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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1499/2002

of 20 June 2002

concerning the export of certain steel products from Romania to the Community for the period from 1 July to 31 December 2002 (double-checking system)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part [1], entered into force on 1 February 1995.

(2) The Parties have agreed, by Decision No 3/2002 of the EU-Romania Association Council [2], to reintroduce the double-checking system for the period 1 July to 31 December 2002,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 31 December 2002, in accordance with the provisions of Association Council Decision No 3/2002, imports into the Community of certain iron and steel products originating in Romania, as listed in Annex I, shall be subject to the presentation of an import document issued by the authorities in the Community.

2. The import document shall be made out on a form corresponding to the European Community Surveillance Document model set out in Annex II.

3. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter referred to as the combined nomenclature or, in abbreviated form, CN). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

4. For the period specified in paragraph 1, imports into the Community of the products listed in Annex I shall also be subject to the issue of an export document issued by the competent Romanian authorities. The importer must present the original of the export document no later than 31 March of the year following that in which the goods covered by the document were shipped.

5. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.

6. The export document shall conform to the model shown in Annex III. It shall be valid for exports throughout the customs territory of the Community.

7. Goods shipped before 1 July 2002 shall be excluded from the scope of this Regulation.

Article 2

1. The import document referred to in Article 1(1) shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

2. An import document issued by one of the competent national authorities listed in Annex IV shall be valid throughout the Community.

3. The importer's application shall include the following elements:

(a) the name and full address of the applicant (including telephone and fax numbers, and any identification number used by the competent national authorities) and VAT registration number, if subject to VAT;

(b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and fax numbers);

(c) the full name and address of the exporter;

[1] OJ L 357, 31.12.1994, p. 2.
[2] See page 38 of this Official Journal.

(d) the exact description of the goods, including:
- their trade name,
- the combined nomenclature (CN) code(s),
- the country of origin,
- the country of consignment;

(e) the net weight, expressed in kg, and the quantity in the unit prescribed where other than net weight, by combined nomenclature heading;

(f) the cif value of the goods in euro at the Community frontier by combined nomenclature heading;

(g) whether the products concerned are seconds or of substandard quality [1];

(h) the proposed period and place of customs clearance;

(i) whether the application is a repeat of a previous application concerning the same contract;

(j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also 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.

4. Import documents may be used only for such time as arrangements for liberalisation of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or measures taken in the framework of an agreement or the management of a quota:

— the period of validity of the import document is hereby fixed at four months,

— unused or partly used import documents may be renewed for an equal period.

5. The importer shall return import documents to the issuing authority at the end of their period of validity.

Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the import document by less than 5 % or that the total value or quantity of the products presented for import exceeds the value or quantity given in the import document by less than 5 % shall not preclude the release for free circulation of the products in question.

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

Article 4

1. Within the first 10 days of each month, Member States shall communicate to the Commission:

(a) details of the quantities and values (calculated in euro) for which import documents were issued during the preceding month;

(b) details of imports during the month preceding the month referred to in (a).

The information provided by Member States shall be broken down by product, CN code and by country.

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

Article 5

All reports provided for in these provisions shall be addressed to the Commission of the European Communities and sent electronically via the integrated network set up for this purpose, save where overriding technical reasons provisionally make it necessary to use another means of communication.

Article 6

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

It shall apply from 1 July 2002.

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

Done at Madrid, 20 June 2002.

For the Council

The President

R. DE RATO Y FIGAREDO

[1] Under the criteria given in OJ C 180, 11.7.1991, p. 4.

ANNEX I

ROMANIA

List of products subject to double-checking (2002)

7202 11 20
7202 11 80
7202 99 11
7203 90 00
7206 10 00
7206 90 00
7208 10 00
7208 25 00
7208 26 00
7208 27 00
7208 36 00
7208 37 10
7208 37 90
7208 38 10
7208 38 90
7208 39 10
7208 39 90
7208 40 10
7208 40 90
7208 51 10
7208 51 30
7208 51 50
7208 51 91
7208 51 99
7208 52 10
7208 52 91
7208 52 99
7208 53 10
7208 53 90
7208 54 10
7208 54 90
7208 90 10
7209 15 00
7209 16 10
7209 16 90
7209 17 10
7209 17 90
7209 18 10
7209 18 91
7209 18 99
7209 25 00
7209 26 10
7209 26 90
7209 27 10
7209 27 90
7209 28 10
7209 28 90
7209 90 10
7210 11 10
7210 12 11
7210 12 19
7210 20 10
7210 30 10
7210 41 10
7210 49 10
7210 50 10
7210 61 10
7210 69 10
7210 70 31
7210 70 39
7210 90 31
7210 90 33
7210 90 38
7211 13 00
7211 14 10
7211 14 90
7211 19 20
7211 19 90
7211 23 10
7211 23 51
7211 29 20
7211 90 11
7212 10 10
7212 10 91
7212 20 11
7212 30 11
7212 40 10
7212 40 91
7212 50 31
7212 50 51
7212 60 11
7212 60 91
7213 10 00
7213 20 00
7213 91 10
7213 91 20
7213 91 41
7213 91 49
7213 91 70
7213 91 90
7213 99 10
7213 99 90
7214 20 00
7214 30 00
7214 91 10
7214 91 90
7214 99 10
7214 99 31
7214 99 39
7214 99 50
7214 99 61
7214 99 69
7214 99 80
7214 99 90
7215 90 10
7216 10 00
7216 21 00
7216 22 00
7216 31 11
7216 31 19
7216 31 91
7216 31 99
7216 32 11
7216 32 19
7216 32 91
7216 32 99
7216 33 10
7216 33 90
7216 40 10
7216 40 90
7216 50 10
7216 50 91
7216 50 99
7216 99 10
7219 11 00
7219 12 10
7219 12 90
7219 13 10
7219 13 90
7219 14 10
7219 14 90
7219 21 10
7219 21 90
7219 22 10
7219 22 90
7219 23 00
7219 24 00
7219 31 00
7219 32 10
7219 32 90
7219 33 10
7219 33 90
7219 34 10
7219 34 90
7219 35 10
7219 35 90
7219 90 10
7220 11 00
7220 12 00
7220 20 10
7220 90 11
7220 90 31
7221 00 10
7221 00 90
7222 11 11
7222 11 19
7222 11 21
7222 11 29
7222 11 91
7222 11 99
7222 19 10
7222 19 90
7222 30 10
7222 40 10
7222 40 30
7225 11 00
7225 19 10
7225 19 90
7225 20 20
7225 30 00
7225 40 20
7225 40 50
7225 40 80
7225 50 00
7225 91 10
7225 92 10
7225 99 10
7226 11 10
7226 19 10
7226 19 30
7226 20 20
7226 91 10
7226 91 90
7226 92 10
7226 93 20
7226 94 20
7226 99 20
7227 10 00
7227 20 00
7227 90 10
7227 90 50
7227 90 95
7228 10 10
7228 10 30
7228 20 11
7228 20 19
7228 20 30
7228 30 20
7228 30 41
7228 30 49
7228 30 61
7228 30 69
7228 30 70
7228 30 89
7228 60 10
7228 70 10
7228 70 31
7228 80 10
7228 80 90
7301 10 00

ANNEX II

EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

1

Holder's copy

1

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

2. **Serial No of issue**

3. **Proposed place and date of import**

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**

10. **CN code and category**

11. **Quantity in kilograms (net mass) or in additional units**

12. **Value in euro, cif at Community frontier**

13. **Further particulars**

14. **Stamp of the competent authority**

Date: .....

Signature: ..... Stamp: