# Council Regulation (EC) No 75/2008 of 28 January 2008 amending Regulation (EC) No 1207/2001 on procedures to facilitate the issue or the making out in the Community of proofs of origin and the issue of certain approved exporter authorisations under the provisions governing preferential trade between the European Community and certain countries (Text with EEA relevance)

## COUNCIL REGULATION (EC) No 75/2008

of 28 January 2008

amending Regulation (EC) No 1207/2001 on procedures to facilitate the issue or the making out in the Community of proofs of origin and the issue of certain approved exporter authorisations under the provisions governing preferential trade between the European Community and certain countries

(Text with EEA relevance)

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) Regulation (EC) No 1207/2001[(1)] lays down provisions to support the correct issue or making out of proofs of origin in relation to exports of products from the Community in the context of its preferential trade relations with certain third countries.

(2) Annexes III and IV of Regulation (EC) No 1207/2001 should be amended in order to ensure correct indication of the origin of materials used in the manufacture in the Community of originating products.

(3) Regulation (EC) No 1207/2001 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1207/2001 is hereby amended as follows:

1. Annex III shall be replaced by the text set out in Annex I to this Regulation;

2. Annex IV shall be replaced by the text set out in Annex II to this Regulation.

*Article 2*

Supplier's declarations for products not having preferential origin status made before the date of entry into force of this Regulation shall remain valid.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Regulation (EC) No 75/2008. (See end of Document for details)*

*Article 3*

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 28 January 2008.

*For the Council*

*The President*

D. RUPEL

***Changes to legislation:** There are currently no known outstanding effects for the Council Regulation (EC) No 75/2008. (See end of Document for details)*

ANNEX I

ANNEX III

**Supplier's declaration for products not having preferential origin status**

The supplier's 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.

**Changes to legislation:** *There are currently no known outstanding effects for the Council Regulation (EC) No 75/2008. (See end of Document for details)*

**DECLARATION**

I, the undersigned, supplier of the goods covered by the annexed document, declare that:

1. The following materials which do not have preferential originating status have been used in the Community to produce these goods:

| Description of goods supplied (1) | Description of non-originating materials used | HS heading of non-originating materials used (2) | Value of non-originating materials used (3) |
|---|---|---|---|
| | | | |
| | | | |
| | | | Total: |

2. All the other materials used in the Community to produce these goods originate in … (4) and satisfy the rules of origin governing preferential trade with … (5), and

I declare that: (6)

☐ Cumulation applied with ..... (name of the country/countries)

☐ No cumulation applied

I undertake to make available to the customs authorities any further supporting documents they require:

..... (7)

..... (8)

..... (9)

(1) When the invoice, delivery note or other commercial document to which the declaration is annexed relates to a variety of goods, or goods not incorporating the same proportion of non-originating materials, the supplier must clearly differentiate between them. Example:
The document covers different models of electric motors of heading 8501 to be used in the manufacture of washing machines of heading 8450. The nature and value of the non-originating materials used in the manufacture of the motors vary from one model to another. The models must be listed separately in column 1 and the information in the other columns must be given for each, so that the manufacturer of the washing machines can correctly assess the originating status of each of his products depending on the type of motor it incorporates.

(2) To be completed only where relevant.
Example:
The rule for garments of ex Chapter 62 allows the use of non-originating yarn. Thus if a French garment manufacturer uses fabric woven in Portugal from non-originating yarn, the Portuguese supplier need only enter "yarn" as non-originating materials in column 2 of his declaration – the HS heading and the value of the yarn are irrelevant.
A firm manufacturing wire of HS heading 7217 from non-originating iron bars must enter "iron bars" in column 2. If the wire is to be incorporated in a machine for which the rule of origin sets a percentage limit on the value of non-originating materials used, the value of the bars must be entered in column 4.

(3) "Value" means the customs value of the materials at the time of import or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in the Community.
For each type of non-originating material used, specify the exact value per unit of the goods shown in column 1.

(4) The Community, country, group of countries or territory from which the materials originate.

(5) Country, group of countries or territory concerned.

(6) To be completed where necessary, only for goods having preferential originating status in the context of preferential trade relations with one of the countries referred to in Articles 3 and 4 of the relevant origin protocol, with which pan-Euro-Mediterranean cumulation of origin is applicable.

(7) Place and date.

(8) Name and function, name and address of company.

(9) Signature.'