COMMISSION RECOMMENDATION No 2002/79/ECSC

of 6 September 1979

to the Member States relating to Community monitoring of imports into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community and originating in third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 thereof,

Whereas by recommendation 77/330/ECSC (1), as last amended by recommendation No 220/79/ECSC (2), the Commission established Community monitoring of imports into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community;

Whereas the provisions of the said recommendations have been amended on several occasions since their adoption; whereas the texts are difficult to use as they are spread over various issues of the Official Journal;

Whereas, in order to ensure fuller information on both expected imports and the terms under which they are made, the said provisions should be supplemented; whereas the opportunity should be used to codify them in a single text;

Whereas this system is without prejudice to the maintenance by certain Member States of quantitative restrictions on certain of the products in question in respect of certain third countries,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. Imports into the Community of the iron and steel products covered by the ECSC Treaty, listed in Annex III, and originating in third countries, shall be subject to the issue of an import document.

Such document shall be issued or endorsed by the Member States, free of charge and for any quantities requested, within not more than five working days from the submission of the completed application and presentation of a photocopy of the relevant purchase contract or contracts.

2. The application of paragraph 1 shall be without prejudice to the maintenance of quantitative restrictions imposed by certain Member States on certain iron and steel products in respect of certain third countries.

3. The period of validity of the import document is hereby fixed at two months, without prejudice to possible changes to the import system now in force.

Article 2

1. The importer's application must state:

for goods of whatever origin:

(a) the country of origin and the country of consignment;

(b) the Common Customs Tariff subheading and the NIMEXE code;

(c) the quantity of the goods in tonnes, including tonnage of individual lots;

(d) the name, address, telephone number and telex number of the importer;

(e) the name, address, telephone number and telex number of the exporter;

(f) the proposed date and place (customs office) of importation;

(g) the point of delivery;

(h) the date of the contract for the purchase of the goods and the contract number or any other reference given by the exporter by which the delivery in question may be identified;

(i) where applicable, that the goods in question are intended for processing in performance of a contract to make up work from material supplied and subsequent re-export outside the Community (country of re-export to be specified).

2. The following additional information shall also be supplied.

A. — For concrete reinforcing bars falling within CCT subheading ex 73.10 A II, originating in Switzerland;

— for pig iron and cast iron falling within CCT heading No 73.01, originating in and consigned directly from Brazil;

— for goods originating in one of the countries listed in Annex I;

(1) OJ No L 114, 5. 5. 1977, p. 15.
(2) OJ No L 31, 7. 2. 1979, p. 20.

— for goods originating in and consigned directly from one of the countries listed in Annex II (direct importation) :

(a) a full commercial description of the goods, including exact specifications, sufficient to permit calculation of the delivered price according to the printed price list selected ;

(b) the delivered price per tonne, including customs duties, transport costs to point of delivery and all extras, rebates and any other factors relevant to calculation of the delivered price ;

(c) details of :

— the Community producer's price list chosen for calculating the delivered price, or

— where appropriate the third country offer on which the terms of the delivery have been aligned, giving details sufficient to identify the offer, or

— where appropriate other price (to be justified).

B. — For goods originating in Switzerland other than concrete reinforcing bars falling within CCT subheading ex 73.10 A II ;

— for goods originating in Brazil, other than pig iron and cast iron falling within CCT heading No 73.01, consigned from Brazil ;

— for goods originating in one of the countries listed in Annex I (in addition to the information required under (A)) ;

— for goods originating in one of the countries listed in Annex II but consigned from a third country other than the country of origin (indirect importation) ;

— for goods originating in a third country not listed in Annexes I and II :

(a) a complete description corresponding to that appearing in the list of products subject to basic prices (1) ;

(b) the price free at Community frontier, cif, duty-paid, landed, per tonne, in the currency of the contract.

C. For goods which originate in and are consigned from one of the countries listed in Annex II :

— the date and reference of the bill of lading, if available.

(1) OJ No L 372, 30. 12. 1978, p. 2.

3. In addition, the importer shall declare that no rebate will be granted that is not mentioned in the purchase contract(s).

4. The importer shall certify that this application for an import document is accurate.

5. The importer shall state if his application is a repeat of a previous application concerning the same delivery.

Article 3

1. The Member States shall communicate to the Commission, as soon as such information is established by the competent authorities, any difference between the basic price plus extras published in the *Official Journal of the European Communities* and the price free at Community frontier, cif, duty paid, landed, in European units of account per tonne, for the following goods :

— goods originating in Switzerland other than concrete reinforcing bars falling within CCT subheading ex 73.01 A II,

— goods originating in Brazil, other than pig iron and cast iron falling within CCT heading No 73.01, consigned direct from Brazil,

— goods originating in one of the countries listed in Annex II, but consigned from a third country other than the country of origin,

— goods originating in third countries other than those listed in Annexes I and II.

2. Within the first 10 days of each month Member States shall notify the Commission of :

(a) the tonnage, and the amounts calculated on the basis of the basic cif prices, for which import papers were issued during the preceding month ;

(b) the imports effected in the month preceding that referred to in (a).

3. The information supplied by Member States shall include :

— a breakdown by product (CCT subheading and NIMEXE code),

— a breakdown by country of origin,

— within the total of any one product originating in any one country, the quantities not imported directly from that country, and, where appropriate, a breakdown by country or countries of consignment ; as regards imports actually carried out, such information shall be supplied when it is available,

— the quantities of each product re-exported to the country of origin after inward processing; as regards imports actually carried out, such information shall be supplied when it is available.

Article 4

For the purposes of this recommendation, the country of consignment is deemed to be the last intermediate third country in which the product in question was the subject of 'entrepôt' operations or legal transactions not connected with its transportation.

Article 5

Recommendation 77/330/ECSC is hereby repealed.

Article 6

This recommendation shall be notified to the Member States and published in the *Official Journal of the European Communities*.

It shall enter into force for each Member State on the date of its publication in the *Official Journal of the European Communities*. It shall apply until 31 December 1979.

Done at Brussels, 6 September 1979.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX I

Austria
Finland
Norway
Portugal
Sweden

ANNEX II

Australia
Bulgaria
Czechoslovakia
Hungary
Japan
Poland
Romania
South Africa
South Korea
Spain

ANNEX III

List of products for which the import is subject to the issue of an import document

CCT heading No	NIMEXE code	Products
73.01 B	73.01-21 ; 23 ; 25 ; 27	Haematite pig iron and cast iron
73.01 C	73.01-31 ; 35	Phosphoric pig iron and cast iron
73.01 D	73.01-41 ; 49	Pig iron and cast iron other than spiegeleisen, haematite and phosphoric pig iron and cast iron
73.02 A I	73.02-11	Ferro-manganese containing more than 2 % by weight of carbon (high carbon ferro-manganese)
73.07 A I	73.07-12	Blooms and billets, of iron or steel, rolled (1)
73.07 B I	73.07-21 ; 24	Slabs and sheet bars, of iron or steel, rolled (1)
73.08	73.08-01 ; 03 ; 05 ; 07 ; 21 ; 25 ; 29 ; 41 ; 45 ; 49	Iron or steel coils for re-rolling
73.10 A I	73.10-11	Wire rod of iron or steel
73.10 A II	73.10-13	Concrete reinforcing bars of iron or steel with minor indentations, flanges, grooves or other deformations produced during the rolling process, whether or not twisted after rolling
	73.10-16	Concrete reinforcing bars of iron or steel other than those with minor indentations, flanges, grooves or other deformations produced during the rolling process
		Bars and rods of iron or steel, not further worked than hot-rolled or extruded other than concrete reinforcing bars
73.11 A I	73.11-11 ; 12 ; 14 ; 16 ; 19	Angles, shapes and sections of iron or steel, not further worked than hot-rolled or extruded
73.12 A	73.12-11 ; 19	Hoop and strip of iron or steel, not further worked than hot-rolled
73.13 A II	73.13-16	'Electrical' sheets and plates of iron or steel, other than with a watt-loss, regardless of thickness, of 0·75 watt or less
73.13 B I a)	73.13-17 ; 19 ; 21 ; 23 ; 26	Sheets and plates, other than 'electrical', not further worked than hot-rolled, of a thickness of 2 mm or more
73.13 B II b)	73.13-43 ; 45	Sheets and plates, other than 'electrical', not further worked than cold-rolled, of a thickness of more than 1 mm but less than 3 mm
73.13 B II c)	73.13-47 ; 49	Sheets and plates, other than 'electrical', not further worked than cold-rolled, of a thickness of 1 mm or less
73.13 B IV c)	73.13-67 ; 68 ; 72 ; 74	Sheets and plates, other than 'electrical', zinc-coated or lead-coated
73.15 A I b) 2	73.61-50	Blooms and billets, slabs and sheet bars of high carbon steel, other than forged (1)
73.15 A V b) 1	73.63-21	Wire rod of high-carbon steel
73.15 B I b) 2	73.71-53 ; 54 ; 55 ; 56 ; 59	Blooms, billets, slabs and sheet bars of alloy steel, other than forged (1)
73.15 B V b) 1	73.73-23 ; 24 ; 26 ; 29	Wire rod of alloy steel
73.15 B V b) 2	73.73-33 ; 34 ; 35 ; 36 ; 39	Bars and rods and angles, shapes and sections of alloy steel, not further worked than hot-rolled or extruded, other than wire rod
73.15 B VII a) 2	73.75-19	'Electrical' sheets and plates of alloy steel, other than with a watt-loss, regardless of thickness, of 0·75 watt or less
73.15 B VII b) 1	73.75-23 ; 24 ; 29 ; 33 ; 34 ; 39 ; 43 ; 44 ; 49	Sheets and plates of alloy steel, other than 'electrical', not further worked than hot-rolled
73.15 B VII b) 2 bb)	73.75-63 ; 64 ; 69	Sheets and plates, other than 'electrical', not further worked than cold-rolled, of a thickness of less than 3 mm

(1) Including products of the same form in continuous casting.