COMMISSION RECOMMENDATION No 3118/94/ECSC

of 19 December 1994

on prior Community surveillance of imports of certain iron and steel products covered by the ECSC Treaty originating in non-member 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 No 85/94/ECSC [1], the Commission made imports into the Community of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community subject to Community surveillance;

Whereas, in view of current conditions in the steel industry, such prior Community surveillance continues to be necessary to provide statistical information to permit rapid analysis of import trends;

Whereas the completion of the internal market requires that the formalities to be accomplished by Community importers be the same wherever the goods may be cleared;

Whereas the import documents issued for the purposes of Community surveillance must be valid throughout the Community, regardless of the Member State of issue;

Whereas the issue of import documents, while subject to standard conditions at Community level, is to be the responsibility of the national authorities,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. The release for free circulation in the Community of iron and steel products covered by the ECSC Treaty listed in Annex I, originating in non-member countries other than the countries which are parties to the Agreement on the European Economic Area (EEA), shall be subject to the issue of an import document.

2. The import document or licence (import authorization) shall be issued by the competent authority in the Member States, free of charge and for any quantities requested, upon receipt of the application and in any case within not more than 10 working days of the submission by a Community importer of the completed application, regardless of the importer's place of establishment in the Community.

3. Paragraph 2 shall apply without prejudice to the applicability of Community quantitative limits or to decisions taken in the framework of an agreement or the management of a quota.

4. An import document or licence issued by one of the authorities listed in Annex II shall be valid throughout the Community.

5. The importer's application shall include the particulars provided for in Article 2 (1). Where the goods are to be put into free circulation in a Member State other than that which issued the import document or licence, the form provided for in Annex III must be used.

6. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

— the period of validity of the import document or licence is hereby fixed at four months;

— unused or partly used import documents or licences may be renewed.

Article 2

1. The importer's application must state:

(a) the consignor's name and address;

(b) the full name and address of the importer (consignee);

(c) the exact decription of the goods and the combined nomenclature code(s);

(d) the country of origin;

(e) the country of consignment;

(f) the net weight, by combined nomenclature heading;

(g) the cif value at Community frontier by combined nomenclature heading;

(h) whether the products concerned are seconds or of substandard quality [2];

(i) the proposed period and place(s) of customs clearance.

[1] OJ No L 17, 20. 1. 1994, p. 1.

[2] Under the criteria given in OJ No C 180, 11. 7. 1991, p. 4.

2. The importer shall state whether his application is a repeat of a previous application concerning the same contract.

3. The importer shall certify that his application is accurate and shall submit a copy of the contract of sale or purchase, the *pro forma* invoice and/or, in cases where the goods are not directly purchased in the country of production, a certificate of production issued by the producing steel mill.

Article 3

Where agreed between the Communtiy and any particular third country, an export licence issued by the authorities of that country shall also be required for the import into the Community of the ECSC products concerned. The list of countries covered by such agreements, together with the date of entry into force of the agreements, shall be published and updated in the form of annexes to this recommendation.

Article 4

1. Without prejudice to Article 1 (3), Article 2 (1) (g) shall not prevent release for free circulation in cases where the unit price for transaction exceeds that indicated in the import document.

2. Without prejudice to Article 1 (3), Article 2 (1) (f) shall not prevent release for free circulation where the quantity of products presented on import does not exceed that stipulated in the import document or licence by more than 5 % on aggregate.

3. Where the goods are to put into free circulation in a Member State other than the one in which the import document or licence was issued, the authority which issued the authorization shall send it directly, together with the application referred to in Article 1 (5), to the licensing authority in the Member State of importation. The latter authority shall if necessary automatically endorse or confirm the authorization issued by the first authority, which shall then be forwarded immediately to customs at the intended place of importation.

4. Applications for import documents or licences and the licences themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 5

1. Within the first ten days of each month, the Member States shall notify the Commission of the tonnage and values (calculated in ECU) for which import documents or licences were issued during the preceding month, giving the particulars entered in the importers' applications under Article 2 (1) (c) to (h).

2. The Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant an import document or licence.

Article 6

This recommendation shall be applicable from 1 January 1995.

It shall apply until 31 December 1995.

Done at Brussels, 19 December 1994.

For the Commission

Leon BRITTAN

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

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ANNEX II

MEMBER STATES' LICENSING ADDRESSES

BELGIUM

Ministère des affaires économiques
Office central des contingents et licences
rue J. A. De Mot 24-26
B-1040 Bruxelles
Fax : 32-2/230 83 22

Ministerie van Economische Zaken
Centrale Dienst voor Contingenten en Vergunningen
J.-A. De Motstraat 24-26
B-1040 Brussel
Fax : 32-2/230 83 22

SPAIN

Ministerio de Comercio y Turismo
Dirección General de Comercio Exterior
Paseo de la Castellana 162
E-28046 Madrid
Fay : 34-1/563 18 23

GREECE

Υπουργείο Εθνικής Οικονομίας
Διεύθυνση Ρυθμιστικών Θεμάτων
Εξωτερικού Εμπορίου
Μητροπόλεως 1, Πλατεία Συντάγματος
GR-10557 Αθήνα
Fax : 30-1/323 43 93

UNITED KINGDOM

Department of Trade and Industry, North East,
Import Licensing Branch,
Queensway House, West Precinct,
UK-Billingham, Cleveland,
TS23 2NF ;
Telefax : 44-642/53 35 57

IRELAND

Department of Trade and Industry,
Trade Regulation Branch,
Frederick Building, Setanda Centre,
South Frederick Street,
IRL-Dublin 2 ;
telefax : 353-1/679 57 10

AUSTRIA

Bundesministerium für wirtschaftliche
Angelegenheiten
Außenwirtschaftsadministration
Landstrasser Hauptstraße 55-57
A-1030 Wien
Fax : 43-1/715 83 47

DENMARK

Erhvervsfremme Styrelsen
Søndergade 25
DK-8600 Silkeborg
Fax : 45-87 20 40 77

GERMANY

Bundesamt für Wirtschaft, Dienst 01
Postfach 5171
D-65762 Eschborn 1
Fax : 49-6196/40 42 12

FRANCE

Ministère de l'industrie
Seribe
3-5, rue Barbet-de-Jouy
F-75353 Paris 07 SP
Fax : 33-1/43 19 43 69

THE NETHERLANDS

Centrale Dienst voor In- en Uitvoer
Postbus 30.003, Engelse Kamp 2
NL-9722 AX Groningen
Fax : 31-50/26 06 98

PORTUGAL

Direcção-Geral do Comércio Externo
Av. da República, 79
P-1000 Lisboa
Fax : 351-1/793 22 10

ITALY

Ministero per il Commercio estero
D.G. Import-export, Division V
Via Boston
I-00144 Roma
Fax : 39-6/59 93 26 36 ; 59 93 26 37

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Téléfax : 352/46 61 38

FINLAND

National Board of Customs,
Annankatu 12 A,
FIN-00120 Helsinki ;
Telefax : 358-0/614 27 64

SWEDEN

Swedish National Board of Trade,
Box 1209,
S-11182 Stockholm ;
Telefax : 46-8/20 03 24.

ANNEX III

EUROPEAN COMMUNITY **IMPORT LICENCE**

1

Holder's copy

1

1. Consignee (name, full address, country, VAT number)

2. Issue number

3. Quota period

4. Authority responsible for issue (name, address and telephone No)

5. Declarant/representative as applicable (name and full address)

6. Country of origin (and geonomenclature code)

7. Country of consignment (and geonomenclature code)

8. Last day of validity

9. Description of goods

10. CN code

11. Quantity expressed in quota unit

12. Security/guarantee (as applicable)

13. Further particulars

14. Competent authority's endorsement

Date :

Signature : Stamp

15. ATTRIBUTIONS

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof

16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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Extension pages to be attached hereto.

EUROPEAN COMMUNITY **IMPORT LICENCE**

2

Copy for the issuing authority

2

1. Consignee (name, full address, country, VAT number)

2. Issue number

3. Quota period

4. Authority responsible for issue (name, address and telephone No)

5. Declarant/representative as applicable (name, and full address)

6. Country of origin (and geonomenclature code)

7. Country of consignment (and geonomenclature code)

8. Last day of validity

9. Description of goods

10. CN code

11. Quantity expressed in quota unit

12. Security/guarantee (as applicable)

13. Further particulars

14. Competent authority's endorsement

Date :

Signature : Stamp

15. ATTRIBUTIONS

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof

16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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