31987R2723

11.9.1987 *IL-ĠURNAL UFFIĊJALI TAL-KOMUNITAJIET EWROPEJ* L 261/11

IR-REGOLAMENT TAL-KUMMISSJONI (KEE) Nru 2723/87

ta' l-10 ta' Settembru 1987

li jistabbilixxi regoli dettaljati speċjali għall-applikazzjoni tas-sistema ta' rifużjonijiet ta'l-esportazzjoni fuq ċereali esportati fil-għamla ta' prodotti ta'l-għaġin li jaqgħu taħt l-intestatura Nru 19.03 tat-Tariffa Doganali Komuni

IL-KUMMISSJONI TAL-KOMUNITAJIET EWROPEJ,

Wara li kkunsidrat it-Trattat li jwaqqaf il-Komunità Ekonomika Ewropea,

Wara li kkunsidrat ir-Regolament tal-Kunsill (KEE) Nru 2727/75 tad-29 ta' Ottubru 1975 dwar l-organizzazzjoni komuni tas-suq taċ-ċereali ([1]), kif l-aħħar emendat bir-Regolament (KEE) Nru 1900/87 ([2]), u b'mod partikolari l-Artikoli 16(6) u 24 tiegħu,

Wara li kkunsidrat ir-Regolament (KEE) Nru 2746/75 tad-29 ta' Ottubru 1975 li jistabbilixxi regoli ġenerali għall-għoti ta' rifużjonijiet ta'l-esportazzjoni fuq iċ-ċereali u l-kriterji għall-iffissar ta'l-ammont ta' dawn ir-rifużjonijiet (3), u b'mod partikolari l-Artikolu 8(2), it-tieni subparagrafu, u ([3]) tiegħu,

Billi r-Regolament tal-Kummissjoni (KEE) Nru 2730/79 ([4]), kif emendat l-aħħar bir-Regolament (KEE) Nru 1180/87 ([5]), jistabbilixxi regoli komuni dettaljati għall-applikazzjoni tas-sistema ta' rifużjonijiet ta'l-esportazzjoni fuq prodotti agrikoli;

Billi l-Artikolu 4(7) tar-Regolament tal-Kunsill (KEE) Nru 3035/80 ([6]) tal-11 ta' Novembru 1980, kif emendat l-aħħar bir-Regolament (KEE) Nru 2223/86 ([7]), jipprovdi li rifużjoni fuq merkanzija li taqa' taħt l-intestatura Nru 19.03 tat-Tariffa Doganali Komuni tkun tista' tiġi ddivrenzjata skond id-destinazzjoni tagħha;

Billi, taħt il-politika kummerċjali komuni, saret disposizzjoni għal din id-divrenzjazzjoni, b'effett mill-1 ta' Ottubru 1987, fil-każ ta'l-esportazzjoni tal-merkanzija msemmija lejn l-Istati Uniti ta'l-Amerika;

Billi l-Artikolu 21 tar-Regolament (KEE) Nru 2730/79 jipprovdi li parti mir-rifużjoni mħallsa ladarba l-prodott ikun telaq mit-territorju ġeografiku tal-Komunità għandha tiġi kkalkolata fuq il-bażi tar-rata l-aktar baxxa tar-rifużjoni; billi dik id-dispożizzjoni tista' ttellef l-esportazzjoni ta' prodotti ta'l-għaġin li jaqgħu taħt l-intestatura Nru 19.03 tat-Tariffa Doganali Komuni lejn destinazzjonijiet minbarra l-Istati Uniti ta'l-Amerika; billi, għalhekk, għandha ssir eċċezzjoni għal dik ir-regola;

Billi l-konċett tar-rata l-aktar baxxa ta' rifużjoni tinstab ukoll fir-Regolament tal-Kunsill (KEE) Nru 565/80 ([8]);

Billi, minħabba f'hekk, jeħtieġ li jiġu stabbiliti regoli dettaljati għall-applikazzjoni tas-sistema tar-rifużjoni li jevitaw li l-formalitajjiet amministrattivi ta' kontroll ikunu ta' toqol żejjed; billi, għal dan il-għan għandhom isiru eċċezzjonijiet għal ftit mir-regoli dettaljati stabbiliti fir-Regolament (KEE) Nru 2730/79;

Billi, wara d-deċiżjonijiet meħuda taħt il-politika kummerċjali komuni, għandhom isiru dispożizzjonijiet sabiex il-prodotti ta'l-għaġin li jaqgħu taħt l-intestatura Nru 19.03 tat-Tariffa Komuni Doganali u li jiġu esportati lejn l-Istati Uniti jiġu akkumpanjati jew b'ċertifikat li jiddikkjara li dawn ikunu qed jiġu esportati wara operazzjoni ta'l-ipproċessar għad-dħul jew b'ċertifikat li jiddikjara li huma jikkwalifikaw għal rata ta' rifużjoni applikabbli, fil każ ta' esportazzjonijiet lejn l-Istati Uniti ta'l-Amerika, għall-prodotti bażiċi taċ-ċereali użati fil-fabbrikazzjoni tagħhom; billi l-imsemmija prodotti ta'l-għaġin jistgħu jkunu ġew fabbrikati minn prodotti bażiċi taċ-ċereali li xi whud minnhom kienu f'waħda mis-sitwazzjonijiet imsemmija fl-Artikolu 9(2) tat-Trattat; billi, għalhekk, għandhom isiru dispożizzjonijiet sabiex kwalunkwe kwantità ta' prodotti ta'l-għaġin esportata lejn l-Istati Uniti ta'l-Amerika jkun jista' jkollha magħha biss wieħed miċ-ċertifikati msemmija;

Billi, biex is-sistema titmexxa b'mod xieraq, l-awtoritajjiet kompetenti fl-Istati Membri għandhom jgħaddu l-istatistiċi neċessarji lill-Kummissjoni;

Bill l-miżuri previsti f'dan ir-Regolament huma skond l-opinjoni tal-Kumitat tal-Ġestjoni għaċ-Ċereali,

ADDOTTAT DAN IR-REGOLAMENT:

Artikolu 1

1. Meta merkanzija li taqa' taħt l-intestaura Nru 19.03 tat-Tariffa Komuni Doganali tkun qed tiġi esportata lejn destinazzjoni li ma tkunx l-Istati Unitia ta'l-Amerika, ir-rifużjoni speċjali iffissata għall-esportazzjoni taċ-ċereali fil-għamla ta' merkanzija li taqa' taħt it-testatura Nru 19.03 tat-Tariffa Doganali Komuni lejn l-Istati Uniti ta'l-Amerika m'għandhiex titqies:

— sabiex tiġi stabbilita rata ta' rifużjoni l-aktar baxxa fis-sens ta'l-Artikolu 21 tar-Regolament (KEE) Nru 2730/79,

— għall-finijiet ta'l-Artikolu 4(7) u 5 (3) tar-Regolament (KEE) Nru 565/80.

([1]) ĠU L 281, ta' l-1.11.1975, p. 1.
([2]) ĠU L 182, tat-3.7.1987, p. 40.
([3]) ĠU L 281, ta' l-1.11.1975, p. 78.
([4]) ĠU L 317, tat-12.12.1979, p. 1.
([5]) ĠU L 113, tat-30.4.1987, p. 27.
([6]) ĠU L 323, tad-29.11.1980, p. 27.
([7]) ĠU L 194, tas-17.7.1986, p. 1.
([8]) ĠU L 62, tas-7.3.1980, p. 5.

2. Meta l-prodotti taċ-ċereali koperti b'waħda mis-sitwazzjonijiet imsemmija fl-Artikolu 9(2) tat-Trattat jintużaw għall-fabbrikazzjoni ta' merkanzija li taqa' taħt l-intestatura Nru 19.03 tat-Tariffa Doganali Komuni u dawn ikun fihom ċerti kwantitajjiet ta' ċereali soġġetti għall-arranġamenti ta'l-ipproċessar għad-dħul, l-esportazzjoni tal-merkanzija msemmija lejn l-Istati Uniti ta'l-Amerika m'għandhiex tagħti d-dritt għar-rifużjoni ta'l-esportazzjoni fuq l-imsemmi prodott.

Artikolu 2

1. Għall-esportazzjoni lejn l-Istati Uniti ta'l-Amerika ta' merkanzija li taqa' taħt l-intestatura Nru 19.03 tat-Tariffa Doganali Komuni l-awtoritajjiet kompetenti ta'l-Istati Membri fejn id-dikjarazzjoni ta'l-esportazzjoni tiġi aċċettata mid-dwana, għandhom, fuq it-talba tal-partijiet in kwistjoni, joħorġu 'Ċertifikat għall-esportazzjoni bir-rifużjoni fuq għaġin lejn l-USA', minn issa 'l quddiem imsejjaħ 'iċ-ċertifikat P 2'.

2. Iċ-'ċertifikat P 2', li għandu jikkonsisti f'oriġinal u tliet kopji, għandu jiġi mfassal skond l-eżemplari fl-Anness I u għandu jilħaq il-kondizzjonijiet tekniċi stabbiliti fl-Anness II.

Artikolu 3

1. Iċ-'ċertifikat P 2' u l-kopji tiegħu għandhom jinħarġu mill-aġenzija tal-ħruġ maħtura minn kull Stat Membru. Kull ċertifikat maħruġ għandu jiġi identifikat b'numru tas-serje assenjat lilu mill-aġenzija tal-ħruġ. Il-kopji għandu jkollhom l-istess numru tas-serje bħal dak ta'l-oriġianl.

2. L-aġenzija li toħroġ iċ-ċertifikati għandha żżomm il-kopja Nru 3 u għandha tagħti l-oriġinal u ż-żewġ kopji l-oħra, li jkollhom it-timbru ta'l-aġenzija fil-kaxxa numru 9 kif jidher fil-kampjun fl-Anness I, lill-esportatur, li għandu jippreżentahom lill-uffiċċju tad-dwana fil-Komunità waqt l-aċċettazzjoni tad-dikjarazzjoni ta'l-esportazzjoni lejn il-USA.

Artikolu 4

1. Għall-finijiet ta' dan ir-Regolament, id-dokument imsemmi fl-Artikolu 4(3) tar-Regolament (KEE) Nru 2730/79 għandu jiddikjara, flimkien ma'l-informazzjoni prevista fl-imsemmi l-Artikolu 4(3), in-numru tas-serje u d-data tal-ħruġ taċ-'ċertifikat P 2'.

2. L-uffiċċju tad-dwana msemmi fl-Artikolu3 (2) għandu jivverifika li d-dokument jimtela kif suppost u għandu jagħmel timbru tiegħu fil-kaxxa 10 ta'l-oriġinal u tal-kopji taċ-'ċertifikat P 2' kif jidher fil-kampjun fl-Anness I.

3. Fil-każ imsemmi fl-Artikolu 1(2), iċ-'ċertifikat P 2' m'għandux jiġi ttimbrat mill-uffiċċju tad-dwana msemmi fl-Artikolu 3(2).

4. Iċ-'ċertifikat P 2' u l-kopja Nru 1 tiegħu għandhom jingħataw mill-uffiċċju tad-dwana lill-parti interessata. Il-kopja Nru 2 taċ-ċertfikat għandha tinżamm mill-uffiċju tad-dwana.

Artikolu 5

Fil-każ ta' esportazzjoni lejn l-Istati Uniti ta'l-Amerika, l-aġenzija li tħallas għandha tħallas ir-rifużjoni meta l-kondizzjonijiet ġenerali msemmija fir-regoli Komunitarji jkunu ntlaħqu u meta, flimkien ma' dan, id-dokument imsemmi fl-Artikolu 4(1), mimli kif imiss, u l-oriġinal taċ-'ċertifikat P 2', ittimbrat mill-uffiċċju tad-dwana msemmi fl-Artikolu 3(2), jiġu ppreżentati.

Artikolu 6

L-awtoritajjiet kompetenti ta'l-Istati Membri għandhom jgħaddu lill-Kummissjoni, sa mhux aktar tard mill-aħħar ta' kull xahar, l-istatistiċi li għandhom x'jaqsmu mal-kwantitajjiet tal-prodotti ta'l-għaġin, skond is-subintestatura tat-tariffa, li fir-rigward tagħha ċ-ċertifikati jkunu ġew ittimbrati matul ix-xahar ta' qabel mill-uffiċċji tad-dwana fejn id-dikjarazzjonijiet ta'l-esportazzjoni jkunu ġew aċċettati, fl-indirizz li ġej:

Kummissjoni tal-Komunitajiet Ewropej
DGIII/B/2
200, rue de la Loi
B-1049 Brussels.

Artikolu 7

Dan-ir-Regolament għandu jidħol fis-seħħ fit-tielet jum wara l-pubblikazzjoni tiegħu fil-*Ġurnal Uffiċjali tal-Komunitajiet Ewropej*.

Dan għandu jgħodd għall-esportazzjonijiet li fir-rigward tagħhom id-dikjarazzjoni ta'l-esportazzjoni tkun ġiet aċċettata mid-Dwana mill-1 ta' Ottubru 1987.

Dan ir-Regolament għandu jorbot fl-intier tiegħu u japplika direttament fl-Istati Membri kollha.

Magħmul fi Brussel, 10 Settembru 1987.

Għall-Kummissjoni
COCKFIELD
Viċi-President

1. Exporter (Name and full address, including Member State)	**CERTIFICATE FOR THE EXPORT WITH REFUND OF PASTA TO THE USA** **P 2** No ORIGINAL
2. Consignee (Name and full address)	3. ISSUING AUTHORITY
NOTES A. The original and copies 1, 2 and 3 of this form, boxes 1, 2 and 4 to 8 of which must be completed by the exporter, are endorsed by the issuing authority shown in box 3. B. The original and copies 1 and 2 with the endorsement by the issuing authority in box 9 must be presented to the competent customs office in the Community at which the export declaration relating to the goods is lodged. C. Copy 1 with the endorsement, in box 10, by the customs office referred to under B must be presented to the competent customs authorities in the United States of America. D. The original with the endorsement, in box 10, by the customs office referred to under 8 must be sent by the exporter to the paying agency of the Member State of export.	4. Member State of export 5. Country of destination
6. Marks and numbers — Number and kind of packages — Description of goods	7. Gross mass (kg) 8. Net mass (kg)
9. ENDORSEMENT BY ISSUING AUTHORITY This is to certify that the goods described above shall benefit from a rate of refund in conformity with the terms of the EEC/USA settlement on pasta. Place and date: Signature: Stamp:	
10. ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE COMMUNITY This is to certify that customs export formalities for the goods described above have been carried out. Export document: Type: Number: Date of acceptance of declaration: Customs office: Member State: Place and date: Signature: Stamp:	

1. Exporter (Name and full address, including Member State)

CERTIFICATE
FOR THE EXPORT **P 2**
WITH REFUND OF PASTA TO THE USA

No

COPY 1

2. Consignee (Name and full address)

3. ISSUING AUTHORITY

4. Member State of export

5. Country of destination

NOTES

A. The original and copies 1, 2 and 3 of this form, boxes 1, 2 and 4 to 8 of which must be completed by the exporter, are endorsed by the issuing authority shown in box 3.

B. The original and copies 1 and 2 with the endorsement by the issuing authority in box 9 must be presented to the competent customs office in the Community at which the export declaration relating to the goods is lodged.

C. Copy 1 with the endorsement, in box 10, by the customs office referred to under B must be presented to the competent customs authorities in the United States of America.

D. The original with the endorsement, in box 10, by the customs office referred to under 8 must be sent by the exporter to the paying agency of the Member State of export.

6. Marks and numbers — Number and kind of packages — Description of goods

7. Gross mass (kg)

8. Net mass (kg)

9. ENDORSEMENT BY ISSUING AUTHORITY

This is to certify that the goods described above shall benefit from a rate of refund in conformity with the terms of the EEC/USA settlement on pasta.

Place and date: Signature: Stamp:

10. ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE COMMUNITY

This is to certify that customs export formalities for the goods described above have been carried out.

Export document: Type: Number: Date of acceptance of declaration:

Customs office: Member State:

Place and date: Signature: Stamp:

1. Exporter (Name and full address, including Member State)

CERTIFICATE
FOR THE EXPORT **P 2**
WITH REFUND OF PASTA TO THE USA

No

COPY 2

2. Consignee (Name and full address)

3. ISSUING AUTHORITY

4. Member State of export

5. Country of destination

NOTES

A. The original and copies 1, 2 and 3 of this form, boxes 1, 2 and 4 to 8 of which must be completed by the exporter, are endorsed by the issuing authority shown in box 3.

B. The original and copies 1 and 2 with the endorsement by the issuing authority in box 9 must be presented to the competent customs office in the Community at which the export declaration relating to the goods is lodged.

C. Copy 1 with the endorsement, in box 10, by the customs office referred to under B must be presented to the competent customs authorities in the United States of America.

D. The original with the endorsement, in box 10, by the customs office referred to under 8 must be sent by the exporter to the paying agency of the Member State of export.

6. Marks and numbers — Number and kind of packages — Description of goods

7. Gross mass (kg)

8. Net mass (kg)

9. ENDORSEMENT BY ISSUING AUTHORITY

This is to certify that the goods described above shall benefit from a rate of refund in conformity with the terms of the EEC/USA settlement on pasta.

Place and date: Signature: Stamp:

10. ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE COMMUNITY

This is to certify that customs export formalities for the goods described above have been carried out.

Export document: Type: Number: Date of acceptance of declaration:

Customs office: Member State:

Place and date: Signature: Stamp:

1. Exporter (Name and full address, including Member State)

CERTIFICATE
FOR THE EXPORT **P 2**
WITH REFUND OF PASTA TO THE USA

No

COPY 3

2. Consignee (Name and full address)

3. ISSUING AUTHORITY

4. Member State of export

5. Country of destination

NOTES

A. The original and copies 1, 2 and 3 of this form, boxes 1, 2 and 4 to 8 of which must be completed by the exporter, are endorsed by the issuing authority shown in box 3.

B. The original and copies 1 and 2 with the endorsement by the issuing authority in box 9 must be presented to the competent customs office in the Community at which the export declaration relating to the goods is lodged.

C. Copy 1 with the endorsement, in box 10, by the customs office referred to under B must be presented to the competent customs authorities in the United States of America.

D. The original with the endorsement, in box 10, by the customs office referred to under 8 must be sent by the exporter to the paying agency of the Member State of export.

6. Marks and numbers — Number and kind of packages — Description of goods

7. Gross mass (kg)

8. Net mass (kg)

9. ENDORSEMENT BY ISSUING AUTHORITY

This is to certify that the goods described above shall benefit from a rate of refund in conformity with the terms of the EEC/USA settlement on pasta.

Place and date: Signature: Stamp:

10. ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE COMMUNITY

This is to certify that customs export formalities for the goods described above have been carried out.

Export document: Type: Number: Date of acceptance of declaration:

Customs office: Member State:

Place and date: Signature: Stamp:

ANNEX II

Provisions relating to the certificate referred to in Article 2 (2)

1. The form on which the "Certificate for the export with refund of pasta to the USA" is made out is printed on white paper with no mechanical pulp, dressed for writing purposes and weighing between 40 and 65 grams per square metre. It may also be printed on NCR with the same characteristics.

2. The forms shall measure 210 by 297 mm (A4).

3. It is for the Member States to print the forms or to have them printed.

4. Member States may require that, in addition to the English text, the certificate used on their territory is made out in one of their official languages.

5. The original and the copies are filled in either in typescript or in manuscript; in the latter case they must be filled in ink and in block letters.