II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 21 March 1984

amending for the second time Directive 75/349/EEC on detailed rules concerning equivalent compensation and prior exportation under inward processing arrangements

(84/192/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing (1), as last amended by Directive 83/89/EEC (2), and in particular Article 28 thereof,

Whereas by virtue of Article 24 of Directive 69/73/EEC the competent authorities may, where circumstances so warrant, by way of exception to the identity rule, treat as compensating products products obtained from the processing of goods of the same kind and quality and with the same technical characteristics as the imported goods;

Whereas Commission Directive 75/349/EEC (3), as amended by Directive 83/231/EEC (4), laid down certain provisions required for the application of Articles 24 and 25 of Directive 69/73/EEC, stipulating that compensation goods must fall within the same tariff subheading, be of the same commercial quality and possess the same technical characteristics as the imported goods;

Whereas, in order to ensure that Article 24 of Directive 69/73/EEC is applied in a reliable and consistent manner throughout the Community, criteria should be established at Community level to enable the competent authorities to determine with sufficient certainty that the compensation goods and the imported goods are of the same commercial quality and possess the same technical characteristics;

Whereas the commercial quality and technical characteristics of the different varieties of rice depend on a number of factors which are decisive in commercial dealings in rice; whereas the effect of these factors can be expressed by parameters defining the form of the grains; whereas it is accordingly possible to arrive at criteria which can serve as a basis for the reliable and consistent application of Article 24 of Directive 69/73/EEC by referring not only to the tariff subheading of rice varieties but to grain length and the length/width ratio;

Whereas it should therefore be laid down that the criteria for the application to rice of Article 24 of Directive 69/73/EEC will take account of grain length and the length/width ratio;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Customs Processing Arrangements,

(1) OJ No L 58, 8. 3. 1969, p. 1.
(2) OJ No L 59, 5. 3. 1983, p. 1.
(3) OJ No L 156, 18. 6. 1975, p. 25.
(4) OJ No L 127, 17. 5. 1983, p. 15.