	1 to 3
15b	1 to 3
16	1, 2, 3, 6, 7 and 8
17	1 to 8
17a	1 to 3
17b	1 to 3
18	1 to 5 ⁽¹⁾
19	1 to 5 ⁽¹⁾
20	1 to 3
21	1 to 5 ⁽¹⁾
22	1 to 3
23	1 to 3
24	1 to 3
25	1 to 5 ⁽¹⁾
26	1 to 3
27	1 to 5 ⁽¹⁾
28	1 to 3
29	1 to 3
30	1 to 3
31	1 to 8
32	1 to 8
33	first subdivision on the left: 1 to 8 remainder: 1 to 3
34a	1 to 3

▼B

Box number	Copies
34b	1 to 3
35	1 to 8
36	—
37	1 to 3
38	1 to 8
39	1 to 3
40	1 to 5 ⁽¹⁾
41	1 to 3
42	—
43	—
44	1 to 5 ⁽¹⁾
45	—
46	1 to 3
47	1 to 3
48	1 to 3
49	1 to 3
50	1 to 8
51	1 to 8
52	1 to 8
53	1 to 8
54	1 to 4
55	—
56	—

II. ADMINISTRATIVE BOXES

A	1 to 4 ⁽²⁾
B	1 to 3
C	1 to 8 ⁽²⁾
D	1 to 4

► **M19** ⁽¹⁾ Under no circumstances may users be required to complete these boxes on copy No 5 for the purposes of transit. ◀

⁽²⁾ The Member State of dispatch can choose whether these particulars appear on the copies specified.

▼B

ANNEX 36

**INDICATION OF THE COPIES OF THE FORMS SHOWN IN ANNEXES
32 AND 34 ON WHICH PARTICULARS SHOULD APPEAR BY A SELF-
COPYING PROCESS**

(Counting copy 1/6)

Box number	Copies
I. BOXES FOR OPERATORS	
1	1 to 4 except middle subdivision: 1 to 3
2	1 to 4
3	1 to 4
4	1 to 4
5	1 to 4
6	1 to 4
7	1 to 3
8	1 to 4
9	1 to 3
10	1 to 3
11	1 to 3
12	1 to 3
13	1 to 3
14	1 to 4
15	1 to 4
15a	1 to 3
15b	1 to 3
16	1 to 3
17	1 to 4
17a	1 to 3
17b	1 to 3
18	1 to 4
19	1 to 4
20	1 to 3
21	1 to 4
22	1 to 3
23	1 to 3
24	1 to 3
25	1 to 4
26	1 to 3
27	1 to 4
28	1 to 3
29	1 to 3
30	1 to 3
31	1 to 4
32	1 to 4
33	first subdivision on the left: 1 to 4 remainder: 1 to 3
34a	1 to 3

▼B

Box number	Copies
34b	1 to 3
35	1 to 4
36	1 to 3
37	1 to 3
38	1 to 4
39	1 to 3
40	1 to 4
41	1 to 3
42	1 to 3
43	1 to 3
44	1 to 4
45	1 to 3
46	1 to 3
47	1 to 3
48	1 to 3
49	1 to 3
50	1 to 4
51	1 to 4
52	1 to 4
53	1 to 4
54	1 to 4
55	—
56	—

II. ADMINISTRATIVE BOXES

A	1 to 4 ⁽¹⁾
B	1 to 3
C	1 to 4
D/J	1 to 4

⁽¹⁾ The Member State of dispatch can choose whether these particulars appear on the copies specified.

▼B

ANNEX 37

EXPLANATORY NOTE ► M8 ⁽¹⁾ ◀

TITLE I

General remarks

A. *General description*

The forms and continuation forms are to be used:

- (a) where Community legislation refers to a declaration of export (dispatch), release for free circulation (introduction), entry for any other customs procedure, including the Community transit procedure or re-exportation;
- (b) as necessary during the transitional period provided for in the Act of Accession for trade between the Community as constituted at 31 December 1985 and Spain or Portugal, and between those two Member States, in respect of goods for which customs duties and charges having equivalent effect have not yet been fully eliminated or which remain subject to other measures provided for in the act of accession;
- (c) where Community rules specifically provide for their use.

The forms and continuation forms used for this purpose comprise the copies needed to complete the formalities relating to one or more customs procedures (export, transit or other procedure at import), taken from a set of eight copies:

- copy 1 which is to be retained by the authorities of the Member State in which export (dispatch) or Community transit formalities are completed,
- copy 2 which is to be used for statistical purposes by the Member State of export. This copy can equally be used for statistical purposes by the Member State of dispatch in the cases of trade with parts of the customs territory of the Community with a different fiscal regime,
- copy 3 which is returned to the exporter after being stamped by the customs authority,
- copy 4 which is to be kept by the office of destination upon completion of the Community transit operation or as T2L document providing evidence of Community status of the goods,
- copy 5 which is the return copy for the Community transit procedure,
- copy 6 which is to be retained by the authorities of the Member State in which arrival formalities are completed,
- copy 7 which is to be used for statistical purposes by the Member State of destination ► M19 (for arrival formalities) ◀ including the cases of trade between the parts of the customs territory of the Community with a different fiscal regime,
- copy 8 which is returned to the consignee after being stamped by the customs authority.

Various combinations are therefore possible, such as:

- export, outward processing or re-export: copies 1, 2 and 3,
- Community transit: copies 1, 4 and 5,
- other customs procedures at import: copies 6, 7 and 8.

▼M19▼B

In addition, there are circumstances in which the Community status of the goods in question has to be proved at destination. In such cases copy 4 should be used as T2L document.

Operators may, if they wish, use privately printed subsets combining the appropriate copies provided that they conform to the official specimen.

Each subset must be designed in such a way that where boxes must contain identical information in the two Member States involved, this may be entered directly by the exporter or the principal on copy 1 and will then appear, by means of chemical treatment of the paper, on all the copies. Where, however, for any reason (in particular where the content of the information is different depending on the stage of the operation involved) the

(1) The term 'EFTA' in this Annex refers not only to the EFTA countries but to the other non-Community contracting parties to the Conventions on a common transit procedure and on the simplification of formalities in trade in goods.

▼B

information is not to be transmitted from one Member State to another, the desensitization of the self-copying paper must restrict reproduction to the copies concerned.

Where declarations are to be processed by computer, it is possible to use subsets taken from sets in which each copy may have a dual function: 1/6, 2/7, 3/8, 4/5.

In this case, in each subset, the numbers of the copies being used must be shown by deleting the numbers, in the margin of the form, referring to the copies not being used.

Each subset thus defined must be designed so that the particulars which have to appear on each copy will be reproduced by means of chemical treatment of the paper.

When, pursuant to Article 205 of this Regulation, declarations for export (dispatch), transit or entry for another customs procedure at import (destination), or documents certifying the Community status of goods not being moved under internal Community transit procedure are drawn up on plain paper by means of official or private-sector data-processing systems, the said declarations or documents must comply as to their format with all the conditions laid down by the Customs Code or this Regulation, including those relating to the back of the form (in respect of copies used under Community transit procedure) except:

- the colour used for printing,
- the use of italic characters,
- the printing of a background for the Community transit boxes.

▼M21

Where a transit declaration is processed at an office of departure by a computerised system, one copy of the declaration must be lodged at that office.

▼B**B. Particulars required****1. Maximum list of boxes**

The forms contain a number of boxes only some of which will be used, depending on the customs procedure(s) in question.

Without prejudice to the application of simplified procedures or the specific provisions concerning each box in Title II, the following is the maximum list of boxes which may be completed for each procedure:

- export formalities, outward processing and re-export:
 - boxes 1 (first and second subdivisions), 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 15a, 15b, 16, 17, 17a, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34a, 34b, 35, 37, 38, 39, 40, 41, 44, 46, 47, 48, 49, ►M5 50 ◀ and 54.

However, as regards to the re-exportation formalities discharging the customs warehousing procedure, the maximum list of boxes must correspond to the maximum list of boxes required for the formalities of entry into a customs warehouse,

▼M19

- Community transit formalities:
 - boxes 1 (third subdivision), 2, 3, 4, 5, 6, 8, 15, 17, 18, 19, 21, 25, 26, 27, 31, 32, 33 (first subdivision), 35, 38, 40, 44, 50, 51, 52, 53, 55 and 56 (i.e. except for box 26, those with a green background),

▼B

- formalities for other customs procedures at import, except for the customs warehousing procedure (release for free circulation, inward processing, temporary importation and processing under customs control):

boxes 1 (first and second subdivisions), 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15a, 16, 17, 17a, 17b, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34a, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 54,

- formalities for entry into a customs warehouse:

boxes 1 (first and second subdivisions) 3, 5, 7, 8, 14, 15, 15a, 16, 17, 17a, 17b, 19, 21, 25, 26, 27, 29, 30, 31, 32, 33, 34a, 34b, 35, 37, 38, ►M1 40 ◀, 41, ►M1 44 ◀, 46, 47, 49 and 54.

▼B

2. Minimum list

Without prejudice to the application of simplified procedures in a customs declaration, the following boxes must be completed, in accordance with the notes in Title II on the boxes in question:

- (a) the boxes to be used for an export or re-export declaration are as follows:

boxes: 1 (first subdivision), 2, 3, 5, 14, 17, 19, 21, 25, 26, 31, 32, 33, 37, 38, 41, 44, 46 and 54;

- (b) the boxes to be used for a declaration of entry for the outward processing procedure are as follows:

(aa) boxes 1 (first subdivision), 2, 3, 5, 14, 17a, 19, 21, 25, 26, 31, 32, 33, 37, 38, 40, 41, 44, 46 and 54;

- (bb) in box 44 the reference to the authorization or:

— the reference to the request for authorization where Article 751 (1) is applied, or

— the information referred to in Article 760 (2), where it may be inserted in this box when the simplified procedures for issue of an authorization are applicable;

▼M19

- (c) the boxes to be used for a transit declaration are as follows:

boxes 1 (third subdivision), 2, 3, 4, 5, 6, 8, 15, 17, 18, 19, 21, 25, 26, 27, 31, 32, 33 (first subdivision), 35, 38, 40, 44, 50, 51, 52, 53, 55 and 56 (i.e. those with a green background);

▼B

- (d) the boxes to be used for a declaration for release for free circulation are as follows:

boxes: 1 (first subdivision), 3, 5, 8, 14, 15, 15a, 16, 19, 21, 25, 26, 31, 32, 33, 34a, ►**M3** 36 ◀, 37, 38, 41, 44, 46, 47 and 54.

Where goods eligible for relief from import duties are involved in accordance with Article 184 of the Code, the particulars referred to in box 16, 34 and 38 shall not be required, unless the customs authorities consider it necessary for the application of the provisions governing the release for free circulation of the goods concerned.

Where goods eligible for relief from import duties or those subject to a zero imposition are involved in accordance with Article 184 of the Code, the particulars referred to in box 47 shall not be required, unless the customs authorities consider it necessary for the application of the provisions governing the release for free circulation of the goods concerned.

Where the declaration for release for free circulation is accompanied by an origin certificate or the document referred to in Article 178 of this Regulation, Member States may exempt the declarant from the requirement to use boxes 16 and 34 and/or 47, respectively;

- (e) the boxes to be used for a declaration of entry for a customs procedure with economic impact, except for the customs warehousing and outward processing procedures, are as follows:

(aa) boxes 1 (first subdivision), 3, 5, 8, 14, 15, 15a, 19, 21, 25, 26, 31, 32, 33, 34, 37, 38, 41, 44, 46, 47 and 54;

- (bb) in box 44, the reference to the authorization or:

— the reference to the request, where the second subparagraph of Article 556 (1), applies, or

— the information referred to in Articles 568 (3), 656 (3) or 695 (3) where it may be inserted in this box when the simplified procedures for issue of an authorization are applicable;

- (f) the boxes required for a declaration of entry for the customs warehousing procedure, except for pre-financed goods, are as follows:

- (aa) for type A, B, C, E and F warehouses:

boxes: 1 (first subdivision), 3, 5, ►**M1** 8 ◀, 14, 19, ►**M4** ◀, 31, 32, ►**M1** 35 ◀, 37, 38, ►**M1** 40, 44 ◀, 49 and 54.

▼M20

Where an authorisation for a type E warehouse provides for the procedures laid down for a type D to be applied, boxes 33 and 47 shall also be required;

▼B

(bb) for type D warehouses:

boxes: 1 (first subdivision), 3, 5, ►M1 8 ◀, 14, 19, ►M4 ◀, 31, 32, 33, ►M1 35 ◀, 37, 38, ►M1 40, 44 ◀, 47, 49 and 54.

The boxes required for a declaration entering pre-financed goods for the customs warehousing procedure are the following:

boxes 1 (first subdivision), 3, 5, ►M1 8 ◀, 14, 17, 19, ►M4 ◀, 31, 32, 33, ►M1 35 ◀, 37, 38, ►M1 40 ◀, 41, 44, 49 and 54;

(g) the boxes to be used for a declaration of entry for a customs procedure discharging a customs procedure with economic impact, except for the outward processing procedure, shall be the boxes referred to in the minimum list laid down for the customs procedure in question.

In addition to the boxes referred to in the indent above, the following shall be necessary for the discharge of a customs procedure with economic impact, other than the outward processing procedure or customs warehousing:

- in box 44: the reference to the authorization,
- in box 31: where appropriate, the specific information laid down in Articles 610, 644 and 711.

For declarations for release for free circulation under the outward processing procedure, box 44 must show the reference to the authorization or, in the case referred to in Article 761, the information required for issue of the authorization.

In cases where the declaration of entry for a customs procedure serves to discharge the customs warehousing procedure, box 49 is to be filled in, in addition to the information laid down in the first two subparagraphs above;

(h) the boxes to be used for a re-exportation declaration discharging a customs procedure with economic impact are as follows:

- (aa) in the cases discharging the customs warehousing procedure the particulars required at (f) (aa);
- (bb) in cases discharging other customs procedures with economic impact, the particulars required at (a);

(i) evidence of Community status of goods (T2L):

boxes 1 (third subdivision), 2, 3, 4, 5, 14, 31, 32, 33, 35, 38, 40, 44 and 54.

C. *Instructions for use of the form*

Whenever a particular subset contains one or more copies which may be used in a Member State other than the one in which it was first completed, the forms must be completed by typewriter or by a mechanographical or similar process. For ease of completion by typewriter the form should be inserted in the machine in such a way that the first letter of the particulars to be entered in box 2 is placed in the position box in the top left-hand corner.

Where all the copies of a subset are intended for use in the same Member State, they may be filled in legibly by hand, in ink and in block capitals, provided that this is allowed in that Member State. The same applies to the particulars to be given on the copies used for the purposes of the Community transit procedure.

The form must contain no erasures or overwriting (SIC! overwriting). Any alterations must be made by crossing out the incorrect particulars and adding those required. Any alterations made in this way must be initialled by the person making them and expressly endorsed by the competent authorities. The latter may, where necessary, require a new declaration to be lodged.

In addition, the forms may be completed using an automatic reproduction process instead of any of the procedures mentioned above. They may also be produced and completed by this means on condition that the provisions concerning the specimen forms, format, language used, legibility, absence of erasures and overwriting, and amendments are strictly observed.

Only numbered boxes are to be completed by operators. The other boxes, identified by a capital letter, are for administrative use.

Without prejudice to Article 205 the copies which are to remain at the office of export/dispatch or departure must bear the original signature of the persons concerned.

▼B

The lodging with a customs office of a declaration signed by the declarant or his representative shall indicate that the person concerned is declaring the goods in question for the procedure applied for and, without prejudice to the possible application of sanctions, shall be held responsible, in accordance with the provisions in force in the Member States, in respect of:

- the accuracy of the information given in the declaration,
- the authenticity of the documents attached,
- the observance of all the obligations inherent in the entry of the goods in question under the procedure concerned.

The signature of the principal or, where applicable, of his authorized representative, commits him to all particulars relating to the Community transit operation pursuant to the provisions on Community transit laid down in the Code and in this Regulation and as listed in section B above.

As regards Community transit formalities and formalities at destination, it should be noted that it is in the interests of each person intervening in the operation to check the contents of his declaration. In particular, any discrepancy found by the person concerned between the goods which he must declare and particulars already entered on the forms being used must immediately be notified by that person to the customs authority. In such cases the declaration must then be made on fresh forms.

Subject to Title III hereafter, where a box is not to be used, it should be left blank.

TITLE II

Particulars to be entered in the various boxesA. *Export (or dispatch), re-export, outward processing and/or Community transit formalities*

1. Declaration

Enter 'EX' or 'EU' or 'COM' as appropriate, in the first subdivision; leave blank if the form is used for Community transit purposes only or where the Community transit procedure is not being used, but the form is used to prove the Community status of the goods.

In the second subdivision, enter the type of declaration in accordance with the Community code provided for that purpose (item for optional use by the Member States). Do not enter any symbol if the form is used only for Community transit or for evidence of Community status of goods.

▼M13

In the third subdivision, enter 'T1', 'T2' or 'T2F' where the Community transit procedure is used, or 'T2L' or 'T2LF' where the Community transit procedure is not used but the Community status of goods must be proved.

▼B

2. Consignor/exporter

Enter the full name and address of the person or company concerned.

As to the identification number, the Member States may supplement the explanatory note to include the identification number allocated to the person or company concerned by the competent authorities for tax, statistical or other purposes. In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box and that the list of exporters be attached to the declaration.

Box for optional use by the Member States in respect of Community transit. However, this box is mandatory when the form is used for evidence of Community status of the goods.

3. Forms

Enter the number of the subset in relation to the total number of subsets of forms and continuation forms used. For example, if there is one EX form and two EX/c forms, indicate on the EX form '1/3', on the first EX/c form '2/3' and on the second EX/c form '3/3'.

Where the declaration covers only one item, i.e. only one 'description of the goods' box has to be completed, do not enter anything in box 3, but enter the figure 1 in box 5.

▼B

Where the declaration is made up from two sets of four copies instead of one set of eight copies, the two sets are to be treated as one for the purpose of establishing the number of forms.

4. Loading lists

Enter in figures the number of loading lists attached, if any, or of descriptive commercial lists authorized by the competent authority.

Box for optional use by the Member States in respect of export formalities, re-exportation or entry to outward processing.

5. Items

Enter the total number of items declared by the person concerned in all the forms and continuation forms (or loading lists or commercial lists) used. The number of items must correspond to the number of 'description of the goods' boxes to be completed.

6. Total packages

Box for optional use by the Member States.

Enter the total number of packages making up the consignment in question.

7. Reference number

Optional item for users, to contain the commercial reference number allocated by the person concerned to the consignment in question.

8. Consignee

Enter the full name address of the person(s) or company(ies) to whom the goods are to be delivered. In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box, and the list of consignees attached to the declaration.

Box for optional use by the Member States in respect of export formalities, entry to outward processing and re-exportation of goods entered into an economic customs procedure. It must be completed in respect of Community transit formalities. However, the Member States may allow this box to be left blank where the consignee is established neither in the Community nor in an EFTA country.

Indication of the identification number is optional at this stage.

9. Person responsible for financial settlement

Box for optional use by the Member States (the person who is responsible for the repatriation of the funds relating to the transaction).

10. Country of first destination

Box for optional use by the Member States.

11. Trading country

Box for optional use by the Member States.

13. Common agricultural policy (CAP)

Box for optional use by the Member States (particulars concerning the implementation of agricultural policy).

14. Declarant or representative of the exporter/consignor

Enter the full name and address of the person or company concerned. If the declarant and the exporter/consignor are the same person, enter 'exporter' or 'consignor'.

As to the identification number, the Member States may supplement the user notice to include the identification number allocated to the person or company concerned by the competent authorities for tax, statistical or other purposes.

▼B

15. Country of dispatch/export

Box for optional use by the Member States in respect of export formalities, entry to outward processing and re-exportation of goods entered into an economic customs procedure. It must be completed in respect of the Community transit procedure. Enter the name of the Member State from which the goods are exported/dispatched.

Box 15a is for optional use by the Member States.

Using the appropriate Community codes, enter in box 15a the Member State where the exporter is established.

▼M7

Regarding export formalities, the 'Member State of actual export' is the Member State, other than the Member State of export, from which the goods were initially dispatched for the purpose of export, if the exporter is not established in the Member State of export. When the goods were not initially dispatched from another Member State for the purpose of export or when the exporter is established in the Member State of export, the Member State of export shall be the same as the Member State of actual export.

▼B

Box 15b is for optional use by the Member States (region from which the goods are exported).

16. Country of origin

The Member States may request that this item be supplied, but may not make it obligatory for operators. If the declaration covers a number of items of different origin, enter the word 'various' in this box.

17. Country of destination

Enter the name of the country concerned. However, in the cases of entry into the outward processing procedure and re-exportation of goods which have been placed in a customs warehouse, this box is optional for Member States.

Using the appropriate Community code, enter in box 17a the country concerned. Box 17a is optional for Member States except for goods entered to the outward processing procedure.

Box 17b is optional for Member States in the case of re-exportation of goods from a customs warehouse.

18. Identity and nationality of means of transport at departure

This box is optional for the Member States as far as export and entry to outward processing formalities are concerned but obligatory in the case of use of the Community transit procedure.

Enter the identity, e.g. registration number(s) or name of the means of transport (lorry, ship, railway wagon, aircraft) on which the goods are directly loaded when export or transit formalities are completed, followed by the nationality of the means of transport (or that of the vehicle propelling the others if there are several means of transport) using the appropriate Community codes. For example, if a tractor and trailer with different registration numbers are used, enter the registration number of the tractor and that of the trailer, together with the nationality of the tractor.

In the case of postal consignments or carriage by fixed transport installations, do not enter the registration number or nationality.

In the case of carriage by rail, the nationality should not be entered.

In other cases, declaration of the nationality is optional for the Member States.

19. Container (Ctr)

Using the appropriate Community codes, indicate the presumed situation when crossing the external Community frontier, based on the information available at the time of completion of the export formalities.

Box for optional use by Member States in respect of Community transit.

▼B

20. Delivery terms

Box for optional use by the Member States.

Using the appropriate Community headings and codes, give particulars of relevant terms of the commercial contract.

21. Identity and nationality of the active means of transport crossing the border

Box for optional use by the Member States in respect of the identity.

This box must be completed in respect of nationality, except in the case of re-exportation from a customs warehouse. However in the cases of postal consignments or carriage by rail or fixed transport installation, the registration number and nationality should not be entered.

Using the appropriate Community codes, enter the type (lorry, ship, railway wagon, aircraft) of the active means of transport crossing the external border of the Community, followed by its identity, e.g. registration number, and nationality, as known at the time of completion of formalities.

In the case of combined transport or where several means of transport are used, the active means of transport is the one which propels the whole combination. For example, if it is a lorry on a sea-going vessel, the active means of transport is the ship; if it is a tractor and trailer, the active means of transport is the tractor.

22. Currency and total amount invoiced

Box for optional use by the Member States (using the appropriate Community code, enter the currency in which the invoice was drawn up, followed by the invoiced price for all goods declared).

23. Exchange rate

Box for optional use by the Member States (exchange rate in force between the invoice currency and the currency of the Member State concerned).

24. Nature of the transaction

Box for optional use by the Member States.

Using the appropriate Community headings and codes, give particulars of relevant terms of the commercial contract.

25. Mode of transport at the border

Using the appropriate Community codes, enter the mode of transport corresponding to the active means of transport which it is expected will be used on exit from the customs territory of the Community.

Box for optional use by the Member States in respect of Community transit, and re-exportation of goods from a customs warehouse.

▼M4

26. Mode of transport inland

Until 31 December 1995, box for optional use for the Member States. After this date, this box shall become compulsory for the Member States.

This box must not be completed where the export formalities are carried out at the point of exit from the Community.

Box for optional use by Member States in respect of Community transit and re-exportation of goods from a customs warehouse.

Using the appropriate Community codes, enter the mode of transport upon departure.

▼B

27. Place of loading

Box for optional use for the Member States.

Enter, using the appropriate code where available, the place where the goods were loaded onto the active means of transport on which they

▼B

are to cross the frontier of the Community, as known at the time of completion of formalities.

28. Financial and banking data

Box for optional use by the Member States.(Transfer of funds relating to the operation in question. Information on financial formalities and procedures and on bank references).

29. Office of exit

Box for optional use for the Member States.

Enter the customs office by which it is intended that the goods should leave the customs territory of the Community.

30. Location of the goods

Box for optional use by the Member States.

Enter the precise location where the goods may be examined.

31. Packages and description of goods; marks and numbers; container No(s); number and kind

Enter the marks, numbers, quantity and kind of packages or, in the case of unpackaged goods, enter the number of such goods covered by the declaration, or the word 'bulk', as appropriate; enter the normal trade description of the goods. The description must include the particulars needed to identify the goods. Where box 33 (commodity code) must be completed, the description must be expressed in terms sufficiently precise to allow the goods to be classified. This box must also contain the particulars required by any specific legislation (excise duties, etc.).

If containers are used, their identifying marks should also be entered in this box.

Where the word 'various' has been entered in box 16 (country of origin), the Member States may provide for the country of origin of the goods in question to be given here, but cannot make this mandatory for operators.

32. Item number

Enter the number of the item in question in relation to the total number of articles declared in the forms and continuation forms used, as described in the note to box 5.

Where the declaration covers only one item, the Member States may provide that this box need not be completed, the figure 1 having been entered in box 5.

33. Commodity code

▼M19

Give the code for the item concerned.

For Community transit, this box is optional. However, the first subdivision of this box must be completed where:

- the transit declaration is made by the same person at the same time as, or following, a customs declaration which includes a commodity code, or
- where a transit declaration covers goods on the list in Article 44C, or
- where Community legislation so provides.

▼B

34. Country-of-origin code

The Member States may request that box 34a be completed but cannot make this obligatory for commercial operators (code corresponding to the country given in box 16 using the appropriate Community codes. Where the word 'various' is given in box 16, enter the code corresponding to the country of origin of the item in question); box 34b is for optional use by Member States (region of production of the goods in question).

▼B

35. Gross mass (kg)

▼M1

Box mandatory for the Member States in respect of the Community transit procedure, where the re-export discharges the customs warehousing procedure, and when the form is used for evidence of the Community status of the goods, but for optional use for the Member States in other cases.

▼B

Enter the gross mass of the goods described in the corresponding box 31, expressed in kilograms. The gross mass is the aggregate mass of the goods with all their packing, excluding containers and other transport equipment.

In the case of Community transit, and for evidence of the Community status of goods where a declaration covers several types of goods, only the total gross mass needs to be entered in the first box 35; the remaining boxes should be left blank.

37. Procedure

Using the appropriate Community codes, enter the procedure for which the goods are declared on export.

38. Net mass (kg)

Enter the net mass of the goods described in the corresponding box 31, expressed in kilograms. The net mass is the mass of the goods themselves without any packing.

In the case of Community transit, this particular should be given only where Community rules require it.

39. Quota

Box for optional use by the Member States (implementation of legislation on quotas).

40. Summary declaration/previous document

Box for optional use by the Member States (reference particulars of documents relating to the administrative procedure preceding export to a third country or dispatch to a Member State).

This box is mandatory where appropriate for evidence of Community status.

▼M1

This box is mandatory where goods are re-exported following discharge of the customs warehousing procedure in a type B customs warehouse; enter the reference of the declaration of entry of the goods for the procedure.

▼M19

Completion of this box is mandatory if the Community transit procedure applies. Give the reference for the previous customs destination or corresponding customs documents. Where more than one reference has to be entered, the Member States may provide that the word 'various' be entered in this box and a list of the references concerned accompany the transit declaration.

▼B

41. Supplementary units

For use as necessary in accordance with the goods nomenclature. This box is optional for Member States in the case of re-exportation from a customs warehouse.

Enter the quantity of the item in question, expressed in the unit stipulated in the goods nomenclature.

44. Additional information, documents produced, certificates and authorizations

Enter the details required under any specific rules applicable, together with reference particulars of the documents produced in support of the declaration including the serial numbers of any control copies T5.

The subdivision 'Additional information (AI) code' must not be used.

▼ M1

Where the re-export declaration discharging the customs warehousing procedure is lodged with a customs office other than the supervising office, enter the full name and full address of the supervising office.

▼ M14

From 1 January 1999, the declarations made in the Member States which give the opportunity to operators to opt for the use of the euro unit for the establishment of their customs declarations will include in this box, preferably in the subdivision in the bottom right-hand corner, an indicator of the currency unit, national unit or euro unit, used.

Member States may provide that this indicator be entered only in box 44 for the first item of goods of the declaration. In this case, the information will be deemed valid for all the good items of the declaration.

This indicator will be constituted by the iso-alpha-3 currency code (ISO 4217)

▼ B

46. Statistical value

▼ M14

Enter the statistical value expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the export formalities are completed, in accordance with the Community provisions in force.

▼ B

This box is optional for Member States in the case of re-exportation from a customs warehouse.

47. Calculation of taxes

The Member States may require the type of tax and tax base, the rate of tax applicable and the payment method selected to be shown, and, for information purposes only, the amount of each type of tax payable and the total tax for the item in question, as calculated by the person concerned.

The following should be shown on each line, using the appropriate Community codes, as required:

- the type of tax (e.g. excise duties),
- the tax base,
- the rate of tax applicable,
- the amount of tax payable,
- the method of payment chosen (MP).

▼ M14

The amounts in this box are expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the export formalities are completed

▼ B

48. Deferred payment

Box for optional use by the Member States (reference particulars of the authorization in question; deferred payment here refers both to deferred payment of customs duties and to tax credit).

49. Identification of warehouse

Where appropriate, enter the identification number of the warehouse, followed by the letters preceding the authorization number identifying the Member State of issue. This box is mandatory for Member States for entry to outward processing procedure from a customs warehouse or the re-exportation from a customs warehouse. It is optional in all other cases.

50. Principal and authorized representative, place, date and signature

Enter the full name (person or company) and address of the principal, together with the identification number, if any, allocated by the competent authorities. Where appropriate, enter the full name (person or company) of the authorized representative signing on behalf of the principal.

▼B

Subject to specific provisions to be adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of departure. Where the person concerned is a legal person, this signatory must add after his signature his full name and capacity.

▼M5

For export operations, the declarant or his representative (SIC! representative) may enter the name and address of a person established in the district of the office of exit to whom Copy No 3 of the declaration endorsed by the said office may be given.

▼B

51. Intended offices of transit (and countries)

Enter the intended office of entry into each EFTA country to be crossed and the office of entry by which the goods re-enter the customs territory of the Community after having crossed the territory of an EFTA country, or, where the transport is to cross territory other than that of the Community or of an EFTA country, the office of exit by which the transport leaves the Community and the office of entry by which it re-enters the Community. ► **M19** The transit offices appear in the list of offices competent for Community transit operations. ◀

After the name of the office, enter the Community code for the country concerned.

52. Guarantee

▼M19

Use the Community codes laid down for this purpose to enter the type of guarantee or guarantee waiver used for the operation followed, as appropriate, by the number of the comprehensive guarantee certificate, the guarantee waiver certificate, or the individual guarantee voucher and the office of guarantee.

Where a comprehensive guarantee, guarantee waiver or individual guarantee provided by a guarantor is not valid for all the EFTA countries, add 'not valid for' followed by the codes for the EFTA country or countries concerned.

▼B

53. Office of destination (and country)

Enter the name of the office where the goods are to be presented in order to complete the Community transit operation. ► **M19** The offices of destination appear in the list of offices competent for Community transit operations. ◀

After the name of the office, enter the Community code for the Member State or country concerned.

54. Place and date, signature and name of the declarant or his representative (SIC! representative)

Subject to specific provisions to be adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of export/dispatch, followed by the full name of that person. Where the person concerned is a legal person, the signatory should add his capacity after his signature and full name.

B. *Formalities en route*

Between the time when the goods leave the office of export and/or departure, and the time when they arrive at the office of destination, certain details may need to be added to the copies of the single administrative document which accompany the goods. These concern the transport operation and must be added to the document by the carrier responsible for the means of transport on which the goods are directly loaded, as and when the transport operations take place. The particulars may be added legibly by hand; in this case, the form should be completed in ink in block capitals.

These indications concern the following boxes, on copies 4 and 5 only:

— Transhipment: use box 55.

Box 55: transhipments

▼B

The first three lines of this box are to be completed by the carrier where, during the operation in question, the goods are transhipped from one means of transport to another or from one container to another.

▼M19

The carrier may only tranship goods after obtaining the authorisation of the customs authorities of the Member State in whose territory the transshipment is to be made.

Where those authorities consider that the transit operation may continue in the normal way, they shall, once they have taken any steps that may be necessary, endorse copies No 4 and 5 of the transit declaration.

▼B

— Other incidents: use box 56.

Box 56: Other incidents (SIC! incidents) during carriage:

Box to be completed in accordance with existing obligations under Community transit procedure.

In addition, where the goods were loaded on a semitrailer and only the tractor vehicle is changed during the journey (without the goods being handled or transhipped) enter in this box the registration number of the new tractor. In such cases endorsement by the competent authorities is not necessary.

C. Formalities concerning customs procedures at import

1. Declaration

Enter 'IMI', 'EU' or 'COM', as appropriate, in the first subdivision.

Using the appropriate Community code, enter the type of declaration in the second subdivision. This item is optional for the Member States.

The third subdivision must not be used.

2. Consignor/exporter

Box for optional use by the Member States (enter the full name and address of the consignor or the seller of the goods).

3. Forms

Enter the number of the subset in relation to the total number of subsets of forms and continuation forms used. For example, if there is one IM form and two IM/c forms, indicate on the IM form '1/3', on the first IM/c form '2/3' and on the second IM/c form '3/3'.

Where the declaration covers only one item (i.e. only one 'description of goods' box has to be completed) do not enter anything in box 3, but enter the figure 1 in box 5.

4. Loading lists

Enter in figures the number of any loading lists attached, or of commercial descriptive lists where these are authorized by the competent authority.

Box for optional use by the Member States.

5. Items

Enter the total number of items declared by the person concerned in all the forms and continuation forms (or loading lists or commercial lists) used. The number of items must correspond to the number of 'description of goods' boxes to be completed.

6. Total packages

Box for optional use by the Member States.

Enter the total number of packages making up the consignment in question.

7. Reference number

Optional item for users, to contain the commercial reference number allocated by the person concerned to the consignment in question.

▼B

8. Consignee

Enter the full name and address of the person(s) or company(ies) to whom the goods are to be delivered. In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box, and the list of consignees attached to the declaration.

▼M1

In the case of entry for the customs warehousing procedure in a private warehouse (type C, D or E), enter the full name and address of the depositor where the latter is not the declarant.

▼B

As to the identification number, the Member States may supplement the user notice to include the identification number allocated to the person or company concerned by the competent authorities for tax, statistical or other purposes.

9. Person responsible for financial settlement

Box for optional use by the Member States (the person who is responsible for the transfer of the funds relating to the transaction).

10. Country of last consignment

Box for optional use by the Member States, as required.

11. Trading/production country

Box for optional use by the Member States, as required.

12. Particulars relating to value

Box for optional use by the Member States (particulars required to calculate tax or statistical value for customs purposes).

13. Common agricultural policy (CAP)

Box for optional use by the Member States (particulars concerning the implementation of agricultural policy).

14. Declarant or representative of the consignee

Enter the full name and address of the person or company concerned in accordance with the provisions in force. If the declarant and the consignee are the same person, enter the word 'consignee'.

As to the identification number, the Member States may supplement the user notice to include the identification number allocated to the person or company concerned by the competent authorities for tax, statistical or other purposes.

15. Country of dispatch/export

Enter the name of the country from which the goods are exported. Member States may opt not to use this box when they require box 15a to be used.

This box is optional for Member States in the case of entry into a customs warehouse.

Using the appropriate Community code, enter in box 15a the country concerned.

Box 15b must be left blank.

16. Country of origin

Information can be required only where authorized by Community law.

If the declaration covers a number of items of different origin, enter the word 'various'. Member States may waive the use of this box when they require box 34 to be used. This box is optional for Member States in the case of entry into an economic customs procedure.

Member States may waive the use of this box where they require box 34 to be used.

▼B

17. Country of destination

Except for cases of entry for the customs warehousing procedure of pre-financed goods, this box is for optional use by the Member States.

Enter the name of the Member State concerned.

Using the appropriate Community code, enter in box 17a the Member State concerned.

Enter in box 17b the region of destination of the goods.

18. Identity and nationality of means of transport on arrival

Box for optional use by the Member States.

Enter the identity e.g. registration number(s) or name of the means of transport (lorry, ship, railway wagon, aircraft) on which the goods were directly loaded on presentation at the customs office where the destination formalities are completed, followed by the nationality of the means of transport (or that of the vehicle propelling the others if there are several means of transport) using the appropriate Community codes. For example, if a tractor and trailer with different registration numbers are used, enter the registration number of the tractor and that of the trailer, together with the nationality of the tractor.

In the case of postal consignments or carriage by fixed transport installation do not enter registration number or nationality in this box.

In the case of carriage by rail do not enter the nationality.

19. Container (Ctr)

Using the appropriate Community codes, indicate the situation when crossing the external Community frontier.

20. Delivery terms

Box for optional use by the Member States.

Using the appropriate Community headings and codes, give particulars of relevant terms of the commercial contract.

21. Identity and nationality of the active means of transport crossing the border.

Box for optional use by the Member States in respect of identity.

This box must be completed in respect of nationality, except in the case of entry into a customs warehouse. However, in the cases of postal consignments or carriage by rail or fixed transport installation, the registration number and nationality should not be entered.

Using the appropriate Community codes, enter the type (lorry, ship, railway wagon, aircraft) of the active means of transport crossing the external frontier of the Community, followed by its identity, e.g. registration number, and nationality.

In the case of combined transport or where several means of transport are used, the active means of transport is the one which propels the whole combination. For example, if it is a lorry on a sea-going vessel, the active means of transport is the ship, if it is a tractor and trailer, the active means of transport is the tractor.

22. Currency and total amount invoiced

Box for optional use by the Member States.

Using the appropriate Community code, enter the currency in which the contract was drawn up, followed by the invoiced price for all goods declared.

23. Exchange rate

Box for optional use by the Member States (exchange rate in force between the invoice currency and the currency of the Member States concerned).

24. Nature of the transaction

Box for optional use by the Member States.

▼B

Using the appropriate Community headings and codes, give particulars of relevant terms of the commercial contract.

25. Mode of transport at the border

Using the appropriate Community code, enter the mode of transport corresponding to the active means of transport on which the goods entered the customs territory of the Community. This box is optional for Member States in the case of entry into a customs warehouse.

▼M4

26. Mode of transport inland

Until 31 December 1995, box for optional use for the Member States. After this date, this box shall become compulsory for the Member States.

This box must not be completed where the import formalities are carried out at the point of entry into the Community.

Box for optional use by Member States in respect of entry of goods for the customs warehousing procedure.

Using the appropriate Community codes, enter the mode of transport upon arrival.

▼B

27. Place of unloading

Box for optional use for the Member States

Enter, in code form where provided for, the place where the goods are unloaded from the active means of transport on which they crossed the Community frontier.

28. Financial and banking data

Box for optional use by the Member States (transfer of funds relating to the operation in question. Information on financial formalities and procedure and on bank references).

29. Office of entry

Box for optional use for the Member States.

Enter the customs office by which the goods entered the customs territory of the Community.

30. Location of the goods

Box for optional use by the Member States.

Enter the precise location where the goods may be examined.

31. Packages and description of goods — marks and numbers — container No(s) — number and kind

Enter the marks, numbers, quantity and kind of packages or, in the case of unpackaged goods, enter the number of such goods covered by the declaration, or the word 'bulk', as appropriate, together with the particulars necessary to identify the goods. The description of the goods means the normal trade description. Except for non-Community goods placed under the customs warehousing procedure in a type A, B, C, E or F warehouse, this description must be expressed in terms sufficiently precise to enable immediate and unambiguous identification and classification. This box must also contain the particulars required by any specific rules (e.g. VAT, excise duties). If containers are used, their identifying marks should also be entered in this box.

Where the word 'various' has been entered in box 16 (country of origin), the Member States may provide for the country of origin of the goods in question to be given here, within the limits of Community law.

32. Item number

Enter the number of the item in question in relation to the total number of articles declared in the forms and continuation forms used, as described in the note to box 5.

▼B

When the declaration covers only one item of goods, the Member States may provide that this box need not be completed, the figure 1 having been entered in box 5.

33. Commodity code

Enter the code number corresponding to the item in question. The Member States may provide for entry of a specific nomenclature concerning excise duties in the last subdivision on the right.

34. Country-of-origin code

Using the appropriate Community codes, enter in box 34a the code corresponding to the country given in box 16. When the word 'various' is given in box 16, enter the code corresponding to the country of origin of the item in question.

Member States may waive the use of box 34 where they require box 16 to be used, unless the latter contains the word 'various'.

Box 34 is optional for Member States in the case of entry into a customs warehouse.

35. Gross mass

Box for optional use by the Member States. Enter the gross mass of the goods described in the corresponding box 31, expressed in kilograms. The gross mass is the aggregate mass of the goods with all their packing, excluding containers and other transport equipment.

▼M1

Box mandatory in the case of the entry for the customs warehousing procedure.

▼M3

36. Preference

Enter the appropriate code.

Until 1 January 1996, Member States may use codes other than those specified in Annex 38, provided that such codes enable statistics to be recorded at least as accurately as the codes specified in that Annex.

▼B

37. Procedure

Using the appropriate Community code, enter the procedure for which the goods are declared at destination.

38. Net mass

Enter the net mass of the goods described in the corresponding box 31, expressed in kilograms. The net mass is the mass of the goods themselves without any packaging.

39. Quota

Box for optional use by the Member States (implementation of rules on quotas, as applicable).

40. Summary declaration/previous document

Box for optional use by the Member States (reference particulars of any summary declaration used in the Member State of import or of the documents relating to any previous administrative procedure).

▼M1

This box is mandatory in the case of the entry for the customs warehousing procedure and where appropriate for the evidence of Community status

▼B

41. Supplementary units

For use as necessary in accordance with the goods nomenclature. Enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature. This box is mandatory for Member States in the cases of entry to free circulation or entry into a customs procedure other than entry into a customs warehouse. However, this box is also

▼ B

mandatory in the case of entry of pre-financed goods into a customs warehouse.

42. Item price

Box for optional use by the Member States (enter the amount included in the price entered in box 22 which refers to the item in question).

43. Evaluation method

Box for optional use by the Member States (particulars required for calculating the tax or statistical value for customs purposes).

44. Additional information, documents produced, certificates and authorizations

Enter the details required by any specific rules applicable together with reference particulars of the documents produced in support of the declaration, including the serial numbers of any control copies T5. The subdivision 'Additional information (AI) code' must not be used.

▼ M1

Where a declaration entering goods for the customs warehousing procedure is lodged with a customs office other than the supervising office, enter the name and full address of the supervising office.

▼ M14

From 1 January 1999, the declarations made in the Member States which give the opportunity to operators to opt for the use of the euro unit for the establishment of their customs declarations will include in this box, preferably in the subdivision in the bottom right-hand corner, an indicator of the currency unit, national unit or euro unit, used.

Member States may provide that this indicator be entered only in box 44 for the first item of goods of the declaration. In this case, the information will be deemed valid for all the good items of the declaration.

This indicator will be constituted by the iso-alpha-3 currency code (ISO 4217)

▼ B

45. Adjustment

Box for optional use by the Member States (particulars required for calculating the tax or statistical value for customs purposes).

▼ M14

The amounts in this box are expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State of destination.

▼ B

46. Statistical value

▼ M14

Enter the statistical value expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State of destination, in accordance with the Community provisions in force

▼ B

This box is optional for Member States in the case of entry into a customs warehouse.

47. Calculation of taxes

Enter the tax base (value, weight or other). The Member States may require the type of tax, the rate of duty or tax applicable and the payment method selected to be shown, and, for information purposes only, the amount of each type of tax payable and the total tax for the item in question as calculated by the person concerned.

In the declaration entering non-Community goods for the customs warehousing procedure in a type D warehouse, indicate only the tax base.

The following should be shown on each line, using the appropriate Community codes, as required:

- the type of tax (e.g. import duty, VAT),
- the tax base,

▼B

- the rate of tax applicable,
- the amount of tax payable,
- the method of payment chosen (MP).

▼M14

The amounts in this box are expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State of destination.

▼B

48. Deferred payment

Box for optional use by the Member States (reference particulars of the authorization in question; deferred payment here refers both to deferred payment of customs duties and to tax credit).

49. Identification of warehouse

Where necessary, enter the identification number of the warehouse, followed by the letters preceding the authorization number identifying the Member State of issue.

This box is optional for Member States in the cases of entry into a free circulation and entry into a customs procedure other than customs warehousing or outward processing from a customs warehouse.

54. Place and date, signature and name of the declarant or his representative

Subject to specific provisions to be adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of destination, followed by the full name of that person. Where that person is a legal person, the signatory should add his capacity after his signature and full name.

TITLE III

Remarks concerning the continuation forms

- A. Continuation forms should only be used where the declaration covers more than one item (cf. box 5). They must be presented together with an IM, EX, EU or COM form.
- B. The instructions in Titles I and II also apply to the continuation forms.

However:

▼M19

- the symbols 'IM/c', 'EX/c' or 'EU/c' (or 'COM/c' where applicable), must appear in the first subdivision of box 1, but no symbol must appear in this subdivision where:
 - the form is used for Community transit only, in which case, depending on the common transit procedure applicable to the goods concerned, enter 'T1bis', 'T2bis' or 'T2Fbis' in the third subdivision of box 1,
 - the form is used solely to furnish proof of the Community status of goods, in which case, depending on the status of the goods concerned, enter 'T2Lbis' or 'T2LFa' in the third subdivision of the box.

▼B

- box 2/8 is for optional use by the Member States and should show only the name and identification number, if any, of the person concerned,
- the 'summary' part of box 47 concerns the final summary of all the items covered by the IM and IM/c, EX and EX/c, EU and EU/c or COM and COM/c forms used. It should therefore be used only on the last of the IM/c, EX/c, EU/c or COM/c forms attached to an IM, EX, EU or COM document in order to show the total by type of tax and the grand total (GT) of the charges payable.

▼M19

- C. If continuation sheets are used,
- any boxes for 'description of goods' which have not been used must be struck out to prevent later use,

▼M21

- when the third subdivision of box 1 contains the symbol 'T', boxes 32 (Item number), 33 (Commodity code), 35 (Gross mass (kg)), 38 (Net mass (kg)), 40 (Summary declaration/previous document) and 44 (Addi-

▼ M21

tional information, documents produced, certificates and authorisations) of the first item of goods of the transit declaration used must be struck through and the first box 31 (Packages and description of goods) of this document may not be used to enter the marks, numbers, number and kind of packages or goods description. In the first box 31 of this document, reference will be made, as appropriate, to the number of continuation sheets bearing the respective symbols *T1bis*, *T2bis* or *T2Fbis*.

▼ **M19***ANNEX 37a***EXPLANATORY NOTE ON THE USE OF TRANSIT DECLARATIONS
BY THE EXCHANGE OF EDI STANDARD MESSAGES****(EDI TRANSIT DECLARATION)**

TITLE I

General

The EDI transit declaration is based upon the particulars entered into the different boxes of the Single Administrative Document (SAD) as defined in Annexes 37 and 38, in association with or replaced by a code if appropriate.

This Annex contains exclusively the basic special requirements, which apply when the formalities are carried out by the exchange of the EDI standard messages. Furthermore the additional codes presented in Annex 37c are applicable. Annexes 37 and 38 apply to the EDI transit declaration unless otherwise specified in this Annex or in Annex 37c.

The detailed structure and content of the EDI transit declaration follow the technical specifications the competent authorities communicate to the principal in order to ensure the proper functioning of the system. These specifications are based upon the requirements laid down in this Annex.

This Annex describes the structure of the information exchange. The transit declaration is organised into data groups, which contain data attributes. The attributes are grouped together in such a way that they build up coherent logical blocks within the scope of the message. A data group indentation indicates that the data group depends on a lower indent data group.

When present, the appropriate number of the box on the SAD is noted.

The term 'number' in the explanation of a data group indicates how many times the data group may be used in the transit declaration.

The term 'type/length' in the explanation of an attribute indicates the requirements for the data type and the data length. The codes for the data types are as follows:

a alphabetic

n numeric

an alphanumeric

The number following the code indicates the admissible data length. The following applies.

The optional two dots before the length indicator mean that the data has no fixed length, but it can have up to a number of digits, as specified by the length indicator. A comma in the data length means that the attribute can hold decimals, the digit before the comma indicates the total length of the attribute, the digit after the comma indicates the maximum number of digits after the decimal point.

TITLE II

Structure of the EDI transit declaration**A. Table of the data groups**

TRANSIT OPERATION

TRADER consignor

TRADER consignee

GOODS ITEM

— TRADER consignor

— TRADER consignee

— CONTAINERS

— SGI CODES

— PACKAGES

— PREVIOUS ADMINISTRATIVE REFERENCES

— PRODUCED DOCUMENTS/CERTIFICATES

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- SPECIAL MENTIONS
- CUSTOMS OFFICE of departure
- TRADER principal
- REPRESENTATIVE
- CUSTOMS OFFICE of transit
- CUSTOMS OFFICE of destination
- TRADER authorised consignee
- CONTROL RESULT
- SEALS INFORMATION
- SEALS ID
- GUARANTEE
- GUARANTEE REFERENCE
- VALIDITY LIMITATION (EC)
- VALIDITY LIMITATION (NON-EC)

B. Particulars on the data of the transit declaration

TRANSIT OPERATION

Number: 1

The data group shall be used.

LRN

Type/Length: an ..22

The local reference number (LRN) shall be used. It is nationally defined and allocated by the user in agreement with the competent authorities to identify each single declaration.

Declaration type (box 1)

Type/Length: an ..5

The attribute shall be used.

Number of loading lists (box 4)

Type/Length: n ..5

The attribute shall be used when loading lists are present. In case of loading lists the following rules are applied:

- the required attribute 'Country of dispatch' of the data group 'TRANSIT OPERATION' is set to '-',
- there is only one occurrence of the data group 'GOODS ITEM' and where necessary the subdata groups 'PREVIOUS ADMINISTRATIVE REFERENCES', and 'PRODUCED DOCUMENTS/CERTIFICATES' and 'SPECIAL MENTIONS'. All the other subdata groups of 'GOODS ITEM' cannot be used,
- the attribute 'Textual description' contains references to the attached loading lists, 'Textual description LNG' contains the language code (LNG) used for those references. The content of the references can be:
 - for 'Declaration type' = 'T1': 'See loading list(s)',
 - for 'Declaration type' = 'T2': 'See loading list(s)',
 - for 'Declaration type' = 'T2F': 'See loading list(s)',
 - for 'Declaration type' = 'T-':
 - 'T1: See loading list(s) from ... to ...',
 - 'T2: See loading list(s) from ... to ...',
 - 'T2F: See loading list(s) from ... to ...',
- the attribute 'Item number' is filled in with '-',
- all the other attributes of the data group 'GOODS ITEM' cannot be used.

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Total number of items (box 5)

Type/Length: n ..5

The attribute shall be used.

Total number of packages (box 6)

Type/Length: n ..7

The attribute shall be used, if the attribute 'Number of loading lists' is used. In other cases the use is optional. The total number of packages is equal to the sum of all 'Number of packages', all 'Number of pieces' and a value of '1' for each declared 'bulk'.

Country of dispatch (box 15a)

Type/Length: a2

The attribute shall be used, if only one country of dispatch is declared. The country codes presented in Annex 37c shall be used. In this case the attribute 'Country of dispatch' of the data group 'GOODS ITEM' cannot be used. If more than one country of dispatch is declared, this attribute of the data group 'TRANSIT OPERATION' cannot be used. In this case the attribute 'Country of dispatch' of the data group 'GOODS ITEM' shall be used.

Destination country (box 17a)

Type/Length: a2

The attribute shall be used, if only one country of destination is declared. The country codes presented in Annex 37c shall be used. In this case the attribute 'Destination country' of the data group 'GOODS ITEM' cannot be used. If more than one country of destination is declared, this attribute of the data group 'TRANSIT OPERATION' cannot be used. In this case the attribute 'Destination country' of the data group 'GOODS ITEM' shall be used.

Identity at departure (box 18)

Type/Length: an ..27

The attribute shall be used according to Annex 37.

Identity at departure LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

Nationality at departure (box 18)

Type/Length: a2

The country code presented in Annex 37c shall be used according to Annex 37.

Container (box 19)

Type/Length: n1

The following codes shall be used

0: no

1: yes.

Nationality crossing border (box 21)

Type/Length: a2

The country code presented in Annex 37c shall be used according to Annex 37.

Identity crossing border (box 21)

Type/Length: an ..27

The use of the attribute is optional for the Member States according to Annex 37.

▼ **M19***Identity crossing border LNG*

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

Type of transport crossing border (box 21)

Type/Length: n ..2

The use of the attribute is optional for the Member States according to Annex 37.

Transport mode at border (box 25)

Type/Length: n ..2

The use of the attribute is optional for the Member States according to Annex 37.

Inland transport mode (box 26)

Type/Length: n ..2

The use of the attribute is optional for the Member States. It has to be used according to the explanatory note concerning box 25 presented in Annex 38.

Loading place (box 27)

Type/Length: an ..17

The use of the attribute is optional for the Member States.

Agreed location code (box 30)

Type/Length: an ..17

The attribute cannot be used, if the data group 'CONTROL RESULT' is used. If this data group is not used the attribute is optional. If this attribute is used the precise indication of the place in coded form where the goods can be examined is necessary. The attributes 'Agreed location of goods'/'Agreed location code', 'Authorised location of goods' and 'Customs subplace' cannot be used at the same time.

Agreed location of goods (box 30)

Type/Length: an ..35

The attribute cannot be used, if the data group 'CONTROL RESULT' is used. If this data group is not used the attribute is optional. If this attribute is used the precise indication of the place where the goods can be examined is necessary. The attributes 'Agreed location of goods'/'Agreed location code', 'Authorised location of goods' and 'Customs subplace' cannot be used at the same time.

Agreed location of goods LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

Authorised location of goods (box 30)

Type/Length: an ..17

The attribute is optional, if the data group 'CONTROL RESULT' is used. If the attribute is used the precise indication of the place where the goods can be examined is necessary. If the data group 'CONTROL RESULT' is not used the attribute cannot be used. The attributes 'Agreed location of goods'/'Agreed location code', 'Authorised location of goods' and 'Customs subplace' cannot be used at the same time.

Customs subplace (box 30)

Type/Length: an ..17

The attribute cannot be used, if the data group 'CONTROL RESULT' is used. If this data group is not used the attribute is optional. If this attribute is used the precise indication of the place where the goods can be examined

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is necessary. The attributes 'Agreed location of goods'/'Agreed location code', 'Authorised location of goods' and 'Customs subplace' cannot be used at the same time.

Total gross mass (box 35)

Type/Length: n ..11,3

The attribute shall be used.

NCTS accompanying document language code

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language of the transit accompanying document (NCTS accompanying document).

Dialogue language indicator at departure

Type/Length: a2

The use of the language code presented in Annex 37c is optional. If this attribute is not used the system will use the default language of the office of departure.

Declaration date (box 50)

Type/Length: n8

The attribute shall be used.

Declaration place (box 50)

Type/Length: an ..35

The attribute shall be used.

Declaration place LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) of the corresponding free text field.

TRADER consignor (box 2)

Number: 1

This data group is used, when there is only one consignor declared. In this case the data group 'TRADER consignor' of the data group 'GOODS ITEM' cannot be used.

Name (box 2)

Type/Length: an ..35

The attribute shall be used.

Street and number (box 2)

Type/Length: an ..35

The attribute shall be used.

Country (box 2)

Type/Length: a2

The country code presented in Annex 37c shall be used.

Postcode (box 2)

Type/Length: an ..9

The attribute shall be used.

City (box 2)

Type/Length: an ..35

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The attribute shall be used.

NAD LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language of name and address (NAD LNG).

TIN (box 2)

Type/Length: an ..17

The use of the attribute to insert the trader identification number (TIN) is optional for the Member States.

TRADER Consignee (box 8)

Number: 1

The data group shall be used, when there is only one consignee declared and the attribute 'Destination country' of the data group 'TRANSIT OPERATION' contains a Member State or an EFTA country. In this case the data group 'TRADER consignee' of the data group 'GOODS ITEM' cannot be used.

Name (box 8)

Type/Length: an ..35

The attribute shall be used.

Street and number (box 8)

Type/Length: an ..35

The attribute shall be used.

Country (box 8)

Type/Length: a2

The country code presented in Annex 37c shall be used.

Postcode (box 8)

Type/Length: an ..9

The attribute shall be used.

City (box 8)

Type/Length: an ..35

The attribute shall be used.

NAD LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language of name and address (NAD LNG).

TIN (box 8)

Type/Length: an ..17

The use of this attribute to insert the trader identification number (TIN) is optional for the Member States.

GOODS ITEM

Number: 999

The data group shall be used. In case of loading lists the following rules are applied:

- the required attribute 'Country of dispatch' of the data group 'TRANSIT OPERATION' is set to '-',
- there is only 1 occurrence of the data group 'GOODS ITEM', and where necessary the subdata groups 'PREVIOUS ADMINISTRATIVE REFER-

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ENCES', 'PRODUCED DOCUMENTS/CERTIFICATES' and 'SPECIAL MENTIONS'. All the other subdata groups of 'GOODS ITEM' cannot be used,

- the attribute 'Textual description' contains references to the attached loading lists, 'Textual description LNG' contains the language code (LNG) used for those references. The content of the references can be:
 - for 'Declaration type' = 'T1': 'See loading list(s)',
 - for 'Declaration type' = 'T2': 'See loading list(s)',
 - for 'Declaration type' = 'T2F': 'See loading list(s)',
 - for 'Declaration type' = 'T-':
 - 'T1: See loading list(s) from ... to ...',
 - 'T2: See loading list(s) from ... to ...',
 - 'T2F: See loading list(s) from ... to ...',
- the attribute 'Item number' is filled-in with '-',
- all the other attributes of the data group 'GOODS ITEM' cannot be used.

Declaration type (ex box 1)

Type/Length: an ..5

The attribute shall be used, if the code 'T-' was used for the attribute 'Declaration type' of the data group 'TRANSIT OPERATION'. In other cases this attribute cannot be used.

Country of dispatch (ex box 15a)

Type/Length: a2

The attribute shall be used, if more than one country of dispatch is declared. The country codes presented in Annex 37c shall be used. The attribute 'Country of dispatch' of the data group 'TRANSIT OPERATION' cannot be used. If only one country of dispatch is declared the corresponding attribute of the data group 'TRANSIT OPERATION' shall be used.

Destination country (ex box 17a)

Type/Length: a2

The attribute shall be used, if more than one country of destination is declared. The country codes presented in Annex 37c shall be used. The attribute 'Destination country' of the data group 'TRANSIT OPERATION' cannot be used. If only one country of destination is declared the corresponding attribute of the data group 'TRANSIT OPERATION' shall be used.

Textual description (box 31)

Type/Length: an ..140

The attribute shall be used.

Textual description LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) of the corresponding free text field.

Item number (box 32)

Type/Length: n ..5

The attribute shall be used, even if a number '1' was used for the attribute 'Total number of items' of the data group 'TRANSIT OPERATION'. In this case the number '1' shall be used for this attribute. Each item number is unique throughout the declaration.

Commodity code (box 33)

Type/Length: n ..8

The attribute shall be used with at least four and up to eight digits according to Annex 37.

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Gross mass (box 35)

Type/Length: n ..11,3

This attribute is optional when goods of different type covered by the same declaration are packed together in such a way that it is impossible to determine the gross mass of each type of goods.

Net mass (box 38)

Type/Length: n ..11,3

The use of the attribute is optional according to Annex 37.

TRADER consignor (ex box 2)

Number: 1

The data group 'TRADER consignor' cannot be used when there is only one consignor declared. In this case the data group 'TRADER consignor' on 'TRANSIT OPERATION' level is used.

Name (ex box 2)

Type/Length: an ..35

The attribute shall be used.

Street and number (ex box 2)

Type/Length: an ..35

The attribute shall be used.

Country (ex box 2)

Type/Length: a2

The country code presented in Annex 37c shall be used.

Postcode (ex box 2)

Type/Length: an ..9

The attribute shall be used.

City (ex box 2)

Type/Length: an ..35

The attribute shall be used.

NAD LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language of name and address (NAD LNG).

TIN (ex box 2)

Type/Length: an ..17

The use of this attribute to insert the trader identification number (TIN) is optional for the Member States.

TRADER consignee (ex box 8)

Number: 1

The data group shall be used when more than one consignee is declared and the attribute 'Destination country' of the data group 'GOODS ITEM' contains a Member State or an EFTA country. When only one consignee is declared, the data group 'TRADER consignee' of the data group 'GOODS ITEM' cannot be used.

Name (ex box 8)

Type/Length: an ..35

The attribute shall be used.

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Street and number (ex box 8)

Type/Length: an ..35

The attribute shall be used.

Country (ex box 8)

Type/Length: a2

The country code presented in Annex 37c shall be used.

Postcode (ex box 8)

Type/Length: an ..9

The attribute shall be used.

City (ex box 8)

Type/Length: an ..35

The attribute shall be used.

NAD LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language of name and address (NAD LNG).

TIN (ex box 8)

Type/Length: an ..17

The use of this attribute to insert the trader identification number (TIN) is optional for the Member States.

CONTAINERS (box 31)

Number: 99

If the attribute 'Container' of the data group 'TRANSIT OPERATION' contains the code '1' the data group shall be used.

Container numbers (box 31)

Type/Length: an ..11

The attribute shall be used.

SGI Codes (box 31)

Number: 9

The data group shall be used to insert the identification of sensitive goods (SGI) if the transit declaration concerns goods of Annex 44c.

Sensitive goods code (box 31)

Type/Length: n ..2

The code presented in Annex 37c shall be used if the commodity code is not enough to uniquely identify goods of Annex 44c.

Sensitive quantity (box 31)

Type/Length: n ..11,3

The attribute shall be used when the transit declaration concerns goods of Annex 44c.

PACKAGES (box 31)

Number: 99

The data group shall be used.

Marks and numbers of packages (box 31)

Type/Length: an ..42

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The attribute shall be used if the attribute 'Kind of packages' contains other codes presented in Annex 37c than those for bulk (VQ, VG, VL, VY, VR or VO) or for 'Unpacked' (NE). It is optional if the attribute 'Kind of packages' contains one of the previous mentioned codes.

Marks and numbers of packages LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

Kind of packages (box 31)

Type/Length: a2

The package code presented in Annex 37c shall be used.

Number of packages (box 31)

Type/Length: n ..5

The attribute shall be used if the attribute 'Kind of packages' contains other codes presented in Annex 37c than those for bulk (VQ, VG, VL, VY, VR or VO) or for 'Unpacked' (NE). It cannot be used if the attribute 'Kind of packages' contains one of the previous mentioned codes.

Number of pieces (box 31)

Type/Length: n ..5

The attribute shall be used if the attribute 'Kind of packages' contains a code presented in Annex 37c for 'Unpacked' (NE). In other cases this attribute cannot be used.

PREVIOUS ADMINISTRATIVE REFERENCES (box 40)

Number: 9

The data group shall be used according to Annex 37.

Previous document type (box 40)

Type/Length: an ..6

If the data group shall be used at least one previous document type shall be used.

Previous document reference (box 40)

Type/Length: an ..20

The reference of the previous document shall be used.

Previous document reference LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) of the corresponding free text field.

Complement of information (box 40)

Type/Length: an ..26

The use of the attribute is optional for the Member States.

Complement of information LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

PRODUCED DOCUMENTS/CERTIFICATES (box 44)

Number: 99

The data group shall be used according to Annex 37. If the data group is used at least one of the following attributes shall be used.

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Document type (box 44)

Type/Length: an ..3

The code presented in Annex 37c shall be used.

Document reference (box 44)

Type/Length: an ..20

Document reference LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

Complement of information (box 44)

Type/Length: an ..26

Complement of information LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

SPECIAL MENTIONS (box 44)

Number: 99

The data group shall be used according to Annex 37. If the data group is used either the attribute 'Additional information id' or 'Text' shall be used.

Additional information id (box 44)

Type/Length: an ..3

The code presented in Annex 37c shall be used to insert the identification (id) of the additional information.

Export from EC (box 44)

Type/Length: n1

If the attribute 'Additional information id' contains the code 'DG0' or 'DG1' the attribute 'Export from EC' or 'Export from country' shall be used. Both attributes cannot be used at the same time. In other cases the attribute cannot be used. If this attribute is used the following codes are to be used:

0 = no

1 = yes.

Export from country (box 44)

Type/Length: a2

If the attribute 'Additional information id' contains the code 'DG0' or 'DG1' the attribute 'Export from EC' or 'Export from country' shall be used. Both attributes cannot be used at the same time. In other cases the attribute cannot be used. If this attribute is used the country code presented in Annex 37c shall be used.

Text (box 44)

Type/Length: an ..70

Text LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

CUSTOMS OFFICE of departure (box C)

Number: 1

The data group shall be used.

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Reference number (box C)

Type/Length: an8

The code presented in Annex 37c shall be used.

TRADER principal (box 50)

Number: 1

The data group shall be used.

TIN (box 50)

Type/Length: an ..17

The attribute shall be used to insert the trader identification number (TIN) if the data group 'Control result' contains the code A3.

Name (box 50)

Type/Length: an ..35

The attribute shall be used if the attribute 'TIN' is used and the other attributes of this data group are not already known by the system.

Street and number (box 50)

Type/Length: an ..35

The attribute shall be used if the attribute 'TIN' is used and the other attributes of this data group are not already known by the system.

Country (box 50)

Type/Length: a2

The country code presented in Annex 37c shall be used if the attribute 'TIN' is used and the other attributes of this data group are not already known by the system.

Postcode (box 50)

Type/Length: an ..9

The attribute shall be used if the attribute 'TIN' is used and the other attributes of this data group are not already known by the system.

City (box 50)

Type/Length: an ..35

The attribute shall be used if the attribute 'TIN' is used and the other attributes of this data group are not already known by the system.

NAD LNG

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language of name and address (NAD LNG) if the corresponding free text fields are used.

REPRESENTATIVE (box 50)

Number: 1

The data group shall be used if the principal makes use of an authorised representative.

Name (box 50)

Type/Length: an ..35

The attribute shall be used.

Representative capacity (box 50)

Type/Length: a ..35

The use of this attribute is optional.

▼ **M19***Representative capacity LNG*

Type/Length: a2

The language code presented in Annex 37c shall be used to define the language (LNG) if the corresponding free text field is used.

CUSTOMS OFFICE of transit (box 51)

Number: 9

The data group shall be used according to Annex 37.

Reference number (box 51)

Type/Length: an8

The code presented in Annex 37c shall be used.

CUSTOMS OFFICE of destination (box 53)

Number: 1

The data group shall be used.

Reference number (box 53)

Type/Length: an8

The code presented in Annex 37c shall be used.

TRADER authorised consignee (box 53)

Number: 1

The data group can be used to indicate that the goods will be delivered to an authorised consignee.

TIN authorised consignee (box 53)

Type/Length: an ..17

The attribute shall be used to insert the trader identification number (TIN).

CONTROL RESULT (box D)

Number: 1

The data group shall be used if an authorised consignor lodges the declaration.

Control result code (box D)

Type/Length: an2

The code A3 shall be used.

Date limit (box D)

Type/Length: n8

The attribute shall be used.

SEALS INFORMATION (box D)

Number: 1

The data group shall be used if an authorised consignor lodges a declaration for which his authorisation requires the use of seals or a principal is granted the use of seals of a special type.

Seals number (box D)

Type/Length: n ..4

The attribute shall be used.

SEALS ID (box D)

Number: 99

The data group shall be used for the identification (id) of seals.

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Seals identity (box D)

Type/Length: an ..20

The attribute shall be used.

Seals identity LNG

Type/Length: a2

The language code (LNG) presented in Annex 37c shall be used.

GUARANTEE

Number: 9

The data group shall be used.

Guarantee type (box 52)

Type/Length: n1

The code presented in Annex 38 shall be used.

GUARANTEE REFERENCE (box 52)

▼ M20

Number: 99

The data group shall be used if the attribute 'Guarantee type' contains the code '0', '1', '4' or '9'.

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GRN (box 52)

▼ M20

Type/length: an24

The attribute shall be used to insert the guarantee reference number (GRN) if the attribute 'Guarantee type' contains the code '0', '1', '2', '4' or '9'. In this case the attribute 'Other guarantee reference' can not be used.

The 'Guarantee Reference' number (GRN) is allocated by the office of guarantee to identify each single guarantee and it is structured as follows:

Field	Content	Field type	Examples
1	Last two digits of the year at which the guarantee was accepted (YY)	Numeric 2	97
2	Identifier of the country where the guarantee is lodged (ISO alpha 2 country code)	Alphabetic 2	IT
3	Unique identifier for the acceptance given by the office of guarantee per year and country	Alphanumeric 12	1234AB788966
4	Check digit	Alphanumeric 1	8
5	Identifier of the individual guarantee by means of voucher (1 letter + 6 digits) or NULL for other guarantee types	Alphanumeric 7	A001017

Field 1 and 2 as explained above.

Field 3 has to be filled with a unique identifier per year and country for the acceptance of the guarantee given by the office of guarantee. National administrations which want to have the Customs Office Reference Number of the office of guarantee included in the GRN, could use up to the first six characters to insert the national number of the office of guarantee.

Field 4 has to be filled with a value that is a check digit for the fields 1 to 3 of the GRN. This field allows to detect an error when capturing the first four fields of the GRN.

▼ M20

Field 5 is only used when the GRN is related to an individual guarantee by means of vouchers registered in the computerised transit system. In that case, this field has to be filled with the identifier of the voucher.

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Other guarantee reference (box 52)

▼ M20

Type/length: an..35

This attribute shall be used if the attribute 'Guarantee type' contains other codes than '0', '1', '2', '4' or '9'. In this case the attribute 'GRN' can not be used.

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Access code

▼ M20

Type/length: an4

The attribute shall be used when the attribute 'GRN' is used, otherwise this attribute is optional for the Member States. Depending on the type of guarantee, it is issued by the office of guarantee, the guarantor or the principal and used to secure a specific guarantee.

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VALIDITY LIMITATION (EC)

Number: 1

Not valid for EC (box 52)

Type/Length: n1

The code 0 = no shall be used for Community transit.

VALIDITY LIMITATION (NON-EC)

Number: 99

Not valid for other contracting parties (box 52)

Type/Length: a2

The country code presented in Annex 37c shall be used to indicate the EFTA country concerned.

▼ **M19***ANNEX 37c***ADDITIONAL CODES FOR THE COMPUTERISED TRANSIT SYSTEM****1. Country codes (CNT)**

Field	Content	Field type	Example
1	ISO alpha 2 country code.	Alphabetic 2	IT

The ISO alpha 2 country code is used (see Annex 38).

2. Language code

ISO alpha 2 codification as specified in ISO — 639: 1988 shall apply.

3. Commodity code (COM)

Field	Content	Field type	Examples
1	HS6	Numeric 6 (left aligned)	010290

The six digits of the Harmonised System have to be entered (HS6). The commodity code may be expanded to eight digits for national use.

4. Sensitive goods code

Field	Content	Field type	Examples
1	Additional identifier for sensitive goods	Numeric ..2	2

The code is used in extension to HS6, as shown in Annex44c, where a sensitive good cannot sufficiently be identified with HS6.

5. Package code

(UNECE Recommendation No 21/Rev.1 — August 1994)

Aerosol	AE
Ampoule, non protected	AM
Ampoule, protected	AP
Atomiser	AT
Bag	BG
Bale, compressed	BL
Bale, non-compressed	BN
Balloon, non-protected	BF
Balloon, protected	BP
Bar	BR
Barrel	BA
Bars, in bundle/bunch/truss	BZ

▼ **M19**

Basket	BK
Beer crate	CB
Bin	BI
Board	BD
Board, in bundle/bunch/truss	BY
Bobbin	BB
Bolt	BT
Bottle, non-protected, cylindrical	BO
Bottle, non-protected, bulbous	BS
Bottle, protected cylindrical	BQ
Bottle, protected bulbous	BV
Bottle crate, bottle rack	BC
Box	BX
Bucket	BJ
Bulk, liquefied gas (at abnormal temperature/pressure)	VQ
Bulk, gas (at 1031 mbar and 15 °C)	VG
Bulk, liquid	VL
Bulk, solid, fine particles ('powders')	VY
Bulk, solid, granular particles ('grains')	VR
Bulk, solid, large particles ('nodules')	VO
Bunch	BH
Bundle	BE
Butt	BU
Cage	CG
Can, rectangular	CA
Can, cylindrical	CX
Canister	CI
Canvas	CZ
Carboy, non-protected	CO
Carboy, protected	CP
Carton	CT
Case	CS
Cask	CK

▼ M19

Chest	CH
Churn	CC
Coffer	CF
Coffin	CJ
Coil	CL
Collapsible tube	TD
Cover	CV
Crate	CR
Creel	CE
Cup	CU
Cylinder	CY
Demijohn, non-protected	DJ
Demijohn, protected	DP
Drum	DR
Envelope	EN
Filmpack	FP
Firkin	FI
Flask	FL
Footlocker	FO
Frame	FR
Framed crate	FD
Fruit crate	FC
Gas bottle	GB
Girder	GI
Girders, in bundle/bunch/truss	GZ
Hamper	HR
Hogshead	HG
Ingot	IN

▼ **M19**

Ingots, in bundle/bunch/truss	IZ
Jar	JR
Jerrycan, rectangular	JC
Jerrycan, cylindrical	JY
Jug	JG
Jutebag	JT
Keg	KG
Log	LG
Logs, in bundle/ bunch/truss	LZ
Milk crate	MC
Multiply bag	MB
Multiwall sack	MS
Mat	MT
Match box	MX
Nest	NS
Net	NT
Package	PK
Packet	PA
Pail	PL
Parcel	PC
Pipe	PI
Pipes, in bundle/bunch/truss	PZ
Pitcher	PH
Plank	PN
Planks, in bundle/bunch/truss	PZ
Plate	PG
Plates, in bundle/bunch/truss	PY
Pot	PT

▼ M19

Pouch	PO
Rednet	RT
Reel	RL
Ring	RG
Rod	RD
Rods, in bundle/bunch/truss	RZ
Roll	RO
Sachet	SH
Sack	SA
Sea-chest	SE
Shallow crate	SC
Sheet	ST
Sheetmetal	SM
Sheets, in bundle/bunch/truss	SZ
Shrinkwrapped	SW
Skeleton case	SK
Slipsheet	SL
Spindle	SD
Suitcase	SU
Tank, rectangular	TK
Tank, cylindrical	TY
Tea-chest	TC
Tin	TN
Tray	PU
Tray pack	PU
Trunk	TR
Truss	TS
Tub	TB
Tube	TU
Tube, collapsible	TD
Tubes, in bundle/bunch/truss	TZ

▼ **M19**

Tun	TO
Unpacked or unpackaged	NE
Vacuum-packed	VP
Vat	VA
Vial	VI
Wickerbottle	WB

6. Produced documents/certificates code

(numeric codes extracted from the 1997b UN Directories for electronic data interchange for administration, commerce and transport: List of code for data element 1001, Document/message name, coded.)

Certificate of conformity	2
Certificate of quality	3
Movement certificate A.TR.1	18
Container list	235
Packing list	271
Proforma invoice	325
Commercial invoice	380
House waybill	703
Master bill of lading	704
Bill of lading	705
House bill of lading	714
Road list-SMGS	722
Road consignment note	730
Air waybill	740
Master air waybill	741
Dispatch note (post parcels)	750
Multimodal/combined transport document (generic)	760
Cargo manifest	785
Bordereau	787
Dispatch note model T	820
Dispatch note model T1	821

▼ **M19**

Dispatch note model T2	822
Control document T5	823
Dispatch note model T2L	825
Goods declaration for exportation	830
Phytosanitary certificate	851
Sanitary certificate	852
Veterinary certificate	853
Certificate of origin	861
Declaration of origin	862
Preference certificate of origin	864
Certificate of origin form GSP	865
Import licence	911
Cargo declaration (arrival)	933
Embargo permit	941
TIF form	951
TIR carnet	952
EUR 1 certificate of origin	954
ATA carnet	955
Other	zzz

7. Additional information/Special indication code

The codes applicable are as follows:

DG0 = Export from one EFTA country subject to restriction or export from EC subject to restriction.

DG1 = Export from one EFTA country subject to duties or export from EC subject to duties.

DG2 = Export.

Additional special indication codes can also be defined at national domain level.

8. Customs office reference number (COR)

Field	Content	Field type	Example
1	Identifier of the country to which the customs office belongs (see CNT)	Alphabetic 2	IT
2	National number of the customs office	Alphanumeric 6	0830AB

Field 1 as explained above.

Field 2 has to be freely filled with a 6-character alphanumeric code. The 6 characters allow national administrations, where necessary, to define a hierarchy of customs offices.

▼B

ANNEX 38

CODES TO BE USED IN THE FORMS ⁽¹⁾► M8 ⁽²⁾ ◀*Box 1: Declaration*

First subdivision

The symbols applicable are as follows:

- EX: — declaration for export from the customs territory of the Community (except trade with EFTA),
— declaration for dispatch of non-Community goods in the context of trade between two Member States.
- IM: — declaration placing goods imported into the customs territory of the Community under any customs procedure (except trade with EFTA),
— declaration placing non-Community goods under a customs procedure at destination, in the context of trade between two Member States (except trade with EFTA).
- EU: — declaration for export to an EFTA country,
— declaration of import from EFTA country.
- COM: — declaration in respect of Community goods subject (SIC! subject) to specific measures during the transitional period following the accession of new Member States,
— declaration placing prefinanced goods in a customs warehouse or free zone,
— declaration entering Community goods for warehousing.

▼M1

- declaration in respect of Community goods in the context of trade between parts of the customs territory of the Community to which the provisions of Directive 77/388/EEC are applicable and parts of that territory to which those provisions do not apply, or in the context of trade between parts of that territory where those provisions do not apply.

▼B

Second subdivision

The codes applicable are given below:

- 0: Entry for free circulation.
This code is not to be used for goods reimported after temporary export (see code 6).
- 1: Permanent export.
This code is not to be used for re-export following temporary import (see code 3).
- 2: Temporary export.
- 3: Re-export.
This code is not to be used for temporary export (see code 2). It can apply only to goods previously imported temporarily or to goods previously imported to be placed under a warehousing procedure.
- 4: Entry for home use.
This code is not to be used for reimportation (see code 6).
- 5: Temporary importation.
- 6: Reimportation.
This code applies only to goods previously exported temporarily.
- 7: Entry for warehousing, including placing of goods in other premises under customs control.
- 9: Processing under customs control and other procedures.

⁽¹⁾ The use, in this Annex, of the words export, re-export, importation and reimportation equally cover dispatch, redispach, introduction and reintroduction.

⁽²⁾ The term 'EFTA' in this Annex refers not only to the EFTA countries but to the other non-Community contracting parties to the Conventions on a common transit procedure and on the simplification of formalities in trade in goods.

▼B

Third subdivision

▼M19

This subdivision does not need to be completed unless the form is used for Community transit purposes or as a document furnishing proof of the Community status of goods.

In that case, the following symbols shall be used:

- T1: for goods required to move under the external Community transit procedure;
- T2: for goods required to move under the internal Community transit procedure in accordance with Article 163 or 165 of the Code, unless Article 340c(2) applies;
- T2F: for goods required to move under the internal Community transit procedure, in accordance with Article 340c(1);
- T: for the mixed consignments covered by Article 351, when the space following the 'T' must be scored through;
- T2L: when the form is used to furnish proof of the Community status of goods;
- T2LF: when the form is used to furnish proof of the Community status of goods consigned to, or from, a part of Community customs territory where the provisions of Directive 77/388/EEC do not apply.

▼B

Box 10: Country of first destination

▼M8

The provisions of Council Regulation (EC) No 1172/95 ⁽¹⁾, apply, in particular those contained in Article 9 (1).

▼B

Box 11: Trading country

▼M8

The provisions of Council Regulation (EC) No 1172/95 ⁽¹⁾, apply, in particular those contained in Article 9 (1).

▼B

Box 15a: Country of dispatch/export code

▼M8

The provisions of Council Regulation (EC) No 1172/95 ⁽¹⁾, apply, in particular those contained in Article 9 (1).

▼B

Box 15b: Region of dispatch/export code

Codes to be adopted by the Member States.

Box 17a: Country of destination code

▼M8

The provisions of Council Regulation (EC) No 1172/95 ⁽¹⁾, apply, in particular those contained in Article 9 (1).

▼B

Box 17b: Region of destination code

Codes to be adopted by the Member States.

Box 18: Nationality of means of transport on departure/arrival

The codes given for box 15a are applicable.

Box 19: Container

The codes applicable are:

- 0: Goods not transported in containers.
- 1: Goods transported in containers.

⁽¹⁾ OJ No L 118, 25. 5. 1995, p. 10.

▼B*Box 20: Delivery terms*

The codes and statements to be entered as appropriate in the first two subdivisions of this box are as follows:

First subdivision	Meaning	Second subdivision
Incoterm code	Incoterms — ICC/ECE	Place to be specified
EXW	Ex works	locality of works
FCA	Free carrier	... named point
FAS	Free alongside ship	named port of shipment
FOB	Free on board	named port of shipment
CFR	Cost and freight (C & F)	named port of destination
CIF	Cost, insurance and freight	named port of destination
CPT	Carriage paid to	named point of destination
CIP	► C2 Carriage and insurance paid to ◀	named point of destination
DAF	Delivered at frontier	named place of delivery at frontier
DES	Delivered ex-ship	named port of destination
DEQ	Delivered ex-quay	duty paid ... named port
DDU	Delivered duty unpaid	named place in country of importation
DDP	Delivered duty paid	named place of delivery in country of importation
XXX	Delivery terms other than those listed above	narrative description of delivery terms given in the contract

The Member States may require the following particulars in the third subdivision:

- 1: Place situated in the territory of the Member State concerned.
- 2: Place situated in the territory of another Member State.
- 3: Other (place situated outside the Community).

Box 21: Nationality of the active means of transport crossing the frontier

The codes given for box 15a are applicable.

*Box 22: Invoice currency***▼M14**

‘The invoice currency is to be indicated by means of the ISO alpha-3 currency code (ISO 4217).

However, Member States may continue to use the three-digit geonomenclature codes adopted by virtue of Article 9 of Council Regulation (EC) No 1172/95 ⁽¹⁾.

▼B*Box 24: Nature of the transaction*

The list of codes applicable is given below.

The Member States which require this item of information must use the single digit codes listed in column A (excluding, where appropriate, code 9), this digit being entered in the left-hand side of the box. They may also provide for a second digit from the list in column B to be entered in the right-hand side of the box.

⁽¹⁾ OJ L 118, 25. 5. 1995, p. 10.

▼ M7

Column A	Column B
1. Transactions involving actual or intended transfer of ownership against payment or other consideration (other than the transactions listed under 2, 7 and 8) ⁽¹⁾ ⁽²⁾ ⁽³⁾	<ol style="list-style-type: none"> 1. Final purchase/sale ⁽²⁾ 2. Goods dispatched for viewing, trial samples, goods dispatched with right of return and transactions involving commission 3. Transactions involving payment in kind 4. Sale to foreign travellers for their personal use 5. Financial leasing ⁽³⁾
2. Return of goods already recorded under code 1 ⁽⁴⁾ ; replacement of goods free of charge ⁽⁴⁾	<ol style="list-style-type: none"> 1. Return of goods 2. Replacement for returned goods 3. Replacement (e.g. under terms of guarantee) for goods not returned
3. Transactions (not temporary in nature) involving transfer of ownership but without consideration (financial or otherwise)	<ol style="list-style-type: none"> 1. Deliveries of goods under programmes wholly or partly financed by the European Community 2. Other government-aid deliveries 3. Other aid deliveries (individuals and non-governmental organizations) 4. Other transactions
4. Transactions with a view to processing under contract ⁽⁵⁾ or repair ⁽⁶⁾ (other than the transactions recorded under 7)	<ol style="list-style-type: none"> 1. Processing 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
5. Transactions after processing under contract ⁽⁵⁾ or repair ⁽⁶⁾ (other than the transactions recorded under 7)	<ol style="list-style-type: none"> 1. Processing 2. Repair and maintenance against payment 3. Repair and maintenance free of charge
6. Transactions not involving transfer of ownership, e.g. hire, loan, operational leasing ⁽⁷⁾ and other temporary uses ⁽⁸⁾ , with the exception of processing under contract or repair (delivery and return)	<ol style="list-style-type: none"> 1. Hire, loan, operational leasing 2. Other temporary uses
7. Transactions in connection with joint defence programmes or other intergovernmental production programmes (e.g. Airbus)	
8. Delivery of building material and equipment in connection with construction or civil engineering activities constituting part of a general contract ⁽⁹⁾	
9. Other transactions	

▼M7

(1) This item covers most exports and imports, i.e. transactions in respect of which:

- ownership is transferred from resident to non-resident or vice versa,
- payment or other compensation (payment in kind) is or will be made.

It should be noted that this also applies to goods sent between entities of a same enterprise or of a same group of enterprises and to goods sent from/to central distribution depots, unless no payment or other compensation is made in respect of these transactions (in which case such transactions shall be listed under heading 3).

- (2) Including spare parts and other replacement deliveries made against payment.
- (3) Including financial leasing: the lease instalments are calculated in such a way as to cover all or virtually all the value of the goods. The benefits and risks of ownership are transferred to the lessee. At the end of the contract, the lessee becomes the legal owner.
- (4) Return and replacement dispatches of goods originally recorded under headings 3 to 9 of column A should be recorded under the corresponding headings.
- (5) Processing operations (whether or not under customs supervision) should be recorded under headings 4 and 5 of column A. Own-account processing operations are not covered by these headings and should be recorded under heading 1 of column A.
- (6) Repair entails the restoration of goods to their original function; this may involve some structural alterations or improvements.
- (7) Operational leasing: all lease contracts other than financial leasing (see note (3)).
- (8) This item covers goods exported/imported with the intention of subsequent re-import/re-export without any change of ownership taking place.
- (9) The transactions recorded under heading 8 of column A involve goods which are not separately invoiced but for which a single invoice is made covering the total collective value. Where this is not the case, the transactions should be recorded under heading 1.

▼B*Box 25: Mode of transport at the frontier*

The list of codes applicable is given below:

A: Single-digit code (obligatory)

B: Two-digit code (second digit optional)

A	B	Description
1	10	Sea transport
	12	Railway wagon on sea-going vessel
	16	Powered road vehicle on sea-going vessel
	17	Trailer or semi-trailer on sea-going vessel
	18	Inland waterway vessel on sea-going vessel
2	20	Rail transport
	23	Road vehicle on railwagon
3	30	Road transport
4	40	Air transport
5	50	Postal consignment
7	70	Fixed transport installations
8	80	Inland waterway transport
9	90	Own propulsion

Box 26: Inland mode of transport

The codes given for box 25 are applicable.

Box 27: Place of loading/unloading

Codes to be adopted by the Member States.

Box 28: Financial and banking data

Codes to be adopted by the Member States.

Box 29: Office of exit/entry

Pending harmonization at Community level, the codes are to be adopted by the Member States. The use of codes rather than words is optional for the Member States.

▼ B*Box 33: Commodity code***▼ M19**

First subdivision (8 figures)

To be completed using the headings of the Combined Nomenclature.

Where the form is used for the Community transit procedure purposes, the commodity code made up of at least the six digits of the Harmonised Commodity Description and Coding System shall be entered in this subdivision. However, where Community legislation so requires, the Combined Nomenclature heading shall be used.

▼ M5

Second subdivision (two characters)

To be completed in accordance with the Taric code (two characters for the application of specific Community measures in respect of formalities to be completed at destination).

Third subdivision (four characters)

To be completed in accordance with the Taric code (first additional code).

Fourth subdivision (four characters)

To be completed in accordance with the Taric code (second additional code).

Fifth subdivision (four characters)

Codes to be adopted by the Member States concerned.

▼ B*Box 34a: Country of origin code*

The codes given for box 15a are applicable.

Box 34b: Region of origin/production code

Codes to be adopted by the Member States.

▼ M3*Box 36: Preference*

The relevant codes are given below:

1. First digit of code

<i>Code</i>	<i>Tariff arrangement</i>
-------------	---------------------------

▼ M13

0	None of the following
---	-----------------------

▼ M3

1	Normal tariff arrangement (no preference certificate)
---	---

2	Generalized System of Preferences (GSP)
---	---

▼ M13

3	Other tariff preferences (EUR 1, ATR ^(*) or equivalent document)
---	---

^(*) Where this is used to establish the originating status.

▼ M3

2. Next two digits

<i>Code</i>	<i>Tariff arrangement</i>
-------------	---------------------------

00	None of the following
----	-----------------------

10	Tariff suspension
----	-------------------

15	Tariff suspension with specified end-use
----	--

18	Tariff suspension with certificate confirming the special nature of the product
----	---

▼ M22

19	Temporary suspension on goods imported with airworthiness certificate ⁽²⁾
----	--

▼ M3

20	Tariff quota ⁽¹⁾
----	-----------------------------

▼ M3

<i>Code</i>	<i>Tariff arrangement</i>
23	Tariff quota with specified end-use ⁽¹⁾
25	Tariff quota with certificate confirming the special nature of the product ⁽¹⁾
28	Tariff quota following outward processing ⁽¹⁾
40	Special end-use resulting from the Common Customs Tariff
50	Certificate confirming the special nature of the product.

▼ M13

99	Non-imposition of customs duties under Community legislation or the provisions of customs union agreements concluded by the Community.
----	--

▼ M3

⁽¹⁾ Where the requested tariff quota is exhausted, Member States may allow the request to be valid for any other existing preference.

► **M22** ⁽²⁾ Council Regulation (EC) No 1147/2002 of 25 June 2002 temporarily suspending the autonomous Common Customs Tariff duties on certain goods imported with airworthiness certificates (OJ L 170, 29.6.2002, p. 8). ◀

▼ B*Box 37: Procedure on import/export***A. First subdivision:**

The codes to be entered in this subdivision are based on those given in the second subdivision of box 1.

These are four-digit codes, composed of a two-digit code representing the procedure requested, followed by a second two-digit code representing the previous procedure. The list of two-digit codes is given below.

‘Previous procedure’ means the procedure under which the goods were placed before being placed under the procedure requested.

It should be noted that where the previous procedure is a warehousing procedure or temporary importation, or where the goods have come from a free zone, the relevant code should be used only where the goods have not been placed under a customs procedure with economic impact (inward processing, outward processing or processing under customs control).

For example:

re-export of goods imported under the customs inward processing procedure (suspension system) and subsequently placed under the customs warehousing procedure = 3151 (not 3171).

(First operation = 5100; second operation = 7151: re-export = 3151).

Similarly, where goods previously temporarily exported are reimported, entry under one of the abovementioned suspensive procedures is to be regarded as simple importation under that procedure. Indication of the ‘reimportation’ aspect is to be given only when the goods are released for free circulation.

For example:

entry for home use with simultaneous entry for free circulation of goods exported under the customs outward processing procedure and placed under a customs warehousing procedure on reimportation = 6121 (not 6171).

(First operation: temporary export for outward processing = 2100; second operation: storage in customs warehouse = 7121; third operation: entry for home use + entry for free circulation = 6121).

List of procedures for coding purposes

(Two of these basic elements must be combined to produce a four-digit code)

NB: The code 00 is used to indicate that no previous procedure applied (i.e. as the third and fourth digits only).

(a) These codes cannot be used as for the first two digits of the procedure code, but for only to indicate the previous procedure, e. g. 4054 = entry for free circulation and home use of goods previously placed under IPR — suspension system in another Member State.

▼B

- 01: Free circulation of goods simultaneously redispached in the context of trade between parts of the customs territory of the Community in with the provisions of Council Directive 77/388/EEC ⁽¹⁾ are applicable and parts of that territory in which these provisions do not apply, or in the context of trade between the parts of that territory where these provisions do not apply.
- Free circulation of goods simultaneously redispached in the context of trade between the Community and the Principality of Andorra ⁽²⁾ and between the Community and the Republic of San Marino ⁽²⁾.
- 02: Free circulation which a view to applying (SIC! applying) the inward processing procedure (drawback system) ⁽³⁾.
- 05: Free circulation with simultaneous entry under an inward processing procedure other than those referred to under codes 02 and 51.
- 07: Free circulation with simultaneous entry under a warehousing procedure (including placing in other premises under fiscal control).
- 08 (a): Goods released for free circulation under the inward processing procedure (drawback system) in another Member State. ⁽⁴⁾ ◀:Article 114(1) (b) (see also paragraph 2 (b))
- 10: Permanent export/dispatch.

▼M2

- 21: Temporary export under the customs outward processing procedure ⁽⁴⁾ other than that referred to under Code 25.
- 22: Temporary export under an outward processing procedure other than those referred to unter (SIC! under) Code 21 or Code 25.

▼B

- 23: Temporary export for return in the unaltered state.
- 24 (a): Goods previously placed under the customs outward processing procedure in another Member State.

▼M2

- 25: Temporary export in all cases where the economic outward processing arrangements for textiles established by Regulation (EEC) No 636/82 is applicable.

▼B

- 31: Re-exportation.
- 40: Home use with simultaneous entry for free circulation of goods which are not subject to exempt supply.
- 41: Home use with simultaneous entry for free circulation in the context of the inward processing procedure (drawback system).
- 42: Home use with simultaneous entry for free circulation of goods subject to an exempt supply.
- 43: Home use with simultaneous entry for free circulation in the context of the implementation of specific measures in connection with the payment of an amount during the transitional period following the accession of new Member States.
- 44 (a): Goods released for home use and free circulation under the inward processing procedure (drawback system) in another Member State ⁽⁴⁾ ◀:Article 114(1) (b) (see also paragraph 2 (b))
- 45: Partial entry for home use with simultaneous entry for free circulation and for a warehousing procedure (including placing in other premises under fiscal control).
- 46: Free circulation under inward processing procedure (drawback system) in a customs warehouse ⁽⁴⁾.
- 47: Free circulation under inward processing procedure (drawback system) in a free zone or free warehouse.
- 49: Entry for home use of Community goods in the context of trade between parts of the customs territory of the Community in which the provisions of Directive 77/388/EEC are applicable and parts of that territory in which those provisions do not apply, or in the context of trade between the parts of that territory where these provisions do not apply.

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽²⁾ Council Decision 90/680/EEC (OJ No L 374, 31. 12. 1990, p. 13).

⁽³⁾ Council Regulation (EEC) No 2913/92 of 19 October 1992

▶ **C1** — ◀:Article 114(1) (b) (see also paragraph 2 (b))

⁽⁴⁾ Council Regulation (EEC) No 2913/92 of 19 October 1992

▶ **C1** — ◀:Article 114(1) (b) (see also paragraph 2 (b))

▼B

Entry for home use of goods in trade between the Community and the Principality of Andorra and between the Community and the Republic of San Marino.

- 51: Inward processing procedure (suspension system) ⁽¹⁾
- 52: Inward processing procedure other than those referred to under codes 02 and 51.
- 53: Import under temporary import procedure.
- 54 (a): Goods placed or obtained under the inward processing procedure (suspension system) ⁽²⁾ carried out in another Member State (and not released for free circulation there).
- 55: Inward processing procedure (suspension system) ⁽¹⁾ in a customs warehouse.
- 56: Inward processing procedure (suspension system) in a free zone or free warehouse.
- 57: Transfer of goods or products under the inward processing arrangements using the suspension system ⁽³⁾.
- 61: Reimportation with simultaneous release for free circulation and home use of goods which are not subject to an exempt supply.
- 62: Reintroduction with entry for home use in the context of trade between parts of the customs territory of the Community in which the provisions of Directive 77/388/EEC are applicable and parts of that territory in which those provisions do not apply, or in the context of trade between the parts of that territory where those provisions do not apply.
Reintroducing with entry for home use in trade between the Community and the Principality of Andorra and between the Community and the Republic of San Marino.
- 63: Reimportation with simultaneous release for free circulation and home use of goods subject to an exempt supply.
- 65: Reimportation with simultaneous release for free circulation and entry for an inward processing procedure other than those referred to under codes 02 and 51.
- 67: Reimportation with simultaneous release for free circulation and entry for a warehousing procedure (including placing in other premises under fiscal control).
- 71: Customs warehousing procedure including placing in other premises under customs control.
- 72: Warehousing of national goods (including placing in other premises under fiscal control).
- 73: Warehousing of Community goods (including placing in other premises under fiscal control).
- 76: Placing in an export warehouse or free zone with advance payment of export refunds for products or goods intended for export without further processing ⁽⁴⁾.
- 77: Warehousing with intention to export with advance payment of export refunds for processed products and goods obtained from basic products ⁽⁵⁾.
- 78: Free zone except in the case provided for under code 76.
- 91: Entry for processing under customs control.
- 92: Goods placed or obtained under processing under customs control in another Member State (and not released for free circulation there).
- 93: Destruction (under customs control).
- 94: Permanent use under customs control (end-use).
- 95: Supplies for ships' and aircraft stores.
- 96: Supplies by duty- and tax-free shops at ports and airports.

⁽¹⁾ Regulation (EEC) No 2913/92 Article 114 (1) (a) (see also paragraph 2 (a)).

⁽²⁾ Council Regulation (EEC) No 2913/92 of 19 October 1992
 ►C1 — Article 114(1) (b) (see also paragraph 2 (b))

⁽³⁾ Commission Regulation (EEC) No 3710/92 (OJ No L 378, 23. 12. 1992, p. 9).

⁽⁴⁾ Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products; — Article 5 (2) (OJ No L 62, 7. 3. 1980, p. 5).

⁽⁵⁾ Regulation (EEC) No 565/80 — Article 4 (2).

▼B**B. Second subdivision**

Pending harmonization at Community level, the codes (up to three characters) are to be adopted by the Member States.

Box 47: Calculation of taxes

First column: Type of tax

Pending harmonization at Community level, the codes are to be adopted by the Member States.

Last column: Method of payment

The codes applicable, at the discretion of the Member States concerned, are given below:

- A: Immediate payment by cash or equivalent.
- B: Payment in cash.
- C: Payment by crossed cheque (bank transfer).
- D: Other (e. g. direct debit to agent's cash account).
- E: Deferred or postponed payment.
- F: Deferred payment — customs system or equivalent national system.
- G: Postponed payment — VAT system (Article 23 Sixth VAT Directive).
- H: Goods imported on behalf of VAT registered consignee (deferment on consignee's account).
- J: Payment through post office administration (postal consignments) or other public sector or government department.
- K: Excise credit or rebate.
- L: Security or guaranteed payment.
- M: Security including cash deposit.
- N: Individual cash deposit.
- P: From agent's cash account.
- Q: From deferment account.
- R: Guarantee.
- S: Individual guarantee account.
- T: From agent's guarantee account.
- U: From agent's guarantee — standing authority.
- V: From trader's guarantee — individual authority.
- O: Guarantee lodged with Intervention Agency.
- W: Agent's general bond.
- X: Trader's general bond.
- Y: Ordinary bond.
- Z: Undertaking.

Box 49: Warehouse identification

Enter the letter identifying the type of warehouse in accordance with the descriptions contained in Article 504 followed by the identification number allocated by the Member State when the authorization is issued.

▼M19*Box 51: Intended transit offices (and countries)*

Country codes

This country code is the ISO alpha 2 code (ISO 3166).

The applicable codes are:

Belgium	BE
Denmark	DK
Germany	DE
Greece	GR
Spain	ES
France	FR

▼ M19

Ireland	IE
Italy	IT
Luxembourg	LU
Netherlands	NL
Austria	AT
Portugal	PT
Finland	FI
Sweden	SE
United Kingdom	GB
Hungary	HU
Iceland	IS
Norway	NO
Poland	PL
Slovakia	SK
Switzerland	CH
Czech Republic	CZ

▼ A2

EE
CY
LV
LT
MT
SL

▼ M19

Box 52: Guarantee

Guarantee codes

The applicable codes are:

Situation	Code	Other entries
For guarantee waiver (Article 380(3))	0	— guarantee waiver certificate number
For comprehensive guarantee	1	— comprehensive guarantee certificate number
For individual guarantee by a guarantor	2	— office of guarantee ► <u>M20</u> — reference for the guarantee undertaking ◀ ► <u>M20</u> — office of guarantee ◀
For individual guarantee in cash	3	
For individual guarantee in the form of vouchers	4	— individual guarantee voucher number
For guarantee not required (Article 95 of Regulation (EEC) No 2913/92)	6	
For guarantee not required for certain public bodies	8	
For individual guarantee of the type under point 3 of Annex 47a	9	— reference to the guarantee undertaking — office of guarantee

▼B

Box 53: Office of destination (and country)

The codes given for box 51 are applicable.

▼ **M6**

ANNEX 38a

CUSTOMS DECLARATION FOR REGISTERED BAGGAGE

1. I HEREBY DECLARE

- (a) that the baggage referred to below contains only articles of personal use normally used when travelling, such as clothing, household linen, toiletries, books and sports equipment, and that these articles are not being imported for commercial purposes;
- (b) that the baggage does not contain:
- foodstuffs, tobacco, alcoholic beverages, anethol, firearms, sidearms, ammunition, explosives, drugs, live animals, plants, radio transmitters or transmitter-receivers, currency, species and products obtained from species protected under the Washington Convention of 3 March 1973 on International Trade in Endangered Species of Wild Flora and Fauna; articles forbidden by the laws of the country of destination on the protection of public decency and morality,
 - goods intended for distribution free of charge or otherwise or for professional or commercial purposes,
 - goods bought or received by myself outside the customs territory of my country and not yet declare to the customs authorities of my country of normal residence (this restriction applies only when returning to the country of normal residence).

2. I HEREBY AUTHORIZE the railway authorities to carry out all customs formalities.

3. I KNOW that making a false statement renders me liable to prosecution and seizure of my goods.

Country of destination : Place of destination :

Number of items

Number of persons accompanying the passenger

IN BLOCK LETTERS

SURNAME :

OTHER NAMES :

.....

Normal residence : Street : No :

Town: Country :

Signature of passenger :

Date-stamp of
departure station

.....

Consignment note No:

▼ M11*ANNEX 38b*

1. For the purposes of the application of Article 290a, the customs authorities of the customs office at which the declaration for free circulation of fresh bananas is lodged shall determine the net mass, based on a sample of units of packaging for each type of packaging and for each place of origin.
2. The units of packaging weighed should constitute a representative sample of the declaration. It shall involve at least the quantities indicated below:

Number of units of packaging declared (by type of packing and by origin)	Number of units of packaging to be examined
— up to 400	5
— from 401 to 700	7
— from 701 to 1 000	10
— from 1 001 to 2 000	13
— more than 2 000	15

Where a whole cargo load is covered by a single declaration, the customs office may, unless fraud is suspected, base the calculation of the net mass on a minimum sample of 15 units of packaging (of the same type of packaging and from the same place of origin).

The net mass shall be determined as follows:

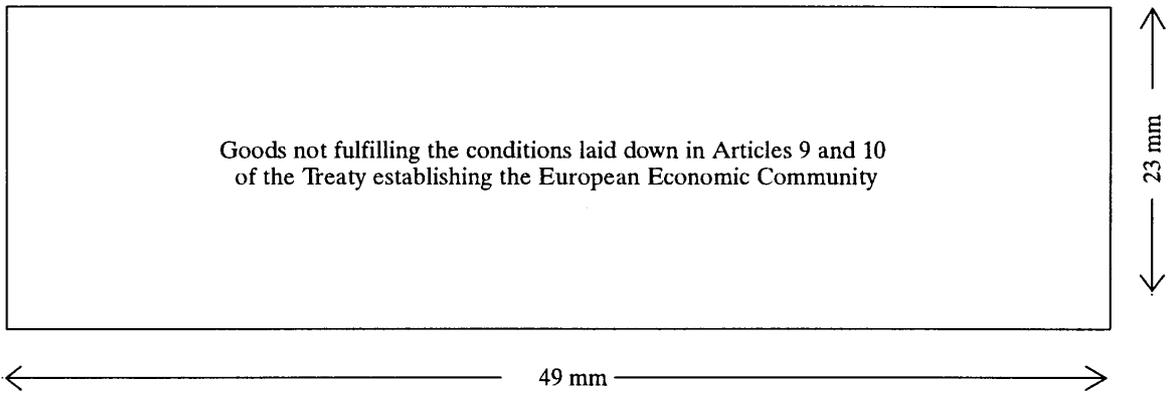
- opening at least one unit of packaging, then calculating the mass of the packaging,
- the mass of the packaging shall be accepted for all packaging of the same type and shall be deducted from the mass of all the units of packaging weighed,
- the average mass per unit of packaging of bananas thus established, based on the mass of the sample checked, shall be accepted as the basis for determining the net mass of the bananas covered by the declaration.

▼ M18

▼B

ANNEX 42

YELLOW LABEL



Colour: black lettering on yellow background.

▼M13

ANNEX 42 A

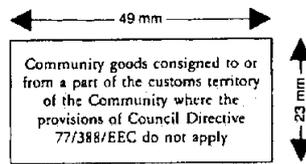
EUROPEAN COMMUNITY

<p>1. Applicant (name of the shipping company, or its representative, and full address)</p> <p><input type="checkbox"/></p>	<p>Serial number:</p> <p style="text-align: center;">CERTIFICATE OF REGULAR SHIPPING SERVICES</p> <p style="text-align: center;">— Article 313a of Regulation (EEC) No 2454/93</p>
<p>2. Ports concerned (route, with ports of call in order of calling)</p>	
<p>3. Vessels of the shipping service</p>	
<p>4. Other information</p>	
<p>5. Declaration by the shipping company</p> <p>I, the undersigned, hereby declare that the vessels forming part of the regular service in respect of which this application is made:</p> <ol style="list-style-type: none"> 1. ply solely between ports in Community customs territory; 2. do not call at any points outside Community customs territory or at any free zone of a port in Community customs territory; and 3. do not tranship cargo on the high seas <p>Date: _____ (Signature) _____</p>	
<p>A. Customs authority which issued the certificate authorizing the regular service</p> <p>Name: _____ Date: _____ Stamp _____</p> <p>Address: _____</p> <p>Member State: _____ (Signature) _____</p>	

▼ M13

ANNEX 42 B

YELLOW LABEL



Colour: black letters on a yellow background.

▼ C2

ANNEX 43

EUROPEAN COMMUNITY

1	1. Applicant (full name or name of company or business and full address)	T2M No A 000000	
	2. Community fishing vessel Name: Recorded number: Base port: Flag:	A. Stamp of the fishing vessel registration authority (a) Authority: Stamp Date:	
3. Declaration by the operator I the undersigned, hereby declare that the products and goods to be showed in boxes 4 and 6 have Community status. Date: (Signature)			
ORIGINAL	4. Products of sea-fishing (Name and type)		5. Gross mass (kg) (1)
	6. Goods obtained from the products referred to above (Kind)	7. CN code	8. Gross mass (kg)
1	9. Declaration by the master of the Community fishing vessel I the undersigned, (Full name). master of the vessel shown in box 2, declare that the products referred to in box 4: — were caught by my vessel in waters other than the territorial waters of a country or territory outside Community customs territory, — have undergone on board my vessel processing which has been recorded on page of the logbook and that the goods obtained are described in box 6 (2) Date: Signature:		
10. Declaration in the event of a first transhipment from a Community fishing vessel The products and/or goods described in this document were transhipped onto the following vessel: (a) Name: (b) Registration number: (c) Flag: (d) Full name of master: The transhipment has been recorded on page of the logbook of the Community fishing vessel. The transhipment has been recorded on page of the logbook of the vessel onto which the products and/or goods were transhipped. Date:			
..... (Signature of the master of the Community fishing vessel)	 (Signature of the master of the receiving vessel)	
		B. Office which issued the T2M form Customs office: Address: Member State: Stamp Date: Signature:	

(a) If this authority is the same as the customs office indicated in box B, then the impression of the stamp is sufficient for completion of Box A.

(1) Approximate figure.

(2) Delete when no processing takes place on board.

▼ C2

<p>11. Declaration when processing takes place on board the vessel onto which that catch has been transhipped ⁽³⁾</p> <p>The products referred to in box 4 have undergone on board the vessel shown in box 10 processing which has been recorded on page ... of the logbook and the resulting goods are shown in box 6.</p> <p>Date: <div style="text-align: right;">..... (Signature of master)</div></p>	
<p>12. Declaration in the event of a second transhipment without further processing</p> <p>The products and/or goods referred to in this document have been transhipped onto the following vessel:</p> <p>(a) Name: (b) Registration number: (c) Flag: (d) Full name of master:</p> <p>The transhipment has been recorded on page of the logbook of the vessel from which the products and/or goods were transhipped. The transhipment has been recorded on page..... of the logbook of the vessel onto which the products and/or goods were transhipped.</p> <p>Date:</p> <p>..... (Signature of the master of the transhipping vessel) (Signature of the master of the receiving vessel)</p>	
<p>13. Certification by the customs authority of the country or territory not forming part of Community customs territory</p> <p>The undersigned customs authority, hereby certifies that the products and/or goods referred to in boxes 4 and/or 6 were under customs supervision throughout their stay and have undergone no handling other than the necessary for their preservation.</p> <p>Date of arrival of the products/goods: Date of departure of the products/goods: Means of transport used for reconsignments to Community customs territory: Full address of the customs office:</p> <p style="text-align: right;">Stamp</p> <p>Country or territory: Date: <div style="text-align: right;">..... (Signature)</div></p>	
<p>C. Stamp of the customs office where the products and/or goods were brought into the Community customs territory</p> <p>Customs office: Member State: Stamp Date:</p>	<p>A copy of this form must be sent to the customs office indicated in box B</p>
<p>REMARKS</p>	

⁽³⁾ Community fishing vessel or Community factory ship.

▼ C2

EUROPEAN COMMUNITY

1	1. Applicant (full name or name of company or business and full address)	T2M No A 000000	
	2. Community fishing vessel Name: Recorded number: Base port: Flag:	A. Stamp of the fishing vessel registration authority (a) Authority: Stamp Date:	
3. Declaration by the operator I the undersigned, hereby declare that the products and goods to be showed in boxes 4 and 6 have Community status. Date: (Signature)			
COPY	4. Products of sea-fishing (Name and type)		5. gross mass (kg) (1)
	6. Goods obtained from the products referred to above (Kind)	7. CN Code	8. Gross mass (kg)
1	9. Declaration by the master of the Community fishing vessel I the undersigned, (full name), master of the vessel shown in box 2, declare that the products referred to in box 4: — were caught by my vessel in waters other than the territorial waters of a country or territory outside Community customs territory, — have undergone on board my vessel processing which has been recorded on page..... of the logbook and that the goods obtained are described in box 6 (2) Date: Signature:		
10. Declaration in the event of a first transhipment from a Community fishing vessel The products and/or goods described in this document were transhipped onto the following vessel: (a) Name: (b) Registration number: (c) Flag: (d) Full name of master: The transhipment has been recorded on pageof the logbook of the Community fishing vessel. The transhipment has been recorded on page.....of the logbook of the vessel onto which the products and/or goods were transhipped. Date: (signature of the master of the Community fishing vessel) (Signature of the master of the receiving vessel)			
		B. Office which issued the T2M form Customs office: Address: Member State: Stamp Date: Signature:	

(a) If this authority is the same as the customs office indicated in Box B, then the impression of the stamp is sufficient for completion of Box A.

(1) Approximate figure.

(2) Delete when no processing takes place on board.

▼ **M7***ANNEX 44***NOTES**

(to be added to the booklet containing the T2M forms)

I. General considerations

1. The purpose of a T2M form is to prove the Community status, upon entry into Community customs territory, of a catch made by a Community fishing vessel outside the territorial waters of a country or territory not forming part of Community customs territory and/or of goods obtained from such catches by processing carried out on board the Community fishing vessel which made the catch, another Community fishing vessel, or a Community factory ship.
2. The Community fishing vessel is a vessel which is registered and listed in a part of a Member State's territory forming part of Community customs territory, flies the flag of a Member State, makes the catch and may process it on board. The Community factory ship is a vessel, similarly registered or listed, which processes only transhipped catches.
3. This booklet contains 10 forms, each consisting of an original and a copy. The copies must not be separated from the booklet.
4. The booklet must be produced whenever the customs authorities so require.
5. It must be returned to the customs authorities by which it was issued when the vessel for which it was issued ceases to fulfil the conditions laid down, when all the forms contained in the booklet have been used or when the period of validity of the booklet expires.

II. Authentication of T2M forms

6. The forms must be completed in typescript or legibly by hand; if the latter, in ink and in printed characters. No erasures or alterations may be made. Amendments must be made by striking out the incorrect particulars and adding those required where appropriate. Any such amendments must be initialled by the person who signed the declaration containing them.
7. Boxes 1 to 3 of the form must be completed by the person indicated, in the language in which the form is printed. Boxes 4 to 12 of the form must be completed in one of the official Community languages.
8. The validity of the T2M forms contained in a booklet is guaranteed by the persence (SIC! presence), in box A of both originals and copies, of an endorsement by the authority responsible for registering the Community fishing vessel for which the booklet was issued. The booklet is valid for two years from the date shown on page 2 of its cover.

III. Use of T2M forms

9. The master of the Community fishing vessel must complete boxes 4, 5 and/or boxes 6, 7, 8 and complete and sign the declaration in box 9, of the original and the copy of a T2M form whenever:
 - a catch and/or the goods resulting from on-board processing of a catch are landed either in a port in Community customs territory, or in another part from which they will leave for that territory,
 - the catch and/or goods are transhipped onto another Community fishing vessel, a Community factory ship — where the catch undergoes on-board processing — or any other vessel which transports the catch and/or goods without processing them, either directly to a port within Community customs territory or to a port not in Community customs territory from where they will leave for that territory. In this case the master of the Community fishing vessel and the master of the vessel onto which the catch and/or goods are transhipped must complete and sign box 10 of the original and the copy.
10. Where appropriate, the master of the vessel onto which a Community fishing vessel's catch has been transhipped to undergo on-board processing must complete boxes 6, 7 and 8, and complete and sign the declaration in box 11 of the original whenever:
 - goods resulting from on-board processing are landed either in a port in Community customs territory, or in a port not in Community customs territory from which they will leave for that territory,

▼ **M7**

- the goods are transhipped onto any other vessel which transports them without processing, either directly to a port in Community customs territory or to a port not in Community customs territory from where they will leave for that territory. In this case, the master of the processing vessel and the master of the vessel onto which the goods are transhipped must complete and sign box 12 of the original.
11. Where catch or goods have gone to a country or territory not forming part of Community customs territory before being shipped to Community customs territory, box 13 of the form must be completed and signed by the customs authorities of the country or territory. If a part of the catch or goods does not go to Community customs territory, the name, kind, gross mass and treatment or use assigned to the consignments concerned must be entered in the 'Remarks' box of the form.
 12. Whenever catch and/or goods are transhipped for carriage to Community customs territory, they must be accompanied by the original of a T2M form.

IV. Use of 'Extracts' of T2M forms

Where catch and/or goods have been transported to a country or territory not forming part of Community customs territory for later reconsignment to that territory in split consignments:

13. A number of original T2M forms equal to the number of split consignments must be taken from the booklet issued to the fishing vessel which made the catch and/or processed it into goods, and clearly marked with the word 'Extract' and particulars of the T2M form for the initial consignment. This information must also be entered in the copies of the 'Extracts' which must remain in the booklet.
14. For each split consignment:
 - boxes 4, 5 and/or 6, 7, 8 of the T2M 'Extract' form must be completed, stating the quantities of catch and/or goods consigned,
 - box 13 of the original of the 'Extract' form must be completed, endorsed and signed by the customs authorities of the country or territory concerned,
 - the number and kind of packages, the gross mass, the treatment or use assigned to the consignment and the number and date of the 'Extract' form must be entered in the 'Remarks' box of the initial T2M form,
 - the 'Extract' form must accompany the consignment of catch and/or goods.
15. When all the catch and/or goods covered by the initial T2M form have been shipped to Community customs territory, box 13 of the form must be completed, endorsed and signed by the customs authorities of the country or territory concerned. This form must be sent to the office which issued the T2M booklet. If a part of the catch or goods does not go to Community customs territory, the name, kind and gross mass of the consignments concerned, and the treatment or use assigned, must be entered in the 'Remarks' box on the form.

V. Discharge of T2M forms

16. All original T2M forms (initial or 'Extract') must be presented to the customs office where the catch or goods to which it refers have been brought into Community customs territory. However, where such catch or goods are brought into Community customs territory under a transit procedure and the corresponding operation began outside that territory, the T2M forms must be presented to the customs office of destination for that procedure.

▼ M19*ANNEX 44a***EXPLANATORY NOTE ON THE LOADING LIST**

TITLE I

General

1. Definition

The loading list means a document having the characteristics described in this Annex.

2. Loading list form

2.1. Only the front of the form may be used as a loading list.

2.2. The features of a loading list are:

- (a) the heading 'Loading list';
- (b) a 70 × 55 millimetre box divided into an upper part of 70 by 15 millimetres and a lower part of 70 by 40 millimetres;
- (c) columns with the following headings in the following order:
 - serial number,
 - marks, numbers, number and kind of packages, goods description,
 - country of dispatch/export,
 - gross mass in kilograms,
 - reserved for the administration.

Users may adjust the width of the columns to their needs. However, the column headed 'reserved for the administration' must always be at least 30 millimetres wide. Users may also decide for themselves how to use the spaces other than those referred to in points (a), (b) and (c).

2.3. A horizontal line must be drawn immediately under the last entry and any spaces not used must be scored through to prevent later additions.

TITLE II

Particulars to be entered in the different headings

1. Box

1.1. Upper part

Where a loading list accompanies a transit declaration, the principal must enter 'T1', 'T2' or 'T2F' in the upper part of the box.

Where a loading list accompanies a T2L document, the person concerned must enter 'T2L' or 'T2LF' in the upper part of the box.

1.2. Upper part

The particulars listed in paragraph 4 of Title III below must be entered in this part of the box.

2. Columns

2.1. Serial number

Every item shown on the loading list must be preceded by a serial number.

2.2. Marks, numbers, number and kind of packages, goods description

The particulars required shall be given in accordance with Annexes 37 and 38.

▼ M21

Where a loading list accompanies a transit declaration, the list must include the information entered in boxes 31 (Packages and description of goods), 40 (Summary declaration/previous document) 44 (Additional information, documents produced, certificates and authorisations) and, where appropriate, 33 (Commodity code) and 38 (Net mass (kg)) of the transit declaration.

▼M19

2.3. Country of dispatch/export

Enter the name of the Member State from which the goods are being consigned or exported.

Do not use this column where a loading list accompanies a T2L document.

2.4. Gross mass (kg)

Enter the details entered in box 35 of the SAD (see Annex 37).

TITLE III

Use of loading lists

1. A transit declaration may not have both a loading list and one or more continuation sheets attached to it.
2. ► **M21** Where a loading list is used, boxes 15 (Country of dispatch/export), 32 (Item number), 33 (Commodity code), 35 (Gross mass (kg)), 38 (Net mass (kg)), 40 (Summary declaration/previous document) and, where appropriate, 44 (Additional information, documents produced, certificates and authorisations) of the transit declaration form must be struck through and box 31 (Packages and description of goods) may not be used to enter the marks, numbers, number and kind of packages or goods description. ◀ A reference to the serial number and the symbol of the different loading lists shall be entered in box 31 (Packages and goods description) of the transit declaration form used.

3. The loading list must be produced in the same number of copies as the form to which it relates.

A single copy of the loading list is lodged with the office of departure where the transit declaration has been processed using data-processing systems and the particulars of the loading list are stored in the system at that office. Otherwise, at least three copies of the loading list are lodged.

4. When a transit declaration is registered the loading list must be given the same registration number as the form to which it relates. This number must be entered by using a stamp which includes the name of the office of departure, or by hand. If entered by hand, it must be endorsed by the official stamp of the office of departure.

It is not obligatory for an official of the office of departure to sign the forms.

5. Where several loading lists are attached to one form used for the purpose of Community transit, the lists must bear a serial number allocated by the principal, and the number of loading lists attached must be entered in box 4 (Loading lists) of the said form.
6. The provisions of paragraphs 1 to 5 apply, as appropriate, where a loading list is attached to a T2L or T2LF document.

▼ **M19***ANNEX 44b***PROVISIONS CONCERNING FORMS USED IN COMMUNITY TRANSIT**

This Annex sets out the characteristics of forms other than the single administrative document used in Community transit.

1. Loading lists

- 1.1. The forms shall be printed on paper dressed for writing purposes, weighing at least 40 g/m² and sufficiently strong to prevent easy tearing or creasing in normal use. The colour may be decided by those concerned.
- 1.2. The format of the forms shall be 210 by 297 millimetres, with a maximum tolerance of 5 millimetres less and 8 millimetres more on the length.

2. Transit advice note

- 2.1. The forms shall be printed on paper dressed for writing purposes, weighing at least 40 g/m² and sufficiently strong to prevent easy tearing or creasing in normal use. The paper shall be white.
- 2.2. The format of the forms shall be 210 by 148 millimetres.

3. Receipt

- 3.1. The forms shall be printed on paper dressed for writing purposes, weighing at least 40 g/m² and sufficiently strong to prevent easy tearing or creasing in normal use. The paper shall be white.
- 3.2. The format of the forms shall be 148 by 105 millimetres.

4. Individual guarantee

- 4.1. The forms shall be printed on paper free of mechanical pulp, dressed for writing purposes and weighing at least 55 g/m². It shall have a printed guilloche pattern background in red so as to reveal any falsification by mechanical or chemical means. The paper shall be white.
- 4.2. The format of the forms shall be 148 by 105 millimetres.
- 4.3. The forms shall show the name and address of the printer, or a mark by which he may be identified, and a serial identification number.

5. Comprehensive guarantee and guarantee waiver certificates

- 5.1. The forms for comprehensive guarantee of guarantee waiver certificates, hereinafter referred to as 'certificates', shall be printed on white paper free of mechanical pulp and weighing at least 100 g/m². Both sides shall have a printed guilloche pattern background so as to reveal any falsification by mechanical or chemical means. The printing shall be:
 - in green for guarantee certificates,
 - in pale blue for guarantee waiver certificates.
- 5.2. The format of the forms shall be 210 by 148 millimetres.
- 5.3. The Member States shall be responsible for printing the forms or having them printed. Each certificate shall bear a serial identification number.

6. Provisions common to all of Title II

- 6.1. Forms must be completed using a typewriter or other mechanographical or similar process. Loading list, transit advice and receipt forms may also be completed legibly in manuscript, in which case they shall be completed in ink and in block letters.
- 6.2. Forms must be drawn up in one of the official languages of the member States which is acceptable to the customs authorities of the Member State of departure. This provision shall not apply to flat-rate guarantee vouchers.
- 6.3. The customs authorities of a Member State in which the forms must be produced may if necessary require a translation into the official language, or one of the official languages, of that Member State.
- 6.4. The language to be used for the comprehensive guarantee and guarantee waiver certificates shall be designated by the customs authorities of the Member State responsible for the office of guarantee.

▼ **M19**

- 6.5. No erasures or alterations shall be made. Amendments shall be made by striking out the incorrect particulars and, where appropriate, adding those required. Any such amendments shall be initialled by the person making the amendment and expressly endorsed by the customs authorities.

ANNEX 44c

GOODS INVOLVING GREATER RISK OF FRAUD

HS code	Description of the goods	Minimum quantities	Sensitive goods code (1)	Minimum rate of individual guarantee
1	2	3	4	5
ex 0102 90	Other live animals, of the bovine domestic species	4 000 kg	1	1 500 EUR/t
0201 10	Meat of bovine animals, fresh or chilled	3 000 kg		2 700 EUR/t
0201 20				2 900 EUR/t
0201 30				5 200 EUR/t
0202 10	Meat of bovine animals, frozen	3 000 kg		2 700 EUR/t
0202 20				2 900 EUR/t
0202 30				3 900 EUR/t
0402 10	Milk and cream, concentrated or containing added sugar or other sweetening matter	2 500 kg		1 600 EUR/t
0402 21				1 900 EUR/t
0402 29				2 500 EUR/t
0402 91				1 400 EUR/t
0402 99				1 600 EUR/t
0405 10	Butter and other fats and oils derived from milk	3 000 kg		2 600 EUR/t
0405 90				2 800 EUR/t
ex 0803 00	Fresh bananas, excluding plantains	8 000 kg	1	800 EUR/t
1701 11	Cane or beet sugar and chemically pure sucrose, in solid form	7 000 kg		—
1701 12				—
1701 91				—
1701 99				—
2207 10	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher	3 hl		2 500 EUR/hl pure alcohol

▼ **M19**

HS code	Description of the goods	Minimum quantities	Sensitive goods code (*)	Minimum rate of individual guarantee
1	2	3	4	5
2208 20 2208 30 2208 40 2208 50 2208 60 2208 70 ex 2208 90	Spirits, liquors and other spirituous beverages	5 hl	1	2 500 EUR/hl pure alcohol
2402 20	Cigarettes containing tobacco	35 000 pieces		120 EUR/1 000 pieces

(*) Where the provisions of Part II, Title II, Chapter 4, section 2, subsection 7 apply and the HS code is not enough to identify without ambiguity the goods listed in column 2, both the sensitive goods code given in column 4 and the HS code given in column 1 must be used.

▼ **M19**

▼B

ANNEX 45

LOADING LIST

No	Marks, numbers, number and kind of packages; description of goods	Country of dispatch/ export	Gross mass (kg)	Reserved for official use

(Signature)

▼ M16

ANNEX 45a

TRANSIT ACCOMPANYING DOCUMENT

Chapter I

Specimen of the transit accompanying document

EUROPEAN COMMUNITY		MRN	
TRANSIT — ACCOMPANYING DOCUMENT	A	2 Consignor/Exporter No	1 REGIME
			3 Forms 4 Loading lists
			5 Items 6 Total packages
		8 Consignee No	Return copy has to be sent to the Office:
		15 Country of dispatch/export	17 Country of destination
	18 Identity and nationality of means of transport at departure	56 Other incidents during carriage Details and measures taken	G CERTIFICATION BY COMPETENT AUTHORITIES
	A		
31 Packages and description of goods	Marks and numbers — Container No(s) — Number and kind	32 Item No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Summary declaration/Previous document
44 Additional information/ Documents produced/ Certificates and authorisations			
55 Transshipments	Place and country: Identity and nationality of new means of transport: Ctr. <input type="checkbox"/> (1) Identity of new container: (1) Enter 1 if YES or 0 if NO.	Place and country: Identity and nationality of new means of transport: Ctr. <input type="checkbox"/> (1) Identity of new container: (1) Enter 1 if YES or 0 if NO.	
F CERTIFICATION BY COMPETENT AUTHORITIES	New seals: Number: identity: Signature: Stamp: <input type="checkbox"/> Data already recorded into the system	New seals: Number: identity: Signature: Stamp: <input type="checkbox"/> Data already recorded into the system	
	50 Principal No	C OFFICE OF DEPARTURE	
51 Intended offices of transit (and country)			
52 Guarantee not valid for		Code	53 Office of destination (and country)
D CONTROL BY OFFICE OF DEPARTURE		I CONTROL BY OFFICE OF DESTINATION	
Result: Seals affixed: Number: identity: Time limit (date):		Date of arrival: Examination of seals: Remarks:	Return copy sent on after registration under No Signature: Stamp:

▼ **M19***Chapter II***Explanatory notes and particulars (data) for the Transit Accompanying Document***A. Explanatory notes for completing the transit accompanying document*

The transit accompanying document shall be printed based on data derived from the transit declaration, where the case occurs amended by the principal and/or verified by the office of departure, and completed with:

1. MRN (movement reference number)

The information is given alphanumerically with 18 digits on the following specimen:

Field	Content	Field type	Examples
1	Last two digits of year of formal acceptance of transit movement (YY)	Numeric 2	97
2	Identifier of the country from which movement originates. (ISO alpha 2 country code)	Alphabetic 2	IT
3	Unique identifier for transit movement per year and country	Alphanumeric 13	9876AB8890123
4	Check digit	Alphanumeric 1	5

Fields 1 and 2 as explained above.

Field 3 has to be filled in with an identifier for the transit transaction. The way that field is used is under the responsibility of national administrations but each transit transaction handled during one year within the given country must have a unique number. National administrations that want to have the office reference number of the competent authorities included in the MRN, could use up to the first 6 characters to insert the national number of the office.

Field 4 has to be filled with a value that is a check digit for the whole MRN. This field allows for detection of an error when capturing the whole MRN.

▼ **M20**

The 'MRN' shall also be printed in bar code mode using the standard 'code 128', character set 'B'.

▼ **M19**

2. Box 3:

- first subdivision: serial number of the current printed sheet,
- second subdivision: total number of sheets printed (including list of items),
- shall not be used when only one item.

3. In the space to the right of box 8:

Name and address of the customs office to which the return copy of the transit accompanying document has to be returned.

4. Box C:

- the name of the office of departure,
- reference number of the office of departure,
- acceptance date of the transit declaration,
- the name and the authorisation number of the authorised consignor (if any).

5. Box D:

- control results,
- the indication 'Binding itinerary', where appropriate.

The transit accompanying document shall not be modified nor shall any addition or deletion be made thereto unless otherwise specified in this regulation.

▼ **M19***B. Explanatory notes for printing*

The following possibilities exist for the printing of the transit accompanying document.

1. The declared office of destination is linked to the computerised transit system and no loading lists are used:
 - print only copy A (accompanying document).
2. The declared office of destination is linked to the computerised transit system and loading lists are used:
 - print copy A (accompanying document), and
 - print copy B (return copy).
3. The declared office of destination is not linked to the computerised transit system (either where loading lists are used or not):
 - print copy A (accompanying document), and
 - print copy B (return copy).

C. Explanatory notes for the return of the control results from the office of destination

The following possibilities exist for the return of the control results from the office of destination:

1. The actual office of destination is the declared one and it is linked to the computerised transit system:
 - the control results shall be sent to the office of departure by electronic means if loading lists are not used,
 - the control results shall be sent to the office of departure using return copy B of the transit accompanying document (including loading lists) if loading lists are used.
2. The actual office of destination is the declared one and it is not linked to the computerised transit system:
 - the control results shall be sent to the office of departure using return copy B of the transit accompanying document (including loading lists or list of items, if any) whether loading lists are used or not.
3. The declared office of destination is linked to the computerised transit system but the actual office of destination is not linked to the computerised transit system (change of office of destination):
 - the control results shall be sent to the office of departure using a photocopy of the transit accompanying document, copy A (including list of items, if any) where loading lists are not used,
 - the control results shall be sent to the office of departure using return copy B of the transit accompanying document (including the loading lists) where loading lists are used.
4. The declared office of destination is not linked to the computerised transit system but the actual office of destination is linked to the computerised transit system (change of office of destination):
 - the control results shall be sent to the office of departure by electronic means where loading lists are not used,
 - the control results shall be sent to the office of departure using return copy B of the transit accompanying document (including loading lists) where loading lists are used.

D. Explanatory notes for the use of loading lists

When loading lists are used the transit accompanying document copies A and B shall be printed from the system. In this case the following data shall be inserted:

1. Indication of the total number of loading lists (box 4) instead of the total number of list of items (box 3).
2. The box 'Description of goods' (box 31) shall only contain:
 - if goods T1, T2 or T2F: 'See loading lists'
 - if goods T1, T2 and T2F:
 - 'Goods T1': 'see loading lists No... to...'
 - 'Goods T2': 'see loading lists No... to...'
 - 'Goods T2F': 'see loading lists No... to...'

▼ **M19**

3. The box 'Additional information' shall also be printed,
4. All other information specific to goods at items level shall appear on the corresponding loading lists that shall be attached to the transit accompanying document.

▼ M19*Chapter II***Explanatory notes and the particulars (data) for the List of Items**

When a movement consists of more than one item, then the sheet A of the list of items shall always be printed by the computer system and shall be attached to the copy A of the transit accompanying document.

Where the transit accompanying document is printed in the two copies, A and B, then also the sheet B of the list of items shall be printed and attached to the copy B of the transit accompanying document.

The boxes of the list of items are vertically expandable.

Particulars have to be printed as follows:

1. In the identification box (upper left corner):
 - (a) list of items;
 - (b) sheet A/B;
 - (c) serial number of the current sheet and the total number of the sheets (including the transit accompanying document).
2. OoDep — name of the office of departure.
3. Date — acceptance date of the transit declaration.
4. MRN — movement reference number as defined in Annex 45a.
5. The particulars of the different boxes at item level have to be printed as follows:
 - (a) item No — serial number of the current item;
 - (b) regime — if the status of the goods for the whole declaration is uniform, the box is not used;
 - (c) if mixed consignment, the actual status, T1, T2 or T2F, is printed;
 - (d) the remaining boxes are completed as described in Annex 37, if appropriate in coded form.

▼ **M19**

ANNEX 46

TC 10 – TRANSIT ADVICE NOTE		
Identification of means of transport:		
TRANSIT DECLARATION		OFFICE OF TRANSIT INTENDED (AND COUNTRY):
Type (T1, T2 or T2F) and number	Office of departure	
		<p style="text-align: center;">FOR OFFICIAL USE</p> <hr style="border-top: 1px dashed black;"/> <p>Date of transit:</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">(Signature)</p> <p style="text-align: center;">-----</p> <div style="text-align: center; border: 1px dashed black; border-radius: 50%; width: 80px; height: 80px; margin: 0 auto 20px auto;"> <p style="text-align: center; margin: 0;">Official stamp</p> </div>

▼M19*ANNEX 46a***CHARACTERISTICS OF SEALS**

The seals referred to in Article 357 shall have at least the following characteristics and comply with the following technical specifications:

(a) Essential characteristics:

Seals must:

1. remain secure in normal use;
2. be easily checkable and recognisable;
3. be so manufactured that any breakage or removal leaves traces visible to the naked eye;
4. be designed for single use or, if intended for multiple use, be so designed that they can be given a clear, individual identification mark each time they are re-used.
5. bear identification marks.

(b) Technical specifications:

1. the form and dimensions of seals may vary with the sealing method used but the dimensions must be such as to ensure that identification marks are easy to read;
2. the identification marks of seals must be impossible to falsify and difficult to reproduce;
3. the material used must be resistant to accidental breakage and such as to prevent undetectable falsification or reuse.

▼ M19

ANNEX 46b

CRITERIA REFERRED TO IN ARTICLES 380 AND 381

Criterion	Observations
1. Sufficient experience	<p>Proof of sufficient experience is provided by the correct use of the Community transit procedure, in the capacity of principal, over one of the following periods, prior to requesting a reduction:</p> <ul style="list-style-type: none"> — one year, for the application of Article 380(2)(a) and Article 381(1), — two years for the application of Article 380(2)(b) and Article 381(2)(a), — three years for the application of Article 380(3) and Article 381(2)(b). <p>These periods shall be reduced by one year for applicants who use data-processing methods for lodging transit declarations.</p>
2. High level of cooperation with the customs authorities	<p>A principal achieves a high level of cooperation with the customs authorities by incorporating in the management of his operations specific measures which thereby make it easier for the authorities to carry out checks and protect the interests involved.</p> <p>Providing they satisfy the customs authorities, such measures may relate to, <i>inter alia</i>:</p> <ul style="list-style-type: none"> — particular methods of completing transit declarations (in particular the use of data processing methods), or — the content of such declarations, with the principal providing additional information, even where this is not mandatory, or — methods of completing the formalities for placing goods under the procedure (for example the principal always presenting his declarations at the same customs office).
3. Being in command of transport operations	<p>The principal demonstrates that he is in command of transport operations, <i>inter alia</i>:</p> <ul style="list-style-type: none"> (a) by carrying out the transport operation himself and applying high standards of security, or (b) using a carrier with whom he has had long-standing contractual relations and who provides a service which meets high standards of security, or (c) using an intermediary contractually bound to a carrier who provides a service which meets high standards of security.
4. Sufficient financial resources to cover obligations	<p>The principal demonstrates that he has the financial resources to cover his obligations by providing the customs authorities with evidence to show that he has the means to pay the customs debt likely to be incurred in connection with the goods concerned.</p>

▼ M19

ANNEX 47

▼ C7

TC11 — RECEIPT

The office of destination at

hereby certifies that ►⁽¹⁾declaration◄ T1, T2, T2F ⁽¹⁾
control copy T5 ⁽¹⁾

registered on under No

by the office at

has been lodged.

At, on

.....
(Signature)

Official stamp

⁽¹⁾ Delete as necessary.

▼ M19

ANNEX 47a

APPLICATION OF ARTICLE 94(6) and (7) OF THE CODE

Temporary prohibition of the use of the comprehensive guarantee for a reduced amount or the comprehensive guarantee

1. *Situations where use of the comprehensive guarantee for a reduced amount or the comprehensive guarantee may be prohibited temporarily*
- 1.1. *Temporary prohibition of the use of the comprehensive guarantee for a reduced amount*

The 'special circumstances' referred to in Article 94(6) of the Code mean a situation in which it has been established, in a significant number of cases involving more than one principal and putting at risk the smooth functioning of the procedure that, in spite of the application of Article 384 and Article 9 of the Code, the comprehensive guarantee for a reduced amount referred to in Article 94(4) of the Code is no longer sufficient to ensure payment, within the prescribed time limit, of the customs debt arising when any of the goods listed in Annex 44c are removed from the Community transit procedure.

- 1.2. *Temporary prohibition of the use of a comprehensive guarantee*

The 'large-scale fraud' referred to in Article 94(7) means a situation where it is established that, in spite of the application of Article 384, Article 9 of the Code and, where appropriate, Article 94(6) of the Code, the comprehensive guarantee referred to in Article 94(2)(b) of the Code is no longer sufficient to ensure payment, within the time limit prescribed, of the customs debt arising when any of the goods listed in Annex 44c are removed from the Community transit procedure. In this connection account should be taken of the volume of goods removed and the circumstances of their removal, particularly if these result from internationally organised criminal activities.

2. *Effect of the decision*

- 2.1. The effect of the decision temporarily prohibiting use of the comprehensive guarantee for a reduced amount or the comprehensive guarantee shall be limited to a period of 12 months unless the Commission decides to extend the period or repeal the decision in accordance with the committee procedure.
- 2.2. The following measures shall apply to transit operations involving goods which are subject to decisions prohibiting use of the comprehensive guarantee:

— one of the following endorsements, measuring at least 100 × 10 mm and printed in red, shall be affixed diagonally to all copies of the transit declaration:

- GARANTÍA GLOBAL PROHIBIDA
- FORBUD MOD SAMLET KAUTION
- GESAMTBÜRGSCHAFT UNTERSAGT
- ΑΠΑΓΟΡΕΥΕΤΑΙ Η ΣΥΝΟΛΙΚΗ ΕΓΓΥΗΣΗ
- COMPREHENSIVE GUARANTEE PROHIBITED
- GARANTIE GLOBALE INTERDITE
- GARANZIA GLOBALE VIETATA
- DOORLOPENDE ZEKERHEID VERBODEN
- GARANTIA GLOBAL PROIBIDA
- YLEISVAKUUDEN KÄYTTÖ KIELLETTY
- SAMLAD SÄKERHET FÖRBJUDEN

▼ A2

- ZÁKAZ GLOBÁLNÍ ZÁRUKY
- ÜLDTAGATISE KASUTAMINE KEELATUD
- VISPĀRĒJS GALVOJUMS AIZLIEGTS
- NAUDOTI BENDRAJĄ GARANTIJĄ UŽDRAUSTA
- ÖSSZKEZESSÉG TILALMA
- MHUX PERMESSA GARANZIJA KOMPENSIVA
- ZAKAZ KORZYSTANIA Z GWARANCJI GENERALNEJ
- PREPOVEDANO SKUPNO ZAVAROVANJE
- CELKOVÁ ZÁBEZPEKA ZAKÁZANÁ

▼ M19

— by way of derogation from Article 363, the office of destination shall return Copy No 5 of any transit declaration endorsed with this phrase no later than on the working day following that on which the consignment and the requisite copies of the declaration were presented at that office. Where such a consignment is presented to an authorised consignee within the meaning of Article 406, he shall transmit the copy No 5 to his local office of destination no later than on the working day following that on which he took receipt of the consignment.

3. *Measures to alleviate the financial consequences of the prohibition on using the comprehensive guarantee*

When the use of the comprehensive guarantee has been prohibited temporarily for Annex 44c goods, holders of comprehensive guarantees may, upon request, use an individual guarantee. However, the following special conditions shall apply:

— the individual guarantee shall be put up in the form of a specific guarantee document which includes a reference to this Annex and covers only the goods referred to in the decision,

▼ M20

— except where guarantee data is exchanged between the office of guarantee and the office of departure using information technology and computer networks, this individual guarantee may be used only at the office of departure identified in the guarantee document,

▼ M19

— it may be used to cover several simultaneous or successive operations provided that the sum of the amounts involved in current operations for which the procedure has not yet been discharged does not exceed the amount of the individual guarantee,

— each time the procedure is discharged for a Community transit operation covered by this individual guarantee, the amount corresponding to that operation shall be released and may be reused to cover another operation up to the maximum amount of the guarantee.

4. *Derogation from the decision temporarily prohibiting use of the comprehensive guarantee for a reduced amount or the comprehensive guarantee*

4.1. Principals may be authorised to use a comprehensive guarantee for a reduced amount or a comprehensive guarantee to place under the Community transit procedure goods to which the decision temporarily prohibiting such use applies if they can show that no customs debt has arisen in respect of the goods in question in the course of Community transit operations which they have undertaken in the two years preceding the decision or, where customs debts have arisen during that period, if they can show that these were fully paid up by the debtor or debtors or the guarantor within the time limit prescribed.

To obtain authorisation to use a temporarily prohibited comprehensive guarantee, the principal must also meet the conditions set out in Article 381(2)(b).

4.2. Articles 374 to 378 shall apply *mutatis mutandis* to applications and authorisations for the derogations referred to in point 4.1.

4.3. When the customs authorities grant a derogation they shall endorse box 8 of the comprehensive guarantee certificate with one of the following phrases:

- UTILIZACIÓN NO LIMITADA
- UBEGRÆNSET ANVENDELSE
- UNBESCHRÄNKTE VERWENDUNG
- ΑΠΕΡΙΟΡΙΣΤΗ ΧΡΗΣΗ
- UNRESTRICTED USE
- UTILISATION NON LIMITEE
- UTILIZZAZIONE NON LIMITATA
- GEBRUIK ONBEPERKT
- UTILIZAÇÃO ILIMITADA
- KÄYTTÖÄ EI RAJOITETTU
- OBEGRÄNSAD ANVÄNDNING

▼ A2

- NEOMEZENÉ POUŽITÍ
- PIIRAMATU KASUTAMINE
- NEIEROBEŽOTS IZMANTOJUMS

▼ A2

- NEAPRIBOTAS NAUDOJIMAS
- KORLÁTOZÁS ALÁ NEM ESŐ HASZNÁLAT
- UŽU MHUX RISTRETT
- NIEOGRANICZONE KORZYSTANIE
- NEOMEJENA UPORABA
- NEOBMEDZENÉ POUŽITIE

▼ **M19**

ANNEX 48

COMPREHENSIVE GUARANTEEI. *Undertaking by the guarantor*

1. The undersigned ⁽¹⁾
- resident at ⁽²⁾
- hereby jointly and severally guarantees, at the office of guarantee of
- up to a maximum amount of
- being 100 % / 50 % / 30 % ⁽³⁾ of the reference amount,

►⁽³⁾ in favour of the European Community comprising the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland, and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, the Principality of Andorra and the Republic of San Marino ⁽⁴⁾, any amount of principal ◀, further liabilities, expenses and incidentals, but not fines, for which the principal ⁽⁵⁾,

.....

may be or become liable to the abovementioned countries for debt in the form of duty and other charges applicable to the goods placed under the Community or common transit procedure.

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested up to the limit of the abovementioned maximum amount, unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that ►⁽⁶⁾the operation has ended.◀

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

This amount may not be reduced by any sums already paid under the terms of this undertaking unless the undersigned is called upon to pay a debt arising during a Community or common transit operation commenced before the preceding demand for payment was received or within 30 days thereafter.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain responsible for payment of any debt arising during the Community or common transit operations covered by this undertaking and commenced before the date on which any revocation or cancellation the guarantee took effect, even if the demand for payment is made after that date.

►⁽¹⁾ C7

►⁽²⁾ A2

▼ **M19**

4. For the purposes of this undertaking the undersigned gives his or her address for service in each of the other countries referred to in paragraph 1 as ⁽⁶⁾:

Country	Surname and forenames, or name of firm, and full address
.....
.....
.....
.....
.....

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at on

.....
(Signature) ⁽⁷⁾

II. *Acceptance by the office of guarantee*

Office of guarantee

Guarantor's undertaking accepted on

.....
(Stamp and signature)

⁽¹⁾ Surname and forenames, or name of firm.
⁽²⁾ Full address.
⁽³⁾ Delete what does not apply.
⁽⁴⁾ Delete the name of the Contracting Party or Parties or States (Andorra or San Marino) whose territory is not transited. The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Community transit operations.
⁽⁵⁾ Surname and forenames, or name of firm, and full address of the principal.
⁽⁶⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.
⁽⁷⁾ The person signing the document must enter the following by hand before his or her signature: "Guarantee for the amount of", the amount being written out in letters.

▼ **M19**

ANNEX 49

COMMON / COMMUNITY TRANSIT PROCEDURE**Individual guarantee**

I. Undertaking by the guarantor

1. The undersigned ⁽¹⁾
 resident at ⁽²⁾
 hereby jointly and severally guarantees, at the office of guarantee of
 up to a maximum amount of

►⁽²⁾ in favour of the European Community comprising the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland, and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, the Principality of Andorra and the Republic of San Marino ⁽³⁾, any amount of principal ◀, further liabilities, expenses and incidentals, but not fines, for which the principal ⁽⁴⁾,

.....
 may be or become liable to the abovementioned countries for debt in the form of duty and other charges applicable to the goods described below placed under the Community or common transit procedure from the office of departure of

to the office of destination of

Goods description:

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in point 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that ►⁽¹⁾ the operation has ended.◀

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during the Community or common transit operation covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.

►⁽¹⁾ C7

►⁽²⁾ A2

▼ **M19**

4. For the purpose of this undertaking, the undersigned gives his or her address for service in each of the other countries referred to in paragraph 1 as ⁽²⁾:

Country	Surname and forenames, or name of firm, and full address
.....
.....
.....
.....
.....

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at on

.....
(Signature) ⁽⁶⁾

II. *Acceptance by the office of guarantee*

Office of guarantee

Guarantor's undertaking accepted on to cover the Community / common transit operation effected under transit declaration No of ⁽⁷⁾

.....
(Stamp and signature)

⁽¹⁾ Surname and forename or name of firm.
⁽²⁾ Full address.
⁽³⁾ Delete the name of the Contracting Party or Parties or States (Andorra or San Marino) whose territory is not transited. The references to the Principality of Andorra and the Republic of San Marino shall apply solely to Community transit operations.
⁽⁴⁾ Surname and forename, or name of firm and full address of the principal.
⁽⁵⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.
⁽⁶⁾ The person signing the document must enter the following by hand before his or her signature: "Guarantee for the amount of . . ." the amount being written out in letters.
⁽⁷⁾ To be completed by the office of departure.

▼ **M19**

ANNEX 50

COMMON / COMMUNITY TRANSIT PROCEDURE**Individual guarantee in the form of vouchers**I. *Undertaking by the guarantor*

1. The undersigned ⁽¹⁾

resident at ⁽²⁾

hereby jointly and severally guarantees, at the office of guarantee of

►⁽⁴⁾ in favour of the European Community comprising the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland, and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, the Principality of Andorra and the Republic of San Marino ⁽³⁾, any amount of principal ◀, further liabilities, expenses and incidentals, but not fines, for which the principal may be or become liable to the ►⁽²⁾ above mentioned ◀ countries for debt in the form of duty and other charges applicable ►⁽⁴⁾ to the goods placed under ◀ the Community or common transit procedure, in respect of which the undersigned has undertaken to issue individual guarantee vouchers up to a maximum of EUR 7 000 per voucher.

2. The undersigned undertakes to pay upon the first application in writing by the competent authorities of the countries referred to in paragraph 1 and without being able to defer payment beyond a period of 30 days from the date of application the sums requested, up to EUR 7 000 per individual guarantee voucher, unless he or she or any other person concerned establishes before the expiry of that period, to the satisfaction of the competent authorities, that ►⁽³⁾ the operation has ended. ◀

At the request of the undersigned and for any reasons recognised as valid, the competent authorities may defer beyond a period of 30 days from the date of application for payment the period within which he or she is obliged to pay the requested sums. The expenses incurred as a result of granting this additional period, in particular any interest, must be so calculated that the amount is equivalent to what would be charged under similar circumstances on the money market or financial market in the country concerned.

3. This undertaking shall be valid from the day of its acceptance by the office of guarantee. The undersigned shall remain liable for payment of any debt arising during any Community or common transit operations covered by this undertaking and commenced before any revocation or cancellation of the guarantee took effect, even if the demand for payment is made after that date.

►⁽¹⁾⁽²⁾⁽³⁾ C7

►⁽⁴⁾ A2

▼ **M19**

4. For the purpose of this undertaking the undersigned gives his or her address for service ⁽⁴⁾ in each of the other countries referred to in paragraph 1 as:

Country	Surname and forenames, or name of firm, and full address
.....
.....
.....
.....
.....

The undersigned acknowledges that all correspondence and notices and any formalities or procedures relating to this undertaking addressed to or effected in writing at one of his or her addresses for service shall be accepted as duly delivered to him or her.

The undersigned acknowledges the jurisdiction of the courts of the places where he or she has an address for service.

The undersigned undertakes not to change his or her addresses for service or, if he or she has to change one or more of those addresses, to inform the office of guarantee in advance.

Done at on

.....
(Signature) ⁽⁵⁾

II. *Acceptance by the office of guarantee*

Office of guarantee

Guarantor's undertaking accepted on

.....
(Stamp and signature)

⁽¹⁾ Surname and forenames, or name of firm.

⁽²⁾ Full address.

⁽³⁾ Only for Community transit operations.

⁽⁴⁾ If, in the law of the country, there is no provision for address for service the guarantor shall appoint, in this country, an agent authorised to receive any communications addressed to him and the acknowledgement in the second subparagraph and the undertaking in the fourth subparagraph of paragraph 4 must be made to correspond. The courts of the places in which the addresses for service of the guarantor or of his agents are situated shall have jurisdiction in disputes concerning this guarantee.

⁽⁵⁾ The signature must be preceded by the following in the signatory's own handwriting: 'Valid as guarantee voucher'.

▼ **M19**

ANNEX 51

TC 31 — COMPREHENSIVE GUARANTEE CERTIFICATE

(Front)

1. Valid until	Day	Month	Year	2. Number								
3. Principal (surname and forename, or name of company, full address and country)												
4. Guarantor (surname and forename, or name of company, full address and country)												
5. Office of guarantee (name, full address and country)												
6. Reference amount Currency code	in figures:		in letters:									
7. The office of guarantee certifies that the principal named above has furnished a comprehensive guarantee which is valid for Community/ common transit operations through ⁽¹⁾ the customs territories listed below ⁽²⁾ whose names have not been crossed out: EUROPEAN COMMUNITY, ⁽³⁾ ICELAND, NORWAY, ⁽⁴⁾ SWITZERLAND, ⁽⁵⁾ ANDORRA (*), SAN MARINO (*)												
8. Special observations												
9. Period of validity extended until												
<table border="1"> <tr> <td>Day</td> <td>Month</td> <td>Year</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td>inclusive</td> </tr> </table>					Day	Month	Year					inclusive
Day	Month	Year										
			inclusive									
Done at on (place) (date)												
(Signature and stamp of office of guarantee)												
Done at on (place) (date)												
(Signature and stamp of office of guarantee)												

(*) Only for Community transit operations.

▼M19

10. Persons authorised to sign Community/common transit declarations on behalf of the principal

(Back)

11. Surname, forename and specimen signature of authorised person	12. Signature of principal ⁽¹⁾	11. Surname, forename and specimen signature of authorised person	12. Signature of principal ⁽¹⁾

⁽¹⁾ Where the principal is a legal person, the person whose signature appears in box 12 must add to his signature his surname, forename and the capacity in which he is signing.

▼ **M19**

ANNEX 51a

TC 33 — GUARANTEE WAIVER CERTIFICATE

(Front)

1. Valid until	Day	Month	Year	2. Number								
3. Principal (surname and forename, or name of company, full address and country)												
4. Office of guarantee (name, full address and country)												
5. Reference amount Currency code	in figures:		in letters:									
6. The office of guarantee hereby certifies that the principal named above has been granted a guarantee waiver in respect of his Community/common transit operations through ► ⁽¹⁾ the customs territories listed below◄ whose names have not been crossed out: EUROPEAN COMMUNITY, ► ⁽²⁾ ◄ ICELAND, NORWAY, ► ⁽³⁾ ◄ SWITZERLAND, ► ⁽⁴⁾ ◄ ANDORRA (*), SAN MARINO (*)												
7. Special observations												
8. Period of validity extended until												
<table border="1"> <tr> <td>Day</td> <td>Month</td> <td>Year</td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td>inclusive</td> </tr> </table>					Day	Month	Year					inclusive
Day	Month	Year										
			inclusive									
<table border="1"> <tr> <td>Done at</td> <td>on</td> </tr> <tr> <td>(place)</td> <td>(date)</td> </tr> <tr> <td>(Signature and stamp of office of guarantee)</td> <td>(Signature and stamp of office of guarantee)</td> </tr> </table>					Done at	on	(place)	(date)	(Signature and stamp of office of guarantee)	(Signature and stamp of office of guarantee)		
Done at	on											
(place)	(date)											
(Signature and stamp of office of guarantee)	(Signature and stamp of office of guarantee)											

(*) Only for Community transit operations.

▼M19

9. Persons authorised to sign Community/common transit declarations on behalf of the principal

(Back)

10. Surname, forename and specimen signature of authorised person	11. Signature of principal ⁽¹⁾	10. Surname, forename and specimen signature of authorised person	11. Signature of principal ⁽¹⁾

⁽¹⁾ Where the principal is a legal person, the person whose signature appears in box 11 must add to his signature his surname, forename and the capacity in which he is signing.

▼ **M19**

ANNEX 51b

EXPLANATORY NOTE ON COMPREHENSIVE GUARANTEE CERTIFICATES AND GUARANTEE WAIVER CERTIFICATES1. *Particulars to be entered on the front of a certificate*

Once issued, there shall be no amendment, addition or deletion to the remarks in boxes 1 to 8 of the comprehensive guarantee certificate or boxes 1 to 7 of the guarantee waiver certificate.

1.1. Currency code

Member States shall enter in box 6 of the comprehensive guarantee certificate and box 5 of the guarantee waiver certificate the ISO ALPHA 3 (ISO 4217) code of the currency used.

1.2. Endorsements

1.2.1. Where a comprehensive guarantee may not be used because the goods are listed in Annex 44C, one of the following must be entered in box 8 of the certificate:

- Validez limitada
- Begrænset gyldighed
- Beschränkte Geltung
- Περιορισμένη ισχύς
- Limited validity
- Validité limitée
- Validità limitata
- Beperkte geldigheid
- Validade limitada
- Voimassa rajoitetusti
- Begränsad giltighet

▼ **A2**

- Omezená platnost
- Piiratud kehtivus
- Ierobežots derīgums
- Galiojimas apribotas
- Korlátozott érvényű
- Validità'limitata
- Ograniczona ważność
- Omejena veljavnost
- Obmedzená platnosť

▼ **M19**

1.2.2. Where a principal has undertaken to lodge all his transit declarations at a specific office of departure, the name of the office must be entered in capitals in box 8 of the comprehensive guarantee certificate or box 7 of the guarantee waiver certificate, as appropriate.

1.3. Endorsement of certificates in the event of their validity being extended

Where the period of validity of a certificate is extended, the office of guarantee must endorse box 9 of the comprehensive guarantee certificate or box 8 of the guarantee waiver certificate, as appropriate.

2. *Particulars to be entered on the back of a certificate. Persons authorised to sign transit declarations*

2.1. When a certificate is issued, or at any time during its period of validity, the principal must enter on the back the names of the persons he authorises to sign transit declarations. Each of these entries must comprise the surname and first name of the authorised person and a specimen of his signature and each must be countersigned by the principal. The principal has the option of striking through any boxes he does not wish to use.

2.2. The principal may revoke such authorisations at any time.

2.3. Any person whose name has been entered on the back of a certificate of this kind which is presented at an office of departure is the authorised representative of the principal.

▼ M19

3. *Use of such certificates where use of a comprehensive guarantee is prohibited*

For procedure, see point 4 of Annex 47A.

▼ M5

▼ **M19**

ANNEX 54

(Front)

TC 32 – INDIVIDUAL GUARANTEE VOUCHER	A 000 000
Issued by: (Name and address of individual or firm)	
(undertaking of the guarantor accepted on by the guarantee office of) _____	
This voucher, issued on is valid for an amount of up to 7 000 euro for a Community transit/common transit operation beginning not later than and in respect of which the principal is (name and address of individual or firm)	
..... (Signature of the principal) ⁽¹⁾ (Signature and stamp of guarantor)
_____ ⁽¹⁾ Signature optional.	

▼B

ANNEX 58

LABEL (Articles 417 and 432)



Colour: black on green.

▼B*ANNEX 59***MODEL OF THE INFORMATION MEMO REFERRED TO IN
ARTICLE 459**

Letter heading of the coordinating office initiating the dispute

Addressee: coordinating office covering the office of temporary importation, or other coordinating office

SUBJECT: ATA CARNET — SUBMISSION OF CLAIM

Be informed that a claim for payment of duties and taxes under the ATA Convention ⁽¹⁾ was sent on ... ⁽²⁾ to our guaranteeing association in respect of:

1. ATA carnet No:
2. Issued by the Chamber of Commerce of:
City:
Country:
3. On behalf of:
Holder:
Address:
4. Expiry date of the carnet:
5. Date set for re-exportation ⁽³⁾:
6. Number of transit/import voucher ⁽⁴⁾:
7. Date of endorsement of voucher:

Signature and stamp of the issuing coordinating office.

⁽¹⁾ Article 7 of the ATA Convention, Brussels, 6 December 1991.

⁽²⁾ Enter date of dispatch.

⁽³⁾ Details obtained from the undischarged transit or temporary importation voucher or, if no voucher is available, from the information available to the issuing coordinating office.

⁽⁴⁾ Delete whichever is not applicable.

▼B

ANNEX 60

TAXATION FORM

of No.....

The following particulars must be given in the order shown:

1. ATA carnet No:
 2. Number of transit/import voucher ⁽¹⁾:
 3. Date of endorsement of voucher:
 4. Holder and address:
 5. Chamber of commerce:
 6. Country of origin:
 7. Date of expiry of carnet:
 8. Date set for the re-exportation of the goods:
 9. Customs office of entry:
 10. Customs office of temporary admission:
 11. Trade description of goods:
 12. CN code:
 13. Number of pieces:
 14. Weight or volume:
 15. Value:
 16. Breakdown of duties and taxes:
- | Type | Taxable amount | Rate | Amount | Exchange rate |
|------|----------------|------|---------------|---------------|
| | | | Total: | |
- (Total in words:)
17. Customs office:
- Place and date:

Signature

Stamp

⁽¹⁾ Delete whichever is inapplicable.

▼ B

TAXATION FORM A

of No.....

- 11. Trade description of goods:
- 12. CN code:
- 13. Number of pieces:
- 14. Weight or volume:
- 15. Value:
- 16. Breakdown of duties and taxes:

Type	Taxable amount	Rate	Amount	Exchange rate
			Total:	

(Total in words:))

—

- 11. Trade description of goods:
- 12. CN code:
- 13. Number of pieces:
- 14. Weight or volume:
- 15. Value:
- 16. Breakdown of duties and taxes:

Type	Taxable amount	Rate	Amount	Exchange rate
			Total:	

(Total in words:))

Summary

Type	Amount	Method of payment	Exchange rate
			Total:

(Total in words:))

▼BPROVISIONS GOVERNING THE INFORMATION TO BE ENTERED ON
THE TAXATION FORM**I. General**

The taxation form shall bear the following letters, indicating the Member State issuing the form:

BE = Belgium
 DK = Denmark
 DE = Germany
 EL = Greece
 ES = Spain
 FR = France
 IE = Ireland
 IT = Italy
 LU = Luxembourg
 NL = Netherlands

▼A1

AT = Austria

▼B

PT = Portugal

▼A1

FI = Finland
 SE = Sweden

▼B

UK = United Kingdom

▼A2

CZ = the Czech Republic
 EE = Estonia
 CY = Cyprus
 LV = Latvia
 LT = Lithuania
 HU = Hungary
 MT = Malta
 PL = Poland
 SI = Slovenia
 SK = Slovakia

▼B

The taxation form must include the following information under the appropriate headings. It must be completed legibly by (SIC! by) the coordinating office referred to in Article 458 (1) of this Regulation.

Headings 1, 2, 3, 4, 5, 6, 7, 8, 11, 13 and 14: Enter the same information as appears on the transit voucher or the import voucher at the bottom of the voucher, at the bottom of the space reserved for customs and in boxes A, G (a), overleaf column 6, G (c), H (b), overleaf column 1, overleaf column 2, overleaf column 3 and overleaf column 4 respectively. If the coordinating office is not in possession of a voucher the information is entered according to the coordinating office's information. Where more than one kind of goods have to be entered on the form they are to be included on taxation form A, the headings on which are to be completed in accordance with these instructions.

Heading 9: State the name of the customs office which completed box H (a) to (e) of the transit voucher, or box H of the import voucher, as the case may be. Failing this, the customs office of entry is entered according to the coordinating office's knowledge (SIC! knowledge) of it.

Heading 10: State the name of the customs office which appears in box H (e) of the transit voucher or which completed box H of the import voucher, as the case may be. Failing this, the customs office of temporary admission is entered, according to the coordinating office's knowledge of it.

Heading 15: State the amount, in the currency laid down by the Member State in which the claim was made, of the value for customs.

Heading 16: State on the taxation form the amounts of duty and other taxes claimed. The amounts are shown in such a way as to make clear customs duties and taxes (using the Community codes provided for the purpose), the surcharge referred to in Article 6 of the ATA Convention, expressed in both figures and words. The amounts have to be paid in the currency of the Member State issuing the form, the code for which is entered at the top of the second column:

BEF = Belgian francs
 DEM = German marks
 ESP = Spanish pesetas
 IEP = Irish pounds
 LUF = Luxembourg francs

▼B

PTE = Portugueuse (SIC! Portuguese) escudos
 DKK = Danish kroner
 GRD = Greek drachmas
 FRF = French francs
 ITL = Italian lire
 NLG = Dutch guilders
 GBP = Pounds sterling

▼A1

ATS = Austrian schillings
 FIM = Finnish markkas
 SEK = Swedish kronor

▼A2

CZK = Czech koruna
 EEK = Estonian kroon
 CYP = Cyprus pound
 LVL = Latvian lats
 LTL = Lithuanian litas
 HUF = Hungarian forint
 MTL = Maltese lira
 PLN = Polish złoty
 SIT = Slovenian tolar
 SKK = Slovak koruna

▼B

Heading 17: State the name of the coordinating office and the date of completion of the form; place the stamp of the office and the signature of the authorized official in the appropriate places.

II. Remarks on form A

- A. Form A is to be used only where several articles are being taxed. It must be submitted in conjunction with a principal form. Total duties etc. from the principal form and form A are entered under the heading 'Summary'.
- B. The general remarks under I also apply to form A.

▼B*ANNEX 61***MODEL OF DISCHARGE**

Letter heading of the coordinating office of the second Member State submitting the claim

Addressee: coordinating office of the first Member State submitting the original claim.

SUBJECT: ATA CARNET — DISCHARGE

Be informed that a claim for payment of duties and taxes under the ATA Convention ⁽¹⁾ was sent on ⁽²⁾ ... to our guaranteeing association in respect of:

1. ATA carnet No:
2. Issued by the Chamber of Commerce of:
City:
Country:
3. On behalf of:
Holder:
Address:
4. Expiry date of the carnet:
5. Date set for re-exportation ⁽³⁾:
6. Number of transit/import voucher ⁽⁴⁾:
7. Date of endorsement of voucher:

The present note discharges your responsibility in this file.

Signature and stamp of issuing coordinating office.

⁽¹⁾ Article 7 of the ATA Convention, Brussels, 6 December 1991.

⁽²⁾ Enter date of dispatch.

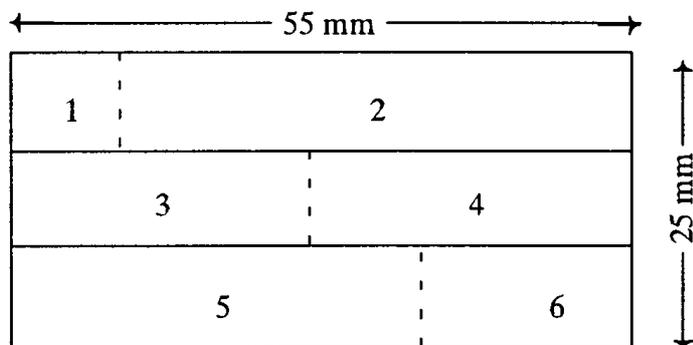
⁽³⁾ Details obtained from the undischarged transit or temporary importation voucher or, if no voucher is available, from the information available to the issuing coordinating office.

⁽⁴⁾ Delete whichever is not applicable.

▼B

ANNEX 62

SPECIAL STAMP



1. Member State's coat of arms or other sign or letters characterizing the Member State
2. Customs office ⁽¹⁾
3. Number of document
4. Date
5. Authorized consignor ⁽²⁾
6. Authorization

⁽¹⁾ Where this stamp is used in the framework of Article ►**M18** 912g ◀ of this Regulation, it concerns the office of departure.

⁽²⁾ Where this stamp is used in the framework of Article 286 of this Regulation, it concerns the authorized exporter.

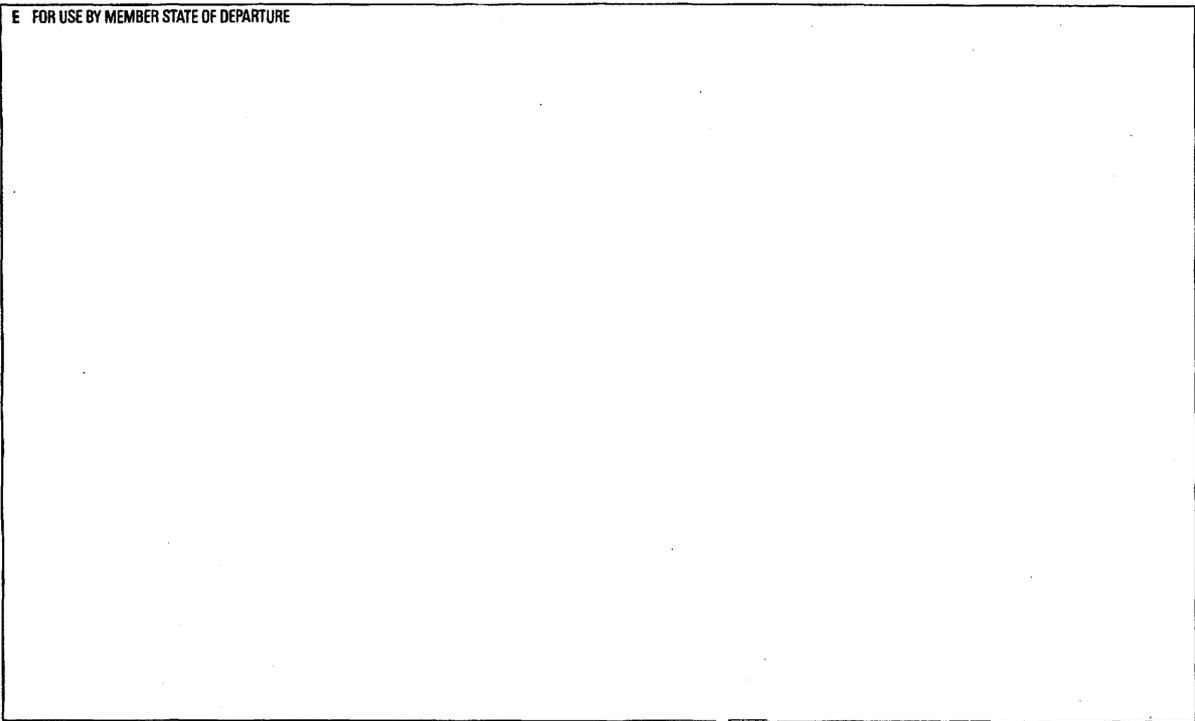
▼ M18

ANNEX 63

EUROPEAN COMMUNITY		T 5		A OFFICE OF DEPARTURE	
See notice before completing this form	1	2 Consignor/Exporter No <input type="checkbox"/>		3 Forms	
	ORIGINAL OF CONTROL COPY	8 Consignee		4 Loading lists	
		14 Declarant/Representative No		5 Items	6 Total packages
		18 Identity and nationality of means of transport at departure		7 Reference number	
IMPORTANT NOTE This original must accompany the goods and be lodged: - in the case of goods to be exported, with the Customs office of exit from the customs territory of the Community, - in other cases, with the competent office in the Member State of destination.		NOTES CONCERNING Box 104: Enter <input checked="" type="checkbox"/> where applicable Box 105: Enter type, serial number, date of issue and name of issuing authority Box 109: Enter type, number, date of registration and name of customs office.			
		15 Country of dispatch/export		17 Country of destination	
1 Marks and numbers - Container No(s) - Number and kind		19 Ctr.		B Tilbagesendes til: ▶ (1) Vrat'ite: Zurücksenden an: Tagastada: Επιστρέφειν εις: Nosútit atpakaj: Return to: Gražinti į: Devolver a: Visszaküldeni: Palautusosoite: Ibgħat lura lil: Renvoyer à: Odeslać do: Da rispeditare a: Vrnjeno: Terugzenden aan: Vrátiť: ◀ Áter til:	
		32 Item No		33 Commodity Code	
Packages and description of goods		35 Gross mass (kg)		X X X X X	
		38 Net mass (kg)		X X X X X	
ADDITIONAL INFORMATION		40 Previous document		X X X X X	
		41 Supplementary units		X X X X X X X X X X X X X X X X	
100 (For national use)		103 Net quantity (kg, litres or in other units) in words			
104 USE AND/OR DESTINATION <input type="checkbox"/> Exit from the customs territory of the Community <input type="checkbox"/> Supply to the following international organisation: <input type="checkbox"/> Other (specify): Time limit of days for completion					
105 Licences					
106 Further particulars					
107 Legislation applicable		108 Attached documents		109 Administrative or customs document	
D CONTROL BY OFFICE OF DEPARTURE Result: Seals affixed: No: identity: Time limit (date): Signature:			Stamp: 110 Place and date: Signature and name of declarant/representative:		

▼B

E FOR USE BY MEMBER STATE OF DEPARTURE



▼ **B**

ANNEX 64

EUROPEAN COMMUNITY		A OFFICE OF DEPARTURE	
2 Consignor/Exporter No <input type="checkbox"/>		<div style="border: 2px solid black; padding: 5px; display: inline-block; font-size: 24px; font-weight: bold;">T 5 BIS</div>	
		3 Forms XXXXXX XXXXXX XXXXXX	
IMPORTANT NOTE The goods shown on this form must receive the use and/or destination declared in box 104 of the form T 5 to which this form must be attached.		ORIGINAL OF CONTROL COPY NOTE CONCERNING BOX 105 Enter type, serial number, date of issue and name of issuing authority.	
▶ (1) 31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Items No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Previous document
			41 Supplementary units
ADDITIONAL INFORMATION			
100 (For national use)		103 Net quantity (kg, litres or in other units) in words	
106 Licences			
▶ (2) 31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Items No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Previous document
			41 Supplementary units
ADDITIONAL INFORMATION			
100 (For national use)		103 Net quantity (kg, litres or in other units) in words	
106 Licences			
▶ (3) 31 Packages and description of goods	Marks and numbers - Container No(s) - Number and kind	32 Items No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Previous document
			41 Supplementary units
ADDITIONAL INFORMATION			
100 (For national use)		103 Net quantity (kg, litres or in other units) in words	
106 Licences			
			110 Place and date: Signature and name of declarant/representative:

▼ **B**

EUROPEAN COMMUNITY		A OFFICE OF DEPARTURE	
2 Consignor/Exporter No <input type="checkbox"/>		T 5 BIS	
IMPORTANT NOTE The goods shown on this form must receive the use and/or destination declared in box 104 of the form T 5 to which this form must be attached.		3 Forms XXXXXXXXXX XXXXXXXXXX XXXXXXXXXX	
		COPY OF CONTROL COPY	
		NOTE CONCERNING BOX 105 Enter type, serial number, date of issue and name of issuing authority.	
31 Packages and description of goods (1)	Marks and numbers - Container No(s) - Number and kind	32 Items No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Previous document
			41 Supplementary units
ADDITIONAL INFORMATION			
100 (For national use)		103 Net quantity (kg, litres or in other units) in words	
105 Licences			
31 Packages and description of goods (2)	Marks and numbers - Container No(s) - Number and kind	32 Items No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Previous document
			41 Supplementary units
ADDITIONAL INFORMATION			
100 (For national use)		103 Net quantity (kg, litres or in other units) in words	
105 Licences			
31 Packages and description of goods (3)	Marks and numbers - Container No(s) - Number and kind	32 Items No	33 Commodity Code
			35 Gross mass (kg)
			38 Net mass (kg)
			40 Previous document
			41 Supplementary units
ADDITIONAL INFORMATION			
100 (For national use)		103 Net quantity (kg, litres or in other units) in words	
105 Licences			
			110 Place and date: Signature and name of declarant/representative:

▼B

ANNEX 65

EUROPEAN COMMUNITY

IMPORTANT NOTES

1. A loading list may be used only when the goods to which it relates are for the same use and/or destination which is to be shown in box 104 of the Control Copy T 5 to which it is attached.
2. Agricultural products for exportation must be described in accordance with the nomenclature used for refund purposes.
3. Details of licences or advance fixing certificates instead of being shown in box 105 of Control Copy T 5 must be shown on the loading list following the description of goods to which they relate.

LOADING LIST

T 5 ORIGINAL
attached to Control Copy T 5
bearing the registration number
shown opposite.

OFFICE OF DEPARTURE

Item number	Marks and numbers - Number and kind of packages - Description of goods and, where appropriate, particulars of their composition	Commodity	Gross mass (kg)	Net mass (kg)	Net quantity (kg, litres or in other units) in words	RESERVED FOR OFFICIAL USE

▼ **M18***ANNEX 66***INSTRUCTIONS FOR USE OF THE FORMS REQUIRED TO DRAW UP
CONTROL COPY T5****A. General remarks**

1. The T5 control copy is a document drawn up on a T5 form accompanied, where appropriate, either by one or more *T5bis* forms or by one or more T5 loading lists.
2. The T5 control copy is intended to supply proof that the goods in respect of which it was issued have either been used in the way, or have reached the destination provided for by the specific Community provisions governing their use, it being the responsibility of the competent office of destination to be satisfied either directly or through persons acting on its behalf as to the use and/or destination of the goods concerned. In some cases, the T5 control copy is also used to inform the competent authorities of destination that the goods which it covers are subject to special measures. The procedure thus instituted is a framework procedure, to be put into effect only if specific Community legislation expressly so provides. It can apply even where the goods are not moving under a customs procedure.
3. The T5 control copy must be drawn up in one original and at least one copy, each of which must bear an original signature.

When goods are transported under a customs procedure, the original and the copy or copies of the T5 control copy must be submitted together to the customs office of departure or consignment, which retains one copy while the original accompanies the goods and must be presented with them at the customs office of destination.

Where the goods are not placed under a customs procedure, the T5 control copy shall be issued by the office of consignment, which shall keep a copy. The words 'Goods not covered by a customs procedure' shall be entered in box 109 of the T5 form. The original of the T5 control copy must be presented together with the goods to the competent office of destination.

4. If *T5bis* forms are used, the T5 form and the *T5bis* forms must be completed.

If T5 loading lists are used, the T5 form must be completed but boxes 31, 32, 33, 35, 38, 100, 103 and 105 must be struck through and the information concerned must be entered only on the T5 loading list or lists.

5. A T5 form may not be accompanied both by *T5bis* and by T5 loading lists.
6. The forms must be printed on pale blue paper, dressed for writing purposes and weighing at least 40 g/m². The paper must be sufficiently opaque for the information on one side not to affect the legibility of the information on the other side and its strength should be such that in normal use it does not easily tear or crease.

The forms must measure 210 × 297 mm for T5 forms and *T5bis* and 297 × 420 mm for T5 loading lists, a tolerance in the length of between -5 and +8 mm being allowed.

The address for return and the important note on the front of the form may be printed in red.

The competent authorities of the Member States may require that control copy T5 forms show the name and address of the printer, or a symbol enabling the printer to be identified.

7. The T5 control copy shall be made out in an official language of the Community which is acceptable to the competent authorities of the Member State of departure.

The competent authorities of another Member State in which such a document is presented may, as necessary, require a translation into the official language, or one of the official languages, of that Member State.

8. T5 forms and any *T5bis* forms or T5 loading lists must be completed in typescript or by a mechanographical or similar process. They may also be filled in legibly by hand, in ink and in block letters. To make it easier to complete T5 forms in typescript, they should be inserted in such a way that the first letter to be entered in box 2 is located in the small positioning box in the top left hand corner.

Forms must contain no erasures or overwriting. Alterations must be made by crossing out incorrect particulars and adding those required. Any such

▼ **M18**

amendments must be initialled by the person making the amendment and authenticated by the competent authorities, who may require a new form to be lodged.

In addition, forms may be completed using an automatic reproduction process instead of any of the processes mentioned above. They may also be produced and completed by that means provided that the rules relating to the specimens, paper, size of forms, language to be used, legibility, prohibition of erasures and overwriting and alterations are strictly observed.

B. Provisions relating to T5 forms

Only boxes marked with a serial number need be completed, as appropriate. The other boxes, marked with a capital letter, are for official use only except in cases provided for in specific regulations or in the provisions relating to authorised consignors.

BOX 2: CONSIGNOR/EXPORTER

Enter the full name and address of the person or company concerned. Instructions regarding the identification number can be added by the Member States (identification number allocated to the person concerned by the competent authorities for tax, statistical or other purposes).

BOX 3: FORMS

Enter the number of the form in relation to the total number of T5 and T5bis forms used. For example, if there is one T5 form and two T5bis forms, indicate in the T5 form '1/3', on the first T5bis form '2/3' and on the second T5 form '3/3'.

Where the consignment consists of only one item, i.e. only one 'Description of goods' box, has to be completed, do not enter anything in box 3, but enter the figure 1 in box 5.

BOX 4: LOADING LISTS

Enter in figures the total number of T5 loading lists attached, if any.

BOX 5: ITEMS

Enter in figures the total number of items declared by the person concerned on the T5 forms and on all T5bis forms or T5 loading lists used. The number of items must be 1 if there is only the T5 form or correspond on the total number of goods indicated in box 31 of the T5bis forms or in the T5 loading lists.

BOX 6: TOTAL PACKAGES

Enter the total number of packages making up the consignment in question.

BOX 7: REFERENCE NUMBER

Optional item for users to indicate any reference number allocated by the person concerned to the consignment in question.

BOX 8: CONSIGNEE

Enter the full name and address of the person(s) or company(ies) concerned to whom the goods are to be delivered.

BOX 14: DECLARANT/REPRESENTATIVE

Enter the full name and address of the person or company concerned in accordance with the provisions in force. If the declarant and the consignor/exporter are the same person, enter 'consignor/exporter'. Instructions regarding the identification number can be added by the Member States (identification number allocated to the person concerned by the competent authorities for tax, statistical or other purposes).

BOX 15: COUNTRY OF DISPATCH/EXPORT

Enter the name of the country from which the goods are dispatched/exported.

BOX 17: COUNTRY OF DESTINATION

Enter name of the country concerned.

BOX 18: IDENTITY AND NATIONALITY OF MEANS OF TRANSPORT AT DEPARTURE

Enter the identity, e.g. registration number(s) or name of the means of transport (lorry, ship, railway wagon, aircraft) on which the goods are or were directly loaded when the consignment formalities were completed, followed (except in the case

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of rail transport) by the nationality of the means of transport (or that of the vehicle propelling the others if there are several means of transport), using the appropriate Community codes.

BOX 19: CONTAINER (Ctr)

Using the appropriate Community codes ('0' — Goods not transported in containers or '1' — Goods transported in containers), indicate the situation at departure.

BOX 31: PACKAGES AND DESCRIPTION OF GOODS — MARKS AND NUMBERS — CONTAINER No(s) — NUMBER AND KIND

Enter the marks, numbers, number and kind of packages or, in the case of unpackaged goods, the number of goods covered by the declaration, or the work 'bulk', as appropriate, together with the particulars necessary to identify the goods. The description of the goods means the normal trade description expressed in sufficiently precise terms to allow their identification and classification.

Where the Community rules applicable to the goods concerned provide for particular procedures in this respect, the description of the goods must conform to those rules.

All additional information required by the said rules must also be entered in this box. The description of agricultural products must be in accordance with the Community provisions in force in the agricultural sector.

If containers are used, the identifying marks of the container must also be entered in this box. The unused space in this box must be crossed through.

BOX 32: ITEM NUMBER

Enter the number of the item in question in relation to the total number of articles declared in the T5 and T5bis forms used, as described in the note to box 5.

Where the consignment consists of only one item (a single T5 form), do not complete this box but enter the figure 1 in box 5.

BOX 33: COMMODITY CODE

Enter the code number corresponding to the item in question, using that of the nomenclature for export refunds where appropriate.

BOX 35: GROSS MASS

Enter the gross mass of the goods described in the corresponding box 31, expressed in kilograms. The gross mass is the aggregate mass of the goods with all their packagings, excluding containers and other transport equipment.

BOX 38: NET MASS

Where Community rules so require, enter the net mass of the goods described in the corresponding box 31, expressed in kilograms. The net mass is the mass of the goods themselves without any packaging.

BOX 40: PREVIOUS DOCUMENT

Box for optional use by the Member States (reference numbers of documents relating to the administrative procedure preceding dispatch/export).

BOX 41: SUPPLEMENTARY UNITS

For use as necessary in accordance with the goods nomenclature (enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature).

BOX 100: FOR NATIONAL USE

To be completed in accordance with the rules of the Member State of dispatch/export.

BOX 103: NET QUANTITY (kg, litres or other units) IN WORDS

To be completed in accordance with Community rules.

BOX 104: USE AND/OR DESTINATION

Indicate the use and/or destination intended or prescribed for the goods by placing an X in the appropriate box or, failing that, place an X in the box marked 'Other' and specify the use and/or destination.

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Where Community rules fix a time limit by which the goods must be assigned to a use and/or destination, complete the phrase 'time limit of ... days for completion' by inserting the number of days.

BOX 105: LICENCES

To be completed in accordance with Community rules.

Enter the type, serial number, date of issue and issuing authority.

BOX 106: FURTHER PARTICULARS

To be completed in accordance with Community rules and the rules on the application of Article 912(b)(9).

BOX 107: LEGISLATION APPLICABLE

Enter the number of any Community regulation, directive or decision concerning the measure providing for or prescribing control of the use and/or destination of the goods.

BOX 108: ATTACHED DOCUMENTS

List the accompanying documents attached to the control copy T5, which are to accompany it to its destination.

BOX 109: ADMINISTRATIVE OR CUSTOMS DOCUMENT

Enter the type, number and date of registration of the document relating to the procedure used for the transport of the goods, and the issuing office or, where appropriate, the words 'Goods not covered by a customs procedure'.

BOX 110: PLACE AND DATE; SIGNATURE AND NAME OF DECLARANT/REPRESENTATIVE

Subject to any specific provisions adopted with regard to the use of computerised systems, the original of the hand-written signature of the person concerned must appear both on the original and on the copy or copies of the T5 form. Where the person concerned is a legal person, the signatory must add his full name and capacity after his signature.

C. Provisions relating to use of T5bis forms

See notes in Section B.

Subject to any special provisions adopted on the use of automatic data-processing techniques, the original and copy or copies of the T5bis form must bear the original signature of the person who signed the corresponding T5 form.

Boxes headed 'Packages and descriptions of goods' which have not been used must be struck through to prevent subsequent entries.

D. Provisions relating to the use of T5 loading lists forms

Every column in the loading lists, except that reserved for official use, must be completed. Only the front of the T5 loading list form may be used.

The registration number of the T5 control copy must be shown in the box for registration particulars of the T5 loading list.

The goods shown on the T5 loading list must be serially numbered in the column headed 'item number' (see item number, box 32) in such a way that the last of these is the total given in box 5 of the T5 form.

The particulars normally entered in boxes 31, 33, 35, 38, 100, 103 and 105 of the form T5 must be entered on the T5 loading list.

Particulars relating to boxes 100 (national use) and 105 (licences) must be entered in the column for the description of the goods, immediately after the information concerning the goods to which those particulars refer.

A horizontal line must be drawn after the last entry and the spaces not used must be crossed through to prevent later additions being made.

The total number of packages containing the goods listed and the total gross and net mass of those goods must be shown at the foot of the appropriate columns.

Subject to any specific provisions adopted with regard to the use of computerised systems, the original signature of the signatory of the corresponding T5 form must appear both on the original and on the copy or copies of the T5 loading list.

▼ M20*ANNEX 67***APPLICATION AND AUTHORISATION FORMS****(Articles 292, 293, 497 and 505)**

GENERAL REMARKS

1. The layout of the models is not binding; e.g. instead of boxes the Member States may provide for forms with a line structure or if required the space of the boxes may be extended.
However the order numbers and the appropriate text are obligatory.
2. The Member States may provide for boxes or lines for national purposes. These boxes or lines shall be indicated by an order number plus a capital letter (e.g. 5A).
3. In principle boxes with a bold order number must be completed. The explanatory note refers to exceptions. The customs administrations may provide for the completion of box 5 as mandatory only where a single authorisation is applied for.
4. The Appendix of the notes shall contain the IPR economic-condition-codes according to Annex 70.

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EUROPEAN COMMUNITY

MODEL

Application for authorisation to use a customs procedure with economic impact/end-use

Note: Please refer to the appropriate explanatory note when filling out this form

Original	1. Applicant		Reserved for customs purposes	
	2. Customs procedure(s)		3. Type of application	4. Continuation forms
	5. Place and kind of accounts/records			
	6. Period of validity of the authorisation			
	a		b	
	7. Goods to be placed under the customs procedure			
	CN code	Description	Quantity	Value
	8. Compensating or processed products			
	CN code	Description	Rate of yield	
	9. Details of the planned activities			
	10. Economic conditions			
	11. Customs office(s)			
	a	of entry		
	b	of discharge		
	c	supervising office(s)		
12. Identification	13. Period for discharge (months)	14. Simplified procedures	15. Transfer	
		a	b	
16. Additional information				
17.				
Signed		Dated		
Name				

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EUROPEAN COMMUNITY

MODEL

Application for authorisation to operate a customs warehouse or to use the arrangements in a type E warehouse

Continuation form

Original	18. Warehouse type		
	19. Warehouse or storage facilities (type E)		
	20. Deadline for lodging inventory of goods		
	21. Loss rate		
	22. Storage of goods not under the warehousing arrangements		
	CN code	Description	Category/customs procedure
	23. Usual forms of handling		
	24. Temporary removal. Purpose:		
	25. Additional information		
26.			
Signed		Dated	
Name			

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EUROPEAN COMMUNITY

MODEL

Application for authorisation to use inward processing

Continuation form

Original	18. Equivalent goods	
	CN code	Description
	19. Prior exportation	
	20. Release for free circulation without customs declaration?	
21. Additional information		
22.		
Signed		
Dated		
Name		

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EUROPEAN COMMUNITY

MODEL

Application for authorisation to use outward processing

Continuation form

Original	18. System	
	19. Replacement products	
	CN code	Description
	20. Article 147(2) of the Code	
	21. Article 586(2)	
	22. Additional information	
	23.	
	Signed	Dated
	Name	

▼ **M20**



EUROPEAN COMMUNITY

MODEL

Authorisation to use a customs procedure with economic impact/end-use

				GB	
				(Authorisation number)	
Original	1. Holder of authorisation			Issuing authority	
	1a. This decision refers to your application of				
	Ref. no:				
	2. Customs procedure(s)		3. Type of authorisation		4. Continuation forms
	5. Place and kind of accounts/records				
	6. Period of validity of the authorisation				
	a		b		
	7. Goods which may be placed under the customs procedure:				
	CN code	Description		Quantity	Value
	8. Compensating or processed products:				
	CN code	Description			Rate of yield
	9. Details of the planned activities:				
	10. Economic conditions:				
	11. Customs office(s)				
	a	of entry:			
b	of discharge:				
c	supervising office(s):				
12. Identification		13. Period for discharge (months)	14. Simplified procedures		15. Transfer
			a	b	
16. Additional information/conditions (e.g. security requirements)					
17.					
Date		Signature		Stamp	
		Name			

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EUROPEAN COMMUNITY

MODEL

Authorisation to operate a customs warehouse or to use the arrangements in a type E warehouse

Continuation form

GB
(Authorisation number)

Original	18. Warehouse type		Identification number of the warehouse		
	19. Warehouse or storage facilities (type E)				
	20. Deadline for lodging inventory of goods				
	21. Loss rate				
	22. Storage of goods not under the warehousing arrangements				
	CN code		Description	Category/customs procedure	
	23. Usual forms of handling				
	24. Temporary removal. Purpose:				
	25. Additional information				
26.					
Date		Signature	Stamp		
		Name			

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EUROPEAN COMMUNITY

MODEL

Authorisation to use inward processing

Continuation form

GB
(Authorisation number)

Original	18. Equivalent goods	
	CN code	Description
	19. Prior exportation	
	20. Release for free circulation without customs declaration	
21. Additional information		
22.		
Date	Signature	Stamp
	Name	

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EUROPEAN COMMUNITY

MODEL

Authorisation to use outward processing

Continuation form

GB
(Authorisation number)

Original	18. System	
	19. Replacement products	
	CN code	Description
	20. Article 147(2) of the Code	
	21. Article 586(2)	
	22. Additional information	
	23.	
	Date	Signature
		Stamp
		Name

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EXPLANATORY NOTES

Title I

Particulars to be entered in the various boxes of the application form

General note:

References are to the implementing provisions of the Customs Code unless otherwise stated.

1. Applicant

Enter the full name and address of the applicant. The applicant is the person to whom the authorisation should be issued.

2. Customs procedure(s)

Enter the customs procedure(s) under which the goods listed in box 7 are intended to be placed. The relevant customs procedures are given below:

- free circulation with end-use
- customs warehousing
- inward processing — suspension system
- inward processing — drawback system
- processing under customs control
- temporary importation
- outward processing

Note:

If the applicant applies for an authorisation to use more than one customs procedure (integrated authorisation) and the form does not fit the requirements (e.g. because the goods which should be placed under the customs procedures are not the same for each procedure) separate forms should be used.

3. Type of application

Type of application must be entered in this box by using at least one of the following codes:

- 1 = first application
- 2 = application for modified or renewed authorisation (also indicate the appropriate authorisation number)
- 3 = application for a single authorisation
- 4 = application for successive authorisation (inward processing)

4. Continuation forms

Enter the number of continuation forms attached.

Note:

Continuation forms are provided for the following customs procedures:
customs warehousing, inward processing (where necessary) and outward processing (where necessary)

5. Place and kind of accounts/records
--

Enter the place of accounts. This is the place where the applicant's commercial, tax or other accounting material, or such data held on his behalf, is located. Specify also the kind of accounts by giving details about the system used.

State also the kind of records (stock records) to be used for the customs procedure. Records means: the data containing all the necessary information and technical details, enabling the customs authorities to supervise and control the customs procedure.

Note:

- If it is intended to use a customs warehouse type B, box 5 is not to be completed.
- In case of temporary importation box 5 need be completed only where required by customs authorities.
- In case of application for a single authorisation indicate the place and kind of main accounts.

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6. Period of validity of the authorisation	
a	b

Indicate in box 6a the requested date on which the authorisation should take effect (day/month/year). In principle the authorisation takes effect on the date of issue at the earliest. In this case enter 'date of issue'. The date of expiry of the authorisation may be suggested in box 6b.

7. Goods to be placed under the customs procedure			
CN code	Description	Quantity	Value

— *CN code*

Complete according to the Combined Nomenclature (CN code = eight digits).

— *Description*

The description of the goods means the trade and/or technical description.

— *Quantity*

Enter the estimated quantity of the goods intended to be placed under the customs procedure.

— *Value*

Enter the estimated value in euro or in other currency of the goods intended to be placed under the customs procedure.

*Note:***End-use:**

1. If the application concerns goods other than those under 2 below, you should enter in sub-box "CN code", where appropriate; the Taric Code (10 digits or 14 digits).
2. If the application concerns goods under the special provisions (Part A and B) contained in the preliminary provisions of the Combined Nomenclature (goods for certain categories of ships, boats and other vessels and for drilling or production platforms/civil aircraft and goods for use in civil aircraft) CN codes are not required. Applicants should state in sub-box "Description" for instance: "Civil aircraft and parts thereof/special provisions, part B of the CN". Furthermore it is then not necessary to give details about the CN code, quantity and the value of the goods;

Customs warehousing:

If the application covers a number of items of different goods, you may enter the word "various" in sub-box "CN code". In this case describe the nature of goods to be stored in sub-box "Description". It is not necessary to give details about the CN code, quantity and value of the goods;

Inward and outward processing:

CN code: The four-digit code may be indicated. However the eight-digit code must be given where:

- equivalent goods or the standard exchange system are to be used,
- Article 586(2) is applied,
- ▶⁽¹⁾ — the economic conditions are identified by codes 01, 10, 11, 31 or 99,
- milk and milk products referred to in Article 1 of Council Regulation (EC) No 1255/1999 are concerned and code 30 is used in relation with the situations referred to under subdivisions 2, 5 and 7 of this code, or ◀
- the customs authorities require this in accordance with the first paragraph of Article 499.

Description: The trade and/or technical description should be sufficiently clear and detailed to enable a decision to be taken on the application. Where it is planned to use equivalent goods or the standard exchange system give details about commercial quality and technical characteristics of the goods.

Quantity: This information need not be entered with regard to inward processing where the code used to refer to the economic conditions is code 30 in so far as it is not intended to use equivalent goods. However the quantity must be indicated where processing of durum wheat to produce pasta is involved or where the eight-digit code must be given for milk and milk products.

Value: This information need not be given where the quantity is not required unless the applicant intends to avail himself of code 30 (*de minimis* value).

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8. Compensating or processed products		
CN code	Description	Rate of yield

General remark:

Enter details of all compensating products resulting from the operations indicating main compensating product (MCP) or secondary compensating product (SCP) as appropriate.

CN code and description:
See comments on box 7.

Rate of yield:
Indicate the estimated rate of yield or method by which that rate is to be determined. In case of standard rates of yield refer to Annex 69 and indicate the appropriate numerical order.

9. Details of the planned activities

Describe the nature of the planned activities (e.g. details of the operations under a job-processing contract or kind of usual forms of handling) to be carried out on the goods within the customs procedure. Indicate also the appropriate place(s).

If more than one customs procedure is applied for in box 2, the description must clearly show whether the goods are to be placed under the customs procedures alternatively or successively.

If more than one customs administration is involved, indicate the name(s) of the Member State(s) as well as the places.

Note:

In the case of "end-use" enter the intended end-use and the place(s) where the goods will be assigned to the prescribed end-use.

Where appropriate enter name, address and function of other operators involved.

If a transfer of rights and obligations is intended (Articles 82(2) and 90 of the Code), enter in box 9, if possible, details about the transferee.

10. Economic conditions

The applicant must give reasons for the fulfilment of the economic conditions.

In particular for:

- customs warehousing that an economic need for warehousing exists,
- inward processing by using at least one of the two-digit codes set out in the appendix for each CN code which has been indicated in box 7,
- processing under customs control that the use of non-Community sources enables processing activities to be created or maintained in the Community.

Note:

In the case of:

- end-use box 10 is not to be completed,
- temporary importation it is necessary to indicate the Article(s) under which authorisation is applied for and to give details about the owner of the goods described in box 7,
- outward processing complete box 10 only if required by the customs authorities pursuant to Article 585(1).

11. Customs office(s)

a	of entry
b	of discharge
c	supervising office(s)

Indicate the suggested customs office(s).

Note:

In case of end-use box 11b is not to be completed.

12. Identification

Enter in box 12 the intended means of identification by using at least one of the following codes:

- 1 = serial or manufacturer's number
- 2 = affixing of plumbs, seals, clip-marks or other distinctive marks
- 3 = information sheet INF
- 4 = taking of samples, illustrations or technical descriptions

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5 = carrying out of analyses

6 = information document set out in Annex 104 (only suitable for outward processing)

7 = other means of identification (explain in box 16 "additional information")

8 = without identification measures according to Article 139 second subparagraph of the code (only suitable for temporary importation)

Note:

In the case of customs warehousing completion is necessary only if prefinanced goods are involved or if this is required by the customs authorities.

Box 12 is not to be completed in the case of inward processing with equivalent goods, outward processing with standard exchange system or where Article 586 (2) is applied. Box 18 of the continuation form "inward processing" or boxes 19 or 21 of the continuation form "outward processing" shall be completed instead.

13. Period for discharge (months)
--

Enter the estimated period needed for the operations to be carried out or use within the customs procedure(s) applied for (box 2). The period starts when the goods are placed under the customs procedure. This period ends when the goods or products have been assigned a new permitted customs-approved treatment or use including, as the case may be, in order to claim repayment of import duties after inward processing (drawback system), or in order to obtain total or partial relief from import duties upon release for free circulation after outward processing.

Note:

— In the case of end-use state the period which will be needed to assign the goods to the prescribed end-use or to transfer the goods to another holder of authorisation.

— In the case of customs warehousing the period is unlimited; therefore leave blank.

— In the case of inward processing: where the period for discharge expires on a specific date for all the goods placed under the arrangements in a given period, the authorisation may provide that the period for discharge shall be automatically extended for all goods still under the arrangements on this date. If this simplification is required enter: "Article 542(2)" and give the details in box 16.

14. Simplified procedures

a		b	
---	--	---	--

Box 14 a:

If it is intended to use a simplified entry procedure specify using at least one of the following codes:

1 = incomplete declaration (Article 253 (1))

2 = simplified declaration procedure (Article 253 (2))

3 = local clearance procedure with presentation (Article 253 (3))

4 = local clearance procedure without presentation (Article 253 (3))

Box 14b:

If it is intended to use a simplified discharge procedure specify using at least one of the following codes:

The same as for box 14 a.

Note:

In the case of end-use procedure box 14 b is not to be completed.

15. Transfer

If a transfer of goods or products is intended state the proposed transfer formalities using at least one of the following codes:

1 = without customs formalities between different places designated in the authorisation applied for

2 = transfer from the office of entry to the applicant's or operator's facilities or place of use under cover of the declaration for entry for the customs procedure

3 = transfer to the office of exit with a view to re-exportation should take place under cover of the customs procedure

4 = transfer from one holder to another in accordance with Annex 68

Note:

Indicate in box 16 the suggested procedure

5 = control copy T 5 (only suitable for end-use)

6 = other documents (only suitable for end-use; describe in box 16).

Note:

Transfer is not possible where the place of departure or arrival of the goods is a type B warehouse.

16. Additional information

Indicate all additional information considered useful.

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17.	
Signed	Dated
Name	

If a continuation form is used complete only the appropriate box (22, 23 or 26) instead.

Title II**Remarks concerning the continuation forms**

Continuation form "customs warehousing"

18. Warehouse type

Indicate one of the following types:
Type A, B, C, D or E.

19. Warehouse or storage facilities (type E)
--

Enter the precise place intended to be used as the customs warehouse or, where the application relates to a type E warehouse, as storage facilities.

20. Deadline for lodging inventory of goods

You can make a suggestion for the deadline for lodging inventory of goods.

21. Loss rate

Give details, where appropriate, of loss rate(s).

22. Storage of goods not under the arrangements		
CN code	Description	Category/customs procedure

CN code and description

Where it is planned to use common storage state the eight-digit CN code, commercial quality and technical characteristics of the goods. In all other cases the trade and/or technical description is sufficient or if the storage of goods not under the arrangements covers a number of items of different goods, you may enter the word "various" in sub-box "CN code". In this case describe the nature of goods to be stored in sub-box "Description".

Category/customs procedure

Indicate in column "Category/customs procedure" the appropriate code(s):

- 1 = Community agricultural goods
- 2 = Community industrial goods
- 3 = non-Community agricultural goods
- 4 = non-Community industrial goods

and specify the customs procedure if any to which the goods are subject.

23. Usual forms of handling

Complete if usual forms of handling are envisaged.

24. Temporary removal. Purpose:

Complete if temporary removal is envisaged.

25. Additional information

Indicate all additional information considered useful with regard to boxes 18 to 24.

▼ M20*Continuation form "inward processing"*

18. Equivalent goods	
CN code	Description

Where it is planned to use equivalent goods, state the eight-digit CN code, commercial quality and technical characteristics of the equivalent goods to enable the customs authorities to make the necessary comparison between import goods and equivalent goods. The Codes provided for box 12 may be used to suggest supporting means, which might be useful for this comparison. If the equivalent goods are at a more advanced stage of manufacture than the import goods give appropriate information in box 21.

19. Prior exportation

Where it is planned to use the prior exportation system indicate the period within which the non-Community goods should be declared for the arrangements taking account of the time required for procurement and transport to the Community.

20. Release for free circulation without customs declaration?

Where it is requested that the compensating products or goods in the unaltered state will be released for free circulation without formalities, enter "YES".

21. Additional information

Indicate all additional information considered useful with regard to boxes 18 to 20.

Continuation form "outward processing"

18. System

Where intended enter the appropriate code(s):

- 1 = standard exchange system without prior importation
2 = standard exchange system with prior importation

19. Replacement products	
CN code	Description

Where it is planned to use the standard exchange system (only possible in case of repair), state the eight-digit CN code, commercial quality and technical characteristics of the replacement products to enable the customs authorities to make the necessary comparison between temporary export goods and the replacement products. The codes provided for box 12 may be used to suggest supporting means, which might be useful for this comparison.

20. Article 147(2) of the code?

Where the applicant is not the person who arranges for the processing operations to be carried out, authorisation may be granted (only for goods of Community origin) in accordance with Article 147(2) of the code. Enter in box 20 "YES" and give the appropriate details.

21. Article 586(2)?

Where the nature of the processing operations does not allow it to be established that the compensating products have resulted from the temporary export goods, the authorisation may nevertheless be granted in duly justified cases, provided the applicant can offer sufficient guarantees that the goods used in the processing operations share the same eight-digit CN code, the same commercial quality and the same technical characteristics as the temporary export goods. The codes provided for box 12 may be used to suggest supporting means, which might be useful for this purpose. If such an authorisation is applied for enter in box 21 "YES" and give the appropriate details.

22. Additional information

Indicate all additional information considered useful with regard to boxes 18 to 21.

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Appendix

(IPR economic condition codes according to Annex 70)

▼ **M20***ANNEX 68***TRANSFER OF GOODS OR PRODUCTS COVERED BY THE
ARRANGEMENTS FROM ONE HOLDER TO ANOTHER****(Article 513)****A. Normal procedure (three SAD copies)**

1. Where goods or products are transferred from one holder to another without discharge of the arrangements, a form corresponding to the model drawn up in accordance with Articles 205 to 215 shall be completed on copies 1, 4 and an additional identical copy to copy 1.
2. Before a transfer takes place, the supervising office dealing with the first holder shall be notified of the proposed transfer, in a manner which that office shall determine, in order to enable the performance of any checks considered necessary.
3. Additional copy 1 shall be retained by the first holder (the sender of the goods or products), and copy 1 forwarded to his supervising office.
4. Copy 4 shall accompany the goods or products and be retained by the second holder.
5. The supervising office of the first holder shall forward copy 1 to the supervising office of the second holder.
6. The second holder shall issue the first holder a receipt for the transferred goods or products specifying the date of their entry into the records (acceptance of the written customs declaration in the case of temporary importation) which the latter shall retain.

B. Simplified procedures:*I. Using two SAD copies:*

1. Where goods or products are transferred from one holder to another without discharge of the arrangements only copies 1 and 4 of the document referred to in paragraph 1 of Part A shall be completed.
2. Before the goods or products are transferred, the supervising offices shall be informed of the intended transfer in the manner which they shall stipulate, to enable them to carry out any controls they consider necessary.
3. The first holder (the sender of the goods or products) shall retain copy 1.
4. Copy 4 may accompany the goods or products and be retained by the second holder.
5. Paragraph 6 of Part A shall apply.

II. Using other methods instead of the SAD where the necessary information is provided:

- data processing,
- commercial or administrative documents, or
- any other document.

▼ **M20***Appendix*

Where the SAD copies are used, the boxes indicated must contain the following information:

2. *Consignor*: give the name and address of the first holder, the name and address of his supervising office, followed by the authorisation number and the issuing customs authority.
3. *Forms*: indicate the order number of the set of forms among the total number of sets used.

Where the declaration relates to a single item (i.e. where only one 'description of goods' box needs to be filled in), leave box 3 blank but enter the figure 1 in box 5.

5. *Items*: state the total number of items declared in all the forms or supplementary forms used. The number of items is equal to the number of 'description of goods' boxes which need to be filled in.
8. *Consignee*: give the name of the second holder, the name and address of his supervising office and the address where the goods or products are to be stored, used or processed followed by the authorisation number and the issuing customs authority.
15. *Dispatching country*: indicate the Member State from which the goods are dispatched.
31. *Packages and description of goods; marks and numbers — container No(s) — number and kind*: enter the marks, (identifying) numbers, number and kind of packages or, in the case of unpacked goods, the number of goods covered by the declaration or the indication 'in bulk', as appropriate, plus the details needed to identify them.

The goods should be described using their usual commercial description, in sufficient detail to allow the goods to be identified. Where a container is used, the identification marks of the container should also be indicated in this box.

32. *Item No*: state the order number of the item in question among the total number of items declared in the forms or supplementary forms used, as defined in box 5.

Where the declaration relates to a single item, the customs authorities may stipulate that nothing should be entered in this box.

33. *Commodity code*: enter the CN code for the item in question ⁽¹⁾.
35. *Gross mass*: where necessary, state the gross mass in kilograms of the goods described in the corresponding box 31. The gross mass is the aggregate mass of the goods with all their packing, excluding containers and other transport equipment.
38. *Net mass*: state the net mass in kilograms of the goods described in the corresponding box 31. The net mass is the mass of the goods stripped of all packaging.
41. *Supplementary units*: where necessary, indicate the quantity in the units laid down in the Combined Nomenclature.
44. *Additional information; documents produced, certificates and authorisation*: enter the date of the first entry into the arrangements and 'Transfer' in capital letters followed by, as appropriate:

- 'CW' —
- 'IP/S' —
- 'PCC' —
- 'TI' —.

When the import goods are subject to specific commercial policy measures and when these measures are still to be applied at the moment of transfer, the words 'Commercial Policy' should be added to this entry.

47. *Calculation of taxes*: enter the tax base (value, weight or other).

⁽¹⁾ Box not mandatory in the case of the customs warehousing arrangements.

▼ **M20**

54. *Place and date; signature and name of the declarant or his representative:* enter the original hand-written signature of the person indicated in box 2 followed by his name. Where the person concerned is a legal person, the person signing the form should state his capacity after his signature and name.

ANNEX 69

STANDARD RATES OF YIELD

(Article 517(3))

General remark:

The standard rates of yield shall apply only to import goods of sound, genuine and merchantable quality which conform to any standard quality laid down in Community legislation and on condition that the compensating products are not obtained by special processing methods in order to meet specific quality requirements.

Import goods		Numerical order	Compensating products		Quantity of compensating products for each 100 kg of imported goods (kg) ⁽⁵⁾
CN code	Description		Code ⁽¹⁾	Description	
	(1)	(2)	(3)	(4)	(5)
0407 00 30	Eggs in shell	1	ex 0408 99 80	(a) Eggs, not in shell, liquid or frozen	86,00
			ex 0511 99 90	(b) Shells	12,00
		2	0408 19 81	(a) Egg yolks, liquid or frozen	33,00
			ex 0408 19 89		
			ex 3502 19 90	(b) Egg albumin, liquid or frozen	53,00
		3	ex 0511 99 90	(c) Shells	12,00
			0408 91 80	(a) Eggs, not in shell, dried	22,10
		4	ex 0511 99 90	(b) Shells	12,00
			0408 11 80	(a) Egg yolks, dried	15,40
			ex 3502 11 90	(b) Egg albumin, dried (in crystals)	7,40
			ex 0511 99 90	(c) Shells	12,00
		5	0408 11 80	(a) Egg yolks, dried	15,40
			ex 3502 11 90	(b) Egg albumin, dried (in another form)	6,50
			ex 0511 99 90	(c) Shells	12,00

▼ M20

(1)	(2)	(3)	(4)	(5)
ex 0408 99 80	6	0408 91 80	Eggs, not in shell, dried	25,70
0408 19 81 and ex 0408 19 89	7	0408 11 80	Egg yolks, dried	46,60
ex 1001 90 99	8	ex 1101 00 15 (100)	(a) Common wheat flour having by weight on the dry product an ash content not exceeding 0,60 %	73,00
		ex 2302 30 10	(b) Bran	22,50
		ex 2302 30 90	(c) Sharps	2,50
	9	ex 1101 00 15 (130)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 0,60 % but not exceeding 0,90 %	78,13
		ex 2302 30 10	(b) Bran	20,00
	10	1101 00 15 (150)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 0,90 % but not exceeding 1,10 %	84,75
		ex 2302 30 10	(b) Bran	13,25
	11	1101 00 15 (170)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 1,10 % but not exceeding 1,65 %	91,75
		ex 2302 30 10	(b) Bran	6,25
	12	1101 00 15 (180)	Common wheat flour having by weight on the dry product an ash content exceeding 1,65 % but not exceeding 1,90 %	98,03
			Hulled wheat (shelled or husked) whether or not sliced or kibbled (3)	(*)
			(a) Malt, unroasted, obtained from wheat, in the form of flour	(*)
	14	ex 1001 90 99	(b) Not-germinated common wheat	1,00
		ex 2302 30 10	(c) Bran	19,00

▼ C8

▼ M20

(1)	(2)	(3)	(4)	(5)
		▼ <u>M21</u> ——— ◀ ex 2303 30 00	(d) Rootlets	3,50
	15	1107 10 19 ex 1001 90 99 ▼ <u>M21</u> ——— ◀ ex 2303 30 00	(a) Malt, unroasted, obtained from wheat, in a form other than of flour (b) Not-germinated common wheat (c) Rootlets	(*) ▼ <u>M21</u> 0,95 ◀ ▼ <u>M21</u> 3,33 ◀
	16	1108 11 00 1109 00 00 ex 2302 30 10 ex 2303 10 90	(a) Wheat starch (b) Wheat gluten (c) Bran (d) Residues of starch manufacture	45,46 7,50 25,50 12,00
1001 10 00	17	ex 1103 11 10 1103 11 10 1101 00 11 ex 2302 30 10	(a) Cereal meal 'Couscous' (4) (b) Cereal groats and cereal meal with an ash content, referred to dry matter, of 0,95 % or more but less than 1,30 % by weight (c) Flour (d) Bran	50,00 17,00 8,00 20,00
	18	ex 1103 11 10 1101 00 11 ex 2302 30 10	(a) Cereal groats and cereal meal with an ash content, referred to dry matter, of less than 0,95 % by weight (b) Flour (c) Bran	60,00 15,00 20,00
	19	ex 1103 11 10 1101 00 11 ex 2302 30 10	(a) Cereal groats and cereal meal with an ash content, referred to dry matter, of 0,95 % or more but less than 1,30 % by weight (b) Flour (c) Bran	67,00 8,00 20,00
	20	ex 1103 11 10	(a) Cereal groats and cereal meal with an ash content, referred to dry matter, of 1,30 % or more by weight	75,00

(1)	(2)	(3)	(4)	(5)
		ex 2302 30 10	(b) Bran	20,00
	21	ex 1902 19 10	(a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter not exceeding 0,95 % by weight	62,50
		1101 00 11	(b) Flour	13,70
		ex 2302 30 10	(b) Bran	18,70
	22	ex 1902 19 10	(a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter of more than 0,95 % but not exceeding 1,10 % by weight	66,67
		1101 00 11	(b) Flour	8,00
		ex 2302 30 10	(c) Bran	20,00
	23	ex 1902 19 10	(a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter of more than 1,10 % but not exceeding 1,30 % by weight	71,43
		1101 00 11	(b) Flour	3,92
		ex 2302 30 10	(c) Bran	19,64
	24	ex 1902 19 10	(a) Pasta, containing eggs and no common wheat flour or meal, with an ash content, in the dry matter, of more than 1,30 % by weight	79,36
		ex 2302 30 10	(b) Bran	15,00
	25	ex 1902 11 00	(a) Pasta, containing eggs but no common wheat flour or meal, with an ash content, in the dry matter, not exceeding 0,95 % by weight ⁽⁵⁾	(5)
		1101 00 11	(b) Flour	13,70
		ex 2302 30 10	(c) Bran	18,70

(1)	(2)	(3)	(4)	(5)
	26	ex 1902 11 00 1101 00 11 ex 2302 30 10	(a) Pasta, containing eggs but no common wheat flour or meal, with an ash content, in the dry matter of more than 0,95 % but not exceeding 1,10 % by weight ⁽⁵⁾ (b) Flour (c) Bran	⁽⁵⁾ 8,00 20,00
	27	ex 1902 11 00 1101 00 11 ex 2302 30 10	(a) Pasta, containing eggs but no common wheat flour or meal, with an ash content, in the dry matter, of more than 1,10 % but not exceeding 1,30 % by weight ⁽⁵⁾ (b) Flour (c) Bran	⁽⁵⁾ 3,92 19,64
	28	ex 1902 11 00 ex 2302 30 10	(a) Pasta, containing eggs but no common wheat flour or meal, with an ash content, in the dry matter of 1,30 % or more by weight ⁽⁵⁾ (b) Bran	⁽⁵⁾ 15,00
1003 00 90	29	Barley ex 1102 90 10 (100) ex 2302 40 10 ex 2302 40 90	(a) Barley flour, or an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight (b) Bran (c) Sharps	66,67 10,00 21,50
	30	ex 1103 19 30 (100) 1102 90 10 ex 2302 40 10 ex 2302 40 90	(a) Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight (b) Barley flour (c) Bran (d) Sharps	^(*) 2,00 10,00 21,50

(1)	(2)	(3)	(4)	(5)
	31	ex 1104 21 10 (100) ex 2302 40 10 ex 2302 40 90	(a) Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ^(c) (b) Bran (c) Sharps	(*) 10,00 21,50
	32	ex 1104 21 30 (100) ex 2302 40 10 ex 2302 40 90	(a) Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grueten') ^(c) (b) Bran (c) Sharps	(*) 10,00 21,50
	33	ex 1104 21 50 (100) ex 2302 40 10 ex 2302 40 90	(a) Pearled barley ^(b) , of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc), first category (b) Bran (c) Sharps	50,00 20,00 27,50
	34	ex 1104 21 50 (300) ex 2302 40 10 ex 2302 40 90	(a) Pearled barley ^(b) , of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc), second category (b) Bran (c) Sharps	(*) 20,00 15,00
	35	ex 1104 11 90 ex 2302 40 10 ex 2302 40 90	(a) Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight (b) Bran (c) Sharps	66,67 10,00 21,33
	36	ex 1107 10 91 ex 1003 00 90 ex 2302 40 10	(a) Barley malt, unroasted, in the form of flour (b) Barley, not germinated (c) Bran	(*) 1,00 19,00

(1)	(2)	(3)	(4)	(5)
		► <u>M21</u> ——— ◀ ex 2303 30 00	(d) Rootlets	3,50
	37	ex 1107 10 99 ex 1003 00 90 ► <u>M21</u> ——— ◀ ex 2303 30 00	(a) Barley malt, unroasted (b) Barley, not germinated (c) Rootlets	(*) ► <u>M21</u> 0,98 ◀ ► <u>M21</u> 3,42 ◀
	38	1107 20 00 ex 1003 00 90 ► <u>M21</u> ——— ◀ ex 2303 30 00	(a) Malt, roasted (b) Barley, not germinated (c) Rootlets	(*) ► <u>M21</u> 0,96 ◀ ► <u>M21</u> 3,36 ◀
1004 00 00	39	ex 1102 90 30 (100) ex 2302 40 10 ex 2302 40 90	(a) Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % by weight and of which the peroxidase is virtually inactivated (b) Bran (c) Sharps	55,56 33,00 7,50
	40	ex 1103 12 00 (100) ex 1102 90 30 ex 2302 40 10 ex 2302 40 90	(a) Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 % by weight, of a moisture content not exceeding 11 % by weight and of which the peroxidase is virtually inactivated (b) Flour (c) Bran (d) Sharps	(*) 2,00 33,00 7,50
	41	ex 1104 22 98	Clipped oats	98,04
	42	ex 1104 22 20 (100)	(a) Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,5 % by weight, of a moisture content not exceeding 11 % by weight and of which the peroxidase is virtually inactivated (1)	(*)

(1)	(2)	(3)	(4)	(5)
		ex 2302 40 10	(b) Bran	33,00
43	ex 1104 22 30 (100)	ex 2302 40 10 ex 2302 40 90	(a) Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 % by weight of a moisture content not exceeding 11 % by weight and of which the peroxidase is virtually inactivated ('Grütze' or 'Grutten') ^(*) (b) Bran (c) Sharps	(*) 33,00 3,50
44	ex 1104 12 90 (100)	ex 2302 40 10 ex 2302 40 90	(a) Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 % by weight, of a moisture content not exceeding 12 % by weight and of which the peroxidase is virtually inactivated (b) Bran (c) Sharps	50,00 33,00 13,00
45	ex 1104 12 90 (300)	ex 2302 40 10	(a) Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 % by weight, of a moisture content not exceeding 12 % by weight and of which the peroxidase is virtually inactivated (b) Bran	62,50 33,00
46	ex 1102 20 10 (100)	ex 1104 30 90 ex 2302 10 10	(a) Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight (b) Maize germ (c) Bran	71,43 12,00 14,00
1005 90 00	Maize, other			

(1)	(2)	(3)	(4)	(5)
	47	ex 1102 20 10 (200) ex 1104 30 90 ex 2302 10 10	(a) Maize flour, of a fat content exceeding 1,3 % but not exceeding 1,5 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight (b) Maize germ (c) Bran	(*) 8,00 6,50
	48	ex 1102 20 90 (100) ex 1104 30 90 ex 2302 10 10	(a) Maize flour, of a fat content exceeding 1,5 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight (b) Maize germ (c) Bran	83,33 8,00 6,50
	49	ex 1103 13 10 (100) 1102 20 10 or 1102 20 90 ex 1104 30 90 ex 2302 10 10	(a) Maize groats and meal, of a fat content not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight (°) (b) Maize flour (c) Maize germ (d) Bran	55,56 16,00 12,00 14,00
	50	ex 1103 13 10 (300) ex 1104 30 90 ex 2302 10 10	(a) Maize groats and meal, of a fat content not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight (°) (b) Maize germ (c) Bran	71,43 12,00 14,00
	51	ex 1103 13 10 (500) ex 1104 30 90 ex 2302 10 10	(a) Maize groats and meal, of a fat content exceeding 1,3 % by weight but not exceeding 1,5 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight (°) (b) Maize germ (c) Bran	(*) 8,00 6,50

(1)	(2)	(3)	(4)	(5)
	52	ex 1103 13 90 (100) ex 1104 30 90 ex 2302 10 10	(a) Maize groats and meal, of a fat content exceeding 1,5 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight (*) (b) Maize germ (c) Bran	(*) 8,00 6,50
	53	ex 1104 19 50 (110) ex 2302 10 10	(a) Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight (b) Bran	62,50 35,50
	54	ex 1104 19 50 (130) ex 2302 10 10	(a) Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight (b) Bran	76,92 21,08
	55	ex 1104 19 50 (150) ex 2302 10 10	(a) Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight (b) Bran	90,91 7,09
	56	1108 12 00	(a) Maize starch (b) The products shown under numerical order No 62	► <u>M21</u> (*) ◀ ► <u>M21</u> 29,91 ◀
	57	ex 1702 30 51 or ex 1702 30 91 ex 1702 30 99	(a) Glucose, in the form of white crystalline powder, whether or not agglomerated (*) (b) The products shown under numerical order No 62 (c) Glucose waste	► <u>M21</u> (*) ◀ ► <u>M21</u> 29,91 ◀ ► <u>M21</u> 9,95 ◀
	58	ex 1702 30 59 or ex 1702 30 99	(a) Glucose, other than glucose in the form of white crystalline powder, whether or not agglomerated (*)	► <u>M21</u> (*) ◀

Import goods		Numerical order	Compensating products		Quantity of compensating products for each 100 kg of imported goods (kg) (5)
CN code	Description		Code (*)	Description	
	(1)	(2)	(3)	(4)	(5)
1006 10 21	Rice in the husk (paddy or rough), parboiled, round grain	64	1006 20 11 ex 1213 00 00	(a) Husked (brown) rice parboiled, round grain (b) Husks	80,00 20,00
		65	1006 30 21 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Semi-milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran	71,00 6,00
			1006 40 00 ex 1213 00 00	(c) Broken rice (d) Husks	3,00 20,00
		66	1006 30 61 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Wholly milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran	65,00 8,00
			1006 40 00 ex 1213 00 00	(c) Broken rice (d) Husks	7,00 20,00
1006 10 23	Rice in the husk (paddy or rough), parboiled, medium grain	67	1006 20 13 ex 1213 00 00	(a) Husked (brown) rice, parboiled, medium grain (b) Husks	80,00 20,00
		68	1006 30 23 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Semi-milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran	71,00 6,00

(1)	(2)	(3)	(4)	(5)
		1006 40 00 ex 1213 00 00	(c) Broken rice (d) Husks	3,00 20,00
	69	1006 30 63 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran	65,00 8,00
1006 10 25	70	1006 20 15 ex 1213 00 00	(a) Husked (brown) rice, parboiled, long grain of a length/width ratio greater than 2 but less than 3 (b) Husks	80,00 20,00
	71	1006 30 25 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, long grain of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran	71,00 6,00
	72	1006 30 65 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran	65,00 8,00
		1006 40 00	(c) Broken rice	7,00

(1)	(2)	(3)	(4)	(5)
		ex 1213 00 00	(d) Husks	20,00
1006 10 27	73	1006 20 17 ex 1213 00 00	(a) Husked (brown) rice, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Husks	80,00 20,00
	74	1006 30 27 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	68,00 6,00 6,00 20,00
	75	1006 30 67 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	62,00 8,00 10,00 20,00
1006 10 92	76	1006 20 11 ex 1213 00 00	(a) Husked (brown) rice, parboiled, round grain (b) Husks	80,00 20,00
	77	1006 20 92 ex 1213 00 00	(a) Husked (brown) rice, round grain (b) Husks	80,00 20,00

(1)	(2)	(3)	(4)	(5)
	78	1006 30 21 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran (c) Broken rice (d) Husks	71,00 6,00 3,00 20,00
	79	1006 30 42 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed, round grain (b) Rice flour or bran (c) Broken rice (d) Husks	65,00 5,00 10,00 20,00
	80	1006 30 61 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran (c) Broken rice (d) Husks	65,00 8,00 7,00 20,00
	81	1006 30 92 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, round grain (b) Rice flour or bran (c) Broken rice	60,00 8,00 12,00

(1)	(2)	(3)	(4)	(5)
1006 10 94		ex 1213 00 00	(d) Husks	20,00
Rice in the husk (paddy or rough), medium grain	82	1006 20 13 ex 1213 00 00	(a) Husked (brown) rice, parboiled, medium grain (b) Husks	80,00 20,00
	83	1006 20 94 ex 1213 00 00	(a) Husked (brown) rice, medium grain (b) Husks	80,00 20,00
	84	1006 30 23 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled medium grain (b) Rice flour or bran (c) Broken rice (d) Husks	71,00 6,00 3,00 20,00
	85	1006 30 44 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed, medium grain (b) Rice flour or bran (c) Broken rice (d) Husks	65,00 5,00 10,00 20,00
	86	1006 30 63 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran (c) Broken rice (d) Husks	65,00 8,00 7,00 20,00

(1)	(2)	(3)	(4)	(5)
	87	1006 30 94 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran (c) Broken rice (d) Husks	60,00 8,00 12,00 20,00
1006 10 96	88	1006 20 15 ex 1213 00 00	(a) Husked (brown) rice parboiled, long grain of a length/width ratio greater than 2 but less than 3 (b) Husks	80,00 20,00
	89	1006 20 96 ex 1213 00 00	(a) Husked (brown) rice, long grain of a length/width ratio of more than 2, but less than 3 (b) Husks	80,00 20,00
	90	1006 30 25 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Semi-milled rice, whether or not polished or glazed parboiled, long grain of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	71,00 6,00 3,00 20,00
	91	1006 30 46 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 ex 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, long grain of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	65,00 5,00 10,00

(1)	(2)	(3)	(4)	(5)
		ex 1213 00 00	(d) Husks	20,00
	92	1006 30 65 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran	65,00 8,00
		1006 40 00	(c) Broken rice	7,00
		ex 1213 00 00	(d) Husks	20,00
	93	1006 30 96 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Wholly milled rice, whether or not polished or glazed, long grain, of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran	60,00 8,00
		1006 40 00	(c) Broken rice	12,00
		ex 1213 00 00	(d) Husks	20,00
1006 10 98	94	1006 20 17 ex 1213 00 00	(a) Husked (brown) rice parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Husks	80,00 20,00
	95	1006 20 98 ex 1213 00 00	(a) Husked (brown) rice, long grain of a length/width ratio greater than 3 (b) Husks	80,00 20,00

(1)	(2)	(3)	(4)	(5)
	96	1006 30 27 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Semi-milled rice, whether or not polished or glazed, parboiled, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	68,00 6,00 6,00 20,00
	97	1006 30 48 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Semi-milled rice, whether or not polished or glazed, of a length/width ratio greater than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	58,00 7,00 15,00 20,00
	98	1006 30 67 1102 30 00 or ex 2302 20 10 or ex 2302 20 90	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	62,00 8,00 10,00 20,00

(1)	(2)	(3)	(4)	(5)
	99	1006 30 98 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00 ex 1213 00 00	(a) Wholly milled rice, whether or not polished or glazed, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice (d) Husks	55,00 9,00 16,00 20,00
1006 20 11	100	1006 30 21 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran (c) Broken rice	93,00 5,00 2,00
	101	1006 30 61 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran (c) Broken rice	88,00 10,00 2,00
1006 20 13	102	1006 30 23 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran (c) Broken rice	93,00 5,00 2,00

(1)	(2)	(3)	(4)	(5)
	103	1006 30 63 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran (c) Broken rice	88,00 10,00 2,00
1006 20 15	104	1006 30 25 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	93,00 5,00 2,00
	105	1006 30 65 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain, of the length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	88,00 10,00 2,00
1006 20 17	106	1006 30 27 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice	93,00 5,00 2,00

(1)	(2)	(3)	(4)	(5)
	107	1006 30 67 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice	88,00 10,00 2,00
1006 20 92	108	1006 30 42 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, round grain (b) Rice flour or bran (c) Broken rice	84,00 6,00 10,00
	109	1006 30 92 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, round grain (b) Rice flour or bran (c) Broken rice	77,00 12,00 11,00
1006 20 94	110	1006 30 44 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, medium grain (b) Rice flour or bran (c) Broken rice	84,00 6,00 10,00

(1)	(2)	(3)	(4)	(5)
	111	1006 30 94 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, medium grain (b) Rice flour or bran (c) Broken rice	77,00 12,00 11,00
1006 20 96	112	1006 30 46 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, long grain, of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	84,00 6,00 10,00
	113	1006 30 96 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, long grain, of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	77,00 12,00 11,00
1006 20 98	114	1006 30 48 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Semi-milled rice, whether or not polished or glazed, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice	78,00 10,00 12,00

(1)	(2)	(3)	(4)	(5)
	115	1006 30 98 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly-milled rice, whether or not polished or glazed, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice	73,00 12,00 15,00
1006 30 21	116	1006 30 61 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, round grain (b) Rice flour or bran (c) Broken rice	96,00 2,00 2,00
1006 30 23	117	1006 30 63 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, medium grain (b) Rice flour or bran (c) Broken rice	96,00 2,00 2,00
1006 30 25	118	1006 30 65 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	96,00 2,00 2,00

(1)	(2)	(3)	(4)	(5)
1006 30 27	119	1006 30 67 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, parboiled, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice	96,00 2,00 2,00
1006 30 42	120	1006 30 92 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, round grain (b) Rice flour or bran (c) Broken rice	94,00 2,00 4,00
1006 30 44	121	1006 30 94 1102 30 00 or ex 2302 20 10 or ex 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, medium grain (b) Rice flour or bran (c) Broken rice	94,00 2,00 4,00
1006 30 46	122	1006 30 96 1102 30 00 or 2302 20 10 or 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, long grain, of a length/width ratio greater than 2 but less than 3 (b) Rice flour or bran (c) Broken rice	94,00 2,00 4,00

(1)	(2)	(3)	(4)	(5)
1006 30 48	123	1006 30 98 1102 30 00 or 2302 20 10 or 2302 20 90 1006 40 00	(a) Wholly milled rice, whether or not polished or glazed, long grain, of a length/width ratio equal to or greater than 3 (b) Rice flour or bran (c) Broken rice	93,00 2,00 5,00
1006 30 61 to 1006 30 98	124	ex 1006 30 61 to ex 1006 30 98	Wholly milled rice, polished, glazed or prepacked ⁽¹³⁾	100,00
1006 30 92 1006 30 94 1006 30 96 1006 30 98	125	ex 1904 10 30	Puffed rice	60,61
1006 30 61 1006 30 63 1006 30 65 1006 30 67	126	ex 1904 90 10	Precooked rice ⁽¹⁴⁾	80,00
1006 30 92 1006 30 94 1006 30 96 1006 30 98	127	ex 1904 90 10	Precooked rice ⁽¹⁴⁾	70,00 60,00 60,00 50,00
1006 40 00	128 129 130	1102 30 00 1103 14 00 1104 19 91	Rice flour Rice groats and meal Rice, flaked	▶ <u>M21</u> (*) ▼ ▶ <u>M21</u> (*) ▼ ▶ <u>M21</u> (*) ▼
1509 10 10	131	ex 1509 90 00 ex 3823 19 90	(a) Olive oil, refined, or olive oil (b) Acid oils from refining ⁽¹⁵⁾	98,00
ex 1510 00 10	132	ex 1510 00 90 ex 1522 00 39 ex 3823 19 90	(a) Olive-pomace oil, refined, or olive-pomace oil (b) Stearin (c) Acid oils from refining 15a	95,00 3,00

(1)	(2)	(3)	(4)	(5)
ex 1801 00 00	133	ex 1801 00 00 1802 00 00	(a) Cocoa beans, whole or broken, shelled and roasted (b) Cocoa shells, husks, skins and waste	76,3 16,7
1801 00 00	134	1803 1802 00 00	(a) Cocoa paste (b) Cocoa shells, husks, skins and waste	76,3 16,7
	135	ex 1803 20 00 ex 1804 00 00 1802 00 00	(a) Cocoa paste, containing not more than 14 % of fats (b) Cocoa butter (c) Cocoa shells, husks, skins and waste	40,3 36,0 16,7
	136	ex 1803 20 00 ex 1804 00 00 1802 00 00	(a) Cocoa paste, containing more than 14 % but not more than 18 % of fats (b) Cocoa butter (c) Cocoa shells, husks, skins and waste	42,7 33,6 16,7
	137	ex 1803 20 00 ex 1804 00 00 1802 00 00	(a) Cocoa paste, containing more than 18 % of fats (b) Cocoa butter (c) Cocoa shells, husks, skins and waste	44,8 31,5 16,7
	138	ex 1804 00 00 ex 1805 00 00 1802 00 00	(a) Cocoa butter (b) Cocoa powder, containing not more than 14 % of fats ⁽¹⁶⁾ (c) Cocoa shells, husks, skins and waste	36,0 40,3 16,7
	139	ex 1804 00 00 ex 1805 00 00 1802 00 00	(a) Cocoa butter (b) Cocoa powder, containing more than 14 % but not more than 18 % of fats ⁽¹⁶⁾ (c) Cocoa shells, husks, skins and waste	33,6 42,7 16,7
	140	ex 1804 00 00 ex 1805 00 00 1802 00 00	(a) Cocoa butter (b) Cocoa powder, containing more than 18 % of fats ⁽¹⁶⁾ (c) Cocoa shells, husks, skins and waste	31,5 44,8 16,7

(1)	(2)	(3)	(4)	(5)
1803 10 00	Cocoa paste not defatted			
	141	ex 1804 00 00 ex 1803 20 00	(a) Cocoa butter (b) Cocoa paste, containing not more than 14 % of fats	46,7 52,2
	142	ex 1804 00 00 ex 1803 20 00	(a) Cocoa butter (b) Cocoa paste, containing more than 14 % but not more than 18 % of fats	43,6 55,3
	143	ex 1804 00 00 ex 1803 20 00	(a) Cocoa butter (b) Cocoa paste, containing more than 18 % of fats	40,8 58,1
	144	ex 1804 00 00 ex 1805 00 00	(a) Cocoa butter (b) Cocoa powder, containing not more than 14 % of fats ⁽¹⁶⁾	46,7 52,2
	145	ex 1804 00 00 ex 1805 00 00	(a) Cocoa butter (b) Cocoa powder, containing more than 14 % but not more than 18 % of fats ⁽¹⁶⁾	43,6 55,3
	146	ex 1804 00 00 ex 1805 00 00	(a) Cocoa butter (b) Cocoa paste, containing more than 18 % of fats ⁽¹⁶⁾	40,8 58,1
1803 20 00	Cocoa paste, defatted	1805 00 00	Cocoa powder ⁽¹⁶⁾	99,0
1701 99 10	White sugar	2905 44 19 or 2905 44 91 2905 44 99 3824 60 19 3824 60 91 3824 60 99 2905 43 00	(a) D-Glucitol (sorbitol) relative to 100 kg of the dry matter (b) D-Mannitol (mannitol)	73,53 24,51

(1)	(2)	(3)	(4)	(5)
1703	Molasses			
	149	2102 10 31	Dried bakers' yeasts ⁽¹⁷⁾	23,53
	150	2102 10 39	Other bakers' yeasts ⁽¹⁸⁾	80,00

(*) The standard rate of yield shall be calculated on the basis of the corresponding conversion coefficient set out in Annex E to Commission Regulation (EC) No 1520/2000 (OJ L 177, 15.7.2000, p. 1).

(1) The subheadings in this column correspond to those in the Combined Nomenclature. When further subdivision has been necessary this is shown in parentheses (). These subdivisions correspond to those used in the regulations fixing export refunds.

(2) Losses are calculated by subtracting from 100 the sum of the quantities shown in this column.

(3) Hulled grains are grains corresponding to the definition given in Annex to Commission Regulation (EEC) No 821/68 (OJ L 149, 29.6.1968, p. 46).

(4) Cereal meal with an ash content, referred to dry matter, of less than 0,95 % by weight and a rate of passage through a sieve with an aperture of 0,25 mm of less than 10 % by weight.

(5) The standard rate of yield to be applied is based on the number of eggs used per kg of pasta produced, using the following formula:

$$\text{— Numerical order 25: } T = \frac{100}{160 - (X \times 1,6)} \times 100$$

$$\text{— Numerical order 26: } T = \frac{100}{150 - (X \times 1,6)} \times 100$$

$$\text{— Numerical order 27: } T = \frac{100}{140 - (X \times 1,6)} \times 100$$

$$\text{— Numerical order 28: } T = \frac{100}{126 - (X \times 1,6)} \times 100$$

X represents the number of eggs in shell (or the 50th of their weight expressed in grams of their equivalent in other egg products) used per kg of pasta produced, the result being given to two decimal points.

(6) Pearled grains are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68.

(7) This concerns maize groats and meal.

— of which a percentage not exceeding 30 % by weight passes through a sieve with an aperture of 315 micrometres, or

— of which a percentage not exceeding 5 % by weight passes through a sieve with an aperture of 150 micrometres.

(8) For glucose in the form of white crystalline powder, of a concentration other than 92 %, the quantity to be shown is 43,81 kilograms of D-glucitol anhydrate per 100 kilograms of maize.

(9) For glucose other than in the form of white crystalline powder, of a concentration other than 82 %, the quantity to be shown is 50,93 kilograms of D-glucitol anhydrate per 100 kilograms of maize.

(10) For D-glucitol, of a concentration other than 70 %, the quantity to be shown is 41,4 kilograms of D-glucitol anhydrate per 100 kilograms of maize.

(11) For D-glucitol, of a concentration other than 70 %, the quantity to be shown is 47,3 kilograms of D-glucitol anhydrate per 100 kilograms of maize.

(12) For the application of the alternatives (a) to (f), the real results from the operations have to be taken into account.

(13) For the purposes of completing the arrangements, the quantity of broken rice obtained shall correspond to the quantity of broken rice as determined at the time of importation for processing of rice under CN codes 1006 30 61 to 1006 30 98. In the case of polishing, this quantity shall be increased by 2 % of the imported rice excluding the broken rice as determined at importation.

(14) Precooked rice is constituted by bleached rice in grains undergoing a precooking and partial dehydration intended to facilitate final cooking.

(15) Twice the percentage expressed as oleic acid of the lampante virgin olive oil shall be deducted from the quantity of product shown in column 5 for refined olive oil/olive oil and shall constitute the quantity of acid oil of refining.

15a Twice the percentage expressed as oleic acid of the unrefined olive-residue oil shall be deducted from the quantity of product shown in column 5 for refined olive-residue oil/olive-residue oil and shall constitute the quantity of acid oil of refining.

▼ M20

- (⁶) In the case of soluble cocoa, add 1,5 % alkaline to the quantity shown in column 5.
- (⁷) Yield fixed for bakers' yeast, with a content in the dry matter of 95 %, obtained from beet molasses brought to 48 % of total sugar, or of cane molasses brought to 52 % of total sugar. For bakers' yeasts with a different content in the dry matter, the quantity to be shown is 22,4 kilograms of yeast anhydride per 100 kilograms of beet molasses brought to 48 % of total sugar, or of cane molasses brought to 52 % of total sugar.
- (⁸) Yield fixed for bakers' yeast, with a content in the dry matter of 28 %, obtained from beet molasses brought to 48 % of total sugar, or of cane molasses brought to 52 % of total sugar. For bakers' yeasts with a different content in the dry matter, the quantity to be shown is 22,4 kilograms of yeast anhydride per 100 kilograms of beet molasses brought to 48 % of total sugar, or of cane molasses brought to 52 % of total sugar.

▼ **M20**

ANNEX 70

ECONOMIC CONDITIONS AND ADMINISTRATIVE COOPERATION**(Articles 502 and 522)**

A. GENERAL PROVISIONS

This Annex deals on the one hand with the detailed criteria for economic conditions applicable to the inward processing arrangements and on the other hand with information to be exchanged in the framework of the administrative cooperation.

The cases, the format and the time limit within which information must be provided in accordance with Article 522 are indicated for each of the arrangements concerned. Information must also be communicated where the information concerning authorisations granted is modified.

B. DETAILED CRITERIA FOR ECONOMIC CONDITIONS APPLICABLE TO THE INWARD PROCESSING ARRANGEMENTS

Codes and detailed criteria▼ **M22**

- 01: Where import goods not mentioned in Annex 73 are concerned and Code 30 does not apply.

▼ **M20**

- 10: Unavailability of goods produced in the Community falling within the same eight-digit CN code, which are of the same commercial quality and which have the same technical characteristics (comparable goods) as the import goods referred to in the application.

The unavailability covers the total absence of Community production of comparable goods, the unavailability of a sufficient quantity of those goods in order to carry out the processing operations envisaged or the fact that comparable Community goods cannot be made available to the applicant in time for the proposed commercial operation to be carried out, despite a request having been made in good time.

- 11: Although available, comparable goods cannot be used because their price would make the proposed commercial operation economically unviable.

In deciding whether the price of comparable goods produced in the Community would make the proposed commercial operation economically unviable, it shall be necessary to take account, *inter alia* of the impact that the use of Community-produced goods would have on the cost price of the compensating product and hence on the disposal of the product on the third-country market, having regard to:

- the price before duty of the goods for processing and the price of comparable goods produced in the Community less domestic taxes refunded or refundable on export, taking into account the conditions of sale and any refunds or other amounts applying under the common agricultural policy,
- the price obtainable for the compensating products on the third-country market, as ascertained from commercial correspondence or other information.

- 12: Comparable goods which do not conform to the expressly stated requirements of the third-country purchaser of the compensating products or the compensating products must be obtained from import goods in order to comply with provisions concerning the protection of industrial or commercial property rights (contractual obligations).

- 30: The following are concerned:

1. operations involving import goods of a non-commercial nature;
2. operations carried out under a job-processing contract;
3. usual forms of handling referred to in Article 531;
4. repair;
5. processing operations on compensating products obtained under a previous inward processing authorisation the granting of which was subject to an examination of the economic conditions;
6. processing of durum wheat falling within CN code 1001 10 00 to produce pasta falling within CN codes 1902 11 00 and 1902 19;

▼ M20

7. operations in which the value ⁽¹⁾ of the import goods, by eight-digit CN code, does not exceed EUR 150 000 for goods listed in Annex 73 or EUR 500 000 for other goods, per applicant and per calendar year (*de minimis* value); ► M22 or ◀

▼ M22

8. building, modification or conversion of civil aircraft or satellites or parts of them.

-
- 31: Where, according to Article 11 of Council Regulation (EC) No 3448/93, import goods referred to under part A of Annex 73 are concerned and the applicant presents a document issued by a competent authority permitting the entry for the arrangements for those goods, in the limits of a quantity determined with the aid of a supply balance.

▼ M20

- 99: The applicant considers the economic conditions to be fulfilled for reasons other than those corresponding to the previous codes. The reasons are indicated in his application.

▼ M22**Note:**

The Codes 10, 11, 12, 31 and 99 may be used only, where goods mentioned in Annex 73 are concerned.

▼ M20

C. INFORMATION TO BE PROVIDED TO THE COMMISSION FOR EACH ARRANGEMENT CONCERNED

The information to be communicated to the Commission corresponds to the boxes of the form the model of which is reproduced in the Appendix.

C.1. **Inward processing**

The information concerning the economic conditions shall be provided by using one or more of the codes laid down under Part B.

The reason for the rejection of the application or for annulment or revocation of the authorisation for non-observance of the economic conditions is indicated by using code(s). The same codes as those used to identify the economic conditions are used, preceded by the sign of negation (for example: – 10).

Cases in which information is mandatory

▼ M22

Where the economic conditions are identified by codes 01, 10, 11, 31 or 99.

For milk and milk products referred to in Article 1 of Council Regulation (EC) No 1255/1999 information is also mandatory where code 30 is used in relation with the situations referred to under subdivisions 2, 5 and 7 of this code.

▼ M20

Communication of information

The information intended to complete the columns 2 to 10 of the form reproduced in the Appendix is communicated electronically to the Commission. This information may only be communicated using the form reproduced in the Appendix where technical problems make its electronic communication temporarily impossible.

Communication time limit

Information is to be communicated as soon as possible. If the form reproduced in the Appendix is used, the information is communicated within the time limit indicated thereon.

⁽¹⁾ The value is the value for customs purposes of the goods estimated on the basis of the known particulars and on the basis of the documents submitted at the time of the submission of the request.

▼ M20**C.2. Processing under customs control**

Information shall be communicated where types of goods and operations other than those mentioned in Annex 76 Part A are concerned.

Information shall be communicated using the form reproduced in the Appendix within the time indicated thereon.

C.3. Outward processing

Columns 8 and 9 'Authorisations granted' are only to be filled in where an authorisation is granted in accordance with Article 147(2) of the Code.

In column (10) 'Reason', it shall be also mentioned if the rejection of the application, annulment or revocation of the authorisation concerns an application submitted or an authorisation granted in accordance with Article 147(2) of the Code.

Information shall be communicated using the form reproduced in the Appendix within the time indicated thereon.

▼ **M20**

Appendix to Annex 70

Member State	Arrangements concerned ^(a) <input type="checkbox"/> Inward processing <input type="checkbox"/> Processing under customs control <input type="checkbox"/> Outward processing	Month (number/year) .../...
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(Information to be provided before the end of the month following the month during which the decision is taken)

Order Number	Goods to be processed/ transformed			Main compensating/ processed products	Economic conditions ^(b)	Equivalence ^(c)	Authorisations granted		Application rejected/ Authorisations annulled/ revoked
	CN code	► ^(a) Value ◀	► ^(a) Quantity ◀ ^(d)	CN code	Code(s)		Date of beginning of authorisation	Date of expiry of authorisation	Reason
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

^(a) A separate form must be filled for each one of the arrangements concerned. Put a cross in the corresponding box.

^(b) To be filled in only for the inward processing arrangements. Indicate the economic conditions by using the codes in accordance with Part B of the Annex.

^(c) To be filled in only for inward processing authorisations for import goods referred to in Article 1 of Regulation (EC) No 1255/1999. Indicate yes or no.

►^(a) ^(b) Quantity: UN/CEFACT codes, for ex. (a) weight in tonnes (TNE), (b) number of articles (NAR), (c) volume in hectolitre (HLT), (d) length in metre (MTR) ◀.

▼ M20

NOTES

A. General notes

The form must be completed in legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be initialled by the person completing the sheet and endorsed by the customs office.

Boxes 1 to 10 of the sheet must be completed in by the person declaring the goods, which have undergone usual forms of handling, for free circulation or another procedure which could imply the creation of a customs debt or, where the sheet is drawn up at the time of removal of the goods from the customs warehouse or from the free zone or free warehouse, for another customs procedure.

B. Special notes referring to the relevant box numbers

1. Give the name and address.
2. and 4. Give the name, address of the customs office. Box 4 is not to be completed where the form is made out when goods are removed from the customs warehouse, free zone or free warehouse;
5. Give the name and address:
 - of the holder, or
 - of the holder of the approval of stock records in the free zone or the free warehouse where the usual forms of handling were carried out.
6. Give the identification number of the customs warehouse or reference particulars of the approval of stock records in a free zone or free warehouse, as appropriate.
7. Box 7 is not to be completed where the form is made out before the goods are removed from the customs warehouse, free zone or free warehouse.

▼ **M20**

<p>13. Request for post-clearance verification</p> <p>The customs authorities shown below request that the authenticity of this information sheet and the accuracy of the information it contains be verified.</p> <p>Place:</p> <p>Date: <input type="text"/> <input type="text"/> day month year</p> <p>Stamp:</p> <p>Signature:</p>			<p>Name and address of the customs authorities:</p>
<p>14. Results of verification</p> <p>The check carried out by the customs authorities shown below confirm that this information sheet ⁽¹⁾:</p> <p><input type="checkbox"/> has been stamped by the customs office indicated and the information it contains is accurate,</p> <p><input type="checkbox"/> gives rise to the remarks given below.</p> <p>Place:</p> <p>Date: <input type="text"/> <input type="text"/> day month year</p> <p>Stamp:</p> <p>Signature:</p>			<p>Name and address of the customs authorities:</p>
<p>15. Remarks:</p>			

(¹) Mark in the appropriate box.

NOTES

A. General notes

1. The part of the sheet requesting information (boxes 1 to 7) shall be completed either by the holder or by the office requesting the information.
2. The form must be completed so that it is legible and indelible, preferably using a typewriter. It shall not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding further particulars, if necessary. Corrections must be initialled by the person completing in the sheet and endorsed by the customs office.

B. Special notes referring to the relevant box numbers

1. Give the name, address and the name of the Member State. This item may be left blank when the application is made by the customs office of the Member State requesting the information.
2. Give the name, address and the name of the Member State of the customs office to whom the application is made.
4. Give the name, address and the name of the Member State of the customs office requesting the information. This item is left blank when the application is made by the holder.
5. Give the number, kind, marks and numbers of packages. In the case of unpackaged goods or products, give the number of objects, or, if appropriate, insert 'in bulk'.
Give the usual trade description of the products or goods or their tariff description.
6. The net quantity must be expressed in units of the metric system: kg, litres, m², etc.
9. The amounts shall be entered in euro or national currency.

Where appropriate, the Member State where the products are released for free circulation shall convert the amount shown on the information sheet at the rate used for calculating the customs value.

Currencies are to be indicated as follows:

- | | | |
|----------------------------|---|----------------------------|
| — EUR for euro | — DKK for Danish krone | — SEK for Swedish krona |
| — GBP for pound sterling | ▶ ⁽¹⁾ — CZK for Czech koruna | — EEK for Estonian kroons |
| — CYP for Cyprus pounds | — LVL for Latvian lati | — LTL for Lithuanian litai |
| — HUF for Hungarian forint | — MTL for Maltese lira | — PLN for Polish zloty |
| — SIT for Slovenian tolar | — SKK for Slovak koruny ◀ | |

10. Fiscal charges may, for instance, be specified.

▼ **M20****EUROPEAN COMMUNITY**

1. Holder: Person to be contacted:	<div style="text-align: center;"> <h1 style="margin: 0;">INF 9</h1> <p style="margin: 0;">INFORMATION SHEET No / 0 0 0 0 0 INWARD PROCESSING TRIANGULAR TRAFFIC (IM/EX)</p> </div>																		
2. Person authorised to discharge the arrangements: Person to be contacted:	3. Authorisation issued: at on <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td></td></tr></table> under No: and valid until: <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td style="text-align: center; font-size: 8px;">inclusive</td></tr></table>							day	month	year						day	month	year	inclusive
day	month	year																	
day	month	year	inclusive																
4. Description of import goods:	5. CN code:	6. Net quantity:																	
7. Description of compensating products:		8. CN code:																	
9. Name and address of supervising office:	10. Name and address of office of discharge:																		
INFORMATION TO BE SUPPLIED UPON ENTRY FOR THE ARRANGEMENTS																			
11. The declaration of entry was accepted: <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td></td></tr></table> Last day for discharge: <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td></td></tr></table>						day	month	year						day	month	year		Stamp: Identification measures or measures to control the use of equivalent goods: Office of entry:	
day	month	year																	
day	month	year																	
INFORMATION TO BE SUPPLIED UPON DISCHARGE																			
12. The declaration of discharge was accepted: <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td></td></tr></table> Remarks: Office of discharge: Stamp:					day	month	year		13. Net quantity:	14. Customs value:	15. Currency:								
day	month	year																	

▼ **M20**

16. Request for post-clearance verification The customs authorities shown below request that the authenticity of this information sheet and the accuracy of the information it contains be verified. Place: _____ Date: <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td colspan="3"></td></tr></table> <div style="float: right; margin-top: 10px;">Stamp: _____</div> <div style="clear: both;"></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> Signature: _____ <div style="border: 1px solid black; padding: 2px; flex-grow: 1;">Name and address of the customs authorities:</div> </div>												day	month	year			
day	month	year															
17. Result of verification The verification carried out by the customs authorities shown below confirm that this information sheet ⁽¹⁾ was stamped by the customs office indicated and the information it contains <input type="checkbox"/> is accurate <input type="checkbox"/> gives rise to the remarks given below Place: _____ Date: <table style="display: inline-table; border-collapse: collapse;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td><td colspan="3"></td></tr></table> <div style="float: right; margin-top: 10px;">Stamp: _____</div> <div style="clear: both;"></div> <div style="border: 1px solid black; padding: 2px; margin-top: 10px; width: 100%;">Name and address of the customs authorities</div> <div style="margin-top: 10px;">Signature: _____</div>												day	month	year			
day	month	year															
18. Discharge of compensating products Indicate the quantity available in boxes A and the quantity discharged in boxes B:																	
Quantities	Type, number and date of the declaration of discharge	Quantities (continuation)	Type, number and date of the declaration of discharge	Quantities (continuation)	Type, number and date of the declaration of discharge												
A		A		A													
B		B		B													
19. Remarks: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>																	

(¹) Place across in the appropriate box.

NOTES

A. General notes

1. Boxes 1 to 8 are to be completed by the holder.
2. The form must be completed legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be initialled by the person completing in the sheet and endorsed by the customs office which issued it.

B. Special notes referring to the relevant box numbers

1 and 2. Give the name, address and the name of the Member State. In the case of a legal person the name of the person responsible should also be given.

6 and 13. The net quantity must be expressed in units of the metric system: kg, litres, m², etc.

15. Currencies are to be indicated as follows:

- | | | |
|----------------------------|-------------------------|----------------------------|
| — EUR for euro | — DKK for Danish krone | — SEK for Swedish krona |
| — GBP for pound sterling | — CZK for Czech koruna | — EEK for Estonian kroons |
| — CYP for Cyprus pounds | — LVL for Latvian lati | — LTL for Lithuanian litai |
| — HUF for Hungarian forint | — MTL for Maltese lira | — PLN for Polish zloty |
| — SIT for Slovenian tolar | — SKK for Slovak koruny | |

▼ **M20****EUROPEAN COMMUNITY**

1. Holder: Person to be contacted:	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 2em; font-weight: bold; margin-right: 20px;">INF 7</div> <div style="text-align: right;"> INFORMATION SHEET No / 0 0 0 0 0 0 INWARD PROCESSING </div> </div>	
2. Declarant:	3. Customs office of issue:	
4. Inward processing authorisation reference:	Notes:	
5. Number and date of previous authorisation and issuing Member State:		
6. Compensating products		
7. Description:	8. Net quantity (¹):	
9. Customs-approved treatment or use and document references:		
10. Goods entered for the arrangements:		
11. Description:	12. Net quantity (¹):	
11. Description:	12. Net quantity (¹):	
11. Description:	12. Net quantity (¹):	
STAMP OF ISSUING CUSTOMS OFFICE Information certified correct Place and date:	13. Place and date: Declarant's signature:	

(¹) Kilogrammes, litres, number of pieces.

▼ **M20**

16. Request for post-clearance verification The customs authorities shown below request that the authenticity of this information sheet and the accuracy of the information it contains be verified. Place: Date: <table style="display: inline-table; border: none; vertical-align: middle;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td></tr></table> Stamp: <table style="display: inline-table; border: none; vertical-align: middle;"><tr><td style="border: 1px solid black; width: 40px; height: 20px;"></td></tr></table> Name and address of the customs authorities: Signature: <table style="display: inline-table; border: none; vertical-align: middle;"><tr><td style="border: 1px solid black; width: 200px; height: 40px;"></td></tr></table>						day	month	year		
day	month	year								
17. Result of verification The verification carried out by the customs authorities shown below confirm that this information sheet ⁽¹⁾ : <input type="checkbox"/> was stamped by the customs office indicated and the information it contains is accurate, <input type="checkbox"/> gives rise to the remarks given below. Place: Date: <table style="display: inline-table; border: none; vertical-align: middle;"><tr><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td><td style="border: 1px solid black; width: 20px; height: 15px;"></td></tr><tr><td style="text-align: center; font-size: 8px;">day</td><td style="text-align: center; font-size: 8px;">month</td><td style="text-align: center; font-size: 8px;">year</td></tr></table> Stamp: <table style="display: inline-table; border: none; vertical-align: middle;"><tr><td style="border: 1px solid black; width: 40px; height: 20px;"></td></tr></table> Name and address of the customs authorities: Signature: <table style="display: inline-table; border: none; vertical-align: middle;"><tr><td style="border: 1px solid black; width: 200px; height: 40px;"></td></tr></table>						day	month	year		
day	month	year								
18. Remarks: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>										

⁽¹⁾ Place a cross in the appropriate box.

NOTES

A. General notes

1. The application (boxes 1 to 11) is to be completed by the holder or his representative.
2. The form must be completed legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be initialled by the person completing the sheet and endorsed by the customs office which issued it.

B. Special notes referring to the relevant box numbers:

1. Give the name, address and the Member State.
2. Give the name, address and the Member State of the customs office to which the application is sent.
4. Give the name, address and the Member State of the customs office to which the information is supplied.
8. Give the marks and numbers, the number and the kind of packages. In the case of unpackaged goods, give the number of objects or enter the words "in bulk", as appropriate.
Give the usual commercial description of the goods or their tariff description.
10. The net quantity must be expressed in units of the metric system: kg, litres, m², etc.
13. Currencies are to be indicated as follows:

— EUR for euro	— DKK for Danish krone	— SEK for Swedish krona
— GBP for pound sterling	▶ ⁽¹⁾ — CZK for Czech koruna	— EEK for Estonian kroons
— CYP for Cyprus pounds	— LVL for Latvian lati	— LTL for Lithuanian litai
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— SIT for Slovenian tolar	— SKK for Slovak koruny ◀	

▼ **M20****EUROPEAN COMMUNITY**

1. Holder: Person responsible:	<div style="display: flex; justify-content: space-between;"> <div style="font-size: 2em; font-weight: bold; margin-right: 20px;">INF 2</div> <div style="text-align: right;"> INFORMATION SHEET No / 0 0 0 0 0 0 OUTWARD PROCESSING TRIANGULAR TRAFFIC </div> </div>																										
3. Customs office to which application is made:	2. Application The undersigned requests certification of the information on the goods referred to in box 12 with a view to their re-importation into the Community. Place: _____ Signature: _____ Date: <table style="display: inline-table; border-collapse: collapse; margin-left: 10px;"> <tr> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">day</td> <td style="text-align: center; font-size: 8px;">month</td> <td style="text-align: center; font-size: 8px;">year</td> <td colspan="3"></td> </tr> </table>									day	month	year															
day	month	year																									
4. Intended Member State of re-importation:	5. Country of processing or destination:																										
6. Outward processing authorisation:	7. Rate of yield:																										
8. Authorised processing operations:	9. Other details of the authorisation:																										
10. Description of compensating products to be re-imported:	11. CN code:																										
12. Description of temporary export goods:	13. CN code:	14. Net quantity:	15. Statistical value:																								
INFORMATION TO BE SUPPLIED AT THE TIME OF TEMPORARY EXPORT																											
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>16. Stamp of office of entry</p> <p>Information certified correct</p> <p>Temporary exportation document number</p> <p>dated: <table style="display: inline-table; border-collapse: collapse; margin-left: 10px;"> <tr> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">day</td> <td style="text-align: center; font-size: 8px;">month</td> <td style="text-align: center; font-size: 8px;">year</td> <td colspan="3"></td> </tr> </table></p> <p>Means of identification used</p> <p>Observations:</p> <p>Customs office (name and Member State):</p> </div> <div style="width: 45%;"> <p>Last day for reimportation of compensating products:</p> <p>dated: <table style="display: inline-table; border-collapse: collapse; margin-left: 10px;"> <tr> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">day</td> <td style="text-align: center; font-size: 8px;">month</td> <td style="text-align: center; font-size: 8px;">year</td> <td colspan="3"></td> </tr> </table></p> <p>Stamp:</p> </div> </div>										day	month	year										day	month	year			
day	month	year																									
day	month	year																									
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>17. Stamp of customs office of exit</p> <p>The goods described in box 12 left the Customs territory of the Community</p> <p>on <table style="display: inline-table; border-collapse: collapse; margin-left: 10px;"> <tr> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> <td style="border: 1px solid black; width: 20px; height: 15px;"></td> </tr> <tr> <td style="text-align: center; font-size: 8px;">day</td> <td style="text-align: center; font-size: 8px;">month</td> <td style="text-align: center; font-size: 8px;">year</td> <td colspan="3"></td> </tr> </table></p> <p>Observations:</p> <p>Customs office (name and Member State):</p> </div> <div style="width: 45%;"> <p>Stamp:</p> </div> </div>										day	month	year															
day	month	year																									

▼ **M20***Appendix*

1. GENERAL NOTES

- 1.1. The information sheets shall comply with the model set out in this Annex and be printed on white paper without mechanical pulp, dressed for writing purposes and weighing between 40 and 65 g/m².
- 1.2. The form shall measure 210 mm × 297 mm.
- 1.3. The customs administrations shall be responsible for having the form printed. Each form shall bear the initials of the issuing Member State in accordance with the ISO norm Alpha 2, followed by an individual serial number.
- 1.4. The form shall be printed and the boxes shall be completed in an official language of the Community. The customs office requested to provide the information or make use of it may ask for the information contained in the form presented to it to be translated into the official language, or one of the official languages, of the customs administration.

2. USE OF THE INFORMATION SHEETS

2.1. **Common provisions**

- (a) Where the customs office issuing the information sheet considers that additional information to that appearing on the information sheet is required, it shall enter such particulars. Where not enough space remains, an additional sheet shall be annexed. It shall be mentioned on the original.
- (b) The customs office which endorsed the information sheet may be asked to carry out post-clearance verification of the authenticity of the sheet and the accuracy of the particulars which it contains.
- (c) In the case of successive consignments, the requisite number of information sheets may be made out for the quantity of goods or products entered for the arrangements. The initial information sheet may also be replaced with further information sheets or, where only one information sheet is used, the customs office to which the sheet is endorsed may note on the original the quantities of goods or products. Where not enough space remains, an additional sheet shall be annexed which shall be mentioned on the original.
- (d) The customs authorities may permit the use of recapitulative information sheets for triangular traffic trade flows involving a large number of operations which cover the total quantity of imports/exports over a given period.
- (e) In exceptional circumstances, the information sheet may be issued *a posteriori* but not beyond the expiry of the period required for keeping documents.
- (f) In the event of theft, loss or destruction of the information sheet, the operator may ask the customs office which endorsed it for a duplicate to be issued.

The original and copies of the information sheet so issued shall bear one of the following indications:

- DUPLICADO,
- DUPLIKAT,
- DUPLIKAT,
- ANTIΓΡΑΦΟ,
- DUPLICATE,
- DUPLICATA,
- DUPLICATO,
- DUPLICAAT,
- SEGUNDA VIA,
- KAKSOISKAPPALE,
- DUPLIKAT,

▼ **A2**

- DUPLIKÁT,
- DUPLIKAAT,
- DUBLIKĀTS,
- DUBLIKĀTAS,
- MÁSOGLAT,
- DUPLIKAT,
- DUPLIKAT,

▼ **A2**

- DVOJNIK,
- DUPLIKÁT.

▼ **M20**2.2. **Specific provisions**2.2.1. *Information sheet INF 8 (customs warehousing)*

- (a) The information sheet INF 8 (hereafter: INF 8) may be used when the goods are declared for new customs approved treatment or use, in order to determine the elements for assessment of the customs debt applicable before usual forms of handling took place.
- (b) The INF 8 shall be made out in an original and a copy.
- (c) The supervising office shall provide the information referred to in boxes 11, 12 and 13, endorse box 15 and return the original of the INF 8 to the declarant.

2.2.2. *Information sheet INF 1 (inward processing)*

- (a) The information sheet INF 1 (hereafter INF 1) may be used for providing information on:
 - duty amounts and compensatory interest,
 - applying commercial policy measures,
 - the amount of the security.

- (b) The INF 1 shall be made out in an original and two copies.

The original and one copy of the INF 1 shall be sent to the supervising office and a copy shall be kept by the customs office which endorsed the INF 1.

The supervising office shall supply the information requested in boxes 8, 9 and 11 of the INF 1, endorse it, retain the copy and return the original.

- (c) Where the release for free circulation of compensating products or goods in the unaltered state at a customs office other than the office of entry is requested, this customs office endorsing the INF 1 shall ask the supervising office to indicate:
 - in box 9(a), the amount of import duties due in accordance with Article 121(1) or 128(4) of the Code,
 - in box 9(b), the amount of compensatory interest in accordance with Article 519,
 - the quantity, CN code and origin of the import goods used in the manufacture of the compensating products released for free circulation.
- (d) Where the compensating products obtained under inward-processing (drawback system) are consigned to another customs-approved treatment or use allowing import duties to be repaid or remitted, and are subject to a new application for authorisation for the inward-processing arrangements, the customs authorities issuing this authorisation may use the INF 1 to determine the amount of import duties to be levied or the amount of the customs debt liable to be incurred.
- (e) Where the declaration for release for free circulation relates to compensating products obtained from import goods or goods in the unaltered state which had been subject to specific commercial policy measures at the moment of entry for the procedure (suspension system) and such measures continue to be applicable, the customs office accepting the declaration and endorsing the INF 1 shall ask the supervising office to indicate particulars necessary for the application of commercial policy measures.
- (f) Where release for free circulation is requested in the case of an INF 1 being made out for fixing the amount of security, the same INF 1 may be used, provided it contains:
 - in box 9(a) the amount of import duties payable on the import goods pursuant to Article 121(1) or 128(4) of the Code, and
 - in box 11, the date when the import goods concerned were first entered for the procedure or the date when the import duties have been repaid or remitted in accordance with Article 128(1) of the Code.

2.2.3. *Information sheet INF 9 (inward processing)*

- (a) The information sheet INF 9 (hereafter INF 9) may be used where compensating products are assigned another permitted customs approved treatment or use under triangular traffic (IM/EX).

▼ **M20**

- (b) The INF 9 shall be made out in an original and three copies for the quantities of import goods entered for the arrangements.
- (c) The office of entry shall endorse box 11 of the INF 9 and indicate which means of identification or measures to control the use of equivalent goods are used (such as the use of samples, illustrations or technical descriptions, or the carrying out of analysis).
The office of entry sends copy 3 to the supervising office and return the original and the other copies to the declarant.
- (d) The declaration discharging the arrangements shall be accompanied by the original and copies 1 and 2 of the INF 9.
The office of discharge shall indicate the quantity of compensating products and the date of acceptance. It shall send copy 2 to the supervising office, return the original to the declarant and retain copy 1.

2.2.4. *Information sheet INF 5 (inward processing)*

- (a) The information sheet INF 5 (hereafter INF 5) may be used when compensating products obtained from equivalent goods are exported under triangular traffic with prior exportation (EX/IM).
- (b) The INF 5 shall be made out in an original and three copies in respect of the quantity of import goods corresponding to the quantity of compensating products exported.
- (c) The customs office accepting the export declaration shall endorse box 9 of the INF 5 and return the original and the three copies to the declarant.
- (d) The customs office of exit shall complete box 10, send copy 3 to the supervising office and return the original and the other copies to the declarant.
- (e) Where durum wheat falling within CN code 1001 10 00 is processed into pasta falling within CN codes 1902 11 00 and 1902 19, the name of the importer authorised to enter the import goods for the arrangements, to be given in box 2 of the INF 5, may be filled in after the INF 5 has been presented to the customs office where the export declaration is lodged. The information shall be given on the original and copies 1 and 2 of the INF 5 before the declaration entering the import goods for the arrangements is lodged.
- (f) The declaration of entry for the arrangements must be accompanied by the original and copies 1 and 2 of the INF 5.
The customs office where the declaration of entry is presented shall note on the original and copies 1 and 2 of the INF 5 the quantity of import goods entered for the arrangements and the date of acceptance of the declaration. It shall send copy 2 to the supervising office, returning the original to the declarant and retaining copy 1.

2.2.5. *Information sheet INF 7 (inward processing)*

- (a) The information sheet INF 7 (hereafter INF 7) may be used where the compensating products or the goods in the unaltered state under the drawback system are assigned one of the customs approved treatments or uses permitting repayment or remission, in accordance with Article 128(1) of the Code, without a repayment claim being lodged.
Where the holder has given the consent to transfer the right to claim repayment to another person in accordance with Article 90 of the Code, this information shall appear on the INF 7.
- (b) The INF 7 shall be made out in an original and two copies.
- (c) The customs office accepting the declaration of discharge shall endorse the INF 7, return the original and one copy to the holder and retain the other copy.
- (d) When the repayment claim is lodged, it shall be accompanied by the duly endorsed original of the INF 7.

2.2.6. *Information sheet INF 6 (temporary importation)*

- (a) The information sheet INF 6 (hereafter INF 6) may be used to communicate elements for assessment of the customs debt or of amounts of duties already levied where import goods are moved within the customs territory of the Community.
- (b) The INF 6 shall comprise all the information needed to show the customs authorities:
 - the date on which the import goods were entered for the temporary importation arrangements,

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- the elements for assessment of the customs debt ascertained on that date,
 - the amount of any import duties already levied under partial relief arrangements and the period taken into account for that purpose.
- (c) The INF 6 shall be made out of an original and two copies.
- (d) The INF 6 shall be endorsed either when the goods are placed under the external transit procedure, at the beginning of the transfer operation or at an earlier moment.
- (e) One copy shall be retained by the customs office which endorsed it. The original and the other copy shall be returned to the person concerned giving this copy to the office of discharge. After endorsement this copy shall be returned by the person concerned to the customs office which initially endorsed it.

2.2.7. *Information sheet INF 2 (outward processing)*

- (a) The information sheet INF 2 (hereafter INF 2) may be used, where compensating or replacement products are imported under triangular traffic.
- (b) The INF 2 shall be made out in an original and one copy for the quantity of goods entered for the procedure.
- (c) The request for the issue of the INF 2 shall constitute the consent of the holder to transfer the right of the total or partial relief from the import duties to another person importing the compensating or replacement products under triangular traffic.
- (d) The office of entry shall endorse the original and the copy of the INF 2. It shall retain the copy and return the original to the declarant.

It shall indicate in box 16 the means used to identify the temporary export goods.

Where samples are taken or illustrations or technical descriptions are used, this office shall authenticate such samples, illustrations or technical descriptions by affixing its customs seal either on the goods, where their nature permits it, or on the packaging, in such a way that it cannot be tampered with.

A label bearing the stamp of the office and reference particulars of the export declaration shall be attached to the samples, illustrations or technical descriptions in a manner which prevents substitution.

The samples, illustrations or technical descriptions, authenticated and sealed, shall be returned to the exporter, who shall present them with the seals intact when the compensating or replacement products are re-imported.

Where an analysis is required and the results will not be known until after the office of entry has endorsed the INF 2, the document containing the results of the analysis shall be given to the exporter in a sealed tamper-proof envelope.

- (e) The office of exit shall certify on the original that the goods have left the customs territory of the Community and shall return it to the person presenting it.
- (f) The importer of the compensating or replacement products shall present the original of the INF 2 and, where appropriate, the means of identification to the office of discharge.

▼ **M20***ANNEX 72***LIST OF USUAL FORMS OF HANDLING REFERRED TO IN ARTICLE 531 AND ARTICLE 809**

Unless otherwise specified, none of the following forms of handling may give rise to a different eight-digit CN code.

Usual forms of handling listed below shall not be granted if, in the opinion of the customs authorities, the operation is likely to increase the risk of fraud:

1. ventilation, spreading-out, drying, removal of dust, simple cleaning operations, repair of packing, elementary repairs of damage incurred during transport or storage in so far as it concerns simple operations, application and removal of protective coating for transport;
2. reconstruction of the goods after transport;
3. stocktaking, sampling, sorting, sifting, mechanical filtering and weighing of the goods;
4. removal of damaged or contaminated components;
5. conservation, by means of pasteurisation, sterilisation, irradiation or the addition of preservatives;
6. treatment against parasites;
7. anti-rust treatment;
8. treatment:
 - by simple raising of the temperature, without further treatment or distillation process, or
 - by simple lowering of the temperature;
 even if this results in a different eight-digit CN code;
9. electrostatic treatment, uncreasing or ironing of textiles;
10. treatment consisting in:
 - stemming and/or pitting of fruits, cutting up and breaking down of dried fruits or vegetables, rehydration of fruits, or
 - dehydration of fruits even if this results in a different eight-digit CN code;
11. desalination, cleaning and butting of hides;
12. addition of goods or addition or replacement of accessory components as long as this addition or replacement is relatively limited or is intended to ensure compliance with technical standards and does not change the nature or improve the performances of the original goods, even if this results in a different eight-digit CN code for the added or replacement goods;
13. dilution or concentration of fluids, without further treatment or distillation process, even if this results in a different eight-digit CN code;
14. mixing between them of the same kind of goods, with a different quality, in order to obtain a constant quality or a quality which is requested by the customer, without changing the nature of the goods;
15. dividing or size cutting out of goods if only simple operations are involved;
16. packing, unpacking, change of packing, decanting and simple transfer into containers, even if this results in a different eight-digit CN code, affixing, removal and altering of marks, seals, labels, price tags or other similar distinguishing signs;
17. testing, adjusting, regulating and putting into working order of machines, apparatus and vehicles, in particular in order to control the compliance with technical standards, if only simple operations are involved;
18. dulling of pipe fittings to prepare the goods for certain markets.

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ANNEX 73

IMPORT GOODS FOR WHICH THE ECONOMIC CONDITIONS ARE DEEMED NOT TO BE FULFILLED BY VIRTUE OF ARTICLE 539, FIRST PARAGRAPH**Part A: Agricultural products covered by Annex I to the Treaty**

1. The following products falling under one of the following common market organisations:

cereals sector: products referred to in Article 1(1) of Council Regulation (EEC) No 1766/92 ⁽¹⁾,

rice sector: products referred to in Article 1(1) of Council Regulation (EC) No 3072/95 ⁽²⁾,

sugar sector: products referred to in Article 1(1) of Council Regulation (EC) No 2038/1999 ⁽³⁾,

olive oil sector: products referred to in Article 1(2)(c) of Council Regulation No 136/66/EEC ⁽⁴⁾,

milk and milk-products sector: products referred to in Article 1 of Council Regulation (EC) No 1255/1999,

wine sector: products referred to in Article 1(2) of Council Regulation (EC) No 1493/1999 ⁽⁵⁾ and falling under CN codes:

0806 10 90

2009 60

2204 21 (quality wine excepted)

2204 29 (quality wine excepted)

2204 30

2. Following products falling under CN codes:

0204 10 to 0204 43

2207 10

2207 20

2208 90 91

2208 90 99

3. Products other than those under points 1 and 2, for which agricultural export refunds equal to or higher than zero are fixed.

Part B: Goods not covered by Annex I to the Treaty resulting from the processing of agricultural products

Goods resulting from the processing of agricultural products and listed in the following Annexes to Regulations on the common organisation of markets in the agricultural sector or concerning production refunds:

- Annex B to Council Regulation (EEC) No 1766/92 (cereals sector),
- Annex B to Council Regulation (EC) No 3072/95 (rice sector),
- Annex I to Council Regulation (EC) No 2038/1999 (sugar sector),
- Annex II to Council Regulation (EC) No 1255/1999 (milk and milk-products sector),
- Annex I to Council Regulation (EEC) No 2771/75 ⁽⁶⁾ (eggs sector),
- Annex to Council Regulation (EEC) No 1010/86 ⁽⁷⁾ (production refunds on certain sugar products used in the chemical industry), and
- Annex I to Commission Regulation (EEC) No 1722/93 ⁽⁸⁾ (production refunds in the cereals and rice sectors).

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 329, 30.12.1995, p. 18.

⁽³⁾ OJ L 252, 25.9.1999, p. 1.

⁽⁴⁾ OJ 172, 30.9.1966, p. 3025/66.

⁽⁵⁾ OJ L 179, 14.7.1999, p. 1.

⁽⁶⁾ OJ L 282, 1.11.1975, p. 49.

⁽⁷⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

▼ M20**Part C: Fishery products**

Fishery products listed in Annexes I, II and V to Council Regulation (EC) No 104/2000 ⁽¹⁾ on the common organisation of the markets in fishery and aquaculture products and products listed in Annex VI to this Regulation subject to a partial autonomous suspension.

All fishery products subject to an autonomous quota.

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

▼ **M20***ANNEX 74***SPECIAL PROVISIONS CONCERNING EQUIVALENT GOODS****(Article 541)****1. Rice**

Rice classified under CN code 1006 shall not be deemed equivalent unless it falls within the same eight-digit CN code of the Combined Nomenclature. Nevertheless, for rice with a length not exceeding 6,0 mm and a length/width ratio equal to or more than 3 and for rice with a length equal to or less than 5,2 mm and a length/width ratio equal to or more than 2, equivalence shall be established by determination of the length/width ratio only. The measurement of the grains shall be done in accordance with Annex A(2)(d) to Regulation (EC) No 3072/95 on the common organisation of the market in rice.

The use of equivalent goods shall be prohibited where inward-processing operations consist of the 'usual forms of handling' listed in Annex 72 to this Regulation.

2. Wheat

Equivalent goods may be used only between wheat harvested in a third country and already released for free circulation and non-Community wheat, of the same eight-digit CN code, having the same commercial quality and the same technical characteristics.

However:

- derogations from the ban on use of equivalent goods may be adopted in respect of wheat on the basis of a communication from the Commission to the Member States, after examination by the Committee,
- the use of equivalent goods is permitted between Community durum wheat and durum wheat of third-country origin provided it is for the production of pasta falling within CN codes 1902 11 00 and 1902 19.

3. Sugar

Recourse to the use of equivalent goods is permitted between raw cane sugar falling within CN code 1701 11 90 and raw beet sugar within CN code 1701 12 90 under the condition that compensating products falling within CN code 1701 99 10 (white sugar) are obtained.

4. Live animals and meat

Equivalent goods may not be used for inward-processing operations on live animals or meat.

Derogation from the ban on the use of equivalent goods can be made for meat which has been made subject of a communication by the Commission to the Member States, after an examination carried out by the Customs Code Committee if the applicant can prove that equivalence is economically necessary and if the customs authorities transmit the draft of the procedures foreseen to control the operation.

5. Maize

Recourse to the use of equivalent goods between Community and non-Community maize is possible only in the following cases and subject to the following conditions:

1. In the case of maize for use in animal feed, the use of equivalent goods is possible provided that a customs control system is set up to ensure that the non-Community maize is in fact used for processing into animal feed.
2. In the case of maize used in the manufacture of starch and starch products, the use of equivalent goods is possible between all varieties with the exception of maizes rich in amylopectin (wax-like maize or 'waxy' maize) which are only equivalent between themselves.
3. In the case of maize used in the manufacture of meal products, the use of equivalent goods is possible between all varieties with the exception of maizes of the vitreous type ('Plata' maize of the 'Duro' type, 'Flint' maize) which are only equivalent between themselves.

▼ **M20****6. Olive oil**

A. Recourse to the use of equivalent goods is permitted only in the following cases and under the following conditions:

1. *virgin olive oil*

- (a) between Community extra virgin olive oil falling within CN code 1509 10 90 which corresponds to the description in point 1(a) of the Annex to Regulation No 136/66/EEC and non-Community extra virgin olive oil of the same CN code, provided that the processing operation produces extra virgin olive oil falling within the same CN code and satisfying the requirements of the said point 1(a);
- (b) between Community virgin olive oil falling within CN code 1509 10 90 which corresponds to the description in point 1(b) of the Annex to Regulation No 136/66/EEC and non-Community virgin olive oil of the same CN code, provided that the processing operation produces virgin olive oil falling within the same CN code and satisfying the requirements of the said point 1(b);
- (c) between Community ordinary virgin olive oil falling within CN code 1509 10 90 which corresponds to the description in point 1(c) of the Annex to Regulation No 136/66/EEC and non-Community ordinary virgin olive oil of the same CN code, provided that the compensating product is:
 - refined olive oil falling within CN code 1509 90 00 which corresponds to the description in point 2 of the abovementioned Annex,
 - olive oil falling within CN code 1509 90 00 which corresponds to the description in point 3 of the said Annex and is obtained by blending with Community virgin olive oil falling within CN code 1509 10 90;
- (d) between Community lampante virgin olive oil falling within CN code 1509 10 10 which corresponds to the description in point 1(d) of the Annex to Regulation No 136/66/EEC and non-Community lampante virgin olive oil of the same CN code, provided that the compensating product is:
 - refined olive oil falling within CN code 1509 90 00 which corresponds to the description in point 2 of the abovementioned Annex, or
 - olive oil falling within CN code 1509 90 00 which corresponds to the description in point 3 of the said Annex and is obtained by blending with Community virgin olive oil falling within CN code 1509 10 90.

2. *olive-pomace oil*

between Community unrefined olive-pomace oil falling within CN code 1510 00 10 which corresponds to the description in point 4 of the Annex to Regulation No 136/66/EEC and non-Community unrefined olive-pomace oil of the same CN code, provided that the olive-pomace oil compensating product falling within CN code 1510 00 90 and corresponding to the description in point 6 of the said Annex is obtained by blending with Community virgin olive oil falling within CN code 1509 10 90.

- B. The blendings referred to in point A.1(c) second indent and (d) second indent and point A.2, with non-Community virgin olive oil, used in an identical manner, are authorised only where the arrangements for supervision of the procedure are organized in a manner that makes it possible to identify the proportion of non-Community virgin olive oil in the total quantity of blended oil exported.
- C. The compensating products must be put into immediate packaging of 220 litres or less. By way of derogation, in the case of agreed containers of 20 tonnes maximum, the customs authorities may allow the exportation of the oils found in the preceding points on condition that there is systematic control of the quality and quantity of the exported product.
- D. Equivalence shall be checked by using commercial records to verify the quantity of oils used for blending and, for the purpose of verifying the quality concerned, by comparing the technical characteristics of samples of the non-Community oil taken when it was entered for the procedure with the technical characteristics of the samples of the Community oil used taken when the compensating product concerned was processed against the technical characteristics of the samples taken at the time of actual exportation of the compensating product at the point of exit. Samples shall be taken in accordance with international standards EN ISO 5555 (sampling) and EN ISO 661 (sending of samples to laboratories

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and preparation of samples for tests). The analysis shall be carried out with reference to the parameters in Annex I to Commission Regulation (EEC) No 2568/91 ⁽¹⁾.

▼ M24**7. Milk and milk products**

Recourse to the use of equivalence is permitted under the following conditions:

The weight of each component of milk dry matter, milk fat matter and milk protein of the import goods shall not exceed the weight of each of these components in the equivalent goods. However, where the economic value of the import goods is determined by only one or two of the above mentioned components, the weight may be calculated on the basis of this or these component(s). The authorisation shall specify the details, notably the reference period for which the total weight has to be calculated. The reference period shall not exceed 4 months.

The weight of the relevant component(s) of the import goods and of the equivalent goods shall be entered on the customs declarations and on any information sheet INF9 or INF5, to enable the customs authorities to control the equivalence on the basis of those elements.

Physical checks shall be carried out on at least 5 % of the declarations for entry of import goods for the arrangements and the export declaration (IM/EX) and cover the import goods as well as the equivalent goods concerned.

Physical checks shall be carried out on at least 5 % of the prior export declarations and the declarations for entry for the arrangements (EX/IM). These checks shall cover the equivalent goods that shall be checked before the processing operations start as well as the concerned import goods at the moment they are entered for the arrangements.

Physical checks imply the verification of the declaration and the documents attached thereto, and representative samples shall be taken for analysis of the ingredients by a competent laboratory.

If the Member State applies a system of risk analysis, a lower percentage of physical checks may be permitted.

Each physical check shall be the subject of a detailed report by the official who has carried out this check. These reports shall be centralised by the customs authorities designated in each Member State.

⁽¹⁾ OJ L 248, 5.9.1991, p. 1.

▼ M24

ANNEX 75

List of compensating products subject to the import duties appropriate to them**(Article 548(1))**

Description of the secondary compensating products	Processing operations from which they result
(1)	(2)
Waste, scrap, residues, offcuts and remainders	Any working or processing

▼ **M20**

ANNEX 76

ECONOMIC CONDITIONS IN THE FRAMEWORK OF THE ARRANGEMENTS FOR PROCESSING UNDER CUSTOMS CONTROL▼ **C9****(Article 552)**▼ **M20**

PART A

The economic conditions shall be deemed to be fulfilled for the following types of goods and operations:

	Column 1	Column 2	
Order No	Goods	Processing	
1	Goods of any kind	Processing into samples presented as such or put up into sets	
2	Goods of any kind	Reduction to waste and scrap or destruction	
3	Goods of any kind	Denaturing	
4	Goods of any kind	Recovery of parts or components	
5	Goods of any kind	Separation and/or destruction of damaged parts	
6	Goods of any kind	Processing to correct the effects of damage to the goods	
7	Goods of any kind	Usual forms of handling permitted in customs warehouses or free zones	
8	Goods of any kind	Processing into products of a kind to be incorporated in or used for civil aircraft for which an airworthiness certificate is issued by a company authorised for such operations by the European aviation authorities or the aviation authorities of a third country	
▼ M22	8a	Goods of any kind	Processing into products which may benefit from the autonomous suspension of import duties on certain weapons and military equipment
▼ M20	9	Goods covered by Article 551(1) second indent	Any form of processing
	10	Goods of any kind not subject to a(n) agricultural or commercial policy measure, or provisional or definitive antidumping, or provisional or definitive countervailing duty	Any form of processing, where the import duty advantage resulted by using the arrangements does not exceed the value of EUR 50 000 per applicant and per calendar year.
	11	Any electronic type of components, parts, assemblies (including sub-assemblies), or materials (whether or not electronic), which are vital to the electronic working performance of the processed product	Processing into information technology products: <ol style="list-style-type: none"> covered by the Agreement on trade in information technology products which has been approved by Council Decision 97/359/EC (OJ L 155, 12.6.1997, p. 1), where a duty exemption operates on the date of authorisation; or falling within a CN code provided for in Articles 1, 2 or 3 of Council Regulation (EC) No 2216/97 (OJ L 305, 8.11.1997, p. 1), where a duty exemption operates on the date of authorisation

▼ M20

	Column 1	Column 2
Order No	Goods	Processing
12	Solid fractions of palm oil falling within CN code 1511 90 19 or Fluid fractions of palm oil falling within CN code 1511 90 91 or Coconut oil falling within CN code 1513 11 10 or Fluid fractions of coconut oil falling within CN code ex 1513 19 30 or Palm kernel oil falling within CN code 1513 21 11 or Fluid fractions of palm kernel oil falling within CN code ex 1513 29 30 or Babassu oil falling within CN code 1513 21 19	Processing into: <ul style="list-style-type: none"> — mixtures of fatty acids falling within CN codes 3823 11 00, 3823 12 00, ex 3823 19 10, ex 3823 19 30 and ex 3823 19 90 — fatty acids falling within CN codes 2915 70 15, 2915 70 25, ex 2915 90 10, ex 2915 90 80, ex 2916 15 00 and ex 2916 19 80 — mixture of methyl esters of fatty acids falling within CN code ex 3824 90 95 — methyl esters of fatty acids falling within CN codes ex 2915 70 20, ex 2915 70 80, ex 2915 90 80, ex 2916 15 00 and ex 2916 19 80 — mixture of fatty alcohols falling within CN code 3823 70 00 — fatty alcohols falling within CN codes 2905 16 80, 2905 17 00 and 2905 19 00 — glycerol falling within CN code 1520 00 00
13	Castor oil falling within CN code 1515 30 90	Processing into: <ul style="list-style-type: none"> — hydrogenated castor oil ('opal-wax') of CN code 1516 20 10 — 12-hydrostearic acid (purity less than 90 %) of CN code ex 3823 19 10 — 12-hydrostearic acid (purity 90 % or more) of CN code ex 2918 19 99 — glycerol of CN code 2905 45 00
14	Tobaccos falling within Chapter 24 of the Combined Nomenclature	Processing into 'homogenised' or 'reconstituted' tobacco falling within CN code 2403 91 00 and/or tobacco powder falling within CN code 2403 99 90
15	Raw or unmanufactured tobacco falling within CN code 2401 10 Raw or unmanufactured tobacco partly stemmed/stripped falling within CN code ex 2401 20	Processing into partly or wholly stemmed/stripped tobaccos falling within CN code 2401 20 and into tobacco refuse falling within CN code 2401 30 00
16	Products falling within CN codes: 2707 10, 2707 20, 2707 30, 2707 50, 2707 91 00, 2707 99 30, 2707 99 91, 2707 99 99 and 2710 00	Processing into products falling within CN codes: 2710 00 71 or 2710 00 72
17	Crude oils falling within CN code 2707 99 11	Processing into products falling within CN codes 2707 10 90, 2707 20 90, 2707 30 90, 2707 50 90, 2707 99 30, 2707 99 99, 2902 20 90, 2902 30 90, 2902 41 00, 2902 42 00, 2902 43 00, 2902 44 90
18	Gas oils with a sulphur content exceeding 0,2 % by weight falling within CN code 2710 00 68 Kerosene falling within CN code 2710 00 55 White spirit falling within CN code 2710 00 21	Mixture of the goods in column 1 or a mixture of one and/or other of the goods in column 1 with gas oil with a sulphur content not exceeding 0,2 % by weight falling within CN code 2710 00 66 or 2710 00 67 to obtain a gas oil with a sulphur content not exceeding 0,2 % by weight falling within CN code 2710 00 66 or 2710 00 67
19	PVC material falling within CN code 3921 90 60	Processing into filmscreens falling within CN code 9010 60 00
20	Skating boots without skates attached of CN code 6402 19 00 Skating boots without skates attached of CN code 6403 19 00	Processing into: <ul style="list-style-type: none"> ice skates of CN code 9506 70 10 roller skates of CN code 9506 70 30

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	Column 1	Column 2
Order No	Goods	Processing
21	Motor chassis fitted with cabs, of CN code 8704 21 31	Processing into fire engines fitted with integral fire fighting and/ or life saving equipment, of CN code 8705 30 00

PART B

The economic conditions shall be examined in the Committee for the following types of goods and operations, which are not covered by Part A:

	Column 1	Column 2
	Goods	Processing
	All goods subject to a(n) agricultural measure or provisional or definitive antidumping, or provisional or definitive countervailing, duty	Any form of processing

▼ M20*ANNEX 77***(Article 581)**

Cases where the entry of goods for temporary importation by written declaration is not subject to the provision of a security

1. Materials belonging to airline, shipping or railway companies or postal services and used by them in international traffic, subject to them being distinctively marked.
2. Packings imported empty, carrying indelible non-removable markings.
3. Disaster-relief material intended for State or approved bodies.
4. Medical, surgical and laboratory equipment intended for a hospital or medical institution which has urgent need of such equipment.
5. Entry for temporary importation of goods transferred in the meaning of Article 513, where the previous holder entered the goods for temporary importation in accordance with Articles 229 or 232.

▼B

ANNEX 104

FICHE DE RENSEIGNEMENTS POUR FACILITER L'EXPORTATION TEMPORAIRE DES MARCHANDISES ENVOYÉES D'UN PAYS DANS UN AUTRE POUR TRANSFORMATION, OUVRAGEON OU RÉPARATION

RENSEIGNEMENTS À FOURNIR À L'EXPORTATION (*)

Avant de remplir la fiche de renseignements, lire la notice, page 4.

(*) Les lignes ou cases non remplies doivent être rayées ou barrées ou porter la mention «Néant».
 (**) Rayer la mention inutile.

<p>A Les marchandises ci-dessous désignées, destinées à être transformées — ouvrées — réparées (**) en ont été présentées à l'exportation { par (**) pour le compte de (nom de l'exportateur en lettres majuscules) demeurant à (adresse en lettres majuscules)</p>		<p>Administration des douanes de Bureau de</p>			
<p>Désignation des marchandises</p>					
<p>B Nombre, nature, marques et numéros des colis</p> <p>— 1 —</p>	<p>Numéro de la nomenclature</p> <p>— 2 —</p>	<p>Nature et espèce commerciale</p> <p>— 3 —</p>	<p>Quantité</p> <p>Poids brut — 4 — Poids net, nombre, volume, surface, etc. — 5 —</p>	<p>Valeur</p> <p>— 6 —</p>	<p>Observations</p> <p>— 7 —</p>
<p>D <u>Opérations de vérification effectuées:</u></p> <p style="text-align: right;">F Certifié conforme à (document de douane) n° du À , le (signature) (cachet du bureau de douane)</p>					
<p>E <u>Moyens d'identification utilisés:</u></p>					

▼B

II
RENSEIGNEMENTS À FOURNIR À L'IMPORTATION (*)

(*) Les lignes ou cases non remplies doivent être rayées ou barrées ou porter la mention «Néant».
(**) Rayet la mention inutile.

<p>A</p> <p>Administration des douanes de Bureau de</p>	<p>Les marchandises désignées { au titre I (**) ci-dessous } destinées à être transformées — ouvrées — réparées (**) ont été présentées à l'importation { par (**) pour le compte de } (nom de l'importateur en lettres majuscules) demeurant à (adresse en lettres majuscules)</p>					
Désignation des marchandises						
<p>B</p> <p>Nombre, nature, marques et numéros des colis</p> <p style="text-align: center;">- 1 -</p>	<p>Numéro de la nomenclature</p> <p style="text-align: center;">- 2 -</p>	<p>Nature et espèce commerciale</p> <p style="text-align: center;">- 3 -</p>	<p>Quantité</p> <p>Poids brut Poids net, nombre, volume, surface, etc.</p> <p style="text-align: center;">- 4 - - 5 -</p>		<p>Valeur</p> <p style="text-align: center;">- 6 -</p>	<p>Observations</p> <p style="text-align: center;">- 7 -</p>
			<p>C</p> <p>Nature de la main-d'œuvre à effectuer:</p> <p>.....</p> <p>.....</p> <p>.....</p>			
<p>D</p> <p>Opérations de vérification effectuées:</p> <p>.....</p> <p>.....</p> <p>.....</p>						
<p>E</p> <p>Moyens d'identification utilisés:</p> <p>.....</p> <p>.....</p> <p>.....</p>						
<p>F</p> <p>Certifié conforme</p> <p>à (document de douane)</p> <p>n° du</p> <p>à le</p> <p>..... (signature) (cachet du bureau de douane)</p>						

▼B

**III
RENSEIGNEMENTS À FOURNIR À LA RÉEXPORTATION (*)**

(*) Les lignes ou cases non remplies doivent être rayées ou barrées ou porter la mention «Néant».
 (**) Rayer la mention inutile.

Administration des douanes de Bureau de	A Les marchandises désignées ci-dessous au titre II (**) { provenant de la transformation ou de l'ouvroison des marchandises reprises au titre II (**) qui ont été réparées } ont été présentées à la réexportation { par (**) pour le compte de (nom de l'exportateur en lettres majuscules) demeurant à (adresse en lettres majuscules)					
Désignation des marchandises						
B Nombre, nature, marques et numéros des colis - 1 -	Numéro de la nomenclature - 2 -	Nature et espèce commerciale - 3 -	Quantité Poids brut Poids net, nombre, volume, surface, etc.		Valeur - 6 -	Observations - 7 -
			- 4 -	- 5 -		
C Nature de la main-d'œuvre à effectuer (en précisant, le cas échéant, les pièces ajoutées et les déchets de fabrication):						
G Réexportation fractionnée n° N° du (document de douane) (bureau de douane)						
F Certifié conforme à (document de douane) n° du à , le (signature) (cachet du bureau de douane)						
D Opérations de vérification effectuées:						
E II { a n'a pas (**) été établi que les marchandises réexportées sont celles qui ont été importées ont été obtenues à partir des marchandises importées (**) Moyens d'identification utilisés:						

▼B

Réservé à la douane

NOTICE CONCERNANT L'UTILISATION DE LA FICHE DE RENSEIGNEMENTS

1. L'exportateur doit s'assurer que les autorités douanières du pays d'importation temporaire seront en mesure d'établir, sous réserve des conditions qu'elles fixent, l'identité des marchandises.
2. L'utilisateur doit présenter la fiche de renseignements (FR) dûment remplie aux autorités douanières lors du dédouanement des marchandises.
3. Dans les cas des réimportations effectuées par envois fractionnés, le déroulement des opérations est le suivant:
 - a) **Exportation temporaire:**
L'exportateur présente la FR en deux exemplaires (original et copie). La douane les vise (titre I) et les remet à l'exportateur qui transmet l'original à l'importateur qui le conserve jusqu'à la dernière réexportation. L'exportateur conserve la copie.
 - b) **Importation temporaire:**
L'importateur présente l'original à la douane qui le lui restitue après avoir visé le titre II.
 - c) **Réexportations fractionnées:**
Le réexportateur remplit un exemplaire supplémentaire du titre III, y compris le cas (SIC! la case) G, et le présente ainsi que l'original à la douane. Celle-ci confronte ces deux documents et vise l'exemplaire supplémentaire qui est transmis par le réexportateur au réimportateur.
 - d) **Réimportations fractionnées:**
Le réimportateur présente l'exemplaire supplémentaire ainsi que la copie à la douane qui confronte ces deux documents.
 - e) **Dernière réexportation fractionnée:**
Le réexportateur remplit le titre III de l'original, y compris la case G. La douane appose son attestation et remet l'original au réexportateur qui le fait parvenir au réimportateur.
 - f) **Dernière réimportation fractionnée:**
Le réimportateur présente à la douane l'original et la copie de la FR.

▼ B

INFORMATION DOCUMENT TO FACILITATE THE TEMPORARY EXPORTATION OF GOODS SENT FROM ONE COUNTRY FOR MANUFACTURE, PROCESSING OR REPAIR IN ANOTHER

TO BE COMPLETED AT EXPORTATION (*)

Before completing this form please read note on page 4

(*) Unused lines or cages must be struck out or the word 'Nil' written across them.
 (**) Delete if inapplicable.

<p>A Customs administration of</p> <p>Customs office of</p>		<p>The goods described below, intended for manufacture — processing — repair (**) in</p> <p>have been entered for exportation { by (**) on behalf of</p> <p>of</p> <p>(Name of exporter in block capitals)</p> <p>(Address in block capitals)</p>													
<p>B Number, type, marks and numbers of packages</p> <p>— 1 —</p>		<p>Tariff ref. No</p> <p>— 2 —</p>		<p>Specification of goods</p> <table border="1"> <thead> <tr> <th colspan="2">Quantity</th> <th rowspan="2">Value</th> <th rowspan="2">Remarks</th> </tr> <tr> <th>Gross weight</th> <th>Net weight, number, volume, measurements, etc.</th> </tr> </thead> <tbody> <tr> <td>— 4 —</td> <td>— 5 —</td> <td>— 6 —</td> <td>— 7 —</td> </tr> </tbody> </table>		Quantity		Value	Remarks	Gross weight	Net weight, number, volume, measurements, etc.	— 4 —	— 5 —	— 6 —	— 7 —
Quantity		Value	Remarks												
Gross weight	Net weight, number, volume, measurements, etc.														
— 4 —	— 5 —	— 6 —	— 7 —												
<p>C Nature of proposed operations:</p>															
<p>D Particulars of examinations carried out:</p>															
<p>E Means of identification used:</p>															
<p>F Certified to correspond with the particulars shown on</p> <p>No dated (Customs document)</p> <p>(Place) (Date)</p> <p>(Signature) (Customs office stamp)</p>															

▼ B

II
TO BE COMPLETED AT IMPORTATION (*)

(*) Unused lines or cages must be struck out or the word 'Nil' written across them.
(**) Delete if inapplicable.

<p>A</p> <p>Customs administration of</p> <p>Customs office of</p>	<p>The goods described { in Part I (**) intended for manufacture — processing — repair (**) below were entered { by on behalf of (**) of</p> <p style="text-align: right;">(Name of importer in block capitals)</p> <p style="text-align: center;">(Address in block capitals)</p>					
B	Specification of goods					
<p>Number, type, marks and numbers of packages</p> <p style="text-align: center;">- 1 -</p>	<p>Tariff ref. No</p> <p style="text-align: center;">- 2 -</p>	<p>Commercial description</p> <p style="text-align: center;">- 3 -</p>	Quantity		<p>Value</p> <p style="text-align: center;">- 6 -</p>	<p>Remarks</p> <p style="text-align: center;">- 7 -</p>
			Gross weight	Net weight, number, volume, measurements, etc.		
C	<p><u>Nature of proposed operations:</u></p> <p>.....</p> <p>.....</p>					
D	<p><u>Particulars of examinations carried out:</u></p> <p>.....</p> <p>.....</p>					
E	<p><u>Means of identification used:</u></p> <p>.....</p> <p>.....</p>					
F	<p>Certified to correspond with the particulars shown on</p> <p style="text-align: center;">(Customs document)</p> <p>No dated</p> <p style="text-align: center;">(Place) (Date)</p> <p>..... (Signature) (Customs office stamp)</p>					

▼ B

**III
TO BE COMPLETED AT RE-EXPORTATION (*)**

(*) Unused lines or cages must be struck out or the word 'Nil' written across them.
 (**) Delete if inapplicable.

<p>A</p> <p>Customs administration of</p> <p>Customs office of</p>	<p>The goods described { below in Part II (**) resulting from the manufacture or processing of the goods described in part II (**) which have been repaired } were entered for re-exportation { by (**) on behalf of (**) } of (Name of re-exporter in block capitals)</p> <p style="text-align: right;">(Address in block capitals)</p>					
Specification of goods						
B	Number, type, marks and numbers of packages	Commercial description	Gross weight	Quantity Net weight, number, volume, measurements, etc.	Value	Remarks
	- 1 -	- 3 -	- 4 -	- 5 -	- 6 -	- 7 -
<p>C</p> <p>Nature of operations (Include particulars of any parts added and/or any manufacturing waste):</p> <p>.....</p> <p>.....</p> <p>.....</p>						<p>G</p> <p>Split re-exportation No. dated (Customs document) (Customs office)</p>
<p>D</p> <p>Particulars of examinations carried out:</p> <p>.....</p> <p>.....</p>						<p>F</p> <p>Certified to correspond with the particulars shown on (Customs document)</p>
<p>E</p> <p>It { has (**) has not (**) } been established that the re-exported goods { are those which were imported (**) have been made or obtained from the goods imported (**) } Means of identification used:</p> <p>.....</p> <p>.....</p>						<p>No dated (Place) (Date) (Signature) (Customs office stamp)</p>

▼B

For official use only

NOTE FOR THE USE OF THE INFORMATION DOCUMENT

1. The exporter must ensure that, subject to any conditions they may lay down, the Customs authorities of the country of temporary importation are in a position to establish the identity of the goods.
2. The duly completed Information Document (I. D.) must be presented to the Customs authorities whenever the goods are cleared.
3. If the goods are to be re-imported in split consignments the following procedure applies.
 - (a) Temporary exportation:
The exporter produces the I. D. in duplicate. The Customs certify both copies (Part I) and return them to the exporter who sends the original I. D. to the importer who keeps it until the last split re-exportation. The exporter keeps the duplicate I. D.
 - (b) Temporary importation:
The importer produces the original I. D. to the Customs who certify Part II and return the I. D. to him.
 - (c) Split re-exportation:
The re-exporter completes an additional Part III (including Cage G) and produces it to the Customs together with the original I. D. The Customs certify the additional Part III after checking it against the I. D. The re-exporter sends the additional Part III to re-importer.
 - (d) Split re-importation:
The re-importer produces the additional Part III and his copy of the I. D. to the Customs for checking against each other.
 - (e) Last split re-exportation:
The re-exporter completes Part III of the original I. D. including Cage G. The Customs certify the original I. D. and return it to the re-exporter who sends it to the re-importer.
 - (f) Last split re-importation:
The re-importer produces both copies of the I. D. to the Customs.

④

▼M20

▼M12

▼B

ANNEX 109

EUROPEAN COMMUNITY

CERTIFICATE OF CUSTOMS STATUS

H O L D E R	1	1. Holder (full name and address):	Certificate of the customs status of goods in a FREE ZONE or CUSTOMS WAREHOUSE No: _____ Date: _____
		2. Issuing customs office: (full name and address):	3. The goods described in box 4 are (1): <input type="checkbox"/> Community goods <input type="checkbox"/> non-Community goods
		(1) Delete as appropriate so that no subsequent change is possible.	
	1	4. Order number — Marks, identifying numbers, number and kind of packages — Quantity and description of the goods	
		5. Place: Date: _____ Signature: _____	
			Stamp of issuing office

▼ **B**

EUROPEAN COMMUNITY

CERTIFICATE OF CUSTOMS STATUS

C U S T O M S O F F I C E	2	1. Holder (full name and address):	Certificate of the customs status of goods in a FREE ZONE or CUSTOMS WAREHOUSE: No: _____ Date: _____
		2. Issuing customs office: (full name and address):	3. The goods described in box 4 are (1): <input type="checkbox"/> Community goods <input type="checkbox"/> non-Community goods
		(1) Delete as appropriate so that no subsequent change is possible.	
	2	4. Order number — Marks, identifying numbers, number and kind of packages — Quantity and description of the goods	
		5. Place: Date: _____ Signature: _____	
			Stamp of issuing office

▼B**PROVISIONS REGARDING THE CERTIFICATE OF THE CUSTOMS STATUS OF GOODS ENTERED IN A FREE ZONE OR FREE WAREHOUSE**

1. The form for the certificate of the customs status of goods entered in a free zone or free warehouse shall be printed on white paper without mechanical pulp, dressed for writing purposes and weighing between 40 and 65 g/m².
2. The form shall measure 210 by 297 mm.
3. Member States shall be responsible for having the form printed. Each form shall bear an individual serial number.
4. The form shall be printed in one of the official languages of the Community designated by the customs authorities of the Member State in which the certificate is issued. The boxes shall be filled in in an official language of the Community designated by the customs authorities of the Member State in which the certificate is issued.
5. The form must not contain erasures or insertions. Any changes must be made by crossing out the incorrect particulars and adding, where appropriate, the correct particulars. Any such changes must be endorsed by the person making out the certificate and by the customs authorities.
6. The articles referred to in the certificate must be listed in single spacing and each article must be preceded by a serial number. A horizontal line must be drawn immediately under the last article. Unused spaces must be crossed through in such a way as to prevent any subsequent addition.
7. The original and one copy of the form duly completed shall be lodged with the competent customs office when the goods enter the free zone or free warehouse or when the customs declaration is lodged, as appropriate.

The customs authorities shall endorse the form and keep the copy of the certificate.

8. Where the operator makes out the certificate pursuant to Article 819 (2), box 5 may be:
 - stamped by the customs office and signed by an official of that office in advance, or
 - stamped by the operator with a special metal stamp accepted by the customs authorities.

The operator shall keep the copy of the certificate with his stock records.

▼ **B****FULL NAME AND ADDRESS OF CUSTOMS OFFICE OF EXPORTATION****NOTES**

- Box 1: Give the name or trade name and full address including Member State.
- Box 4: Give exact details of the goods according to their normal commercial description or according to their tariff description. The description must correspond with that used in the export document.
- Boxes 5 and 6: Give the quantity appearing in the export document.
- Box 7: Give the statistical value at the time of exportation in the currency of the Member State of exportation.
- Box 8: Give details of net weight, volume, etc. which the person concerned wishes to reimport.
- Box 10 (c): This item relates to goods which have been released for free circulation in the Community, benefiting from total or partial relief from import duties by reason of their use for specific purposes.
- Box 10 (d): This item relates to the situation of goods at the time of their exportation.

REQUEST BY THE OFFICE OF REIMPORTATION

The office of reimportation indicated below requests:

- verification of the authenticity of this information sheet and the correctness of the information therein ⁽¹⁾,
- the following information to be supplied ⁽¹⁾:

⁽¹⁾ Delete as necessary.

Full name and address of office of reimportation

At, on

(Signature)

(Stamp)

REPLY OF THE COMPETENT AUTHORITIES

This information sheet is authentic and the details contained therein are exact ⁽¹⁾.

This information sheet gives rise to the following comments ⁽¹⁾:

Other information required ⁽¹⁾:

⁽¹⁾ Delete as necessary.

Full name and address of the competent authorities

At, on

(Signature)

(Stamp)

REIMPORTATION

Quantity reimported

Reference number, date and type of reimportation document
Signature and stamp of office of reimportation

▼ **B****FULL NAME AND ADDRESS OF CUSTOMS OFFICE OF EXPORTATION****NOTES**

- Box 1: Give the name or trade name and full address including Member State.
- Box 4: Give exact details of the goods according to their normal commercial description or according to their tariff description. The description must correspond with that used in the export document.
- Boxes 5 and 6: Give the quantity appearing in the export document.
- Box 7: Give the statistical value at the time of exportation in the currency of the Member State of exportation.
- Box 8: Give details of net weight, volume, etc. which the person concerned wishes to reimport.
- Box 10 (c): This item relates to goods which have been released for free circulation in the Community, benefiting from total or partial relief from import duties by reason of their use for specific purposes.
- Box 10 (d): This item relates to the situation of goods at the time of their exportation.

REQUEST BY THE OFFICE OF REIMPORTATION

The office of reimportation indicated below requests:

- verification of the authenticity of this information sheet and the correctness of the information therein (1)
- the following information to be supplied (1):

(1) Delete as necessary.

Full name and address of office of reimportation

At, on

(Signature)

(Stamp)

REPLY OF THE COMPETENT AUTHORITIES

This information sheet is authentic and the details contained therein are exact (1).

This information sheet gives rise to the following comments (1):

Other information required (1):

(1) Delete as necessary.

Full name and address of the competent authorities

At, on

(Signature)

(Stamp)

REIMPORTATION

Quantity reimported	Reference number, date and type of reimportation document Signature and stamp of office of reimportation

▼B**NOTE CONCERNING INFORMATION SHEET INF 3**

1. The forms shall be printed on white paper, free of mechanical pulp, dressed for writing purposes and shall weigh at least 40 g/m².
2. The size of the forms shall be 210 × 297 mm, a maximum tolerance in the length of between -5 and 8 mm being allowed; the layout of the forms must be strictly observed, except in respect of the size of boxes 6 and 7.
3. Member States shall be responsible for taking the necessary steps to have the forms printed. Each form shall bear an individual serial number, which may be pre-printed.
4. The forms shall be printed in one of the official languages of the Community accepted by the competent authorities of the Member State of exportation. They shall be completed in the same language as that in which they are printed. Where necessary, the competent authorities of the customs office of reimportation in which information sheet INF 3 is required to be produced may request its translation into its official language or one of its official languages.

▼ M13

ANNEX 110 A

EUROPEAN COMMUNITY

1. Declarant (full name or name of company or business and full address)		CERTIFICATE on fishery products caught by Community fishing vessels in the territorial waters of a third country	
2. Certification by the declarant I, the undersigned, hereby declare that the products and goods shown in boxes 4 and 6 fulfill the conditions referred to in Article 188 of the Community Customs Code Date: _____ (Signature)		3. Community fishing vessel Name: _____ Recorded number: _____ Base port: _____ Flag: _____	
4. Products of sea-fishing (name and type) Container number(s): _____		5. Gross mass (kg) (1)	
6. Goods obtained from the products referred to above (kind) Container number(s): _____		7. CN code	8. Gross mass (kg)
9. Declaration by the master of the Community fishing vessel I, the undersigned, _____ (full name), master of the vessel shown in box 3, declare that the products referred to in box 4: — were caught by my vessel in the territorial waters of _____ (country or territory) — have undergone on board my vessel processing which has been recorded on page _____ of the logbook and that the goods obtained are described in box 6 (2) Date: _____ Signature: _____			
10. Declaration in the event of a first transhipment from a Community fishing vessel The products and/or goods described in this document were transhipped onto the following vessel: (a) name: _____ (b) registration number: _____ (c) flag: _____ (d) full name of master: _____ The transhipment has been recorded on page _____ of the logbook of the Community fishing vessel. The transhipment has been recorded on page _____ of the logbook of the vessel onto which the products and/or goods were transhipped. Date: _____ (Signature of the master of the Community fishing vessel) (Signature of the master of the receiving vessel)			

 (1) Approximate figure.
 (2) Delete when no processing takes place on board

▼ **M13**

<p>11. Declaration when processing takes place on board the vessel onto which that catch has been transhipped ⁽¹⁾</p> <p>The products referred to in box 4 have undergone on board the vessel shown in box 10 processing which has been recorded on page of the logbook and the resulting goods are shown in box 6.</p> <p>Date: _____ (Signature of master)</p>	
<p>12. Declaration in the event of a second transhipment without further processing</p> <p>The products and/or goods referred to in this document have been transhipped onto the following vessel:</p> <p>(a) name: _____ (b) registration number: _____</p> <p>(c) flag: _____ (d) full name of master: _____</p> <p>The transhipment has been recorded on page of the logbook of the vessel from which the products and/or goods were transhipped. The transhipment has been recorded on page of the logbook of the vessel onto which the products and/or goods were transhipped.</p> <p>Date: _____</p> <p>(Signature of the master of the transhipping vessel) (Signature of the master of the receiving vessel)</p>	
<p>13. Certification by the customs authority of the country or territory not forming part of Community customs territory</p> <p>The undersigned customs authority, hereby certifies that the products and/or goods referred to in boxes 4 and/or 6 were under customs supervision throughout their stay and have undergone no handling other than that necessary for their preservation.</p> <p>Date of arrival of the products/goods: _____</p> <p>Date of departure of the products/goods: _____</p> <p>Means of transport used for reconsignment to Community customs territory: _____</p> <p>Full address of the customs office: _____ Stamp</p> <p>Country or territory: _____</p> <p>Date: _____ (Signature)</p>	
<p>Remarks</p>	

⁽¹⁾ Community fishing vessel or Community factory ship.

▼ **B**

ANNEX III

EUROPEAN COMMUNITY

APPLICATION FOR REPAYMENT/REMISSION (*)

1 ORIGINAL for the customs authority	1. Applicant or his representative (name and address) <input type="checkbox"/>	2. Application for repayment/ remission Reference to the customs declaration	
	3. Customs office of entry in the accounts (name and address)	4. Supervising customs office (name and address)	
	5. Location of the goods	6. Comments of the supervising customs office	
	7. Destination of the goods (request for prior assignment)		
1	8. Description of the goods, number and type	9. CN code	
		10. Net quantity	11. Customs value
		12. Amount of repayment/remission of duties applied for in national currency Number of annexes	
	13. Application for repayment/remission The undersigned hereby applies for the repayment/remission ⁽¹⁾ of import/export ⁽¹⁾ duties under the following Article of the Code ⁽²⁾ <input type="checkbox"/> 236 <input type="checkbox"/> 237 <input type="checkbox"/> 238 <input type="checkbox"/> 239		
	14. Acknowledgement of receipt of the application by the customs office of entry in the amounts Place and date Signature: _____ Stamp		
	15. Comments	16. Place and date Signature of the applicant	

(*) Read the notes on the back of the copy before completing the form.

(1) Deleted as appropriate.

(2) Make a cross in the appropriate box thus — (X)

▼ **B****EUROPEAN COMMUNITY****APPLICATION FOR REPAYMENT/REMISSION (*)**

COPY for the applicant	2	1. Applicant or his representative (name and address) <input type="checkbox"/>	2. Application for repayment/remission Reference to the customs declaration		
		3. Customs office of entry in the accounts (name and address)	4. Supervising customs office (name and address)		
		5. Location of the goods	6. Comments of the supervising customs office		
		7. Destination of the goods (request for prior assignment)			
	2	8. Description of the goods, number and type		9. CN code	
	10. Net quantity			11. Customs value	
	12. Amount of repayment/remission of duties applied for in national currency Number of annexes				
13. Application for repayment/remission The undersigned hereby applies for the repayment/remission (1) of import/export (1) duties under the following Article of the Code (2)					
<input type="checkbox"/> 236 <input type="checkbox"/> 237 <input type="checkbox"/> 238 <input type="checkbox"/> 239					
14. Acknowledgement of receipt of the application by the customs office of entry in the accounts					
Place and date					
Signature:		Stamp			
15. Comments			16. Place and date Signature of the applicant		

(*) Read the notes on the back of the copy before completing the form.

(*) Deleted as appropriate.

(*) Make a cross in the appropriate box thus — (X)

▼ **B****NOTES****A. General note**

The part of the form constituting the application (boxes 1 to 13) shall be filled in by the applicant so that it is legible and indelible, preferably using a typewriter. It shall not contain any erasures or overwritten words. Correction should be made by crossing out the wrong words and adding further particulars, as necessary. Corrections must be initiated by the applicant and endorsed by the customs authority.

B. Special notes referring to the relevant box numbers

1. Give the name or business name and full address, including the postal code if any, of the applicant or of his representative.

Where the applicant is not the person who paid or is liable to pay the duties to which the application refers, indicate the capacity in which the applicant is acting.

2. Give particulars of the customs declaration which gave rise to entry in the accounts of the duties the repayment or remission of which is requested.
3. Give the name and full address, including postal code if any, of the customs office where the import or export duties to which the application refers were entered in the accounts.
4. This box must be filled in where the goods are under the jurisdiction of a customs office other than the one referred to in box 3. In this case, give the name and full address, including postal code if any, of the customs office concerned.
5. Give the full address, including postal code if any.
6. This box must be filled in where Article 897 of Regulation (EEC) No 2454/93 is applied. In this case, give the quantity, nature and value of the goods which are to remain in the Community. Where the goods are for delivery to a charity, give the name or business name and full address, including postal code if any.
7. Except in the cases referred to in Article 236 of the Code, give the customs-approved use or treatment to which the applicant wishes to assign the goods, depending on the possibilities available in the particular case under the Community Customs Code (re-export from the customs territory of the Community, entry for another customs procedure, placing in a free zone or free warehouse, destruction, or delivery to a charity). Where the new customs treatment is subject to authorization, give particulars of such authorization.

Indicate if prior assignment to the treatment or use in question is requested.

8. Give the usual trade description of the goods or their tariff description. The description must correspond to that used in the customs declaration referred to in box 2.
State the number, kind, marks and identification numbers of packages. In the case of unpackaged goods, state the number of objects or indicate 'in bulk'.
9. Give the combined nomenclature code.

10. The quantity must be expressed in units of the metric system kilograms, litres, square metres, etc.

11. Indicate the customs value of the goods.

12. Amounts should be entered in national currency indicated as follows:

- ▶⁽¹⁾ — EUR: euro
- DKK: Danish kroner
- SEK: Swedish kronor
- GBP: Pound sterling ◀
- ▶⁽²⁾ — CZK: Czech koruna
- EEK: Estonian kroons
- CYP: Cyprus pounds
- LVL: Latvian lati
- LTL: Lithuanian litai
- HUF: Hungarian forint
- MTL: Maltese lira
- PLN: Polish zloty
- SLT: Slovenian tolar
- SKK: Slovak koruny ◀

13. List of circumstances which may give rise to repayment/remission (for guidance):

Article 236: No customs debt/amount fixed at a level higher than that lawfully due;

Article 237: Goods entered in error for a customs procedure involving the obligation to pay duties;

Article 238: Goods refused because they are defective or do not comply with the contract;

Article 239: Special situations resulting from circumstances in which no deception or obvious negligence may be attributed to the person concerned.

Where the application is based on Article 239 of the Code, the special situation must be described in detail in an annex to the application.

NB: Where the application is based on an Article of the Code other than Article 239 an explanatory annex may likewise be attached where necessary.

When an annex is attached, indicate the number of pages.

C. Technical provisions regarding the application form for repayment or remission

1. The form on which the application for repayment or remission is to be drawn up shall be printed on self copying white paper free of mechanical pulp and dressed for writing purposes and shall weigh between 40 and 65 g/m².
2. The size of the form shall be 210 × 297 mm.
3. Member States shall be responsible for having the form printed. The form shall bear an individual serial number.
4. The form shall be printed in one of the official languages of the European Communities designated by the customs authorities of the Member State in which the application for repayment or remission is made.

▶⁽¹⁾ **M21**

▶⁽²⁾ **A2**

▼ **B**

ANNEX 112

EUROPEAN COMMUNITY**REQUEST FOR EXAMINATION**

ORIGINAL	1	1. Name and address of decision making authority <input type="checkbox"/>	2. Repayment/remission of duties File reference of decision-making customs authority
		3. Name and address of supervising customs office	4. Application of Article 885 of Regulation (EEC) No 2454/93
		5. Location of goods ⁽¹⁾	6. Name and full address of person from whom the information requested may be obtained or who can assist the supervising customs office
	1		7. List of documents attached
	8. Purpose of the request — that the following be obtained: — that the following examination be carried out:		
	9. Decision-making customs authority Place and date: Signature: Stamp		

⁽¹⁾ Complete only when applicable.

▼B

REPLY OF SUPERVISING CUSTOMS OFFICE (1)

ACKNOWLEDGEMENT OF RECEIPT (1)

10. Information obtained	
11. Result of examination carried out	
12. Place and date:	13. Signature and official stamp:

(1) Delete as appropriate. The supervising customs office shall give an acknowledgment of receipt only if it is unable to give effect to the request on two weeks of the date of receipt thereof. Acknowledgment of receipt shall be made on a copy of this document.

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EUROPEAN COMMUNITY

REQUEST FOR EXAMINATION

COPY	2	1. Name and address of decision making authority <input type="checkbox"/>	2. Repayment/remission of duties File reference of decision-making customs authority
		3. Name and address of supervising customs office	4. Application of Article 885 of Regulation (EEC) No 2454/93
		5. Location of goods ⁽¹⁾	6. Name and full address of person from whom the information requested may be obtained or who can assist the supervising customs office
	2		7. List of documents attached
<p>8. Purpose of the request</p> <p>— that the following be obtained:</p> <p>— that the following examination be carried out:</p>			
<p>9. Decision-making customs authority</p> <p style="text-align: center;">Place and date:</p> <p style="text-align: center;">Signature:</p>			
			Stamp

(1) Complete only when applicable.

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REPLY OF SUPERVISING CUSTOMS OFFICE (1)

ACKNOWLEDGEMENT OF RECEIPT (1)

10. Information obtained	
11. Result of examination carried out	
12. Place and date:	13. Signature and official stamp:

(1) Delete as appropriate. The supervising customs office shall give an acknowledgement of receipt only if it is unable to give effect to the request within two weeks of the date of receipt thereof. Acknowledgement of receipt shall be made on a copy of this document.

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OBSERVATIONS

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*PROVISIONS IMPLEMENTING THE COMMUNITY CUSTOMS CODE*

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