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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 49/81

of 1 January 1981

on methods of administrative cooperation to safeguard during the transitional period the free movement of goods between Greece and the other Member States

THE COMMISSION OF THE
EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾,
and in particular Article 41 (1) thereof,

Whereas, in accordance with the provisions of Article
41 (1) of the Act of Accession, methods of
administrative cooperation must be determined in
order to ensure that goods fulfilling the requisite
conditions benefit from the abolition of customs
duties and charges having equivalent effect and of
quantitative restrictions and measures having
equivalent effect;

Whereas customs duties and import charges having
equivalent effect have been totally abolished or shall
be progressively abolished between Greece and the
other Member States;

Whereas it is necessary during the period of
application of the transitional measures to be able to
distinguish goods, as to whether they fulfil the
conditions laid down in Articles 9 and 10 of the
Treaty establishing the European Economic
Community, in Greece or in the other Member
States;

Whereas, for this purpose, account must be taken
of the provisions in force and in particular those
of Council Regulation (EEC) No 222/77 of
13 December 1976 on Community transit ⁽²⁾, as last
amended by Regulation (EEC) No 983/79 ⁽³⁾, those
of Commission Regulation (EEC) No 223/77 of

22 December 1976 on provisions for the
implementation of the Community transit procedure
and for certain simplification of that procedure ⁽⁴⁾, as
last amended by Regulation (EEC) No 902/80 ⁽⁵⁾,
and those of Commission Regulation (EEC) No
2826/77 of 5 December 1977 introducing a
Community transit declaration form for use in an
automatic or electronic data-processing system ⁽⁶⁾, as
last amended by Regulation (EEC) No 1976/80 ⁽⁷⁾;

Whereas on these grounds it is considered necessary
to provide for the use of internal Community transit
documents corresponding to those used in the
Community before the accession of Greece and
designated by a different symbol;

Whereas provision must also be made for special
transitional measures to ensure that goods dispatched
prior to the entry into force of the Act of Accession,
either from Greece or from the other Member States,
can benefit from the abolition of customs duties and
charges having equivalent effect and of quantitative
restrictions and measures having equivalent effect,

HAS ADOPTED THIS REGULATION:

TITLE I

GENERAL PROVISIONS

Article 1

1. This Regulation lays down the methods of
administrative cooperation intended to ensure that
goods fulfilling the requisite conditions shall benefit

⁽¹⁾ OJ No L 219, 19. 11. 1979, p. 17.

⁽²⁾ OJ No L 38, 9. 2. 1977, p. 1.

⁽³⁾ OJ No L 123, 19. 5. 1979, p. 1.

⁽⁴⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽⁵⁾ OJ No L 97, 15. 4. 1980, p. 20.

⁽⁶⁾ OJ No L 333, 24. 12. 1977, p. 1.

⁽⁷⁾ OJ No L 192, 26. 7. 1980, p. 23.

in trade between Greece and the other Member States from the abolition of customs duties and charges having equivalent effect and the abolition of quantitative restrictions and measures having equivalent effect, provided for in the Act of Accession of Greece hereinafter referred to as the 'Act of Accession'.

2. For the purposes of this Regulation, the Community as constituted before the accession of Greece, hereinafter referred to as the 'Community of Nine' is regarded as a single Member State.

Article 2

The provisions referred to in Article 1 (1) shall apply under the conditions laid down by this Regulation to:

(a) goods produced in a Member State, including those wholly or partly obtained from products on which have been charged as appropriate:

- customs duties and charges having equivalent effect,
- compensatory amounts as prescribed in Articles 43 and 61 of the Act of Accession,
- levies and other import charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products

to which they were liable in that Member State, and which have not benefited from a total or partial drawback of such duties, charges, amounts, levies or other import charges;

(b) goods from third countries, in respect of which import formalities have been complied with in a Member State and in which have been charged as appropriate:

- customs duties and charges having equivalent effect,
- levies and other import charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products

to which they were liable in that Member State, and which have not benefited from a total or partial drawback of such duties, charges, levies or other import charges;

(c) goods obtained in a Member State, in the manufacture of which have been incorporated products on which have not been charged:

- customs duties and charges having equivalent effect,
- compensatory amounts as prescribed in Articles 43 and 61 of the Act of Accession,

— levies and other import charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products

to which they were liable in that Member State, or which have benefited from a total or partial drawback of such duties, charges, amounts, levies or other import charges, provided that any compensatory levy due by virtue of the provisions to be laid down by the Commission pursuant to Article 41 (2) of the Act of Accession has been charged.

Article 3

1. The goods to which the provisions of Article 1 (1) apply shall move under the internal Community transit procedure or, if this procedure is not used, under cover of a document establishing their Community status.

2. Goods referred to in paragraph 1 which move under the internal Community transit procedure shall be covered by:

- a T2 or T2 GR document, or
- an International Consignment Note or an International Express Parcels Consignment Note having equivalent effect to a T2 or T2 GR document, or
- a Community Transit Transfer Note having equivalent effect to a T2 or T2 GR document.

3. Goods referred to in paragraph 1 which do not move under the internal Community transit procedure shall be covered by:

- a T2 L or T2 L GR document, or
- a movement certificate DD3, or
- a document T2 M.

TITLE II

PROVISIONS CONCERNING GOODS WHICH MOVE UNDER THE INTERNAL COMMUNITY TRANSIT PROCEDURE

Section I

Procedure laid down by Regulation (EEC) No 222/77, Title III

Article 4

Goods shall, in order to move under the internal Community transit procedure, be covered by:

- (a) a T2 declaration,

- when the goods are dispatched from the Community of Nine where they satisfy the conditions laid down in Article 2 (a) or (b),
- when the goods are dispatched from the Community of Nine into which they originally entered from Greece and when, where appropriate,
 - customs duties and charges having equivalent effect,
 - compensatory amounts as prescribed in Articles 43 and 61 of the Act of Accession

to which they were liable have been levied in the Community of Nine and the goods have not benefited from a total or partial drawback of such duties, charges or amounts;

(b) a T2 GR declaration,

- when the goods are dispatched from Greece where they satisfy the conditions laid down in Article 2 (a), (b) or (c),
 - when the goods are dispatched from the Community of Nine where they satisfy the conditions laid down in Article 2 (c),
 - when the goods are dispatched from Greece into which they originally entered from the Community of Nine and when, where appropriate:
 - customs duties and charges having equivalent effect,
 - compensatory amounts as prescribed in Articles 43 and 61 of the Act of Accession
- to which they were liable have been levied in Greece and the goods have not benefited from a total or partial drawback of such duties, charges or amounts.

Article 5

By way of derogation from the provisions of Article 4 (a), agricultural products and products subject to specific arrangements applicable to certain goods resulting from the processing of agricultural products, in respect of which the necessary procedures have been completed with a view to the grant of compensatory amounts prescribed in Articles 43 and 61 of the Act of Accession shall, when they are dispatched from the Community of Nine, be covered by a T2 GR declaration in order to move under the internal Community transit procedure.

Article 6

1. The competent customs authorities shall issue a new T2 document, or a new document having the

same effect for the purposes of the provisions of Article 1 (1), for goods which enter Greece under cover of a T2 document or a document having the same effect for the purposes of the provisions of Article 1 (1) and which, after being placed in Greece in temporary storage in a customs warehouse or in a free zone, are reconsigned in the same state to the Community of Nine.

2. The new document must refer to the document produced on entry of the goods and must contain all the special endorsements shown on that document.

3. The provisions of paragraphs 1 and 2 shall apply, *mutatis mutandis*, to goods which enter the Community of Nine under cover of a document T2 GR or a document having the same effect for the purposes of the provisions of Article 1 (1) and which, after being placed in the Community of Nine in temporary storage in a customs warehouse or in a free zone, are reconsigned in the same state to Greece.

Article 7

1. A T2 GR declaration is a declaration made:

- on a form corresponding, except as regards spaces reserved for national use and the dimensions of boxes wholly or partly delineated by dotted lines, to the specimen shown in Annex I or Annex III to Regulation (EEC) No 223/77, accompanied, where appropriate, by one or more sheets corresponding to the specimens shown in Annex II or Annex IV to the said Regulation, or
- on a form corresponding to the specimen shown in Annex I to Regulation (EEC) No 2826/77.

2. The principal shall indicate whether the Community transit declaration is made on a form T2 GR, accompanied, where appropriate, by one or more T2 GR bis sheets, by inserting in printed characters or in typescript, in the space following the T symbol on these forms, the symbols '2 — TWO GR'.

Article 8

Save as otherwise provided in this Regulation, the provisions relating to the internal Community transit procedure laid down in Regulation (EEC) No 222/77 and in the Regulations adopted for its implementation

shall apply to goods moving under cover of a T2 GR document.

Section II

Simplified procedure applicable to goods carried by rail

Article 9

For the purpose of implementing the provisions of Title IV, Section I of Regulation (EEC) No 223/77:

1. — the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for carriage by one of the railway authorities of the Member States of the Community of Nine, or
- the Community Transit Transfer Note drawn up for goods accepted for carriage by one of the national representatives of the transport undertaking in the Community of Nine

shall be treated as equivalent to a T2 declaration or document as the case may be provided it does not bear the symbol T1 in accordance with Article 42 (2) or Article 50 (i) (2) and (3) of the aforesaid Regulation, or the symbol T2 GR in accordance with Article 10 (2);

2. — the International Consignment Note or International Express Parcels Consignment Note drawn up in respect of goods accepted for carriage by the Greek railway authorities, or
- the Community Transit Transfer Note drawn up for goods accepted for carriage by the Greek national representative of the transport undertaking

shall be treated as equivalent to a T2 GR declaration or document as the case may be provided it does not bear the symbol T1 in accordance with Article 42 (2) or Article 50 (i) (2) and (3) of the aforesaid Regulation, or the symbol T2 in accordance with Article 10 (1).

Article 10

1. When goods covered by one of the transport documents having equivalent effect to a T2 document pursuant to Article 6 (1) are accepted for carriage by the Greek railway authorities or the Greek national representative of the transport undertaking, the office of departure shall add the symbol "T2", clearly visibly, in box 25 of the International Consignment Note or

the International Express Parcels Consignment Note or in the box of the Community Transit Transfer Note reserved for the customs authorities.

The symbol T2 shall be authenticated by the stamp of the office of departure.

2. When goods covered by one of the transport documents having equivalent effect to a T2 GR document pursuant to the second indent of Article 4 (b), Articles 5 or 6 (3) are accepted for carriage by one of the railway authorities of the Community of Nine or by one of the national representatives of the transport undertaking in the Community of Nine, the office of departure shall add the symbol T2 GR, clearly visibly, in box 25 of the International Consignment Note or the International Express Parcels Consignment Note or in the box of the Community Transit Transfer Note reserved for the customs authorities.

TITLE III

PROVISIONS CONCERNING GOODS THAT DO NOT MOVE UNDER THE COMMUNITY TRANSIT PROCEDURE

Article 11

1. If the goods referred to in Articles 4 (a) and 6 (1) do not move under the Community transit procedure, the internal Community transit document used to establish the Community status of the said goods shall be drawn up on a form T2 L corresponding to the specimen shown in Annex XI to Regulation (EEC) No 223/77.

2. If the goods referred to in Articles 4 (b), 5 and 6 (3) do not move under the Community transit procedure, the internal Community transit document used to establish the Community status of the said goods shall be drawn up on form T2 L GR.

Article 12

1. The form on which the internal Community transit document T2 L GR is drawn up shall correspond to the specimen annexed hereto.

Member States may however allow the forms specified in Article 11 (1) to be used, the symbol 'GR' being added to the 'T2 L' symbol, either in typescript or legibly and indelibly handwritten, when the document is made out.

2. Articles 2 (2), (5) (a), (6) first two subparagraphs, (9) and (10) and Title V of Regulation (EEC) No 223/77 shall apply to the T2 L GR document.

Article 13

1. If, in accordance with the provisions of Commission Decision 70/41/EEC of 19 December 1969 on adaptation of the methods of administrative cooperation introduced for the purpose of applying Article 9 (2) of the EEC Treaty to the new rules applicable in the field of Community transit ⁽¹⁾, as last amended by the Act of Accession, a movement certificate DD3 is used:

- goods moving under cover of such a certificate shall be deemed to be goods falling within the category referred to in Article 4 (a), provided the movement certificate has been issued in the Community of Nine and bears no special indication,
- goods moving under cover of such a certificate shall be deemed to be goods falling within the category referred to in the first or third indent of Article 4 (b), provided the movement certificate has been issued in Greece and bears no special indication.

2. The special indication referred to in the preceding paragraph shall be the addition of:

- 'T2 GR' on certificates issued in the Community of Nine for goods referred to in Articles 4 (b) second indent, 5 or 6 (3);
- 'T2' on certificates issued in Greece for goods referred to in Article 6 (1).

3. The symbol T2 or T2 GR shall be clearly shown under the symbol DD3 in the top right-hand corner of the first page of the movement certificate DD3 and shall be authenticated by the stamp of the issuing customs office.

Article 14

If, in accordance with the provisions of Commission Regulation (EEC) No 137/79 of 19 December 1978 on the institution of a special method of administrative cooperation for applying intra-Community treatment to the fishery catches of vessels

of Member States ⁽²⁾, a T2 M document is used, such catches shall be deemed to satisfy the conditions laid down in Article 9 (2) of the EEC Treaty in the Member State in which the customs office that issued the booklet of T2 M forms used is located.

Article 15

If, in accordance with the provisions of Commission Regulation (EEC) No 2695/77 of 7 December 1977 determining the conditions under which goods for certain categories of aircraft and ships are eligible upon importation for a favourable tariff arrangement ⁽³⁾, as last amended by the Act of Accession, an air way bill or equivalent document is used the goods in question shall be deemed to be:

- goods falling within the category referred to in Article 4 (a) where the airport of departure belongs to a Member State of the Community of Nine,
- goods falling within the category referred to in Article 4 (b) where the airport of departure belongs to Greece.

Article 16

1. Postal consignments (including postal packages) shall be deemed to fall within:

- (a) the category of goods referred to in Article 4 (a) when the consignments are dispatched from a post office located in the Community of Nine;
- (b) the category of goods referred to in the first or third indent of Article 4 (b), when the consignments are dispatched from a post office located in Greece,

provided that no yellow label of the type shown in Annex XII to Regulation (EEC) No 223/77 is affixed to the packages or the accompanying documents.

2. The competent authorities of the Member State of dispatch must affix such yellow label, or ensure that it is affixed to the packages and accompanying documents when:

- (a) the goods are dispatched from a post office located in a Member State and, had they been placed under the Community transit procedure, could not have been covered by a T2 or T2 GR declaration;
- (b) the goods are dispatched from a post office located in the Community of Nine and, had they been placed under the Community transit

⁽¹⁾ OJ No L 13, 19. 1. 1970, p. 13.

⁽²⁾ OJ No L 20, 27. 1. 1979, p. 1.

⁽³⁾ OJ No L 314, 8. 12. 1977, p. 14.

procedure, would have had to be covered by a T2 GR declaration in accordance with the provisions of Article 4 (b) second indent, Article 5 or Article 6 (3).

In such circumstances, the goods referred to may benefit from the procedure specified in Article 1 (1) only if a T2 L GR document is produced in Greece.

Article 17

Goods accompanying travellers or contained in their luggage may benefit from the provisions referred to in Article 1 (1) provided that they are not intended for commercial use:

- (a) if they are declared as goods fulfilling the necessary conditions and there is no doubt as to the accuracy of that declaration;
- (b) in other cases, if a T2 L or T2 L GR document, as appropriate, is produced.

TITLE IV

FINAL PROVISIONS

Article 18

1. Goods in respect of which an AG1 or AG3 movement certificate has been issued and which on 1 January 1981 are either in transit or have been placed in the Community in temporary storage, in a customs warehouse or a free zone shall, up to the final date of validity of the movement certificate, benefit from the provisions referred to in Article 1 (1) of this Regulation without the necessity to produce a T2 L or T2 L GR document issued subsequently.

2. The provisions of paragraph 1 shall also apply to goods forwarded from Austria, in accordance with the provisions of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand, and Greece and Turkey

on the other hand when the said goods are forwarded from Austria ⁽¹⁾ under cover of an AG1 movement certificate issued before 1 January 1981.

Article 19

1. Goods in respect of which an AG1 movement certificate has not been issued and which on 1 January 1981 are either in transit or have been placed in the Community in temporary storage, in a customs warehouse or in a free zone may be covered by:

- (a) a T2 L document issued subsequently if the goods were exported to Greece from the Community of Nine, where they satisfied the necessary conditions for the issue of the document.

However, a T2 L document may not be issued subsequently for agricultural products covered by a common organization of the market or for certain goods resulting from the processing of agricultural products, in respect of which customs export formalities have been completed before 1 January 1981 with a view to the grant of refunds on export to Greece within the framework of the common agricultural policy;

- (b) a T2 L GR document issued subsequently if the goods were exported to the Community of Nine from Greece, where they satisfied the necessary conditions for the issue of the document.

2. The T2 L or T2 L GR document referred to in the preceding paragraph must be produced to the customs authorities of the Member State in which the goods are located by 30 June 1981 at the latest.

Article 20

This Regulation shall enter into force on 1 January 1981.

However, the provisions of the third indent of Article 3 (2), the second indent of Article 9 (1), the second indent of Article 9 (2) and Article 10 (1) and (2) regarding the Community Transit Transfer Note shall become applicable on 1 July 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

(¹) OJ No L 188, 19. 7. 1975, p. 1.

T2 L GR

No A 000000

Annex

Please see Notice before completing this form

INTERNAL COMMUNITY TRANSIT DOCUMENT FOR ESTABLISHING
THE COMMUNITY STATUS OF GOODS

3 Person concerned

28 Previous customs procedure

41 Marks, numbers, number and kind of packages; description of goods

42 Statistical number (1)

43 Gross weight

1

49 Net weight (1)

41 Marks, numbers, number and kind of packages; description of goods

42 Statistical number (1)

43 Gross weight

2

49 Net weight (1)

CUSTOMS CERTIFICATE**Certified declaration satisfactory**

Export document:

type

No

date

Customs office (and country):

Remarks:

At , on
(Place of signature) (Date)

(Signature)

(Stamp)

59 Procedure and document used

60 DECLARATION BY THE PERSON CONCERNED

The person concerned, represented by

declares that the goods described above are Community goods.

At , on
(Place of signature) (Date)

(Signature)

REQUEST FOR VERIFICATION	RESULT OF VERIFICATION
Verification of the authenticity of this document and the accuracy of the information contained therein is requested. At on (Place of signature) (Date) (Signature) (Stamp)	Verification carried out shows that this document 1. was issued by the customs office indicated and that the information contained therein is accurate. ⁽¹⁾ 2. does not meet the requirements as to authenticity and regularity (see remarks below). ⁽¹⁾ At on (Place of signature) (Date) (Signature) (Stamp) _____ ⁽¹⁾ Delete as necessary.
REMARKS	

COMMISSION REGULATION (EEC) No 50/81**of 1 January 1981****on transitional measures applicable to trade within the Community in goods obtained in Greece or in another Member State of the Community under a procedure for the relief from or drawback of customs duties or other import charges — compensatory levy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾, and in particular Article 41 (2) thereof,

Whereas it is necessary to determine the conditions under which goods obtained in the Community under a procedure for the relief from or drawback of customs duties or other import charges may benefit from Community arrangements in trade between Greece and the other Member States;

Whereas there is a danger that the admission of the said goods to the benefit of the Community arrangements may distort the conditions of competition in the common market, in so far as the products incorporated into their manufacture are third country products, unless that admission is subject to the collection of a levy, hereinafter called a 'compensatory levy', so designed as to compensate for the effects of those arrangements;

Whereas this danger exists in the case of goods on which customs duties or other import charges will, from 1 January 1981, be either totally eliminated or reduced by 71 % in trade between Greece and the other Member States, and whereas a compensatory levy should consequently be introduced for the third country products used in the manufacture of the said goods as soon as the Act of Accession comes into force if at the time of their importation no customs duties or charges with equivalent effect have been levied on these third country products, or if these products have benefited from a total or partial drawback of such duties or charges;

Whereas, however, there is no serious risk that competition will be distorted for products falling within the ECSC Treaty, and for certain products falling within the EEC Treaty, as long as the

reduction in customs tariffs on trade between Greece and the other Member States does not exceed 20 %; whereas this will no longer be the case after 1 January 1983;

Whereas, leaving aside the special tariff treatment resulting from the agreements concluded between the Community and certain third countries, goods in the manufacture of which have been used products from other third countries may be admitted to free circulation only if the appropriate customs duties in the Common Customs Tariff or in the ECSC unified tariff have been levied in full on those products;

Whereas for these reasons the compensatory levy that will be a condition for the admission of the goods to the benefit of the Community arrangements should be based on the duties of the Common Customs Tariff or of the ECSC unified tariff applicable in respect of the products used in the manufacture of the aforesaid goods, where at the time of importation of those goods the customs duties or charges having equivalent effect which were applicable to those products in Greece or in the other Member States have not been levied or where the products have benefited from a total or partial drawback of such duties or charges;

Whereas the percentage of the compensatory levy should be such as to correspond to the percentage tariff reduction applied;

Whereas the application of a procedure for the relief from or drawback of the levies and other charges provided for under the common agricultural policy on agricultural products and on certain goods processed from agricultural products obtained within the Community would be incompatible with the arrangements for compensatory amounts provided for in Articles 43 and 61 of the Act of Accession;

Whereas a method should be determined for calculating the compensatory levy on agricultural products subject in the Community to the common

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

organization of markets and on processed agricultural products subject to specific rules consequent upon the implementation of the common agricultural policy where such products are used in the manufacture of goods that are listed neither in Annex II to the EEC Treaty nor in Council Regulations (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽²⁾ or (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽³⁾ under a procedure for the relief from or drawback of the charges levied on them;

Whereas, in so far as the products so used are subject exclusively to levies and other charges provided for under the common agricultural policy, the amount of the compensatory levy that will be a condition for admitting the goods obtained the Community arrangements could, in the interests of simplifying administrative formalities, be the total amount drawn back or in respect of which relief has been granted;

Whereas, for such time as customs duties or components designed to protect the processing industry as described in Articles 43 (3) and 66 of the Act of Accession continue to be charged on trade between Greece and the other Member States in certain agricultural products and certain goods processed from agricultural products a compensatory levy should be applied both to a percentage of the Common Customs Tariff duties or of the component designed to protect the processing industry and to the entire variable component drawn back or in respect of which relief has been granted;

Whereas, in respect of products on the importation of which into the Community provision is made for the total or partial abolition of customs duties under agreements concluded between the Community and certain third countries, it is not necessary to provide for the collection of the compensatory levy when such products are used in the manufacture of goods under a procedure for the relief from or drawback of these duties; whereas, however, as regards agricultural products subject to a common organization of the market and goods processed from agricultural products, it is necessary to provide for the collection of the entire agricultural levy or variable component drawn back or in respect of which relief has been granted in order to avoid damaging the price mechanism;

Whereas it is necessary to ensure that third country products for consignment to another Member State

are not first subjected to minor processing, under a procedure for the relief from or drawback of customs duties on imports, with the sole aim of evading the provisions relating to the charging of these duties or other commercial policy measures applicable to such products;

Whereas the Commission must monitor closely the trend of trade in the said goods and must be able to take appropriate measures should the detailed arrangements for the admission of such goods to the benefit of Community arrangements give rise to difficulties,

HAS ADOPTED THIS REGULATION:

TITLE I

GENERAL

Article 1

1. Goods obtained in a Member State and in the manufacture of which have been incorporated products on which have not been charged as appropriate:

- customs duties and charges having equivalent effect, or
- compensatory amounts as prescribed in Articles 43 and 61 of the Act of Accession, or
- levies and other import charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products,

to which they were liable in that Member State, or which have benefited from a total or partial drawback of such duties, charges, amounts, agricultural levies or other import charges, shall be admitted to the benefit of Community arrangements under the conditions of this Regulation on importation into another Member State.

2. The Community arrangements referred to in paragraph 1 consist of:

- (a) The application of the compensatory amounts prescribed in Articles 43 and 61 of the Act of Accession, hereinafter referred to as 'accession compensatory amounts', and the progressive abolition:
 - by Greece of the fixed component referred to in Article 43 (3) of the said Act in respect of the goods covered by Regulation (EEC) No 3033/80,
 - by Greece and the other Member States of the component for protection of the processing industry referred to in Article 66 of the said

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 104.

Act in respect of the products covered by the common organization of the markets in cereals and rice;

- (b) the progressive abolition of customs duties and charges having equivalent effect and the abolition of quantitative restrictions and measures having equivalent effect in respect of goods subject thereto.

3. The Community as constituted before the accession of Greece, hereinafter referred to as 'the Community of Nine', shall be regarded as a single Member State for the purposes of this Regulation.

Article 2

In those cases where products from a third country are subjected to a treatment insufficient to be regarded as manufacture, the goods so obtained shall benefit from the arrangements referred to in Article 1 only on condition that they are in free circulation in accordance with the provisions of the EEC Treaty, the ECSC Treaty and the Act of Accession.

Article 3

Products which, under 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⁾, are imported into the Member State of manufacture without payment of customs duties, charges having equivalent effect, compensatory amounts as prescribed in Articles 43 and 61 of the Act of Accession, agricultural levies and other import charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods processed from agricultural products to which they are liable, in place of products of the same kind, quality and having in the same technical characteristics from the home market of that Member State used in the manufacture of goods exported to another Member State, shall be regarded as used, in the circumstances referred to in Article 1 (1), in the manufacture of goods exported to another Member State.

TITLE II

COMPENSATORY LEVY PROVISIONS

Section 1

Principles

Article 4

Subject to the exceptions set out in Title III, goods obtained in a Member State in the circumstances

referred to in Article 1 (1) shall benefit from the Community arrangements on importation into another Member State on condition that a compensatory levy is charged in the Member State of manufacture in respect of each product used in such manufacture.

Article 5

1. The compensatory levy shall be determined according to the description and value (or, where applicable, by reference to any other charging basis) of the imported products used in the manufacture at the time they were entered with the Customs authorities in the context of the arrangements under which such manufacture was effected or, in the circumstances referred to in Article 3, imported goods of the same kind, quality and having the same technical characteristics as products from the home market used in the manufacture of exported goods, at the time of their entry with the Customs.

2. Where the processing of products results in several kinds of goods, the quantity, or, where appropriate, the value of the products used in manufacture of each kind of goods, shall be determined in accordance with Articles 17 and 18 of Directive 69/73/EEC referred to in Article 3.

Article 6

1. The date which determines the rate of the duties referred to in Article 7 shall be that which would apply if the goods obtained were entered for free circulation in the Member State of manufacture in completion of a procedure for the relief from or drawback of duties or other import charges instead of being exported to another Member State. However, this date shall be 1 January 1981 in respect of products, entered in Greece before that date under a procedure involving relief of drawback, which are used in the manufacture of goods.

2. The date which determines the percentage of the compensatory levy shall be that on which the competent customs authority accepts the declaration by which the person concerned states his intention to export the goods in question to another Member State.

However, when the goods are placed in a customs warehouse or a free zone in the Member State of manufacture before being exported to another Member State, the date for the determination of the percentage shall be that on which the competent customs authority accepts the declaration by which the person concerned states his intention to place the goods in question under one of the systems referred to above.

⁽¹⁾ OJ No L 58, 8. 3. 1969, p. 1.

Section 2

Compensatory levy applicable when products other than those referred to in Section 3 are used*Article 7*

The compensatory levy in respect of products other than those referred to in Section 3 used in the manufacture of goods shall be based, as appropriate, on:

- the Common Customs Tariff duty if the products are covered by the EEC Treaty, or
- the customs duty of the ECSC unified tariff, if the products are covered by the ECSC Treaty.

Article 8

1. The rate of the compensatory levy shall be a percentage of the rate of the duties referred to in Article 7.

2. Where the goods are covered by the EEC Treaty:

- (a) the percentage for goods obtained in Greece shall be 100;
- (b) the percentage for goods obtained in the Community of Nine which are listed in Annex I shall be:
 - 71 for the period from 1 January 1981 to 31 December 1981,
 - 74 for the period from 1 January 1982 to 31 December 1982,
 - 81 for the period from 1 January 1983 to 31 December 1983,
 - 87 for the period from 1 January 1984 to 31 December 1984,
 - 94 for the period from 1 January 1985 to 31 December 1985;
- (c) the percentage for goods obtained in the Community of Nine which are goods not listed in Annex I shall be 100.

3. Where goods obtained in the Member States are goods covered by the ECSC Treaty, the percentage shall be:

- 0 for the period from 1 January 1981 to 31 December 1982,
- 40 for the period from 1 January 1983 to 31 December 1983,
- 60 for the period from 1 January 1984 to 31 December 1984,
- 80 for the period from 1 January 1985 to 31 December 1985.

Section 3

Compensatory levy applicable if agricultural products subject to the system of levies and other charges laid down under the common agricultural policy and/or goods covered by Regulation (EEC) No 3033/80 No 2730/75 or No 2783/75 are used*Article 9*

1. The compensatory levy in respect of agricultural goods subject to the system of levies and other charges laid down under the common agricultural policy and of products covered by Regulation (EEC) No 2730/75 or (EEC) No 2783/75 used in the manufacture of goods shall be equal to the total amount of the charge drawn back or for which relief is given.

However, the compensatory levy applicable to the products referred to in Article 66 (1) of the Act of Accession shall be equal to the total of the variable component drawn back or for which relief is given and to a percentage of the component for the protection of the processing industry used for calculating the duty on imports of those products from third countries into the Community of Nine.

2. The compensatory levy in respect of goods covered by Regulation (EEC) No 3033/80 used in the manufacture of goods shall be equal to the total amount of the variable component drawn back or for which relief is given and to a percentage of the fixed component charged on the importation of such goods from third countries into the Community of Nine.

3. Where products used in the manufacture of goods are subject to customs duties and to levies or other charges provided for under the common agricultural policy, the compensatory levy shall be equal to the total amount of the agricultural levy drawn back or for which relief is given and to a percentage of the Common Customs Tariff duty.

4. Monetary compensatory amounts shall not be taken into account when determining the compensatory levy in the cases referred to in paragraphs 1, 2 and 3.

5. The percentage referred to in paragraphs 1, 2 and 3 shall be fixed in accordance with the provisions of Article 8 (2).

Where the products obtained are products which were covered by the provisions of Article 37 (2) of the Agreement establishing an association between the

European Economic Community and Greece ⁽¹⁾, however, the percentage of the compensatory levy shall be fixed in accordance with the provisions of Article 8 (3).

TITLE III

EXCEPTIONS

Article 10

1. Goods obtained in a Member State in the circumstances referred to in Article 1 (1) shall on importation into another Member State benefit from the Community arrangements, without collection of the compensatory levy on the products used in their manufacture, where the products:

- (a) come under Article 9 (2) of the EEC Treaty or
- (b) are in free circulation in the Community in accordance with the ECSC Treaty or
- (c) have been obtained in another Member State and meet the necessary conditions to benefit from the Community arrangements.

2. However, goods subject to a common organization of the market or to the provisions of Council Regulations (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾ or (EEC) No 2730/75 manufactured or obtained from products falling within Section 3 of Title II imported from a Member State shall not benefit from the Community arrangements unless a compensatory levy equal to the accession compensatory amounts drawn back or on which relief

has been collected on these products in the Member State of manufacture.

Article 11

1. By way of derogation from Article 4, and subject to any provisions that might be enacted in the future to obviate distortions of competition within the Community, no compensatory levy shall be charged on products imported from third countries with which the Community has concluded preferential tariff agreements, provided that the products fulfil the conditions necessary to qualify for such arrangements in the Community.

2. However, in respect of products falling within Section 3 of Title II, the rules laid down in Article 9 (1), (2) and (3) shall apply to the agricultural levy or the variable component resulting from those agreements.

TITLE IV

Article 12

Proof of the customs status of the products incorporated and of the goods obtained shall be established in accordance with the methods of administrative cooperation laid down for this purpose.

Article 13

Member States shall inform the Commission of the measures which they take for the purpose of applying this Regulation and of any problems raised by its application.

Article 14

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

⁽¹⁾ OJ No L 26, 18. 2. 1972, p. 244.

⁽²⁾ OJ No L 323, 29. 11. 1980, p. 27.

ANNEX

List referred to in Article 8 (2) (b) and (c)

Brussels Nomenclature heading No (NCCC)	Description
Chapter 13	
ex 13.02	Incense
ex 13.03	Pectates
Chapter 14	
ex 14.05	Valonia, gall nuts
Chapter 15	
ex 15.05	Wool grease stearin
ex 15.06	Other animal oils and fats (including fats from bones and waste), excluding neat's foot oil
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids, acit oils from refining, fatty alcohols
15.11	Glycerol and glycerol lyes
ex 15.15	Beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
ex 15.17	Degras
Chapter 17	
ex 17.02	Lactose and lactose syrup containing in the dry state, 99 % or more by weight of the pure product; glucose and glucose syrup containing in the dry state, 99 % or more by weight of the pure product
17.04	Sugar confectionery, not containing cocoa
Chapter 18	Cocoa and cocoa preparations, excluding heading Nos 18.01 and 18.02
Chapter 19	
ex 19.02	Malt-extract
19.03	Macaroni, spaghetti and similar products
19.05	Prepared foods obtained by swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
ex 19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
Chapter 21	Miscellaneous edible preparations, excluding heading Nos 21.05 and 21.07
Chapter 22	
22.01	Waters, including spa waters and aerated waters, ice and snow
22.02	Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07

Brussels Nomenclature heading No (NCCC)	Description
22.03	Beer made from malt
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
ex 22.08	Ethyl alcohol or neutral spirits, undenatured of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength, excluding those derived from agricultural products listed in Annex II to the Treaty establishing the Community
ex 22.09	Ethyl alcohol or neutral spirits, undenatured of a strength of less than 80°, excluding ethyl alcohol derived from agricultural products listed in Annex II to the Treaty establishing the Community; liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages
Chapter 24	
24.02	Manufactured tobacco; tobacco extracts and essences
Chapter 25	
25.20	Gypsum; anhydrite; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
ex 25.30	Crude natural boric acid containing not more than 85 % of H_3BO_3 calculated on the dry weight
ex 25.32	Earth colours, whether or not calcined or mixed together; santorin, pozzolana, trass, and similar earths, used in making hydraulic cements, whether or not powdered
Chapter 27	
27.05 bis	Coal gas, water gas, producer gas and similar gases
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars
ex 27.10	Mineral oils and greases for lubricating purposes
ex 27.11	Petroleum gases and other gaseous hydrocarbons, excluding propane of a purity not less than 99 % for use other than as a power or heating fuel
27.12	Petroleum jelly
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
27.15	Bitumen and asphalt, natural; bituminous shale, asphaltic rock and tar sands
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
Chapter 28	
ex 28.01	Chlorine
ex 28.04	Hydrogen, oxygen (including ozone) and nitrogen

Brussels Nomenclature heading No (NCCC)	Description
ex 28.06	Hydrochloric acid
28.08	Sulphuric acid; oleum
28.09	Nitric acid; sulphonitric acids
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.12	Boric oxide and boric acid
28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water)
28.15	Sulphides or non-metals; phosphorus trisulphide
28.16	Ammonia, anhydrous or in aqueous solution
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
ex 28.19	Zinc oxide
ex 28.20	Artificial corundum
28.22	Manganese oxides
ex 28.23	Iron oxides, including earth colours containing 70 % or more by weight of combined iron evaluated as Fe_2O_3
ex 28.27	Red lead and litharge
28.29	Fluorides; fluorosilicates; fluoroborates and other complex fluorine salts
ex 28.30	Magnesium chloride, calcium chloride
ex 28.31	Hypochlorites; commercial calcium hypochlorite; chlorites
28.35	Sulphides; polysulphides
28.36	Dithionites, including those stabilized with organic substances; sulfoxylates
28.37	Sulphites and thiosulphates
ex 28.38	Sodium, barium iron, zinc, magnesium and aluminium sulphates; alums
ex 28.40	Phosphites, hypophosphites and phosphates, excluding bibasic lead phosphate
ex 28.42	Carbonates, including commercial ammonium carbonate containing ammonium carbamate, excluding lead hydrocarbonate (white lead)
ex 28.44	Mercury fulminate
ex 28.45	Sodium silicate and potassium silicate, including commercial grades
ex 28.46	Refined borax
ex 28.48	Arsenites and arsenates
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
ex 28.56	Silicon, boron and calcium carbides
ex 28.58	Distilled and conductivity water and water of similar purity
Chapter 29	
ex 29.01	Hydrocarbons for use as power or heating fuels; Naphthalene and anthracene
ex 29.04	Amyl alcohols
29.06	Phenols and phenol-alcohols

Brussels Nomenclature heading No (NCCC)	Description
ex 29.08	Dihentyl ether (diamyl ether), diethyl ether, anethole
ex 29.14	Palmitic, stearic and oleic acids and their water soluble salts; anhydrides
ex 29.16	Tartaric, citric and gallic acids; calcium tartrate
ex 29.21	Nitroglycerine
ex 29.42	Nicotine sulphate
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
Chapter 30	
ex 30.02	Antisera
ex 30.03	Medicaments (including veterinary medicaments), excluding the following products: — Anti-asthmatic cigarettes — Quinine, cinchonine, quinidine and their salts, whether or not in the form of proprietary products — Morphine, cocaine and other narcotics, whether or not in the form of proprietary products — Antibiotics and preparations based on antibiotics — Vitamins and preparations on vitamins — Sulphonamides, hormones and preparations based on hormones
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter
Chapter 31	
ex 31.03	Mineral or chemical fertilizers, phosphatic, excluding: — Basic-slag — Disintegrated (calcined) calcium phosphates (thermo phosphates and fused phosphates) and calcined natural aluminum calcium phosphates — Calcium hydrogen phosphate containing not less than 0.2 % of fluorine
31.05	Other fertilizers; goods of the present Chapter in tablets; lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg
Chapter 32	
ex 32.01	Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin
ex 32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo, henna and chlorophyll) or of animal origin, excluding cochineal extract and kermes
ex 32.05	Synthetic organic dyestuffs (including pigment dyestuffs and excluding artificial indigo); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre
32.06	Colour lakes
ex 32.07	Other colouring matter, excluding: a) inorganic pigments or pigments of mineral origin, whether or not containing other substances facilitating dyeing, based on cadmium salts, b) chrome colours and Prussian blue; inorganic products of a kind used as luminophores

Brussels Nomenclature heading No (NCCC)	Description
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine, or other media of a kind used in the manufacture of paints or enamels; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter
32.11	Prepared driers
32.12	Glaziers putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32.13	Writing ink, printing ink and other inks
Chapter 33	
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes; excluding essences of roses, rosemary, eucalyptus, sandalwood and cedar; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration
ex 33.06	Eau de Cologne and other toilet waters; cosmetics and products for the care of the skin, hair and nails; toothpowders and toothpastes, products for oral hygiene; room deodorisers, prepared, whether or not perfumed
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
Chapter 35	Albuminoidal substances; glues, enzymes
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys, certain combustible preparations
Chapter 37	
37.03	Sensitized paper; paperboard and cloth, unexposed or exposed but not developed
Chapter 38	
38.03	Activated carbon; activated natural mineral products; animal black, including spent animal black
38.09	Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha, acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
ex 38.11	Disinfectants, insecticides, rat poisons, pesticides and similar products, put up in the form of articles such as sulphur-treated bands, wicks and candles, fly-papers, sticks coated with hexachlorocyclohexane (BHC) and the like; preparations consisting of an active product (such as DDT) mixed with other materials and put up in aerosol containers ready for use
38.18	Composite solvents and thinners for varnishes and similar products

Brussels Nomenclature heading No (NCCC)	Description
ex 38.19	Preparations known as 'liquids for hydraulic transmission' (in particular for hydraulic brakes) containing less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals
Chapter 39	
ex 39.02	Polyvinyl chloride
ex 39.01 } ex 39.02 } ex 39.03 } ex 39.04 } ex 39.05 } ex 39.06 }	Polystyrene in all its forms; other plastic materials, cellulose ethers and esters, artificial resins, excluding: a) those in the form of granules, flakes, powders, waste and scrap to be used as raw materials for the manufacture of the products mentioned in this Chapter b) ion exchangers
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06, excluding fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12
Chapter 40	Rubber, synthetic rubber, factice, and articles thereof, excluding heading Nos 40.01, 40.02, 40.03 and 40.04, latex (ex 40.06), solutions and dispersions (ex 40.06), protective clothing for surgeons and radiologists and divers' suits (ex 40.13), and bulk forms or blocks, scrap, waste and powder of hardened rubber (ebonite and vulcanite) (ex 40.15)
Chapter 41	Raw hides and skins (other than furskins) and leather, excluding parchment-dressed leather and articles falling within heading Nos 41.01 and 41.09
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)
Chapter 43	Furskins and artificial fur; manufactures thereof
Chapter 44	Wood and articles of wood; wood charcoal, excluding heading No 44.07, articles of fibre building board (ex 44.21, ex 44.23, ex 44.27, ex 44.28), spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 44.26) and wood paving blocks (ex 44.28)
Chapter 45	
45.03	Articles of natural cork
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork
Chapter 46	Manufacture of straw, of esparto and of other plaiting materials; basketware and wickerwork, excluding plaits and similar products of plaiting materials, for all uses, whether or not assembled into strips (ex 46.02)
Chapter 48	
ex 48.01	Paper and paperboard (including cellulose wadding), in rolls or sheets, excluding the following products: — Ordinary newsprint made from chemical and mechanical pulp, weighing not more than 60 g/m ² — Magazine paper — Cigarette paper — Tissue paper — Filter paper — Cellulose wadding — Hand-made paper and paperboard

Brussels Nomenclature heading No (NCCC)	Description
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
48.04	Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
ex 48.05	Paper and paperboard, corrugated (with or without flat surface sheets) embossed in rolls or sheets
ex 48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49) in rolls or sheets, excluding squared paper, gold paper or silver paper and imitations thereof, transfer paper, indicator paper and unsensitized photographic paper
ex 48.13	Carbon paper
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery
ex 48.15	Other paper or paperboard, cut to size or shape, excluding cigarette paper, tapes for teletype machines, perforated tapes for monotype machines and calculating machines, filter papers and filter boards (including those for cigarette filter tips) and gummed strip
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; simple and other albums and book covers, of paper or paperboard
48.19	Paper or paperboard labels, whether or not printed or gummed
ex 48.21	Lamp shades; tablecloths and serviettes, handkerchiefs and towels; dishes, plates, cups, tablemats, bottlemats, glassmats
Chapter 49	
ex 49.01	Printed books, booklets, brochures and leaflets in the Greek language
ex 49.03	Children's picture books and painting books, printed wholly or partly in the Greek language
ex 49.07	Stamps not intended for public service
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings
ex 49.10	Calendars of any kind, of paper or paperboard, including calendar blocks, but excluding calendars intended for publicity purposes, in other languages than Greek
ex 49.11	Other printed matter, including printed pictures and photographs, but excluding the following articles: — Theatrical and photographic studio scenery — Printed matter for publicity purposes (including travel publicity), printed in other languages than Greek
Chapter 50	Silk and waste silk
Chapter 51	Man-made fibres (continuous)

Brussels Nomenclature heading No (NCCC)	Description
Chapter 52	Metallized textiles
Chapter 53	Wool and other animal hair, excluding raw, bleached and undyed products of heading Nos 53.01, 53.02, 53.03 and 53.04
Chapter 54	Flax and ramie, excluding heading No 54.01
Chapter 55	Cotton
Chapter 56	Man-made fibres (discontinuous)
Chapter 57	Other vegetable textile materials, excluding No 57.01; paper yarn and woven fabrics of paper yarn
Chapter 58	Carpets, mats, matting and tapestries; pile and chenille fabrics; narrow fabrics; trimmings; tulle and other net fabrics; lace; embroidery
Chapter 59	Wadding and felt; twine, cordage, ropes and cables; special fabrics; impregnated and coated fabrics; textile articles of a kind suitable for industrial use
Chapter 60	Knitted and crocheted goods
Chapter 61	Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods
Chapter 62	Other made up textile articles, excluding fans and hand screens (ex 62.05)
Chapter 63	Old clothing and other textile articles; rags
Chapter 64	Footwear, gaiters and the like, parts of such articles
Chapter 65	Headgear and parts thereof
Chapter 66	
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
Chapter 67	
ex 67.01	Feather dusters
67.02	Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
Chapter 68	
68.04	Hand polishing stones, whetstones, oilstones, hones and the like, and millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust), agglomerated with cement, plaster or with other mineral binding substances

Brussels Nomenclature heading No (NCCC)	Description
68.10	Articles of plastering material
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials
Chapter 69	Ceramic products, excluding heading Nos 69.01, 69.02, other than bricks with a basis of magnesite and of magnesite-chromite, 69.03, 69.04 and 69.05, utensils and apparatus for laboratory and industrial use, containers for the transport of acids and other chemical products and articles of a kind used in agriculture, of heading No 69.09, and porcelain articles of heading Nos 69.10, 69.13 and 69.14
Chapter 70	
70.04	Unworked cast or rolled glass (including flashed or wired glass) whether figured or not, in rectangles
70.05	Unworked drawn or blown glass (including flashed glass) in rectangles
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked, excluding non-wired glass for mirrors
ex 70.07	Cast, rolled drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; leaded lights and the like
70.08	Safety glass consisting of toughened or laminated glass, shaped or not
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed
70.10	Carboys, bottles jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass
ex 70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses, excluding fire-resisting glassware of a kind commonly used for table or kitchen purposes, with a low coefficient of expansion, similar to Pyrex or Durex
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass
ex 70.15	Glass of a kind used for sun glasses (but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like
ex 70.16	Multi-cellular glass in blocks, slabs, plates, panels and similar forms
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated, excluding glassware for chemical laboratories; glass ampoules
ex 70.21	Other articles of glass, excluding articles for industry

Brussels Nomenclature heading No (NCCC)	Description
Chapter 71	
ex 71.12	Articles of jewellery, of silver (including silvergilt or platinum-plated silver), or rolled precious metal on base metal
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
ex 71.14	Other articles of precious metal or rolled precious metal, excluding articles and utensils for workshops and laboratories
71.16	Imitation jewellery
Chapter 73	Iron and steel and articles thereof, excluding: (a) Products within the jurisdiction of the European Coal and Steel Community, falling within heading Nos 73.01, 73.02, 73.03, 73.05, 73.06, 73.07, 73.08, 73.09, 73.10, 73.11, 73.12, 73.13, 73.15 and 73.16 (b) Products falling within heading Nos 73.02, 73.05, 73.07 and 73.16 which are not within the jurisdiction of the European Coal and Steel Community (c) Heading Nos 73.04, 73.17, 73.19, 73.30, 73.33 and 73.34 and springs and leaves for springs, of iron or steel, for railway coaches, of heading No 73.35
Chapter 74	Copper and articles thereof, excluding copper alloys containing more than 10 % by weight of nickel and articles falling within heading Nos 74.01, 74.02, 74.06 and 74.11
Chapter 76	Aluminium and articles thereof, excluding heading Nos 76.01 and 76.05 and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 76.16)
Chapter 78	Lead and articles thereof
Chapter 79	Zinc and articles thereof, excluding heading Nos 79.01, 79.02 and 79.03
Chapter 82	
ex 82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
ex 82.04	Portable forges; grinding wheels with frameworks (hand or pedal operated); and articles for domestic use
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor
ex 82.11	Safety razor blades and blanks thereof
ex 82.13	Other articles of cutlery (for example secateurs, hair clippers, butchers' cleavers, paper knives), excluding hand-operated clippers and parts thereof
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware
82.15	Handles of base metal for articles falling within heading Nos 82.09, 82.13 and 82.14
Chapter 83	Miscellaneous articles of base metal, excluding heading No 83.08, statuettes and other ornaments of a kind used indoors (ex 83.06) and beads and spangles (ex 83.09)

Brussels Nomenclature heading No (NCCC)	Description
Chapter 84	
ex 84.06	Spark ignition engines, petrol driven of a cylinder capacity of 220 cc or more; internal combustion engines, semi diesel type; internal combustion engines, diesel type, of 37 kW or less; engines for motor-cycles and auto-cycles
ex 84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices
ex 84.11	Air pumps and vacuum pumps (including motor and turbo-pumps); fans, blowers and the like, with integral motors, weighing less than 150 kg and fans or blowers without motor, weighing 100 kg or less
ex 84.12	Air-conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air, for domestic use
ex 84.14	Bakery ovens and parts thereof
ex 84.15	Refrigerating cabinets and other refrigerating plant, equipped with a refrigerating unit
ex 84.17	Instantaneous or storage water heaters, non-electrical
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders, for domestic use; similar hand operated appliances for agricultural use, truck mounted, weighing 60 kg or less
ex 84.24	Ploughs designed for tractor or animal draught, weighing 700 kg or less; ploughs designed for mounting on tractors, with two or three shares or discs; harrows designed for tractor or animal draught, with fixed framework and fixed teeth; disc harrows, weighing 700 kg or less
ex 84.25	Threshers; maize huskers and maize threshers; harvesting machinery, animal drawn; straw or fodder presses; fanning mills and similar machines for screening seeds and cereal graders
84.27	Presses, crushers and other machinery, of a kind used in wine making, cider making, fruit juice preparation or the like
ex 84.28	Seed crushing machines; farm-type milling machines
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
ex 84.34	Printing type
ex 84.38	Shuttles; reeds for looms
ex 84.40	Washing machines, whether or not electric, for domestic use
ex 84.47	Machine tools for sawing and planing wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
ex 84.56	Machinery for agglomerating, moulding or shaping ceramic paste, unhardened cements, plastering materials or other mineral products
ex 84.59	Oil presses and mills; machines for stearin soap manufacture
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically controlled valves
ex 84.63	Speed reducers
Chapter 85	
ex 85.01	Generators of 20 kVA output or less; motors of 74 kW or less; rotary converters of 37 kW or less; transformers and static converters other than for radio-broadcasting, radiotelephonic, radiotelegraphic and television receivers

Brussels Nomenclature heading No (NCCC)	Description
85.03	Primary cells and primary batteries
85.04	Electric accumulators
ex 85.06	Room fans
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
ex 85.17	Electric sound signalling apparatus
ex 85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches relays, fuses, lightning arresters, surge suppressors, plugs, lamp holders and junction boxes)
ex 85.20	Electric-filament lamps and electric discharge lamps, excluding infra-red and ultra-violet lamps
ex 85.21	Cathode-ray tubes for television sets
85.23	Insulated (including enamelled or anodized) electric wire cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors
85.25	Insulators of any materials
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material
Chapter 87	
ex 87.02	Motor vehicles for the public transport of persons and motor vehicles for the transport of goods or materials (excluding chassis mentioned in Note 2 to Chapter 87)
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
ex 87.06	Chassis without engines, and parts thereof
ex 87.11	Invalid carriages (other than motorized or otherwise mechanically propelled)
ex 87.12	Parts and accessories of invalid carriages (other than motorized or otherwise mechanically propelled)
87.13	Baby carriages and parts thereof
Chapter 89	
ex 89.01	Lighters and barges; tankers designed to be towed; sailing vessels; inflatable boats of artificial plastic materials

Brussels Nomenclature heading No (NCCC)	Description
Chapter 90	
ex 90.01	Ophthalmic lenses
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes goggles and the like
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
ex 90.26	Meters for hand-operated petrol pumps and water meters (volumetric and tachometric)
Chapter 92	
92.12	Gramophone records and other sound or similar recordings; matrices for the productions of records, prepared record blanks, film for mechanical sound recording, prepared-tapes, wires, strips and like articles of a kind commonly used for sound or similar recording
Chapter 93	
ex 93.04	Sporting guns and rifles
ex 93.07	Wads for shotguns; sporting cartridges for revolvers, pistols and walking stick guns, ball or shot cartridges for target shooting guns of calibres up to 9 mm; cartridge cases for sporting guns and sporting rifles, of metal and paperboard; bullets, shot and buckshot for sporting guns and sporting rifles
Chapter 94	Furniture and parts thereof; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, excluding heading No 94.02
Chapter 96	Brooms, brushes, powder puffs and sieves, excluding prepared knots and tufts for broom or brush making of heading No 96.01 and articles falling within heading Nos 96.05 and 96.06
Chapter 97	
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles, and pedal motor cars); dolls' prams and dolls' push chairs
97.02	Dolls
97.03	Other toys: working models of a kind used for recreational purposes
ex 97.05	Streamers and confetti
Chapter 98	Miscellaneous manufactured articles, excluding stylograph pens falling within heading No 98.03 and excluding heading Nos 98.04, 98.10, 98.11, 98.14 and 98.15

COMMISSION REGULATION (EEC) No 51/81

of 1 January 1981

on the implementation of inward processing relief arrangements and outward processing relief arrangements in trade between Greece and the other Member States of the Community for such time as customs duties are levied in such trade

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾, and in particular Article 41 (2) thereof,

Whereas trade with third countries under inward processing relief arrangements is governed by Council Directive 69/73/EEC ⁽²⁾, as last amended by the Act of Accession;

Whereas trade with third countries under outward processing relief arrangements is governed by Council Directive 76/119/EEC ⁽³⁾;

Whereas, save as otherwise provided in the Act of Accession, the provisions in force with regard to customs legislation for trade with third countries shall apply, under Article 42 (1) of that Act, under the same conditions to trade within the Community, that is to say between Greece and the other Member States, for such time as customs duties are levied in that trade;

Whereas it is in consequence necessary to apply to intra-Community trade the provisions laid down in the two Directives referred to above and in the Directives adopted for their implementation;

Whereas, nevertheless, the provisions in force for trade with third countries can only be extended to apply to trade between Member States subject to certain amendments to take account of the extent to which the customs union has already been completed in the Community;

Whereas it is first necessary to provide that inward processing relief arrangements may be applied to goods traded between Greece and the other Member States even where these goods are in one of the legal situations referred to in Article 9 (2) of the Treaty establishing the European Economic Community;

Whereas, subject to the transitional measures laid down in the Act of Accession, Member States must give equal treatment to Community goods, regardless of the Member State from which they come; whereas, consequently the provisions governing the grant of inward processing relief arrangements in trade with third countries requiring that this system meets the most favourable conditions for the exportation of processed goods are not justified for trade between Member States; whereas, therefore, inward processing relief arrangements carried out in trade between Member States must in all cases be considered as contributing in the Member State of processing towards providing the most favourable conditions for the export of the products resulting from such processing without conflicting with essential interests of Community producers; whereas, moreover, the provisions of Council Regulation (EEC) No 1961/75 of 28 July 1975 on the prohibition of the use of inward processing arrangements in respect of skimmed-milk powder ⁽⁴⁾ as last amended by Regulation (EEC) No 1363/80 ⁽⁵⁾, Commission Regulation (EEC) No 3352/75 of 23 December 1975 prohibiting the use of inward processing arrangements in respect of butter ⁽⁶⁾, and Article 9 (3) of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁷⁾, as last amended by Regulation (EEC) No 2245/78 ⁽⁸⁾, must not be applied to inward processing relief arrangements carried out in trade between Member States;

Whereas the rules laid down for the completion of inward processing relief arrangements must be extended to include the use of T2 GR documents and documents having the same effect so far as the implementation of the arrangements referred to in Article 1 (1) of Commission Regulation (EEC) No 49/81 of 1 January 1981 on methods of administrative cooperation to safeguard during the transitional period the free movement of goods between Greece and the other Member States ⁽⁹⁾;

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽²⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽³⁾ OJ No L 24, 30. 1. 1976, p. 58.

⁽⁴⁾ OJ No L 200, 31. 7. 1975, p. 6.

⁽⁵⁾ OJ No L 140, 5. 6. 1980, p. 15.

⁽⁶⁾ OJ No L 330, 24. 12. 1975, p. 28.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 273, 29. 9. 1978, p. 1.

⁽⁹⁾ See page 1 of this Official Journal.

Whereas the rules under which compensating products may be put into free circulation must be extended and amended to take account in particular of the compensatory levy introduced by Commission Regulation (EEC) No 50/81 of 1 January 1981 on transitional measures applicable to trade within the Community in foods obtained in Greece of in another Member State of the Community under a procedure for the relief from or drawback of customs duties or other import charges — compensatory levy ⁽¹⁾;

Whereas Directive 76/119/EEC already contains, in Article 10 (4), provisions for ensuring, where goods are exported from one Member State for outward processing and reimported in the form of compensating products into another Member State, that the amount of import duties to be deducted pursuant to Article 10 (1) of the Directive shall be reduced, if necessary, by the amount of import duties which would be applicable if the goods were traded directly between the two Member States;

Whereas the requirement to give equal treatment to Community goods, regardless of the Member State from which they come, means that outward processing relief arrangements carried out in trade between Member States must in all cases be regarded as not likely to cause serious damage to the essential interests of Community processors,

HAS ADOPTED THIS REGULATION:

I. Introductory provisions

Article 1

Without prejudice to other Community provisions which may apply, this Regulation lays down special provisions for the implementation of inward processing relief arrangements and outward processing relief arrangements in respect of goods traded between Greece and the other Member States of the Community.

II. Provisions relating to inward processing of Community goods

Article 2

Inward processing relief arrangements shall be permitted in trade between Greece and the other Member States of the Community, notwithstanding

the fact that the goods imported for processing are in one of the legal situations referred to in Article 9 of the Treaty establishing the European Economic Community. If the Member State of processing is not Greece, the compensating products must be intended to be exported from the territory of that Member State, wholly or partly, either to Greece or to a third country.

Article 3

1. The inward processing relief arrangements referred to in Article 2 shall be deemed to contribute towards providing the most favourable conditions for the export of products resulting from such processing without conflicting with essential interests of producers within the Community.

2. Regulations prohibiting the use of inward processing relief arrangements in respect of certain goods shall not apply to the inward processing relief arrangements referred to in Article 2.

III. Provisions relating to inward processing of third-country goods.

Article 4

Inward processing arrangements as defined in Article 2 (1) of Directive 69/73/EEC shall be considered as completed when, in addition to the situations specified in Article 13 of that Directive, compensating products are, within the conditions of Regulation (EEC) No 50/81:

- (a) exported, after processing in Greece, to another Member State, or, after processing in another Member State, to Greece, under cover of a document T2 GR or a document having equivalent effect for the implementation of the arrangements referred to in Regulation (EEC) No 49/81; or
- (b) placed in a customs warehouse or free zone for subsequent exportation under the above arrangements.

Article 5

By derogation from the provisions of Commission Directive 73/95/EEC applying Articles 13 and 14 of Directive 69/73/EEC ⁽²⁾, as last amended by the Act of Accession, and the provisions adopted for its implementation, the Community system referred to in Article 1 of Regulation (EEC) No 50/81 shall apply

⁽¹⁾ See page 9 of this Official Journal.

⁽²⁾ OJ No L 120, 7. 5. 1973, p. 17.

to compensating products, placed under the external Community transit procedure, which are entered for free circulation in accordance with the provisions of Article 14 of Directive 69/73/EEC in Greece after processing in another Member State or in another Member State after processing in Greece, only where the operator concerned can, within the framework of the rules adopted to ensure free movement of goods in trade within the Community, prove to the competent authorities of the Member State where the products are entered for free circulation, that:

- (a) the import duties calculated in accordance with the provisions of Directive 69/73/EEC, have been paid in the Member State where the goods were processed; or
- (b) the provisions of Regulation (EEC) No 50/81 have been complied with in the Member State where the goods were processed in respect of the compensating products.

IV. Provisions relating to outward processing

Article 6

In cases where goods are exported temporarily from Greece to another Member State of the Community, or from another Member State to Greece, for processing, the operation shall be regarded as not likely to cause serious damage to the essential interests of Community processors.

V. Final provisions

Article 7

This Regulation shall enter into force on 1 January 1981.

It shall apply for such time as customs duties are levied in intra-Community trade.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

COMMISSION REGULATION (EEC) No 52/81

of 1 January 1981

laying down detailed rules for the application of accession compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 1/81 of 1 January 1981 laying down general rules for the system of accession compensatory amounts for cereals ⁽¹⁾, and in particular Article 8 thereof, and to the corresponding provisions of the other Regulations laying down general rules for the system of compensatory amounts for agricultural products, or for goods resulting from the processing of agricultural products,

Whereas the Act of Accession provides for the application of compensatory amounts in respect of agricultural products and certain other goods, in particular those covered by

- Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽²⁾ and
- Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾;

Whereas compensatory amounts must be charged on import and granted on export; whereas for the sake of uniformity the procedures to be complied with should be aligned with existing customs procedure to the extent possible; whereas *inter alia* the provisions of the following Regulations should be taken into account:

- Council Regulation (EEC) No 2102/77 of 20 September 1977 introducing a Community export declaration ⁽⁴⁾,

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 1.

⁽²⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 246, 27. 9. 1977, p. 1.

- Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure ⁽⁵⁾, as last amended by Regulation (EEC) No 902/80 ⁽⁶⁾,

- Commission Regulation (EEC) No 49/81 of 1 January 1981 on methods of administrative cooperation to safeguard during the transitional period the free movement of goods between Greece and the other Member States ⁽⁷⁾;

Whereas a product should in principle benefit from a compensatory amount only when it is consumed on the market in the Member State of destination; whereas to check such a condition would result in very burdensome control procedures; whereas the aim could be achieved by granting the compensatory amount when the product has left the exporting Member States and by ensuring that the product would not obtain a benefit in cases of diversion from its destination;

Whereas in cases where the compensatory amount is higher than the lowest export refund, it is necessary to ensure that the products have been put on the market in the Member State of destination; whereas, to this end, the provisions of Article 20 (3) of Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁸⁾, as last amended by Regulation (EEC) No 2891/80 ⁽⁹⁾, should apply;

Whereas Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit ⁽¹⁰⁾, as amended by Regulation (EEC) No 983/79 ⁽¹¹⁾, allows Belgium, Luxembourg and the Netherlands to apply to the Community transit documents the agreements concluded or to be concluded between them with a view to reducing or abolishing frontier

⁽⁵⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽⁶⁾ OJ No L 97, 15. 4. 1980, p. 20.

⁽⁷⁾ See page 1 of this Official Journal.

⁽⁸⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁹⁾ OJ No L 299, 8. 11. 1980, p. 10.

⁽¹⁰⁾ OJ No L 38, 9. 2. 1977, p. 1.

⁽¹¹⁾ OJ No L 123, 19. 5. 1979, p. 1.

formalities; whereas for the purpose of the present Regulation these Member States should therefore be regarded as a single Member State;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down detailed rules for the application of the system of compensatory amounts, hereinafter referred to as 'accession compensatory amounts', provided for in Articles 43 and 61 of the Act of Accession of Greece.

2. For the purposes of this Regulation:

(a) 'products' shall mean both:

- agricultural products covered by the common market organization, and
- goods covered by Regulations (EEC) No 3033/80 and (EEC) No 3035/80;

(b) 'export declaration' shall mean either:

- the export declaration as referred to in Regulation (EEC) No 2102/77, or
- any other declaration prescribed, without prejudice to specific customs provisions, by the Member States to be submitted to the customs authorities at the time of completion of the customs export formalities with a view to applying accession compensatory amounts.

Article 2

1. On import into Greece of products not complying with the terms of Article 9(2) of the Treaty, the quantity, nature and characteristics of such products necessary for the determination of the accession compensatory amounts shall be established according to the provisions applicable to import duties in trade with non-member countries.

2. On export from Greece to non-member countries, the quantity, nature and characteristics of products necessary for the determination of the accession compensatory amounts shall be established according to the provisions applicable to export refunds.

Article 3

1. Accession compensatory amounts shall be granted on export from:

- the Community of Nine to Greece of products which pursuant to Article 4 (b), second indent, or Article 5 of Regulation (EEC) No 49/81,
- Greece to the Community of Nine of products which pursuant to Article 4 (b), first and third indents, of Regulation (EEC) No 49/81,

are to be dispatched under cover of a document T2 GR or a document having equivalent effect.

2. Accession compensatory amounts shall be charged on import into:

- the Community of Nine of products covered by a document T2 GR or a document having equivalent effect,
- Greece of products covered by a document T2, T2 GR or a document having equivalent effect.

Furthermore, accession compensatory amounts shall be charged where the provisions of Article 12 apply.

3. The provisions in force with regard to customs legislation for trade with non-member countries shall apply to accession compensatory amounts to be charged.

Article 4

The provisions of Articles 5 to 11 shall apply to the granting of accession compensatory amounts on export as referred to in Article 3 (1).

Article 5

1. Unless the amount is fixed in advance, the accession compensatory amount to be granted shall be the amount applicable on the day on which the customs authorities accept the export declaration by which the exporter states his intention to export the products in question and qualify for an accession compensatory amount. This day shall also determine the quantity, nature and characteristics of the products exported.

2. At the time of acceptance of the export declaration, the products shall be placed under customs control and shall so remain until they leave the exporting Member State.

3. No accession compensatory amount shall be granted on products which are not of sound and fair marketable quality, or on products intended for human consumption whose characteristics or condition exclude or substantially impair their use for that purpose.

Article 6

The export declaration used on the completion of customs export formalities in order for products to qualify for an accession compensatory amount must include all such particulars as are necessary for determining the accession compensatory amount, in particular:

- (a) the relevant heading or subheading of the Common Customs Tariff;
- (b) a description of the products in accordance with the nomenclature used for accession compensatory amounts;
- (c) the net weight of the products or, where applicable, the quantity expressed in the unit of measurement to be taken into account in determining the accession compensatory amount in respect of each heading or subheading of the Common Customs Tariff;
- (c) in so far as it is necessary for determining the accession compensatory amount, particulars of the composition of the products.

Article 7

1. In the Community transit document used for products in respect of which customs export formalities have been completed with a view to the grant of accession compensatory amounts, one of the following endorsements shall be entered in the 'Description of goods' box:

- 'Tilrædelsesudligningsbeløb ... (dato for antagelsen af udførselsangivelsen eller, såfremt tilrædelsesudligningsbeløbet er forudfastsat, dato for forudfastsættelsen af beløbet)';
- 'Beitrittsausgleichsbeträge ... (Datum der Annahme der Ausfuhranmeldung oder bei Vor-ausfestsetzung des Beitrittsausgleichsbetrags der Tag, an dem der Betrag im voraus festgesetzt worden ist)';
- 'ἔξιςωτικά ποσά προσχωρήσεως ... (ἡμερομηνία κατά τήν ὁποία ἐγίνε δεκτὴ ἡ δῆλωση ἐξαγωγῆς, ἢ, στήν περίπτωσιν τοῦ ἐκ τῶν προτέρων καθορισμοῦ τοῦ ἔξιςωτικοῦ ποσοῦ προσχωρήσεως, ἡμερομηνία τοῦ ἐκ τῶν προτέρων καθορισμοῦ)';
- 'Accession compensatory amounts ... (date of acceptance of the export declaration or, in cases

where the accession compensatory amount has been fixed in advance, the day on which the amount was fixed in advance)';

- 'Montants compensatoires «adhésion» ... (date d'acceptation de la déclaration d'exportation ou, dans le cas où le montant compensatoire «adhésion» a été fixé à l'avance, date à laquelle le montant a été fixé à l'avance)';
- 'Importo compensativo adesione ... (data di accettazione della dichiarazione d'esportazione o, se l'importo compensativo adesione è stato fissato in anticipo, data di fissazione anticipata dello stesso)';
- 'Compenserende bedragen toetreding ... (datum van aanvaarding van de uitvoeraangifte of, ingeval het compenserende bedrag toetreding tevoren werd vastgesteld, de datum waarop het bedrag vooraf werd vastgesteld)';

2. If a Community transit document is replaced by a new one, the 'Description of goods' box of the latter shall contain all the information contained in the corresponding box of the former.

Article 8

1. Where on completion of customs export formalities products are placed under one of the procedures provided for in Section 1 of Title IV of Regulation (EEC) No 223/77 for carriage to a station or a consignee in the Member State of destination, the office of departure shall ensure that the following endorsement is entered on the export declaration:

'Departure from the geographical territory of (Member State of departure) under the simplified Community (rail/large containers) transit procedure'.

2. The office of departure may permit the contract of carriage to be modified so that the operation is ended within the Member State of departure only if it is established:

- that, if the accession compensatory amount has already been paid, such amount has been repaid, or
- that the necessary steps have been taken by the authorities concerned to ensure that the accession compensatory amount is not paid.

However, if the accession compensatory amounts have been paid pursuant to Article 9 (1) and the product has not left the Member State of departure, the office of departure shall so inform the agency responsible for payment of the accession compensatory amount and shall provide it as soon as possible with all the necessary particulars. In such cases the accession compensatory amount shall be regarded as having been wrongly paid.

Article 9

1. The accession compensatory amount to be granted shall be paid only on submission of the export declaration indicating the particulars referred to in Article 6 and the date on which the declaration was accepted by the customs authorities. In addition, the declaration shall bear either the endorsement provided for in Article 8 (1) or it shall be proved that the products have left the exporting Member State. Such proof shall be furnished according to the provisions specified by the Member State in which the export declaration is accepted.

If the export declaration cannot be submitted, the competent authorities may exceptionally accept an authenticated photocopy or a duplicate thereof issued in accordance with national provisions.

2. Furthermore, if the accession compensatory amount is higher than the lowest export refund as referred to in Article 21 of Regulation (EEC) No 2730/79 and applicable to the product in question on the day of acceptance of the export declaration, or where no export refund is fixed for that product, the payment shall in addition to the proofs referred to in paragraph 1 be subject to the production of proof that the products have been imported into a Member State for which the accession compensatory amount is prescribed. Such proof shall be furnished according to the provisions of Article 20 (3) of Regulation (EEC) No 2730/79.

3. The additional proof referred to in paragraph 2 shall also be requested:

- where there is serious doubt as to the true destination of the products, or
- where the character of the applicant is not such as to guarantee that the export will be effected in accordance with the provisions in force.

4. In addition, the exporter shall in all cases where paragraph 2 or 3 applies produce a copy of the transport document.

5. The provisions of paragraphs 2 and 3 shall not apply to cases where the products have been irretrievably lost as a result of *force majeure* after having left the exporting Member State.

Article 10

1. The payment of accession compensatory amounts shall be made only on receipt of a written application from the person concerned and shall be made by the Member State in whose territory customs export formalities were completed. Member States may prescribe a special form for this purpose.

2. Except in cases of *force majeure*, no claim for payment shall be entertained unless the relevant documents are submitted within the six months following the day on which the customs authorities accepted the export declaration referred to in Article 5.

3. The competent authorities of a Member State may require translation of all the documents supporting the claim for payment of accession compensatory amounts into the official language or one of the official languages of the Member State.

Article 11

For the purpose of this Regulation Belgium, the Netherlands and Luxembourg shall be considered as a single Member State.

Article 12

If products covered by a Community transit document endorsed as provided for in Article 7 (1) are introduced into a Member State collecting accession compensatory amounts on import of such products, an amount equal to the accession compensatory amount expressed in national currency and in force on the date shown in the endorsement shall be collected by the competent authorities of the Member State of introduction. The amount collected shall be considered as a repayment of the amount granted.

Article 13

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

COMMISSION REGULATION (EEC) No 53/81

of 1 January 1981

laying down detailed rules for applying the compensatory mechanism on import of fruit and vegetables from Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾,

Having regard to Council Regulation (EEC) No 10/81 of 1 January 1981 laying down general rules for the application of the Act of Accession of Greece in the fruit and vegetables sector ⁽²⁾, and in particular Article 9 (1) thereof,

Whereas Regulation (EEC) No 10/81 defined the general rules for applying the compensatory mechanism on import of fruit and vegetables from Greece established by Article 75 of the Act of Accession;

Whereas detailed rules should be laid down for recording and communicating the rates for products from the Community of Nine and for Greek products, as required for the operation of the compensatory mechanism;

Whereas, as far as possible, use should be made of the information already communicated by the Member States by virtue of Commission Regulation (EEC) No 2118/74 of 9 August 1974 ⁽³⁾, as amended by Regulation (EEC) No 668/74 ⁽⁴⁾, in respect of the reference price system in the fruit and vegetables sector;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates to be employed for fixing the annual Community offer price as referred to in Article 75 (2)

(a) of the Act of Accession shall be those defined in Article 1 (1) of Regulation (EEC) No 2118/74 and communicated by the Member States of the Community of Nine pursuant to Article 2 of the said Regulation.

2. The amount to be added to represent transport costs to the arithmetical average of production prices in each Member State of the Community of Nine shall be calculated on a standard basis for each product each year, at the time the Community offer price is fixed.

Article 2

1. The rate to be employed for calculating the offer price of Greek products as referred to in Article 75 (2) (b) of the Act of Accession shall be the rates for the said products as defined in Article 3 (1) of Regulation (EEC) No 2118/74 and recorded in the Member States of the Community of Nine.

2. The rates for the products shall be recorded and calculated pursuant to Article 5 of Regulation (EEC) No 2118/74. The Member States of the Community of Nine shall communicate to the Commission, on each market day for each product, the said rates as stipulated in Article 6 (a) of Regulation (EEC) No 2118/74.

They shall, at the same time, communicate:

- as far as possible, the abovementioned rates, with the coefficients in force applied,
- the data provided for in Article 6 (d), (e), (f) and (g) of the said Regulation.

Article 3

For the purposes of calculating the daily offer price for the Community products referred to in the second indent of Article 5 (1) of Regulation (EEC) No 10/81 for products which are not subject to a basic price and a buying-in price, or during the period when the said prices do not apply for products which are so subject, the Member States of the Community of Nine shall communicate to the Commission, for each market day, the rates recorded on the representative production markets for products with the same

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽²⁾ OJ No L 1, 1. 1. 1981, p. 17.

⁽³⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁴⁾ OJ No L 90, 5. 4. 1978, p. 5.

characteristics as those used to fix the annual Community offer price.

The Member States, may, however, as the case may be, communicate the prices for the variety which is most representative on the basis of the product, the market and the period of sales.

They shall at the same time communicate:

- (a) the amounts to be added to represent packaging, in respect of the prices referred to in Article 17 of Regulation (EEC) No 1035/72;
- (b) the amounts to be added to represent transport costs;
- (c) the rates to be used for calculating the daily offer price after application, as the case may be, of the coefficient laid down for calculating the Greek offer price for a product in question.

Article 4

The communications referred to in Articles 2 and 3 shall be made not later than the day following the market day to which they refer.

Article 5

If, for a given market day, the daily offer price or the Community product is lower than the Community price referred to in Article 75 (2) (a) of the Act, the Community offer price to be taken into account for that market day shall be equal to the arithmetical average between the two said prices.

Article 6

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

COMMISSION REGULATION (EEC) No 54/81

of 1 January 1981

laying down detailed rules for application of the import control system in Greece on oil seeds and vegetable oils and fats

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 39/81 of 1 January 1981 authorizing the Hellenic Republic to apply, temporarily, an import control system on oil seeds and on vegetable oils and fats ⁽¹⁾, and in particular Article 5 thereof,

Whereas, pursuant to Article 72 of the Act of Accession, Regulation (EEC) No 39/81, authorized Greece to apply an import control system on certain vegetable fats up to 31 December 1983; whereas this system provides for the introduction of import documents in provision of security, to be issued up to a maximum annual quantity;

Whereas the detailed rules for issue of the said documents should be laid down;

Whereas, in order to take account of existing commercial ties and to ensure fair treatment of the importers in question, it seems appropriate to take details referring to a reference period as a basis for the restriction to be effected by issue of documents to each applicant; whereas, for this purpose, the years 1979 and 1980 should be employed;

Whereas the import documents system should not result in excluding from trade persons who, during 1979 and 1980, have not carried out commercial transactions in the products in question;

Whereas, accordingly, provision should be made for granting, within certain limits, import documents to the said persons;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

If Greece applies the import control system defined in Regulation (EEC) No 39/81, all imports into Greece during the period 1 January 1981 to 31 December 1983 of:

- oilseeds and oleaginous fruit within subheading 12.01 B of the Common Customs Tariff,
- vegetable oils within subheading 15.07 D of the Common Customs Tariff,

from Member States of the Community of Nine or from non-member countries shall be subject to production of an import document, issued in accordance with the conditions laid down in this Regulation.

Article 2

1. Import documents shall be issued on application to be made by those concerned to the agency designated by Greece.

2. Applications shall include the designation of the product or products and the quantity of each such product to which they refer.

They shall be lodged during the months of January 1981, December 1981 and December 1982.

3. Each application shall be accompanied by provision of a security of 5 ECU per 100 kilograms of oil. The oil yield fixed in the Annex to this Regulation shall be taken into account for oil seeds. The security shall guarantee the undertaking to import during the period of validity of the document.

Article 3

1. Documents shall be issued not later than 30 days after expiry of each of the periods referred to in Article 2 (2). They shall be valid for imports to be effected:

- in the case of applications lodged in January 1981: before 31 December 1981,
- in the case of applications lodged in December 1981: not later than 31 December 1982,

⁽¹⁾ OJ No L 3, 1. 1. 1981, p. 9.

— in the case of applications lodged in December 1982: not later than 31 December 1983.

2. Within the overall quantity determined by the Council for each year, each document shall be issued for a quantity not exceeding that indicated in the application and calculated in accordance with the provisions of Article 4.

Article 4

1. Greece shall calculate the quantities for which import documents are to be issued according to the following criteria:

(a) if the total quantities for which documents are applied for does not exceed the quantity fixed by the Council, all the applications shall be met;

(b) if the total quantity for which documents are applied for exceeds the quantity fixed by the Council:

— if the quantities applied for concern persons who have imported in 1979 and 1980, the quantity fixed by the Council shall be distributed in proportion to the quantities imported by each applicant during the years in question,

— if the quantities applied for concern persons who have not carried out imports in 1979 and 1980, the quantity fixed by the Council shall be distributed in proportion to the quantities given in the applications,

— if the quantities applied for concern both persons who have imported in 1979 and 1980 and persons who have not so imported during the period in question, applications from those who have not so imported shall be met provided that the total quantities in their applications do not exceed 10 % of the quantity fixed by the Council.

If the total quantity given in applications from persons who have not imported the products in question during 1979 and 1980 exceeds 10 % of the quantity fixed by the Council, documents shall be issued to those applicants for a quantity equal to 10 % of that fixed by the Council, by distributing the quantities in question in proportion to those applied for amongst the applicants.

The total quantity of products for which documents are to be issued to persons who have imported in 1979 and 1980 shall be equal to the quantity fixed by the Council less the quantities for which documents have been issued to persons who have not imported in 1979 and 1980 by applying the criteria referred to in the first indent of (b).

2. If application of the criteria referred to in paragraph 1 were to result in issue of a document to an applicant for a quantity exceeding that applied for, the document shall be issued to the applicant in question for the quantity applied for and the quantity thus made available shall be distributed amongst applicants who have imported in 1979 and 1980 and whose application was not fully met, by applying the criteria referred to in the first indent of (b) in paragraph 1.

3. Proof of the quantities imported in 1979 and 1980 shall be provided when applying for the documents by producing customs documents for release into free circulation.

Article 5

The import document must show:

(a) the name and the address of the applicant;

(b) the designation of the product, statement of its Common Customs Tariff subheading number and of the reference number in the nomenclature of goods in the national external trade statistics;

(c) statement of the quantity of product, expressed in kilograms net;

(d) the period during which it is valid.

Article 6

The security referred to in Article 2 (3) shall be provided in cash or in the form of a guarantee provided by an establishment complying with criteria fixed by Greece.

Article 7

1. Except in cases of *force majeure*:

(a) the entire security shall be forfeit where the obligation to import has not been fulfilled during the period of validity of the document;

(b) the security shall be partially forfeit if the import carried out is more than 5 % lower than the quantity stated in the document. The amount of security forfeit shall be calculated on the difference between the quantity stated in the document less 5 % and the quantity actually imported.

2. The security shall be released immediately in proportion to the quantity for which an application has not been met.

Article 8

Greece shall communicate to the Commission, not later than 28 February each year, the quantities for the year in question for which import documents have been applied for and issued. However, for 1981, these

quantities shall be communicated not later than 31 March 1981.

Article 9

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

*ANNEX***Oil yield of oilseeds and oleaginous fruit**

Oilseeds and oleaginous fruit	Oil yield (%)
Colza	39
Cotton	17
Palm nuts and kernels	46
Soya	17.5
Sunflower	38

If necessary, oil yields for other oilseeds and oleaginous fruit shall be fixed by Greece. These yields must be representative of those obtained in Community mills.

COMMISSION REGULATION (EEC) No 55/81

of 1 January 1981

authorizing the Hellenic Republic to suspend the customs duties applicable on import of
certain oilseeds and oleaginous fruits

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾,
and in particular Article 64 (4) thereof,

Whereas, for certain products within heading Nos
12.01 and 15.12 of the Common Customs Tariff, the
basic duties are fixed in Article 64 (3) of the Act of
Accession; whereas this very high level may
jeopardize the regular supply of raw materials for
Greek processing industries; whereas Greece has
applied for authorization, under Article 64 (4) (a) of
the Act of Accession, to suspend customs duties on
certain quantities of the products in question;

Whereas importers must be guaranteed free access to
the quotas laid down for the products in question;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the
Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The Hellenic Republic is hereby authorized to
suspend the customs duties applicable on import from

the Community of Nine or from non-member
countries of the products given in the Annex hereto
for the quantities there given, at the level given
against each.

This authorization shall be valid from 1 January to
31 December 1981.

Article 2

Greece shall ensure that importers of the products in
question have free access to the quantities given in the
Annex.

With regard to products within subheading 15.12 B of
the Common Customs Tariff, Greece shall
communicate to the Commission the measures taken
to ensure distribution of the said quantities amongst
the operators in question.

Article 3

Greece shall inform the Commission at the beginning
of each quarter of imports entered during the
previous quarter against the quantities given in the
Annex.

Article 4

This Regulation shall enter into force on 1 January
1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 9.

ANNEX

CCT heading No	Description	Quantity (tonnes)	Customs duty rate	
			Third countries	Community of Nine
12.01	Oilseeds and oleaginous fruit, whole or broken: ex B. Other, excluding linseed and castorseed	25 000 ⁽¹⁾	exemption	exemption
15.12	Animal and vegetable oils and fats, wholly or partially hydrogenated, or solidified and hardened by any other process, wheter or not refined, but not further prepared B. Other	18 000	35.5	17

⁽¹⁾ Weight in oil equivalent, determined in conformity with Regulation (EEC) No 54/81.

COMMISSION REGULATION (EEC) No 56/81

of 1 January 1981

on the marketing stage to which the average price for pig carcasses refers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1423/78 ⁽²⁾, and in particular Article 4 (6) thereof,

Whereas the representative markets comprise, for each country, all the markets listed in the Annex to Council Regulation (EEC) No 43/81 ⁽³⁾;

Whereas, pursuant to Article 4 (2) of Regulation (EEC) No 2759/75, the weighted average price for pig carcasses on the representative markets of the Community must be determined in order to assess whether the market situation warrants intervention measures;

Whereas, in order to determine such an average price for pig carcasses, comparable Community prices must be available; whereas, to that end, a well defined marketing stage and a standardized quality of pigmeat should be used;

Whereas, since pig carcasses are increasingly marketed at the slaughterhouse stage, that stage should be the one adopted;

Whereas quotations for pig carcasses are at present determined in the Community, with the exception of Greece according to the Community scale for grading pig carcasses laid down in Council Regulation (EEC) No 2760/75 ⁽⁴⁾; whereas grade II of this scale, in accordance with which the standard quality was defined, is the quality most representative of Community production;

Whereas, in Greece until 31 December 1983 at the latest, quotations are to be determined on the basis of quotations for live swine recorded in respect of national quality grades and categories and whereas these should be converted into prices for the reference quality at the slaughterhouse stage by an agreed method;

Whereas the provisions of this Regulation replace those of Commission Regulation (EEC) No 1229/72 of 13 June 1972 on the marketing stage to which the average price for pig carcasses refers ⁽⁵⁾; whereas this Regulation should therefore be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

The average price for pig carcasses, referred to in Article 4 (2) of Regulation (EEC) No 2759/75, shall be determined on the basis of the prices paid, excluding tax:

- account being taken of slaughtering costs and the value of edible and inedible offals and animal residues,
- for 100 kilograms of pig carcasses, dressed, weighed and classified on the slaughterhouse hook.

Article 2

The price for pig carcasses in a Member State shall be equal to the average of the quotations for pig carcasses recorded for grade II of the Community scale for grading pig carcasses on the markets of that Member State listed in the Annex to Regulation (EEC) No 43/81.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 171, 28. 6. 1978, p. 19.

⁽³⁾ OJ No L 3, 1. 1. 1981, p. 15.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 10.

⁽⁵⁾ OJ No L 136, 14. 6. 1972, p. 9.

However, for as long as pig carcase prices in Greece are not determined according to the Community grading scale laid down by Regulation (EEC) No 2760/75, pig carcase prices in that Member State shall be determined according to the method set out in the Annex.

Article 3

1. Regulation (EEC) No 1229/72 is hereby repealed.

2. References to Regulation (EEC) No 1229/72 shall be understood to refer to the present Regulation.

Article 4

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

ANNEX

Method of determining pig carcase prices in Greece

1. Arithmetic average of prices, excluding tax, for live swine of the weight category 80 to 110 kilograms.
 2. Arithmetic average of the prices, one for each centre.
 3. Addition of 0.50 Dr/kg live weight for transport costs.
 4. Conversion into a deadweight price by application of the coefficient 1.30.
-

COMMISSION REGULATION (EEC) No 57/81

of 1 January 1981

on transitional measures to be taken, on account of the accession of Greece, in respect of trade in agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾, and in particular Article 73 (1) thereof,

Whereas Commission Regulation (EEC) No 49/81 of 1 January 1981 on methods of administrative cooperation to safeguard during the transitional period the free movement of goods between Greece and the other Member States ⁽²⁾, provides in particular transitional measures for goods sent from Greece to the Community of Nine or from the Community of Nine to Greece before the entry into force of the Act of Accession of Greece; whereas these provisions present problems in regard to agricultural products which have received export refunds;

Whereas, for simplification, a system can be applied the basis of which is that operations begun before entry into force of the Act of Accession shall remain subject either to the provisions which existed, before entry into force of the Act of Accession, for trade carried out under the agreement establishing an association between the Community and Greece, or to the provisions relating to trade between the Community and non-member countries; whereas, for the beef and veal and pigmeat sectors, it is desirable for reasons of market management to make all imported products subject to the same tax system;

Whereas taking into account in particular the import charges in Greece before 1 January 1981, speculative movements of certain products may have begun to take place; whereas measures should be taken to prevent such products from qualifying twice for an export refund;

Whereas this Regulation does not prejudice any special transitional measures which may be adopted, in certain product sectors and in particular in the wine sector;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Agricultural products which, on or before 31 December 1980, have been subject in the Community of Nine to the completion of customs export formalities or to placing under one of the arrangements provided for in Articles 4 and 5 of Regulation (EEC) No 565/80 ⁽¹⁾ and which are imported into Greece after this date shall be subject:

- (a) in the Community of Nine to the provisions applicable until 31 December 1980 under the systems of export refunds and monetary compensatory amounts and, where appropriate, concerning export licences and advance fixing certificates including the control procedures provided for in Article 10 of Regulation (EEC) No 223/77 ⁽⁴⁾;
- (b) in Greece, notwithstanding the provisions of Regulation (EEC) No 49/81:
 - to the arrangements applicable to trade between the Community of Nine and Greece on 31 December 1980 if the products in question are accompanied by a movement certificate AG1 or AG3,
 - to the arrangements applicable to trade with non-member countries in all other cases.

Article 2

Agricultural products which are exported from Greece before 1 January 1981 and which are imported into the Community of Nine on and after this date shall be subject in the Community of Nine,

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 38, 9. 2. 1977, p. 20.

notwithstanding the provisions of Regulation (EEC) No 49/81:

- to the arrangements applicable to trade between the Community of Nine and Greece on 31 December 1980 if the products in question are accompanied by a movement certificate AG1 or AG3,
- to the arrangements applicable to trade with non-member countries in all other cases.

Article 3

1. Notwithstanding Articles 1 and 2, products within the beef and veal and pigmeat sectors:

- which have been subject, in the Community of Nine on or before 31 December 1980, to the completion of customs export formalities or to placing under one of the arrangements provided for in Articles 4 and 5 of Regulation (EEC) No 565/80 and which are imported into Greece after this date, shall be subject in Greece to the arrangements applicable to trade with non-member countries,
- exported from Greece before 1 January 1981 and imported into the Community of Nine on and after this date, shall be subject in the Community of Nine to the arrangements applicable to trade with non-member countries.

2. Those concerned may, on written application which must reach the competent agency not later than 31 January 1981, have export licences for products within subheading 02.01 A II of the Common Customs Tariff, showing Greece in Section

13 as the obligatory country of destination and applied for as from 1 November 1980, cancelled in respect of quantities unused.

The security corresponding to the said quantities shall be released.

Article 4

Products as referred to in Articles 1, 2 and 3 which, on and after 1 January 1981, are imported into either Greece or the Community of Nine and which are accompanied by a movement certificate AG1 or AG3, or by a T2 L or T2 L GR document issued subsequently, shall not be subject to the presentation of an import licence.

Article 5

1. Products listed in the Annex for which the customs export formalities, for export from Greece to a non-member country, are completed during the first six months of 1981 may qualify for an export refund only if they are of Greek origin.

2. Products listed in the Annex which are not of Greek origin cannot, during the period referred to in paragraph 1, be placed in Greece under one of the arrangements provided for in Articles 4 and 5 of Regulation (EEC) No 565/80.

Article 6

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

ANNEX

Sector	CCT heading No	Remarks
Milk and milk products	04.01 04.02 04.03 04.04 ex 23.07 B	Products as specified in Article 1 of Regulation (EEC) No 804/68
Pigmeat	01.03 A II 02.01 A III a) 02.06 B 16.01 16.02 A II 16.02 B III a)	
Beef and veal	01.02 A 02.01 A II 16.02 B III b) 1	
Eggs and poultrymeat	01.05 02.02 04.05 A I 04.05 B I	
Oils and Fats	15.07 A 12.01 B	
Fishery products	03.01 B	
Cereals and Rice	10.01 A 10.02 10.03 10.06 B 11.01 11.02 11.07 11.08 A 11.09 17.02 B 21.07 F II 23.02 A 23.03 A I ex 23.07 B	Products as specified in Annex A to Regulation (EEC) No 2727/75
Tobacco	24.01	Except varieties Xanti-Yaka Perustitza and Erzegovina
Products processed from Fruit and vegetables	08.11 E 20.04 ex 20.06 A ex 20.07	Hazelnuts (fruit of <i>Corylus avellana</i>), not including mixtures Products as specified in Article 1 of Regulation (EEC) No 516/77
Fruit and vegetables	08.02 A I 08.02 B 08.02 C 08.04 A I 08.05 A II 08.05 B 08.05 G	

COMMISSION REGULATION (EEC) No 58/81

of 1 January 1981

on the specific transitional measures to be taken in respect of trade in wines following Greek accession

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece ⁽¹⁾, and in particular Article 73 (1) thereof,

Whereas, in order to smooth the change over from the existing system in Greece to that resulting from application of the common organization of the market in wine, it has been found necessary to lay down certain transitional measures in respect of trade between the Community of Nine and Greece, particularly in respect of products for which import formalities are not yet completed;

Whereas Commission Regulation (EEC) No 49/81 of 1 January 1981 ⁽²⁾, determines the methods of administrative cooperation intended to ensure free circulation of goods in trade between Greece and the other Member States during the transitional period;

Whereas Commission Regulation (EEC) No 57/81 of 1 January 1981 ⁽³⁾, lays down the transitional measures to be taken in respect of trade in agricultural products, on account of Greek accession; whereas application of the above Regulations would result in substantially less favourable treatment than was applicable before the date of accession for products consigned before 1 January and taken out of customs bond after that date; whereas, in order to allow the said products to qualify for the system being applied, particularly in respect of customs duties and documents, at the moment of consignment, it seems proper to waive the abovementioned Regulations, thereby allowing the products in question to qualify for the provisions of Council Regulation (EEC) No 3442/80 of 22 December 1980 ⁽⁴⁾; whereas, however, levy of the countervailing charge is justified to compensate for the refund for which the products in question qualify in Greece;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to the provisions referred to in paragraph 2, wines originating entirely in Greece, exported before 1 January 1981 and imported into the Community of Nine as from that date shall be subject, in the Community of Nine, notwithstanding the provisions of Regulation (EEC) No 49/81 and of Regulation (EEC) No 57/81:

— to the provisions of Council Regulation (EEC) No 3442/80,

— to payment of the countervailing charge applicable on 31 December 1980.

These wines with the exception of 'retsina' wines, must also be accompanied by the V I document issued before 1 January 1981.

2. 'Retsina' wines placed in free circulation within the Community of Nine before 1 January, remain subject to the system applicable until that date.

'Retsina' table wines, within heading No 25.05 of the Common Customs Tariff imported into the Community of Nine after 1 January 1981 shall be free of customs duty and countervailing charge.

3. Wines originating in the Community of Nine, exported from the Community of Nine before 1 January 1981 and imported into Greece as from that date may be imported in the absence of the document provided for in Regulations (EEC) No 1153/75 and (EEC) No 2115/76.

These wines shall be subject to payment of the customs duties applicable in Greece to wines originating in the Community of Nine on 1 January 1981.

Article 2

This Regulation shall enter into force on 1 January 1981.

⁽¹⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ See page 43 of this Official Journal.

⁽⁴⁾ OJ No L 359, 31. 12. 1980.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

COMMISSION REGULATION (EEC) No 59/81

of 1 January 1981

laying down transitional measures for Greece in respect of minimum stocks of sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to the Act of Accession of Greece, and
in particular Article 73 (1) thereof,

Whereas Article 73 (1) of the Act provides for the
adoption of the necessary transitional measures, parti-
cularly if for certain products the implementation in
Greece on the scheduled date of the arrangements
resulting from the common organisation of the
markets meets with appreciable difficulties;

Whereas Article 18 of Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common
organization of the market in sugar⁽¹⁾, as last
amended by Regulation (EEC) No 1396/78⁽²⁾,
provides for a system of minimum stocks in the sugar
sector; whereas the general rules for that system are
laid down by Council Regulation (EEC) No 1488/76
of 22 June 1976 laying down provisions for the intro-
duction of a system of minimum stocks in the sugar
sector⁽³⁾, as amended by Regulation (EEC) No
2153/80⁽⁴⁾; whereas pursuant to Article 1 (a) of that
Regulation each sugar manufacturer shall hold in
stock during each month a quantity of sugar which

shall not be less than a certain percentage of his
actual production within the limit of the basic quota
of his undertaking during the period of 12 months
immediately preceding the month in question;

Whereas pursuant to Article 8 of Regulation (EEC)
No 1488/76 the minimum stocks of Community
produced sugar were established by quota sugar
produced only after the entry into force of that Regu-
lation; whereas, likewise, minimum stocks of sugar
produced in Greece should be established by quota
sugar produced only on or after 1 January 1981;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the
Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The provisions of Article 1 (a) of Regulation (EEC)
No 1488/76 shall apply to the Greek sugar manu-
facturer only in respect of sugar produced on or after
1 January 1981.

Article 2

This Regulation shall enter into force on 1 January
1981.

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

Done at Brussels, 1 January 1981.

For the Commission

The President

Roy JENKINS

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 167, 26. 6. 1976, p. 11.

⁽⁴⁾ OJ No L 211, 14. 8. 1980, p. 1.

