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Contents

I *Acts whose publication is obligatory*

- ★ Council Regulation (EEC) No 3722/89 of 6 November 1989 on the restriction of exports of certain steel products to the United States of America 1
- ★ Council Regulation (EEC) No 3723/89 of 6 November 1989 on the restriction of exports of steel pipes and tubes to the United States of America 16
- ★ Commission Decision No 3724/89/ECSC of 11 December 1989 on the restriction of exports of certain steel products to the United States of America 21
- ★ Commission Regulation (EEC) No 3725/89 of 11 December 1989 on the monitoring by the Community of exports of certain steel products to the United States of America 37
- ★ Commission Regulation (EEC) No 3726/89 of 11 December 1989 on the monitoring by the Community of exports of steel tubes and pipes to the United States of America 60
- ★ Commission Decision No 3727/89/ECSC of 11 December 1989 on the monitoring by the Community of exports of certain steel products to the United States of America 74

II *Acts whose publication is not obligatory*

Council and Commission

89/634/EEC:

- ★ Council Decision of 6 November 1989 on the conclusion of an Arrangement and a Consensus with the United States of America concerning trade in certain steel products 96

Price: ECU 17,50

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

89/635/EEC:

- ★ Council Decision of 6 November 1989 on the conclusion of an Arrangement with the United States of America concerning trade in steel pipes and tubes 97

89/636/ECSC:

- ★ Commission Decision of 11 December 1989 on the conclusion of an Arrangement and a Consensus with the United States of America concerning trade in certain steel products 98
 - Arrangement concerning trade in certain steel products 99
 - Arrangement concerning trade in steel pipes and tubes 126
 - Consensus 139
- ★ Information on the signing of the Arrangements and the Consensus between the European Economic Community and the United States in the steel sector 145
- ★ Assents No 24/89 and No 25/89 146

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3722/89

of 6 November 1989

on the restriction of exports of certain steel products to the United States of America

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has concluded an arrangement ⁽¹⁾ (hereinafter referred to as 'the Arrangement') with the United States of America under which the amount of exports to the United States of certain steel products originating in the Community is to be limited to certain levels over an agreed period; whereas, moreover, it is necessary, pursuant to this Arrangement, to introduce in the Community measures to restrict the amount of these steel products exported to the United States;

Whereas, in accordance with the Arrangement, the export restrictions cover steel products originating in the Community; whereas the origin of these products is determined in accordance with applicable Community legislation, that is to say Council Regulation (EEC) No 802/86 of 27 June 1968 on the common definition of the concept of the origin of goods ⁽²⁾, as last amended by Regulation (EEC) No 1769/89 ⁽³⁾;

Whereas, for practical and management reasons, the quantitative export limits agreed by the Community must be allocated among the Member States, whereas, in order to do so, an allocation method must be established; whereas, thereafter, the Member States must share out the amounts allocated to them among undertakings in accordance with objective criteria;

Whereas utilization of the Community limits, based on allocations among Member States made in this way, would seem to be in keeping with the Community nature of these limits, considering that, in particular, the allocation method provides for a maximum use of export possibilities;

Whereas the allocation among the Member States of the total export possibilities which the Arrangement affords should take account of traditional trade patterns;

Whereas, as provided for in the Arrangement, measures must be taken to avoid abnormal concentration at certain times of exports to the United States;

Whereas the Community steel policy aims in particular at allowing the Community steel industry to adapt to the conditions of international competition; whereas, since the Arrangement is limited to products originating in the Community, it is necessary to provide that export licences issued to undertakings shall indicate the undertaking engaged in production of steel within the Community and established in the issuing Member State that is holding the allocation against which the licence is issued;

Whereas, in order to take account of the interests of distributive undertakings, it must be possible for these licences to be transferred not only between steel undertakings but also by steel undertakings to distributive undertakings, in particular where the steel undertakings decide to sell their products to such distributive undertakings;

Whereas it appears necessary, and for the moment sufficient, that Member States ensure compliance with the different provisions of the regime laid down by applying the various penalties provided for in their laws;

Whereas, in order to facilitate the application of the envisaged provisions, it is appropriate to set up a procedure establishing close cooperation between Member States and

⁽¹⁾ See page 99 of this Official Journal.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 174, 22. 6. 1989, p. 11.

the Commission in the framework of a Committee; whereas it is sufficient for this purpose to apply the procedure set up in Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community export limits are hereby established for the period 1 October 1989 to 31 December 1990 (hereinafter referred to as 'the initial period') for the year 1991 and for the period 1 January 1992 to 31 March 1992 (hereinafter referred to as 'the end period') for exports effected after 1 October 1989 from the Community to the United States of America (hereinafter referred to as 'the United States') of the steel products originating in the Community which are listed in Annex I.

For the purposes of this Regulation, the United States shall comprise United States customs territory and United States foreign trade zones as described in Annex II.

2. The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. Community export limits per product category shall be calculated by the Commission for the initial period, for the year 1991 and the end period by application to the United States apparent consumption within the meaning of Article 5 and Annex A of the Arrangement of the following percentages:

Product category	Quota (%)
Semi-finished steel	0,76
Plate	7,13
Hot-rolled sheet and strip	7,29
Cold-rolled sheet	5,94
Black plate	12,84
Cold-rolled strip	5,34
Electrical sheet and strip	4,98
Stainless plate	5,89
Stainless sheet and strip	5,94
Tin plate	2,96
Tin-free steel	4,22
Coated flat-rolled products	4,51
Concrete reinforcing bar	0,09

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

Product category	Quota
Hot-finished bar	3,09
Cold-finished bar	6,63
Stainless bar	7,40
Carbon wire rod	5,70
Stainless wire rod	13,16
Alloy wire rod	19,68
Bar shapes under 80 mm	2,48
Structurals	14,15
Sheet piling	23,70
Stainless wire	15,34
Rails	9,26
Alloy tool steel	11,02

For the following categories, the Community export limits shall be as follows in metric tonnes:

	Initial period	1991	End period
Fabricated structurals	20 683	16 546	4 137
Wire strand	62 250	49 800	12 450
Wire rope	12 250	9 800	2 450
Carbon/alloy wire	228 250	182 600	45 650
Wire products	31 875	25 500	6 375
Rail products	4 875	3 900	975
Other speciality steel	15 125	12 100	3 025

These quantities also include the products in the corresponding categories referred to in Article 2 of Commission Decision No 3724/89/ECSC (2).

With regard to semi-finished steel products listed as 'other semi-finished (including slabs)' in Annex I, the Community quota, comprised within the general quota for semi-finished steel products shall be equal to 92 % of the total.

With regard to coated flat-rolled products listed as 'electrogalvanized' in Annex I, the Community quota, comprised within the general quota for coated flat-rolled products shall be equal to 25 % of the total.

2. The Community export limits calculated pursuant to paragraph 1 shall be adjusted by the Commission to take account of revisions of the said United States apparent consumption.

3. These limits may also be adjusted in line with the procedure laid down in Article 7:

— for advance use or carry-over of licences,

⁽²⁾ See page 21 of this Official Journal.

- to enable transfers between product categories, including transfers between product categories covered by this Regulation and those covered by Regulation (EEC) No 3723/89 ⁽¹⁾,
- for additional quotas in case of short-supply,
- to take account of exports effected by the Community between 1 October 1989 and the date of entry into force of this Regulation,
- to take account of changes in the limits for semi-finished products made pursuant to Article 4 (e) of the Arrangement, on additional quantities to be allocated at the discretion of the United States,

under the conditions provided for in the Arrangement.

Article 3

1. (a) The Community quantitative export limits established and calculated pursuant to Article 2 shall be allocated for the initial period, 1991 and the end period by the Commission in accordance with Annex III, with the exception of any quantities granted under Articles 4(e) and 8 of the Arrangement, which shall be allocated by the Commission on the basis of the circumstances and conditions under which these quantities have been granted.
- (b) Notwithstanding point (a), the Community quantitative export limits to be allocated by the Commission in accordance with Annex III shall be reduced by 10 % in the initial period and 1991 for those Member States which, on the basis of certificates referred to in Article 4 (1) issued by them, have used less than 40 % of their quota by 30 June 1990 and 33 % of their quota by 30 June 1991 respectively.

The quantities represented by such reductions shall be allocated by the Commission after consulting the Arrangement Committee on 1 August 1990 and 1 August 1991 respectively so as to facilitate the optimal use and administration of the Community export possibilities taking account of the share of Community exports effected by each Member State in each product category by 30 June 1990 and 30 June 1991 respectively.
- (c) Where the Community limits for arrangement products are adjusted in accordance with the fourth indent of Article 2 (3), the Commission shall adjust the allocation of quantity limits, taking account of the origin of the exports before the entry into force of this Regulation which gave rise to this adjustment.

2. The Commission shall hold periodic consultations with the Arrangement Committee referred to in Article 3 (2) of Commission Decision No 3724/89/ECSC on the

situation regarding licences issued and on the measures to be taken with a view to ensuring best use of the overall limit.

Article 4

1. The Community exports described in Article 1 shall, from the date of entry into force of this Regulation to 31 March 1992, be subject to the production to the competent customs office in the Community of an export licence and an export certificate. The export licences shall be issued by the appropriate authorities of each Member State within the limits of the amounts allocated to it pursuant to Article 3.

Member States shall fix the tonnages for which they anticipate that licence will be issued, in each quarter for each product category; they shall inform the Commission thereof in the first 15 days of the relevant quarter. In doing so, they shall make sure that the export licence issues for each quarter ensure an adequate spread of exports over the whole year, taking into account the seasonal variations in trade in the product category in question. However, Member States shall not, without the prior authorization of the Commission, issue in any two consecutive quarters licences for amounts which exceed 52 % of their allocation in the initial period or 65 % of their allocation in 1991.

Member States may, subject to the second subparagraph hereof, issue further licences in the initial period, 1991 and the end period respectively, in respect to the unutilized part of licences issued which have been returned to their competent authorities in the initial period, 1991 and the end period.

2. Licences shall be issued according to the following criteria:

- compliance with the rules prescribed by this Regulation, in particular those concerning the quota allocated by the Commission pursuant to Article 3,
- compliance with the traditional export patterns of undertakings taking account of the reduction principles established by this Regulation,
- where appropriate, the taking into account of the situation of new producers of steel, while giving preference to traditional export patterns,
- compliance with the rates of exports to the United States as traditionally spread out over the year,
- compliance with the possibilities afforded by Article 3 (1) (b) of this Regulation,
- best use being made of any new possibilities provided for where appropriate, by this Regulation.

Each licence shall indicate the undertaking engaged in production of steel within the Community, and established in the issuing Member State that is holding the allocation against which the licence is issued.

⁽¹⁾ See page 16 of this Official Journal.

3. Transfers of export licences between steel undertakings or by steel undertakings to distributive undertakings may take place provided they concern the same product category and after prior notification to the authorities of the Member State in which the undertaking transferring the licence is established. Such transfer may take place between undertakings established in different Member States.

4. Licences issued in one Member State of the Community shall be valid throughout the Community.

5. Member States shall ensure the appropriate sanctions are applied in respect of all exports effected without production of the licence required hereunder and in respect of any other breaches of the provisions relating to such licences. Member States shall keep the Commission informed of all breaches of such measures and of all sanctions imposed in respect thereof, at intervals to be specified by the Commission.

6. The Commission may lay down detailed rules for the implementation of paragraphs 1 to 4 of this Article and specify the information to be provided to the Commission concerning the licences and exports.

Article 5

1. Member States shall charge the amounts set out on the licences issued by them against their respective allocations made pursuant to Article 3 including all licences subsequently transferred to an undertaking of another Member State.

2. Member States shall keep records of the exports of the products covered by this Regulation. The products shall be deemed to be so exported as at the date of acceptance, by the customs authorities of the Member State of dispatch, of

the export declaration or of the document provided for in Article 18 of Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods ⁽¹⁾.

3. The extent to which a Member State has used up its allocation shall be determined on the basis of licences issued in accordance with Article 4.

Article 6

1. Temporary exports to the United States of arrangement products which are to be re-exported from the United States in the same form or without having been subject to substantial transformation or having been subject to a double substantial transformation as defined in Appendix D of the Arrangement shall be charged against the allocation of the Member States whose authorities issued the licence. Upon production to the authorities of such Member State of proof of such re-exportation from the United States, the allocation of that Member State for the period within which such proof is presented shall be increased by the same amount.

2. The Commission may lay down detailed rules for the implementation of this Article.

Article 7

Where reference is made to the procedure mentioned in this Article, Article 11 of Regulation (EEC) No 1023/70 will apply.

Article 8

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

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

Done at Brussels, 6 November 1989.

For the Council

The President

R. DUMAS

⁽¹⁾ OJ No L 83, 30. 3. 1981, p. 40.

ANNEX I

List of products

Product	HTS	CN code
Blooms and billets	7207.11	7207 11
	7207.12.0010	7207 12 11 ⁽⁴¹⁾
	7207.19 ⁽⁴⁰⁾	7207 12 19 ⁽⁴¹⁾
	7207.20.0025	7207 12 90 ⁽⁴¹⁾
	7207.20.0075 ⁽⁴⁰⁾	7207 19 ⁽⁴⁰⁾
	7207.20.0090 ⁽⁴⁰⁾	7207 20 11
		7207 20 15
	7218.90.0010	7207 20 17
	7218.90.0020	7207 20 19
	7218.90.0045 ⁽⁴⁰⁾	7207 20 31 ⁽⁴¹⁾
	7218.90.0055 ⁽⁴⁰⁾	7207 20 33 ⁽⁴¹⁾
	7218.90.0070 ⁽⁴⁰⁾	7207 20 39 ⁽⁴¹⁾
	7218.90.0080 ⁽⁴⁰⁾	7207 20 51
		7207 20 55
	7224.90.0010	7207 20 57
	7224.90.0030 ⁽⁴⁰⁾	7207 20 59 ⁽⁴⁰⁾
	7224.90.0040	7207 20 71
	7224.90.0060 ⁽⁴⁰⁾	7207 20 79 ⁽⁴⁰⁾
	7224.90.0070 ⁽⁴⁰⁾	7207 20 90 ⁽⁴⁰⁾
		7218 90 11 ⁽⁴²⁾
		7218 90 13 ⁽⁴²⁾
		7218 90 15 ⁽⁴¹⁾ ⁽⁴²⁾
		7218 90 19 ⁽⁴¹⁾ ⁽⁴²⁾
		7218 90 30 ⁽⁴¹⁾ ⁽⁴²⁾
		7218 90 50 ⁽⁴²⁾
		7218 90 91 ⁽⁴⁰⁾ ⁽⁴²⁾
		7218 90 99 ⁽⁴⁰⁾ ⁽⁴²⁾
		7224 90 11 ⁽⁴¹⁾
		7224 90 19 ⁽⁴¹⁾
		7224 90 30
		7224 90 91 ⁽⁴⁰⁾
		7224 90 99 ⁽⁴⁰⁾
Other semi-finished (including slabs)	7206.10	7206 10 00
	7207.12.0050	7207 12 11 ⁽⁴³⁾
	7207.20.0045	7207 12 19 ⁽⁴³⁾
		7207 12 90 ⁽⁴³⁾
	7218.10 ⁽¹⁷⁾	7207 20 31 ⁽⁴³⁾
	7218.90.0035	7207 20 33 ⁽⁴³⁾
		7207 20 39 ⁽⁴³⁾
	7224.10 ⁽¹⁷⁾	
	7224.90.0020	7218 10 00 ⁽¹⁷⁾
	7224.90.0050	7218 90 15 ⁽⁴³⁾
		7218 90 19 ⁽⁴³⁾
		7218 90 30 ⁽⁴³⁾
		7224 10 00 ⁽¹⁷⁾
		7224 90 11 ⁽⁴³⁾
		7224 90 19 ⁽⁴³⁾

This Annex lists, for information purposes, the products which come under the ECSC Treaty and are covered by Article 1 (1) of Decision No 3724/89/ECSC.

The subheadings and item numbers referred to above are subject to revision when the EC or the US adopt modifications to their respective import nomenclatures when such modifications are adopted, prior notification shall be given to the other party.

Product	HTS	CN code
Plate	7208.31	7208 31 00
	7208.32	7208 32
	7208.33.50	7208 33 ⁽⁴⁴⁾
	7208.41	7208 41 00
	7208.42	7208 42
	7208.43	7208 43
	7210.90.10 ⁽⁵⁾ ⁽⁶⁾	7210 90 31 ⁽⁵⁾
	7211.11	7211 11 00
	7211.12	7211 12
	7211.21	7211 21 00
	7211.22.0045	7211 22 10 ⁽⁴⁵⁾
		7211 22 90 ⁽⁴⁵⁾
	7212.60 ⁽⁶⁾	7212 60 ⁽⁶⁾
	7225.30.30	
	7225.40.30	7225 30 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
	7225.50.60	7225 40 10 ⁽⁴⁷⁾
		7225 40 30 ⁽⁴⁷⁾
	7226.91.50	7225 40 50 ⁽⁴⁷⁾
		7225 50 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
		7225 91 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
Hot, rolled sheet and strip	7208.11	7208 11 00
	7208.12	7208 12
	7208.13	7208 13
	7208.14	7208 14
	7208.21.50	7208 21 10 ⁽⁴⁴⁾
	7208.22.50	7208 21 90 ⁽⁴⁴⁾
	7208.23	7208 22 10 ⁽⁴⁴⁾
	7208.24	7208 22 91 ⁽⁴⁴⁾
	7208.34	7208 22 99 ⁽⁴⁴⁾
	7208.35	7208 23
	7208.44	7208 24
	7208.45	7208 34
	7208.90 ⁽⁵⁾ ⁽⁶⁾	7208 35
		7208 44
	7211.19 ⁽³⁾	7208 45
	7211.22.0090	7208 90 ⁽⁵⁾ ⁽⁶⁾
	7211.29 ⁽³⁾	
		7211 19 ⁽³⁾
	7225.30.70 ⁽³⁾	7211 22 ⁽⁴⁸⁾
	7225.40.70 ⁽³⁾	7211 29 ⁽³⁾
Cold-rolled sheet	7226.91.70 ⁽³⁾	7225 30 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
	7226.91.80 ⁽³⁾	7225 40 70 ⁽³⁾ ⁽⁴⁷⁾
		7225 40 90 ⁽³⁾ ⁽⁴⁷⁾
		7226 91 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
	7208.21.10	7208 21 10 ⁽⁵⁰⁾
	7208.22.10	7208 21 90 ⁽⁵⁰⁾
	7208.33.10	7208 22 10 ⁽⁵⁰⁾
		7208 22 91 ⁽⁵⁰⁾
	7209.11	7208 22 99 ⁽⁵⁰⁾
	7209.12	7208 33 10 ⁽⁵⁰⁾
	7209.13	7208 33 91 ⁽⁵⁰⁾
	7209.14	7208 33 99 ⁽⁵⁰⁾
	7209.21	
	7209.22	7209 11 00
	7209.23	7209 12
	7209.24.50	7209 13
	7209.31	7209 14
	7209.32	7209 21 00
	7209.33	7209 22
	7209.34	7209 23
	7209.41	7209 24 10 ⁽⁵¹⁾

Product	HTS	CN code
Cold-rolled sheet (cont'd)	7209.42	7209 24 91 ⁽⁵¹⁾
	7209.43	7209 31 00
	7209.44	7209 32
	7209.90 ^{(5) (6)}	7209 33
		7209 34
	7210.70.30 ^{(5) (6)}	7209 41 00
		7209 42
	7211.30.50	7209 43
	7211.41.70	7209 44
	7211.49.50	7209 90 ^{(5) (6)}
	7225.50.80 ⁽³⁾	7210 70 19 ^{(5) (52)}
	7225.90 ^{(3) (5) (6)}	7210 70 90 ^{(5) (6) (52)}
	7226.92.50 ⁽³⁾	7211 30 ⁽⁵³⁾
		7211 41 ⁽⁵³⁾
		7211 49 ⁽⁵³⁾
		7225 50 00 ^{(3) (47) (49) (54)}
		7225 90 ^{(3) (5) (6)}
		7226 92 ^{(3) (47) (53)}
		7209 24 ⁽⁵⁵⁾
Blackplate	7209.24.10	
Cold-rolled strip	7221.30.10 ^{(3) (16)}	7211 30 31 ^{(3) (16) (56)}
	7211.30.30 ^{(3) (16)}	7211 30 39 ^{(3) (16) (56)}
	7211.41.10 ^{(3) (16)}	7211 30 50 ^{(3) (16) (56)}
	7211.41.30 ^{(3) (16)}	7211 30 90 ^{(3) (16) (56)}
	7211.41.50 ^{(3) (16)}	7211 41 91 ^{(3) (16) (56)}
	7211.49.10 ^{(3) (16)}	7211 41 95 ^{(3) (16) (56)}
	7211.49.30 ^{(3) (16)}	7211 41 99 ^{(3) (16) (56)}
	7211.90 ^{(3) (6) (16)}	7211 49 91 ^{(3) (16) (56)}
		7211 49 99 ^{(3) (16) (56)}
		7211 90 ^{(3) (6) (16) (56)}
	7212.30.10 ^{(6) (16)}	7212 30 90 ^{(6) (16) (56)}
	7212.30.30 ^{(6) (16)}	7212 40 10 ^{(6) (16) (56)}
	7212.40.10 ^{(5) (16)}	7212 40 99 ^{(6) (16) (56)}
	7226.92.70 ^{(3) (16)}	
	7226.92.80 ^{(3) (16)}	7226 92 90 ^{(3) (16) (47) (56)}
	7226.99 ^{(3) (6) (16)}	7226 99 ^{(3) (6) (16)}
Electrical sheet and strip	7225.10 ^{(5) (6)}	7225 10 ^{(5) (6)}
	7226.10 ⁽⁶⁾	7226.10 ⁽⁶⁾
Stainless plate	7219.11 ^{(19) (20)}	7219 11 ^{(19) (20)}
	7219.12 ^{(19) (20)}	7219 12 ^{(19) (20)}
	7219.21 ^{(19) (20)}	7219 21 ^{(19) (20)}
	7219.22 ^{(19) (20)}	7219 22 ^{(19) (20)}
	7219.31 ^{(19) (20)}	7219 31 ^{(19) (20)}
	7220.11 ^{(19) (20)}	7220 11 00 ^{(19) (20)}
Stainless sheet and strip	7219.13 ^{(19) (20) (21)}	7219 13 ^{(19) (20) (21)}
	7219.14 ^{(19) (20) (21)}	7219 14 ^{(19) (20) (21)}
	7219.23 ^{(19) (20) (21)}	7219 23 ^{(19) (20) (21)}
	7219.24 ^{(19) (20) (21)}	7219 24 ^{(19) (20) (21)}
	7219.32 ^{(19) (20) (21)}	7219 32 ^{(19) (20) (21)}
	7219.33 ^{(19) (20) (21)}	7219 33 ^{(19) (20) (21)}
	7219.34 ^{(19) (20) (21)}	7219 34 ^{(19) (20) (21)}
	7219.35 ^{(19) (20) (21)}	7219 35 ^{(19) (20) (21)}
	7219.90 ^{(5) (6) (19) (20) (21)}	7219 90 ^{(5) (6) (19) (20) (21)}
	7220.12 ^{(2) (19) (20) (22)}	7220 12 00 ^{(2) (19) (20) (22)}
	7220.20.10 ^{(19) (20) (22)}	7220 20 ^{(2) (19) (20) (22)}
	7220.20.60 ^{(19) (20) (22)}	7220 90 ^{(2) (6) (19) (20) (22)}
	7220.20.70 ^{(19) (20) (22)}	
	7220.20.90 ^{(19) (20) (22)}	
	7220.90 ^{(2) (6) (19) (20) (22)}	

Product	HTS	CN code
Tinplate	7210.11 (5) (6)	7210 11 (5) (6)
	7210.12 (5) (6)	7210 12 (5) (6)
	7212.10 (6)	7212 10 (6)
Tin-free steel	7210.50 (6)	7210 50 (6)
	7210.90.60 (6)	7210 90 35 (57)
		7210 90 39 (57)
		7210 90 90 (6) (57)
Electrogalvanized	7210.31 (5) (6)	7210 31 (5) (6)
	7210.39 (5) (6)	7210 39 (5) (6)
	7212.21 (6)	7212 21 (6)
	7212.29 (6)	7212 29 (6)
Other coated flat-rolled products	7210.20 (5) (6)	7210 20 (5) (6)
	7210.41 (5) (6)	7210 41 (5) (6)
	7210.49 (5) (6)	7210 49 (5) (6)
	7210.60 (6) (24)	7210 60 (6) (24)
	7210.70.60 (5) (6)	7210 70 (5) (6) (58)
	7210.90.90 (5) (6) (81)	7210 90 10 (5) (6) (81)
		7210 90 33 (5) (6)
	7212.30.50 (6)	7210 90 35 (5) (6) (59)
	7212.40.50 (6)	7210 90 39 (5) (6) (59)
	7212.50 (6) (81)	7210 90 90 (5) (6) (59)
		7212 30 (6) (53)
		7212 40 (6) (53)
		7212 50 10 (6) (81)
		7212 50 31 (6)
		7212 50 39 (6)
		7212 50 51 (6)
		7212 50 59 (6)
		7212 50 71 (6)
		7212 50 73 (6)
		7212 50 75 (6)
		7212 50 91 (6)
		7212 50 93 (6)
		7212 50 97 (6)
		7212 50 99 (6)
Rebar	7214.20	7214 20 00
Hot-finished bar	7213.39.0060	7213 39 00 (60)
	7213.39.0090	7213 49 00 (60)
	7213.49.0060	7213 50 00 (60)
	7213.49.0090	
	7213.50.0060	7214 10 00
	7213.50.0080	7214 30 00
		7214 40
	7214.10	7214 50
	7214.30	7214 60 00
	7214.40	
	7214.50	7228 20 11
	7214.60	7228 20 19
		7228 20 30
	7228.20.10 (6)	7228 20 50
	7228.30.80	7228 20 90 (61)
	7228.40	7228 30 10 (47)
	7228.60.60 (6)	7228 30 90 (47)
		7228 40 00
		7228 60 10 (47)
		7228 60 90 (47) (61)
Cold-finished bar	7215.10	7215 10 00
	7215.20	7215 20 00
	7215.30	7215 30 00
	7215.40	7215 40 00
	7215.90 (6)	7215 90 (6)

Product	HTS	CN code
Cold-finished bar (cont'd)	7228.20.50 ⁽⁶⁾ 7228.50.50 7228.60.80 ⁽⁶⁾ 7228.80	7228 20 70 7228 20 90 ⁽⁶⁾ ⁽⁶²⁾ 7228 50 00 ⁽⁴⁷⁾ 7228 60 90 ⁽⁶⁾ ⁽⁴⁷⁾ ⁽⁶²⁾ 7228 80
Stainless bar	7218.90.0030 7218.90.0065 7218.90.0090 7221.00.0060 7221.00.0080 7222.10 7222.20 7222.30 ⁽⁶⁾	7218 90 11 ⁽⁶³⁾ 7218 90 13 ⁽⁶³⁾ 7218 90 15 ⁽⁴¹⁾ ⁽⁶³⁾ 7218 90 19 ⁽⁴¹⁾ ⁽⁶³⁾ 7218 90 30 ⁽⁴¹⁾ ⁽⁶³⁾ 7218 90 50 ⁽⁶³⁾ 7218 90 91 ⁽⁶³⁾ 7218 90 99 ⁽⁶³⁾ 7221 00 10 ⁽⁶⁰⁾ 7221 00 90 ⁽⁶⁰⁾ 7222 10 7222 20 7222 30 ⁽⁶⁾
Carbon wire rod	7213.10 7213.20 7213.31 7213.39.0030 7213.41 7213.49.0030 7213.50.0020 7213.50.0040	7213 10 00 7213 20 00 7213 31 00 7213 39 00 ⁽⁶⁴⁾ 7213 41 00 7213 49 00 ⁽⁶⁴⁾ 7213 50 00 ⁽⁶⁵⁾
Stainless wire rod	7221.00.0020 7221.00.0040	7221 00 10 ⁽⁶⁵⁾ 7221 00 90 ⁽⁶⁵⁾
Alloy wire rod	7227.20 7227.90.60	7227 20 00 7227 90 10 7227 90 90 ⁽⁴⁷⁾
Bar shapes less than 80 mm	7216.10 7216.21 7216.22	7216 10 00 ⁽⁸¹⁾ 7216 21 00 ⁽⁸¹⁾ 7216 22 00 ⁽⁸¹⁾
Structurals	7216.31 7216.32 7216.33 7216.40 7216.50 7216.60 7222.40.30 7228.70.30	7216 31 00 7216 32 00 7216 33 00 7216 40 7216 50 7216 60 7222 40 11 ⁽⁶⁶⁾ 7222 40 19 ⁽⁶⁶⁾ 7222 40 30 ⁽⁶⁶⁾ 7228 70 10 ⁽⁶⁶⁾ 7228 70 31 ⁽⁶⁶⁾
Sheet piling	7301.10	7301 10 00
Fabricated structurals	7216.90 7222.40.60 7228.70.60 7301.20 7308.10 7308.20 7308.30 ⁽¹⁵⁾	7216 90 7222 40 91 7222 40 93 7222 40 99 7228 70 91 7228 70 99 7301 20 00

Product	HTS	CN code
Fabricated structurals (cont'd)	7308.40	7308 10 00
	7308.90.30 (12)	7308 20 00
	7308.90.60 (13)	7308 30 00 (15)
	7308.90.90 (9) (14)	7308 40 00
		7308 90 (9) (14) (67)
Stainless wire	7223.00.10	7223 00 10 (68)
	7223.00.50 (2) (6)	7223 00 90 (68)
Wire strand	7312.10.10 (4)	7312 10 30 (4) (69) (71)
	7312.10.3015 (4)	7312 10 50 (4) (69) (70) (71)
	7312.10.3065 (4)	7312 10 71 (4) (69) (71)
	7312.10.3075 (4)	7312 10 75 (4) (69) (71)
	7312.10.3090 (4)	7312 10 79 (4) (69) (71)
Wire rope	7312.10.60 (4)	7312 10 30 (4) (69) (72)
	7312.10.90 (4)	7312 10 50 (4) (69) (72) (73)
		7312 10 91 (4) (69)
		7312 10 95 (4) (69)
		7312 10 99 (4) (69) (73)
Other wire	7217.11	7217 11
	7217.12	7217 12
	7217.13	7217 13
	7217.19	7217 19
	7217.21	7217 21 00
	7217.22	7217 22 00
	7217.23	7217 23 00
	7217.29	7217 29 00
	7217.31 (3)	7217 31 00 (3)
	7217.32	7217 32 00
	7217.33	7217 33 00
	7217.39 (3)	7217 39 00 (3)
	7223.00.90	7223 00 10 (74)
		7223 00 90 (74)
	7229.20	
	7229.90	7229 20 00
		7229 90 00
Wire products	7313.00 (11)	7313 00 00 (11)
	7314.41 (8)	7314 41 (8)
	7314.42 (8)	7314 42 (8)
	7314.49 (8)	7314 49 00 (8)
	7317.00.55 (7)	7317 00 (7) (75)
	7317.00.6560 (7)	
	7317.00.75 (7)	
Rails	7302.10 (10)	7302 10 (10)
Rail products	7302.20 (18)	7302 20 00 (18)
	7302.40 (18)	7302 40 10
	7302.90 (23)	7302 90 30 (23)
		7302 90 90 (23)
	8607.19.10	8607 19 11
	8607.19.20	8607 19 19
Alloy tool steel	7225.20 (5) (6)	7225 20 (5) (6)
	7225.30.10	7225 30 00 (76)
	7225.30.5060	7225 40 (77)
	7225.40.1090	7225 50 00 (77)
	7225.40.5060	
	7225.50.1060	7226 20 (6)
		7226 91 00 (77)
	7226.20 (6)	7226 92 (77)

Product	HTS	CN code
Alloy tool steel (cont'd)	7226.91.1060	
	7226.91.3060	7227 10 00
	7226.92.1060	7227 90 90 ⁽⁷⁷⁾
	7226.92.3060	
		7228 10 ⁽⁶⁾
	7227.10	7228 30 ⁽⁷⁷⁾
	7227.90.1060	7228 50 00 ⁽⁷⁷⁾
	7227.90.2060	7228 60 ⁽⁶⁾ ⁽⁷⁷⁾
	7228.10 ⁽⁶⁾	7229 10 00
	7228.30.40	
	7228.30.60	
	7228.50.1020	
	7228.50.1040	
	7228.50.1060	
	7228.50.1080	
	7228.60.1060 ⁽⁶⁾	
	7229.10	
Other speciality steel	7225.30.5030	7225 30 00 ⁽⁷⁸⁾
	7225.40.1015	7225 40 ⁽⁷⁹⁾
	7225.40.5030	7225 50 00 ⁽⁷⁹⁾ ⁽⁸⁰⁾
	7225.50.1030	
	7225.50.70	7226 91 00 ⁽⁷⁹⁾
		7226 92 ⁽⁷⁹⁾
	7226.91.1030	
	7226.91.3030	7227 90 90 ⁽⁷⁹⁾
	7226.92.1030	
	7226.92.3030	7228 30 ⁽⁷⁹⁾
		7228 50 00 ⁽⁷⁹⁾
	7227.90.1030	7228 60 ⁽⁶⁾ ⁽⁷⁹⁾
	7227.90.2030	
	7228.30.20	
	7228.50.1010	
	7228.60.1030 ⁽⁶⁾	

Footnotes

- (2) Excluded if 'razor blade steel' i.e. flat-rolled products of stainless steel not over 0,25 mm in thickness and not over 23 mm in width, containing by weight not over 14,7 percent of chromium, and certified at the time of entry to be used in the manufacture of razor blades.
- (3) Excluded if 'carbon/alloy band saw steel' defined as follows:
- (a) 'metal cutting band saw steel' referring to steel flat-rolled products, not less than 0,61 mm and not more than 0,91 mm in thickness, not less than 6,30 mm and not more than 50,80 mm in width, in coils, containing:
- carbon: not less than 1,18 and not more than 1,32 %,
 - chromium: not less than 0,15 and not more than 0,32 %,
 - manganese: not less than 0,10 and not more than 0,40 %,
- certified by the importer of record or the ultimate consignee for use in the manufacture of metal-cutting band saw blades; or
- (b) 'wood band saw steel' referring to
- (1) alloy steel flat-rolled products less than 4,75 mm in thickness which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 nor more than 0,81 %,
 - manganese: not less than 0,30 nor more than 0,55 %;
 - silicon: not less than 0,20 nor more than 0,35 %,
 - nickel: not less than 1,60 nor more than 2,70 %,
 - chromium: none, or not more than 0,50 %,
 - phosphorus: none, or not more than 0,03 %, and
 - sulfur: none, or not more than 0,15 %,
- or
- (2) cold-rolled flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 nor more than 0,81 %,
 - manganese: not less than 0,30 nor more than 0,50 %,
 - silicon: not less than 0,20 nor more than 0,35 %,
 - chromium: none, or not more than 0,50 %,
 - phosphorus: none, or not more than 0,03 %, and
 - sulfur: none, or not more than 0,15 %,
- certified by the importer of record or the ultimate consignee for use in the manufacture of wood band saws.
- (4) Excluded if covered with textile or other non-metallic material.
- (5) Excluded if cut, pressed or stamped to non-rectangular shape.
- (6) Covered if corrugated or subjected to surface treatments.
- (7) Excluded if corrugated fasteners, glaziers' points, hook nails, or ring nails.
- (8) Excluded if other than galvanized wire fencing wholly of round iron or steel wire measuring not over 5,08 mm and not under 1,905 mm in diameter, whether or not such wire is covered with plastics.
- (9) Excluded if fence or sign posts.
- (10) Excluded if current-conducting rail.
- (11) Excluded if twisted hoop or single flat wire, whether or not barbed.
- (12) Excluded if of cast iron.
- (13) Excluded if in part of stainless steel.
- (14) Excluded if plastic foam core insulating composite panels.
- (15) Excluded if door or window frames.
- (16) Excluded if bale ties.
- (17) Excluded if other primary forms, e.g. blocks, lumps, puddled bars and pilings.
- (18) Excluded if forged.
- (19) Excluded if cladding grade 434 stainless steel certified by the importer of record to be used in the manufacture of stainless steel clad aluminum automobile trim.
- (20) Excluded if grade 253MA or 254SMO stainless steel.
- (21) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness and over 1 803,4 mm in width.
- (22) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, and certified by the importer of record or ultimate consignee to be used in the manufacture of stainless steel flapper valves for compressors.
- (23) Covered if either
- (a) hot-rolled and designed to connect the ends of adjacent rails in track (i.e. 'joint bars'). These products are usually punched or slotted; or
- (a) hot-rolled and used to support rails in track, to maintain track gauge, and protect the ties (i. e. 'tie plates'). These products are punched to provide holes for spikes and have one or two shoulder sections as rail guides.

- (24) Excluded if cut, pressed or stamped to non-rectangular shape and other than electrolytically coated or plated.
- (40) Excluded if pieces roughly shaped by forging.
- (41) Covered if of a width measuring less than four times, the thickness.
- (42) Covered if of a cross-sectional area of 19,4 cm² or more.
- (43) Covered if of a width measuring at least four times the thickness.
- (44) Excluded if pickled.
- (45) Excluded if in coils.
- (46) Covered if of a thickness of 4,75 mm or more.
- (47) Excluded if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS.
- (48) Covered if in coils.
- (49) Covered if of a thickness of less than 4,75 mm.
- (50) Covered if pickled.
- (51) Covered if of a thickness of 0,361 mm or more.
- (52) Excluded if coated or plated with metal or clad.
- (53) Covered if of a width of 300 mm or more.
- (54) Excluded if of heat resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (55) Covered if of a thickness of less than 0,361 mm.
- (56) Covered if of a width of less than 300 mm.
- (57) Covered if electrolytically coated or plated with base metal.
- (58) Covered if coated or plated with metal or clad.
- (59) Excluded if electrolytically coated or plated with base metal.
- (60) Covered if of circular cross-section and with a diameter of 19 mm or more if of other than circular cross-section.
- (61) Excluded if cold formed.
- (62) Covered if cold formed.
- (63) Covered if of a cross sectional area of less than 19,4 cm².
- (64) Covered if of circular cross-section and with a diameter of 14 mm or more but less than 19 mm.
- (65) Covered if of circular cross-section and with either a diameter of less than 14 mm or with a diameter of 14 mm or more but less than 19 mm.
- (66) Covered if hot rolled, not drilled, not punched and not otherwise advanced.
- (67) If columns, pillars, posts, beams, girders and similar structural units, excluded if in part of stainless steel or if of cast iron.
- (68) Excluded if other than round or flat wire. Also excluded if flat wire or razor blade steel (see footnote 2) or flat wire further worked after flat rolling (see footnote 6).
- (69) Excluded if fitted with fittings or made up into articles.
- (70) Excluded if tyre cord. If other than tyre cord and other than stranded wire for prestressing concrete, excluded if of brass plated wire.
- (71) Covered if stranded wire.
- (72) Excluded if stranded wire.
- (73) Excluded if of brass plated wire.
- (74) Excluded if round or flat wire.
- (75) Excluded if thumb tacks; or drive pins, studs or other fasteners, suitable for use in powder-activated hand tools; or staples in strip form; or furniture glides; or cut products made of other than round wire and of one piece construction.
- (76) If of a thickness of 4,75 mm or more, covered if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS. If of a thickness of less than 4,75 mm, covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (77) Covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (78) Covered if of a thickness of less than 4,75 mm and of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (79) Covered if of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (80) Covered if of a thickness of less than 4,75 mm and of heat-resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (81) Excluded if silvered, gilded or platinum plated.

*ANNEX II***United States customs territory and United States foreign trade zones**

The United States customs territory shall comprise the States, the district of Columbia and Puerto Rico.

A United States foreign zone shall be defined as follows:

It is isolated, enclosed and policed area, operated as a public utility, in or adjacent to a port of entry, furnished with facilities for lading, unloading, handling, storing, manipulating, manufacturing and exhibiting goods and for reshipping them by land, water or air. Any foreign and domestic merchandise, except such as is prohibited by law or such as the Board may order to be excluded as detrimental to the public interest, health or safety, may be brought into a zone without being subject to the customs laws of the United States governing the entry of goods or the payment of duty thereon; and such merchandise permitted in a zone may be stored, exhibited, manufactured, mixed or manipulated in any manner, except as provided in the act and other applicable laws or regulations. The merchandise may be exported, destroyed or sent into customs territory from the zone. In the original package or otherwise. It is subject to customs duties if sent into customs territory, but not if reshipped to foreign points.

ANNEX III

Allocation among Member States

(%)

	D	F	I	NL	B	L	UK	GR	DK	IRL	E	P
Semi-finished products	46,53	13,49	2,79	13,96	12,10	—	4,19	—	—	—	6,94	—
Plate	18,42	2,95	8,47	0,74	38,61	—	11,17	—	1,44	—	18,20	—
Hot-rolled sheet and strip	32,66	32,04	8,60	19,39	3,65	0,55	0,85	—	—	—	2,26	—
Cold-rolled sheet	39,90	14,46	8,90	14,67	8,14	0,25	2,14	4,75	—	—	6,79	—
Black plate	11,72	10,75	—	16,71	30,96	—	0,16	29,70	—	—	—	—
Cold-rolled strip	51,75	6,29	0,39	0,13	3,98	—	8,54	6,13	—	—	22,79	—
Electrical sheet and strip	47,60	1,03	46,11	—	1,23	—	4,03	—	—	—	—	—
Stainless plate	55,90	3,88	0,77	0,03	9,63	—	29,79	—	—	—	—	—
Stainless sheet and strip	19,31	42,23	5,60	0,02	3,84	—	5,44	—	—	—	23,56	—
Tinplate	45,07	32,57	—	10,75	3,35	—	0,69	—	—	—	7,57	—
Tin-free steel	78,70	18,90	—	0,89	0,99	—	0,52	—	—	—	—	—
Coated flat-rolled products	47,19	19,16	7,15	3,41	3,19	0,35	2,08	—	—	—	12,62	4,85
Reinforcing bar	21,59	26,59	0,08	—	—	—	1,50	—	—	—	50,24	—
Hot-finished bar	7,03	11,28	2,78	0,24	4,43	16,05	41,13	—	—	—	17,06	—
Cold-finished bar	6,94	45,40	3,85	0,08	0,65	—	27,56	—	—	—	15,52	—
Stainless bar	11,09	22,48	11,10	0,04	0,10	—	9,32	—	0,10	—	45,77	—
Carbon wire rod	12,27	37,57	0,01	2,87	6,62	0,02	21,00	—	—	—	18,91	0,73
Stainless wire rod	11,39	33,93	19,55	0,03	8,20	—	0,21	—	0,06	—	26,63	—
Alloy wire rod	7,49	40,84	10,42	27,94	0,92	—	11,75	—	—	—	0,64	—
Bar shapes under 80 mm	12,18	1,95	1,22	1,34	53,86	19,18	7,43	—	—	—	2,84	—
Structurals	17,50	8,63	0,50	—	19,30	13,83	18,31	—	—	—	21,93	—
Sheet piling	27,67	25,16	—	—	—	30,52	16,65	—	—	—	—	—
Fabricated structurals	11,62	4,32	40,51	3,27	—	17,44	19,62	—	3,22	—	—	—
Stainless wire	6,97	23,06	29,65	0,51	20,18	—	19,13	—	—	—	0,50	—
Wire strand	8,62	10,73	27,57	9,58	4,87	—	7,63	—	0,01	—	30,99	—
Wire rope	19,77	21,55	8,96	7,68	4,11	—	15,16	—	1,13	—	21,64	—
Carbon and alloy wire	14,90	27,30	4,05	1,16	35,33	4,27	12,48	—	0,09	—	0,42	—
Wire products	2,32	3,32	1,10	2,51	13,89	15,59	4,76	—	4,47	—	52,04	—
Rails	58,54	14,36	—	—	—	20,77	6,33	—	—	—	—	—
Railway or tramway track construction material, wheels and axles	10,59	75,98	4,26	0,13	0,76	0,79	6,69	—	—	—	0,80	—
Alloy tool steel	62,61	9,60	13,90	0,53	0,45	—	10,71	—	—	—	2,20	—
Other specialty steel	12,87	33,74	49,70	0,15	0,92	—	2,27	—	—	—	0,35	—

COUNCIL REGULATION (EEC) No 3723/89

of 6 November 1989

on the restriction of exports of steel pipes and tubes to the United States of America

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has concluded an Arrangement⁽¹⁾, hereinafter referred to as 'the Arrangement', with the United States of America under which exports to the United States of certain steel pipes and tubes originating in the Community are to be limited to certain levels over an agreed period; whereas, moreover, it is necessary, pursuant to this Arrangement, to introduce in the Community measures to restrict the amount of these products exported to the United States;

Whereas, in accordance with the Arrangement, the export restrictions cover steel pipes and tubes originating in the Community; whereas the origin of these products is determined in accordance with applicable Community legislation, that is to say Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽²⁾, as last amended by Regulation (EEC) No 1769/89⁽³⁾;

Whereas, for practical and management reasons, the quantitative export limits agreed by the Community must be allocated among the Member States; whereas, in order to do so, an allocation method must be established; whereas, thereafter, the Member States must share out the amounts allocated to them among undertakings in accordance with objective criteria;

Whereas utilization of the Community limits, based on allocations among Member States made in this way, would seem to be in keeping with the Community nature of these limits; considering that, in particular, the allocation method provides for a maximum use of export possibilities;

Whereas the allocation among the Member States of the total export possibilities which the Arrangement affords should take account of traditional trade patterns;

Whereas measures must be taken to avoid abnormal concentration at certain times of exports to the United States;

Whereas, in order to keep a check on exports, a system of export licences and certificates should be introduced;

Whereas it is necessary to provide that export licences issued to undertakings shall indicate the undertaking engaged in production of steel pipes and tubes within the Community and established in the issuing Member States that is holding the allocation against which the licence is issued;

Whereas, in order to take account of the interests of distributive undertakings, it must be possible for these licences to be transferred not only between undertakings producing steel pipes and tubes but also by undertakings producing steel pipes and tubes to distributive undertakings, in particular where the undertakings producing steel pipes and tubes decide to sell their products to such distributive undertakings;

Whereas it appears necessary, and for the moment sufficient, that Member States ensure compliance with the different provisions of the regime laid down by applying the various penalties provided for in their laws;

Whereas, in order to facilitate the application of the envisaged provisions, it is appropriate to set up a procedure establishing close cooperation between Member States and the Commission within a committee; whereas it is sufficient for this purpose to apply the procedure set up in Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community export limits are hereby established for the period 1 October 1989 to 31 December 1990 (hereinafter referred to as 'the initial period') for the year 1991 and for the period 1 January 1992 to 31 March 1992 (hereinafter referred to as 'the end period'), for exports effected after 1 October 1989 from the Community to the United States of America (hereinafter referred to as 'the United States') of the steel pipes and tubes originating in the Community which are listed in Annex I.

For the purpose of this Regulation, the United States shall comprise United States customs territory and United States foreign trade zones as described in Annex II.

⁽¹⁾ See page 126 of this Official Journal.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽³⁾ OJ No L 174, 22. 6. 1989, p. 11.

⁽⁴⁾ OJ No L 124, 8. 6. 1970, p. 1

2. The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. The Community export limit for steel pipes and tubes is hereby fixed at 8,82 % of the United States apparent consumption.

In the case of what are termed OCTG tubes, as referred to in Annex I, the Community limit, forming part of the overall limit for steel pipes and tubes, is hereby fixed at 9 % of apparent consumption of these tubes in the United States.

The limits shall be calculated by the Commission on the basis of the level of apparent consumption of these products in the United States, as laid down in the Arrangement.

2. The Community export limits calculated pursuant to paragraph 1 shall be adjusted by the Commission to take account of revisions of the said United States apparent consumption.

3. These limits may also be adjusted by the Commission after consulting the Arrangement Committee:

- for advance use or carry-over of licences,
- to enable transfers between product categories to be made, including transfers between, on the one hand, the products covered by this Regulation and, on the other, those covered by Regulation (EEC) No 3722/89 ⁽¹⁾ and by Decision 3724/89/ECSC ⁽²⁾,
- for additional quotas in case of short supply,
- to take account of exports effected by the Community between 1 October 1989 and the date of entry into force of this Regulation,

under the conditions provided for in the Arrangement.

Article 3

1. (a) The Community quantitative export limits established and calculated pursuant to Article 2 shall be allocated for the initial period, 1991 and the end period by the Commission in accordance with Annex III with the exception of any quantities granted under Article 7 of the Arrangement which shall be allocated by the Commission on the basis of the circumstances and conditions under which these quantities have been granted.

(b) Notwithstanding point (a), the Community quantitative export limits to be allocated by the Commission in accordance with Annex III shall be reduced by 10 % in the initial period and 1991 for those Member States which, on the basis of certificates referred to in Article 4 (1) issued by

them, have used less than 40 % of their quota by 30 June 1990 and 33 % of their quota by 30 June 1991 respectively.

The quantities represented by such reductions shall be allocated by the Commission, after consulting the Arrangement Committee, on 1 August 1990 and 1 August 1991 respectively so as to facilitate the optimal use and administration of the Community export possibilities taking account of the share of Community exports effected by each Member State in each product category by 30 June 1990 and 30 June 1991 respectively.

(c) Where the Community limits for arrangement products are adjusted in accordance with the fourth indent of Article 2 (3), the Commission shall adjust the allocation of quantity limits, taking account of the origin of the exports before the entry into force of this Regulation which gave rise to this adjustment.

2. The Commission shall hold regular consultations with the Arrangement Committee set up by Decision No 3724/89/ECSC ⁽¹⁾ on the situation regarding licences issued and on the measures to be taken with a view to ensuring best use of the overall limit.

Article 4

1. The Community exports described in Article 1 shall, from the date of entry into force of this Regulation to 31 March 1992, be subject to the production to the competent Community customs office where the export formalities are carried out of an export licence and an export certificate. The export licences shall be issued by the competent authorities of each Member State within the limits of the amounts allocated to it pursuant to Article 3.

Member States shall fix for each quarter the amounts for which they anticipate that licences will be issued for all steel pipes and tubes, on the one hand, and for OCTG, on the other; they shall inform the Commission thereof in the first 15 days of the relevant quarter. In doing so, they shall make sure that the export licences for each quarter ensure an adequate spread of exports over the whole year, taking into account the seasonal variations in trade in each product category. However, Member States shall not, without the prior authorization of the Commission, issue in any two consecutive quarters licences for amounts which exceed 52 % of their allocation in the initial period or 65 % of their allocation in 1991.

Member States may, subject to the second subparagraph, issue further licences in the initial period, 1991 and the end period respectively, in respect of the unused part of licences issued which have been returned to their competent authorities in the initial period, 1991 and the end period.

2. Licences shall be issued according to the following criteria:

⁽¹⁾ See page 1 of this Official Journal.

⁽²⁾ See page 21 of this Official Journal.

- compliance with the rules prescribed by this Regulation, in particular those concerning the quota allocated by the Commission pursuant to Article 3,
- compliance with the traditional export patterns of undertakings taking account of the reduction principles established by this Regulation,
- where appropriate the taking into account of the situation of new producers of pipes and tubes while giving preference to traditional export patterns,
- compliance with the rates of exports to the United States as traditionally spread out over the year,
- optimum use and administration of the export possibilities afforded by this Regulation,
- compliance with the possibilities afforded by Article 3 (1) (b) of this Regulation,
- best use being made of any new possibilities provided for, where appropriate, by this Regulation.

Each licence shall indicate the undertaking engaged in the production of steel pipes and tubes in the Community, and established in the issuing Member State that is holding the allocation against which the licence is issued.

3. Transfers of export licences between undertakings producing steel tubes and pipes, or by undertakings producing steel pipes and tubes to distributive undertakings, may take place after prior notifications to the authorities of the Member State in which the undertaking transferring the licence is established. Such transfers may take place between undertakings established in different Member States.

4. The licence must specify whether the tubes are OCTG tubes or other steel pipes or tubes.

5. Licences issued in one Member State of the Community shall be valid throughout the Community.

6. Member States shall ensure the appropriate penalties are applied in respect of all exports effected without production of the licence referred to in this Article and in respect of any other breaches of the provisions relating to such licences. Member States shall keep the Commission informed of all breaches of the abovementioned rules and of all penalties imposed in respect thereof, at intervals to be specified by the Commission.

7. The detailed rules for the application of this Regulation and the information to be supplied to the Commission

concerning the licences and exports shall be laid down by the Commission.

Article 5

1. Member States shall charge the amounts set out on the licences issued by them against their respective allocations made pursuant to Article 3, including all licences subsequently transferred to an undertaking of another Member State.

2. Member States shall keep records of the exports of the products covered by this Regulation. The products shall be deemed to be exported on the date of acceptance, by the customs office of the Member State of export, of the export declaration or of the document provided for in Article 18 of Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods ⁽¹⁾.

3. The extent to which a Member State has used up its allocation shall be determined on the basis of licences issued in accordance with Article 4.

Article 6

1. Exports to the United States of products which are to be re-exported from the United States in the same form or without having been subject to substantial transformations shall be charged against the allocation of the Member State where the licence was issued. Upon production to the authorities of such Member State of proof of such re-exportation from the United States, the allocation of that Member State for the period within which such proof is presented shall be increased by the same amount.

2. The Commission may lay down detailed rules for the implementation of this Article.

Article 7

Cooperation between the Commission and the Member States for the application of this Regulation shall be subject to Article 11 of Regulation (EEC) No 1023/70.

Article 8

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

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

Done at Brussels, 6 November 1989.

For the Council

The President

R. DUMAS

⁽¹⁾ OJ No L 83, 30. 3. 1981, p. 40.

ANNEX I

List of products

Product	HTS	CN code
Other pipe and tube	7304.10 (1)	7304 10 (1)
	7304.31 (1)	7304 31 (1)
	7304.39 (1)	7304 39 (1)
	7304.41 (1)	7304 41 (1)
	7304.49 (1)	7304 49 (1)
	7304.51 (1)	7304 51 (1)
	7304.59 (1)	7304 59 (1)
	7304.90 (1)	7304 90 (1)
	7305.11	7305 11 00
	7305.12	7305 12 00
	7305.19	7305 19 00
	7305.31.40 (1)	7305 31 00 (1) (2)
	7305.31.60 (1)	7305 39 00 (1)
	7305.39 (1)	7305 90 00 (1)
	7305.90 (1)	
		7306 10
	7306.10 (1)	7306 30 (1) (2)
	7306.30.10 (1)	7306 40 (1)
	7306.30.50 (1)	7306 50 (1) (2)
	7306.40 (1)	7306 60 (1)
	7306.50.10 (1)	7306 90 00 (1)
	7306.50.50 (1)	
	7306.60 (1)	8547 90 00 (3)
	7306.90 (1)	
	8547.90.0020	
OCTG	7304.20	7304 20
	7305.20	7305 20
	7306.20	7306 20 00

The subheadings and item numbers referred to above are subject to revision when the Community or the United States adopt modifications to their respective import nomenclatures. When such modifications are adopted, prior notification shall be given to the other party.

(1) Excluded if drill pipe of a kind used in drilling for earth minerals or ores.

(2) Excluded if tapered pipes and tubes principally used as parts of illuminating articles.

(3) Covered if conduit tubing.

ANNEX II

United States customs territory and United States foreign trade zones

The United States customs territory shall comprise the States, the district of Columbia and Puerto Rico.

A United States foreign zone shall be defined as follows: ...

It is an isolated, enclosed and policed area, operated as a public utility, in or adjacent to a port of entry, furnished with facilities for loading, unloading, handling, storing, manipulating, manufacturing and exhibiting goods and for reshipping them by land, water or air. Any foreign and domestic merchandise, except such as is prohibited by laws or such as the Board may order to be excluded as detrimental to the public interest, health or safety, may be brought into a zone without being subject to the customs laws of the United States governing the entry of goods or the payment of duty thereon; and such merchandise permitted in a zone may be stored, exhibited, manufactured, mixed or manipulated in any manner, except as provided in the act and other applicable laws or regulations. The merchandise may be exported, destroyed or sent into customs territory from the zone, in the original package or otherwise. It is subject to customs duties if sent into customs territory, but not if reshipped to foreign points.

ANNEX III

Allocation among Member States

	Member States	Proportion of Community limits
Pipes and tubes	Germany	33,57 %
	France	11,07 %
	Italy	23,81 %
	Netherlands	3,33 %
	Belgium	5,72 %
	Luxembourg	2,03 %
	United Kingdom	4,76 %
	Greece	6,19 %
	Denmark	—
	Ireland	—
	Spain	9,52 %
	Portugal	—
OCTG	Germany	38,76 %
	France	4,69 %
	Italy	28,76 %
	Netherlands	0,18 %
	Belgium	4,42 %
	Luxembourg	0,09 %
	United Kingdom	4,87 %
	Greece	6,73 %
	Denmark	—
	Ireland	—
	Spain	11,50 %
	Portugal	—

COMMISSION DECISION No 3724/89/ECSC

of 11 December 1989

on the restriction of exports of certain steel products to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first and second paragraphs of Article 95 thereof,

Whereas the Community has concluded an Arrangement⁽¹⁾ (hereinafter referred to as 'the Arrangement') with the United States of America under which the amount of exports, to the United States of America, of certain steel products originating in the Community are to be limited to certain levels over an agreed period; whereas, moreover, it is necessary, pursuant to this Arrangement, to introduce in the Community measures to restrict the amount of these steel products exported to the United States of America;

Whereas this Decision does not affect the powers of the Member States in matters of commercial policy referred to in Article 71 of the Treaty;

Whereas, in accordance with the Arrangement, the export restrictions cover steel products originating in the Community; whereas the origin of these products is determined in accordance with applicable Community legislation, that is to say Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽²⁾, as last amended by Regulation (EEC) No 1769/89⁽³⁾;

Whereas, for practical and management reasons, the quantitative export limits agreed by the Community must be allocated among the Member States; whereas, in order to do so, an allocation method must be established; whereas, thereafter, the Member States must share out the amounts allocated to them among undertakings in accordance with objective criteria;

Whereas utilization of the Community limits, based on allocations among Member States made in this way, would seem to be in keeping with the Community nature of these limits, considering that in particular the allocation method provides for a maximum use of export possibilities;

Whereas the allocation among the Member States of the total export possibilities which the Arrangement affords should take account of traditional trade patterns;

Whereas, as provided for in the Arrangement, measures must be taken to avoid abnormal concentrations at certain times in exports to the United States of America;

Whereas the Community steel policy aims, in particular, at allowing the Community steel industry to adapt to the conditions of international competition; whereas, since the Arrangement is limited to products originating in the Community, it is necessary to provide that export licences issued to undertakings shall indicate the undertaking engaged in production of steel within the Community and established in the issuing Member State that is holding the allocation against which the licence is issued;

Whereas, in order to take account of the interests of distributive undertakings, it must be possible for these licences to be transferred not only between steel undertakings but also by steel undertakings to distributive undertakings, in particular where the steel undertakings decide to sell their products to such distributive undertakings;

Whereas it appears necessary, and for the moment sufficient, that Member States ensure compliance with the different provisions of the regime laid down by applying the various penalties provided for in their laws;

Whereas, in order to facilitate the application of the envisaged provisions, it is appropriate to set up a procedure establishing close cooperation between Member States and the Commission in the framework of a Committee; whereas, to that end, it is necessary to establish an Arrangement Committee;

Having consulted the Consultative Committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

1. Community export limits are hereby established for the period 1 October 1989 to 31 December 1990 (hereinafter referred to as 'the initial period'), for the year 1991 and for the period 1 January to 31 March 1992 (hereinafter referred to as 'the end period') for exports effected after 1 October 1989 from the Community to the United States of America (hereinafter referred to as 'the

(1) See page 99 of this Official Journal.

(2) OJ No L 148, 28. 6. 1968, p. 1.

(3) OJ No L 174, 22. 6. 1989, p. 11.

United States') of the steel products originating in the Community which are listed in Annex I.

For the purposes of this Decision, the United States shall comprise United States customs territory and United States foreign trade zones as described in Annex II.

2. The origin of the products covered by this Decision shall be determined in accordance with the rules in force in the Community.

Article 2

1. Community export limits per product category shall be calculated by the Commission for the initial period, for the year 1991 and for the end period by application to the United States apparent consumption within the meaning of Article 5 and Annex A of the Arrangement of the following percentages:

Product category	Quota (%)
Semi-finished steel	0,76
Plate	7,13
Hot-rolled sheet and strip	7,29
Cold-rolled sheet	5,94
Black plate	12,84
Cold-rolled strip	5,34
Electrical sheet and strip	4,98
Stainless plate	5,89
Stainless sheet and strip	5,94
Tin plate	2,96
Tin-free steel	4,22
Coated flat-rolled products	4,51
Concrete reinforcing bar	0,09
Hot-finished bar	3,09
Cold-finished bar	6,63
Stainless bar	7,40
Carbon wire rod	5,70
Stainless wire rod	13,16
Alloy wire rod	19,68
Bar shapes under 80 mm	2,48
Structurals	14,15
Sheet piling	23,70
Stainless wire	15,34
Rails	9,26
Alloy tool steel	11,02

For the following categories, the Community export limits shall be as follows in metric tonnes:

	Initial period	1991	End period
Fabricated structurals	20 683	16 546	4 137
Wire strand	62 250	49 800	12 450
Wire rope	12 250	9 800	2 450
Carbon/Alloy wire	228 250	182 600	45 650
Wire products	31 875	25 500	6 375
Rail products	4 875	3 900	975
Other speciality steel	15 125	12 100	3 025

These quantities also include the products in the corresponding categories referred to in Article 2 of Council Regulation (EEC) No 3722/89 (1).

With regard to semi-finished steel products listed as 'other semi-finished (including slabs)' in Annex I, the Community quota, comprised within the general quota for semi-finished steel products shall be equal to 92 % of the total.

With regard to coated flat rolled products listed as 'electroalvanized' in Annex I, the Community quota, comprised within the general quota for coated flat rolled products shall be equal to 25 % of the total.

2. The Community export limits calculated pursuant to paragraph 1 shall be adjusted by the Commission to take account of revisions of the said United States apparent consumption.

3. These limits may also be adjusted by the Commission, after consultation of the Arrangement Committee:

- for advance use or carry-over of licences,
- to enable transfers between product categories, including transfers between products covered by this Decision and those covered by Council Regulation (EEC) No 3723/89 (2),
- for additional quotas in case of short-supply,
- to take account of exports effected by the Community between 1 October 1989 and the date of entry into force of this Decision,
- to take account of changes in the limits for semi-finished products made pursuant to Article 4e of the Arrangement on additional quantities to be allocated at the discretion of the United States,

under the conditions provided for in the Arrangement.

Article 3

1. (a) The Community quantitative export limits established and calculated pursuant to Article 2 shall be allocated for the initial period, 1991 and the end period by the Commission in accordance with Annex III, with the exception of any quantities granted under Articles 4e and 8 of the Arrangement, which shall be allocated by the Commission on the basis of the circumstances and conditions under which these quantities have been granted.

(b) Notwithstanding point (a), the Community quantitative export limits to be allocated by the Commission in accordance with Annex III shall be reduced by 10 % in the initial period and 1991 for

(1) See page 1 of this Official Journal.

(2) See page 16 of this Official Journal.

those Member States which, on the basis of certificates referred to in Article 4 (1) issued by them, have used less than 40 % of their quota by 30 June 1990 and 33 % of their quota by 30 June 1991 respectively.

The quantities represented by such reductions shall be allocated by the Commission after consulting the Arrangement Committee on 1 August 1990 and 1 August 1991 respectively so as to facilitate the optimal use and administration of the Community export possibilities taking account of the share of Community exports effected by each Member State in each product category by 30 June 1990 and 30 June 1991 respectively.

- (c) Where the Community limits for arrangement products are adjusted in accordance with the fourth indent of Article 2 (3), the Commission shall adjust the allocation of quantity limits, taking account of the origin of the export before the entry into force of this Decision which gave rise to this adjustment.

2. The Commission shall hold periodic consultations with the Arrangement Committee on the situation regarding licences issued and on the measures to be taken to ensure optimum use of the overall limit.

Article 4

1. The Community exports described in Article 1 shall, from the date of entry into force of this Decision to 31 March 1992, be subject to the production to the competent customs office in the Community of an export licence and an export certificate. The export licences shall be issued by the relevant authorities of each Member State within the limits of the amounts allocated to it pursuant to Article 3.

Member States shall fix the tonnages for which they anticipate that licenses will be issued in each quarter for each product category; they shall inform the Commission thereof in the first 15 days of the relevant quarter. In doing so, they shall make sure that the export licence issues for each quarter ensure an adequate spread of exports over the whole year, taking into account the seasonal variations in trade in the product category in question. However, Member States shall not, without the prior authorization of the Commission, issue in any two consecutive quarters licences for amounts which exceed 52 % of their allocation in the initial period or 65 % of their allocation in 1991.

Member States may, subject to the second subparagraph hereof, issue further licences in the initial period, 1991 and the end period respectively, in respect to the unutilized part of licences issued which have been returned to their competent authorities in the initial period, 1991 or the end period.

2. Licences shall be issued according to the following criteria:

- compliance with the rules prescribed by this Decision, in particular those concerning the quota allocated by the Commission pursuant to Article 3,
- compliance with the traditional export patterns of undertakings, taking account of the reduction principles established by this Decision,
- where appropriate, the taking into account of the situation of new producers of steel, while giving preference to traditional export patterns,
- compliance with the rates of exports to the United States as traditionally spread out over the year,
- optimum use and administration of the export possibilities afforded by this Decision,
- compliance with the possibilities afforded by Article 3 (1) (b) of this Decision,
- optimum use being made of any new possibilities provided for, where appropriate, by this Decision.

Each licence shall indicate the undertaking engaged in production of steel within the Community and established in the issuing Member State that is holding the allocation against which the licence is issued.

3. Transfers of export licences between steel undertakings or by steel undertakings to distributive undertakings may take place provided they concern the same product category and after prior notification to the authorities of the Member State in which the undertaking transferring the licence is established. Such transfer may take place between undertakings established in different Member States.

4. Licences issued in one Member State of the Community shall be valid throughout the Community.

5. Member States shall ensure the appropriate sanctions are applied in respect of all exports effected without production of the licence required hereunder and in respect of any other breaches of the provisions relating to such licences. Member States shall keep the Commission informed of all breaches of such measures, and of all sanctions imposed in respect thereof, at intervals to be specified by the Commission.

6. The Commission may lay down detailed rules for the implementation of paragraphs 1 to 4 of this Article and specify the information to be provided to the Commission concerning the licences and exports.

Article 5

1. Member States shall charge the amounts set out on the licences issued by them against their respective allocations made pursuant to Article 3 including all licences subsequently transferred to an undertaking of another Member State.

2. Member States shall keep records of the exports of the products covered by this Decision. The products shall be deemed to be so exported, as at the date of acceptance, by

the customs authorities of the Member State of export, of the export declaration or of the document provided for in Article 18 of Council Directive 81/177/EEC of 24 February 1981 on the harmonization of procedures for the export of Community goods ⁽¹⁾.

3. The extent to which a Member State has used up its allocation shall be determined on the basis of licences issued in accordance with Article 4.

to substantial transformation or having been subject to a double substantial transformation as defined in Appendix D of the Arrangement shall be charged against the allocation of the Member State whose authorities issued the licence. Upon production to the authorities of such Member State of proof of such re-exportation from the United States, the allocation of that Member State for the period when such proof is presented shall be increased by the same amount.

2. The Commission may lay down detailed rules for the implementation of this Article.

Article 6

1. Temporary exports to the United States of arrangement products which are to be re-exported from the United States in the same form or without having been subject

Article 7

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 11 December 1989.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 83, 30. 3. 1981, p. 40.

ANNEX I

List of products

Category	Product	HTS (*)	CN code
1.	Blooms and billets	7207.11 7207.12.0010 7207.19 ⁽⁴⁰⁾ 7207.20.0025 7207.20.0075 ⁽⁴⁰⁾ 7207.20.0090 ⁽⁴⁰⁾ 7218.90.0010 7218.90.0020 7218.90.0045 ⁽⁴⁰⁾ 7218.90.0055 ⁽⁴⁰⁾ 7218.90.0070 ⁽⁴⁰⁾ 7218.90.0080 ⁽⁴⁰⁾ 7224.90.0010 7224.90.0030 ⁽⁴⁰⁾ 7224.90.0040 7224.90.0060 ⁽⁴⁰⁾ 7224.90.0070 ⁽⁴⁰⁾	7207 11 7207 12 11 ⁽⁴¹⁾ 7207 12 19 ⁽⁴¹⁾ 7207 12 90 ⁽⁴¹⁾ 7207 19 ⁽⁴⁰⁾ 7207 20 11 7207 20 15 7207 20 17 7207 20 19 7207 20 31 ⁽⁴¹⁾ 7207 20 33 ⁽⁴¹⁾ 7207 20 39 ⁽⁴¹⁾ 7207 20 51 7207 20 55 7207 20 57 7207 20 59 ⁽⁴⁰⁾ 7207 20 71 7207 20 79 ⁽⁴⁰⁾ 7207 20 90 ⁽⁴⁰⁾ 7218 90 11 ⁽⁴²⁾ 7218 90 13 ⁽⁴²⁾ 7218 90 15 ⁽⁴¹⁾ ⁽⁴²⁾ 7218 90 19 ⁽⁴¹⁾ ⁽⁴²⁾ 7218 90 30 ⁽⁴¹⁾ ⁽⁴²⁾ 7218 90 50 ⁽⁴²⁾ 7218 90 91 ⁽⁴⁰⁾ ⁽⁴²⁾ 7218 90 99 ⁽⁴⁰⁾ ⁽⁴²⁾ 7224 90 11 ⁽⁴¹⁾ 7224 90 19 ⁽⁴¹⁾ 7224 90 30 7224 90 91 ⁽⁴⁰⁾ 7224 90 99 ⁽⁴⁰⁾
2.	Other semi-finished (including slabs)	7206.10 7207.12.0050 7207.20.0045 7218.10 ⁽¹⁷⁾ 7218.90.0035 7224.10 ⁽¹⁷⁾ 7224.90.0020 7224.90.0050	7206 10 00 7207 12 11 ⁽⁴³⁾ 7207 12 19 ⁽⁴³⁾ 7207 12 90 ⁽⁴³⁾ 7207 20 31 ⁽⁴³⁾ 7207 20 33 ⁽⁴³⁾ 7207 20 39 ⁽⁴³⁾ 7218 10 00 ⁽¹⁷⁾ 7218 90 15 ⁽⁴³⁾ 7218 90 19 ⁽⁴³⁾ 7218 90 30 ⁽⁴³⁾ 7224 10 00 ⁽¹⁷⁾ 7224 90 11 ⁽⁴³⁾ 7224 90 19 ⁽⁴³⁾

(*) This Annex lists, for information purposes, the products which come under the EEC Treaty and are covered by Article 1 (1) of Regulation (EEC) No 3722/89.

The subheading and item numbers referred to above are subject to revision when the European Communities or the United States adopt modifications to their respective import nomenclatures. When such modifications are adopted, prior notification shall be given to the other party. HTS represents the Harmonized Tariff Schedule of the United States.

Category	Product	HTS	CN code
3.	Plate	7208.31	7208 31 00
		7208.32	7208 32
		7208.33.50	7208 33 ⁽⁴⁴⁾
		7208.41	7208 41 00
		7208.42	7208 42
		7208.43	7208 43
		7210.90.10 ⁽⁵⁾ ⁽⁶⁾	7210 90 31 ⁽⁵⁾
		7211.11	7211 11 00
		7211.12	7211 12
		7211.21	7211 21 00
		7211.22 0045	7211 22 10 ⁽⁴⁵⁾
			7211 22 90 ⁽⁴⁵⁾
		7212.60 ⁽⁶⁾	7212 60 ⁽⁶⁾
		7225.30.30	
		7225.40.30	7225 30 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
		7225.50.60	7225 40 10 ⁽⁴⁷⁾
			7225 40 30 ⁽⁴⁷⁾
		7226.91.50	7225 40 50 ⁽⁴⁷⁾
			7225 50 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
			7226 91 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
4.	Hot-rolled sheet and strip	7208.11	7208 11 00
		7208.12	7208 12
		7208.13	7208 13
		7208.14	7208 14
		7208.21.50	7208 21 10 ⁽⁴⁴⁾
		7208.22.50	7208 21 90 ⁽⁴⁴⁾
		7208.23	7208 22 10 ⁽⁴⁴⁾
		7208.24	7208 22 91 ⁽⁴⁴⁾
		7208.34	7208 22 99 ⁽⁴⁴⁾
		7298.35	7208 23
		7208.44	7208 24
		7208.45	7208 34
		7208.90 ⁽⁵⁾ ⁽⁶⁾	7208 35
			7208 44
		7211.19 ⁽³⁾	7208 45
		7211.22.0090	7208 90 ⁽⁵⁾ ⁽⁶⁾
		7211.29 ⁽³⁾	
			7211 19 ⁽³⁾
		7225.30.70 ⁽³⁾	7211 22 ⁽⁴⁸⁾
		7225.40.70 ⁽³⁾	7211 29 ⁽³⁾
5.	Cold-rolled sheet	7226.91.70 ⁽³⁾	7225 30 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
		7226.91.80 ⁽³⁾	7225 40 70 ⁽³⁾ ⁽⁴⁷⁾
			7225 40 90 ⁽³⁾ ⁽⁴⁷⁾
			7226 91 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
		7208.21.10	7208 21 10 ⁽⁵⁰⁾
		7208.22.10	7208 21 90 ⁽⁵⁰⁾
		7208.33.10	7208 22 10 ⁽⁵⁰⁾
			7208 22 91 ⁽⁵⁰⁾
		7209.11	7208 22 99 ⁽⁵⁰⁾
		7209.12	7208 33 10 ⁽⁵⁰⁾
		7209.13	7208 33 91 ⁽⁵⁰⁾
		7209.14	7208 33 99 ⁽⁵⁰⁾
		7209.21	
		7209.22	7209 11 00
		7209.23	7209 12
		7209.24.50	7209 13
		7209.31	7209 14
		7209.32	7209 21 00
		7209.33	7209 22
		7209.34	7209 23

Category	Product	HTS	CN code
5. (cont'd)	Cold-rolled sheet	7209.41	7209 24 10 ⁽⁵¹⁾
		7209.42	7209 24 91 ⁽⁵¹⁾
		7209.43	7209 31 00
		7209.44	7209 32
		7209.90 ^{(5) (6)}	7209 33
			7209 34
		7210.70.30 ^{(5) (6)}	7209 41 00
			7209 42
		7211.30.50	7209 43
		7211.41.70	7209 44
		7211.49.50	7209 90 ^{(5) (6)}
		7225.50.80 ⁽³⁾	7210 70 19 ^{(5) (52)}
		7225.90 ^{(3) (5) (6)}	7210 70 90 ^{(5) (6) (52)}
		7226.92.50 ⁽³⁾	7211 30 ⁽⁵³⁾
			7211 41 ⁽⁵³⁾
			7211 49 ⁽⁵³⁾
			7225 50 00 ^{(3) (47) (49) (54)}
			7225 90 ^{(3) (5) (6)}
			7226 92 ^{(3) (47) (53)}
6.	Blackplate	7209.24.10	7209 24 ⁽⁵⁵⁾
7.	Cold-rolled strip	7211.30.10 ^{(3) (16)}	7211 30 31 ^{(3) (16) (56)}
		7211.30.30 ^{(3) (16)}	7211 30 39 ^{(3) (16) (56)}
		7211.41.10 ^{(3) (16)}	7211 30 50 ^{(3) (16) (56)}
		7211.41.30 ^{(3) (16)}	7211 30 90 ^{(3) (16) (56)}
		7211.41.50 ^{(3) (16)}	7211 41 91 ^{(3) (16) (56)}
		7211.49.10 ^{(3) (16)}	7211 41 95 ^{(3) (16) (56)}
		7211.49.30 ^{(3) (16)}	7211 41 99 ^{(3) (16) (56)}
		7211.90 ^{(3) (6) (16)}	7211 49 91 ^{(3) (16) (56)}
			7211 49 99 ^{(3) (16) (56)}
		7212.30.10 ^{(6) (16)}	7211 90 ^{(3) (6) (16)}
		7212.30.30 ^{(6) (16)}	
		7212.40.10 ^{(6) (16)}	7212 30 90 ^{(6) (16) (56)}
			7212 40 10 ^{(6) (16) (56)}
		7226.92.70 ^{(3) (16)}	7212 40 99 ^{(6) (16) (56)}
		7226.92.80 ^{(3) (16)}	
		7226.99 ^{(3) (6) (16)}	7226 92 90 ^{(3) (16) (47) (56)}
			7226 99 ^{(3) (6) (16)}
8.	Electrical sheet and strip	7225.10 ^{(5) (6)}	7225 10 ^{(5) (6)}
		7226.10 ⁽⁶⁾	7226 10 ⁽⁶⁾
9.	Stainless plate	7219.11 ^{(19) (20)}	7219 11 ^{(19) (20)}
		7219.12 ^{(19) (20)}	7219 12 ^{(19) (20)}
		7219.21 ^{(19) (20)}	7219 21 ^{(19) (20)}
		7219.22 ^{(19) (20)}	7219 22 ^{(19) (20)}
		7219.31 ^{(19) (20)}	7219 31 ^{(19) (20)}
		7220.11 ^{(19) (20)}	7220 11 00 ^{(19) (20)}
10.	Stainless sheet and strip	7219.13 ^{(19) (20) (21)}	7219 13 ^{(19) (20) (21)}
		7219.14 ^{(19) (20) (21)}	7219 14 ^{(19) (20) (21)}
		7219.23 ^{(19) (20) (21)}	7219 23 ^{(19) (20) (21)}
		7219.24 ^{(19) (20) (21)}	7219 24 ^{(19) (20) (21)}
		7219.32 ^{(19) (20) (21)}	7219 32 ^{(19) (20) (21)}
		7219.33 ^{(19) (20) (21)}	7219 33 ^{(19) (20) (21)}
		7219.34 ^{(19) (20) (21)}	7219 34 ^{(19) (20) (21)}
		7219.35 ^{(19) (20) (21)}	7219 35 ^{(19) (20) (21)}
		7219.90 ^{(5) (6) (19) (20) (21)}	7219 90 ^{(5) (6) (19) (20) (21)}
		7220.12 ^{(2) (19) (20) (22)}	7220 12 00 ^{(2) (19) (20) (22)}
		7220.20.10 ^{(19) (20) (22)}	7220 20 ^{(2) (19) (20) (22)}
		7220.20.60 ^{(19) (20) (22)}	

Category	Product	HTS	CN code
10. (cont'd)	Stainless sheet and strip	7220.20.70 (19) (20) (22) 7220.20.90 (19) (20) (22) 7220.90 (2) (6) (19) (20) (22)	7220 90 (2) (6) (19) (20) (22)
11.	Tinplate	7210.11 (5) (6) 7210.12 (5) (6) 7212.10 (6)	7210 11 (5) (6) 7210 12 (5) (6) 7212 10 (6)
12.	Tin-free steel	7210.50 (6) 7210 90.60 (6)	7210 50 (6) 7210 90 (57) 7210 90 39 (57) 7210 90 90 (6) (57)
13.	Electrogalvanized	7210.31 (5) (6) 7210.39 (5) (6) 7212.21 (6) 7212.29 (6)	7210 31 (5) (6) 7210 39 (5) (6) 7212 21 (6) 7212 29 (6)
14.	Other coated flat-rolled products	7210.20 (5) (6) 7210.41 (5) (6) 7210.49 (5) (6) 7210.60 (6) (24) 7210.70.60 (5) (6) 7210.90.90 (5) (6) (81) 7212.30.50 (6) 7212.40.50 (6) 7212.50 (6) (81)	7210 20 (5) (6) 7210 41 (5) (6) 7210 49 (5) (6) 7210 60 (6) (24) 7210 70 (5) (6) (58) 7210 90 10 (5) (6) (81) 7210 90 33 (5) (6) 7210 90 35 (5) (6) (59) 7210 90 39 (5) (6) (59) 7210 90 90 (5) (6) (59) 7212 30 (6) (53) 7212 40 (6) (53) 7212 50 10 (6) (81) 7212 50 31 (6) 7212 50 39 (6) 7212 50 51 (6) 7212 50 59 (6) 7212 50 71 (6) 7212 50 73 (6) 7212 50 75 (6) 7212 50 91 (6) 7212 50 93 (6) 7212 50 97 (6) 7212 50 99 (6)
15.	Rebar	7214.20	7214 20 00
16.	Hot-finished bar	7213.39.0060 7213.39.0090 7213.49.0060 7213.49.0090 7213.50.0060 7213.50.0080 7214.10 7214.30 7214.40 7214.50 7214.60 7228.20.10 (6) 7228.30.80 7228.40 7228.60.60 (6)	7213 39 00 (60) 7213 49 00 (60) 7213 50 00 (60) 7214 10 00 7214 30 00 7214 40 7214 50 7214 60 00 7228 20 11 7228 20 19 7228 20 30 7228 20 50 7228 20 90 (61) 7228 30 10 (47) 7228 30 90 (47) 7228 40 00 7228 60 10 (47) 7228 60 90 (47) (61)

Category	Product	HTS	CN code
17.	Cold-finished bar	7215.10 7215.20 7215.30 7215.40 7215.90 ⁽⁶⁾ 7228.20.50 ⁽⁶⁾ 7228.50.50 7228.60.80 ⁽⁶⁾ 7228.80	7215 10 00 7215 20 00 7215 30 00 7215 40 00 7215 90 ⁽⁶⁾ 7228 20 70 7228 20 90 ⁽⁶⁾ ⁽⁶²⁾ 7228 50 00 ⁽⁴⁷⁾ 7228 60 90 ⁽⁶⁾ ⁽⁴⁷⁾ ⁽⁶²⁾ 7228 80
18.	Stainless bar	7218.90.0030 7218.90.0065 7218.90.0090 7221.00.0060 7221.00.0080 7222.10 7222.20 7222.30 ⁽⁶⁾	7218 90 11 ⁽⁶³⁾ 7218 90 13 ⁽⁶³⁾ 7218 90 15 ⁽⁴¹⁾ ⁽⁶³⁾ 7218 90 19 ⁽⁴¹⁾ ⁽⁶³⁾ 7218 90 30 ⁽⁴¹⁾ ⁽⁶³⁾ 7218 90 50 ⁽⁶³⁾ 7218 90 91 ⁽⁶³⁾ 7218 90 99 ⁽⁶³⁾ 7221 00 10 ⁽⁶⁰⁾ 7221 00 90 ⁽⁶⁰⁾ 7222 10 7222 20 7222 30 ⁽⁶⁾
19.	Carbon wire rod	7213.10 7213.20 7213.31 7213.39.0030 7213.41 7213.49.0030 7213.50.0020 7213.50.0040	7213 10 00 7213 20 00 7213 31 00 7213 39 00 ⁽⁶⁴⁾ 7213 41 00 7213 49 00 ⁽⁶⁴⁾ 7213 50 00 ⁽⁶⁵⁾
20.	Stainless wire rod	7221.00.0020 7221.00.0040	7221 00 10 ⁽⁶⁵⁾ 7221 00 90 ⁽⁶⁵⁾
21.	Alloy wire rod	7227.20 7227.90.60	7227 20 00 7227 90 10 7227 90 90 ⁽⁴⁷⁾
22.	Bar shapes less than 80 mm	7216.10 7216.21 7216.22	7216 10 00 7216 21 00 7216 22 00
23.	Structurals	7216.31 7216.32 7216.33 7216.40 7216.50 7216.60 7222.40.30 7228.70.30	7216 31 00 7216 32 00 7216 33 00 7216 40 7216 50 7216 60 7222 40 11 7222 40 19 7222 40 30 7228 70 10 7228 70 31
24.	Sheet piling	7301.10	7301 10 00

Category	Product	HTS	CN code
25.	Fabricated structurals	7216.90	7216 90
		7222.40.60	7222 40 91
			7222 40 93
		7228.70.60	7222 40 99
		7301.20	7228 70 91
			7228 70 99
		7308.10	
		7308.20	7301 20 00
		7308.30 (15)	
		7308.40	7308 10 00
		7308.90.30 (12)	7308 20 00
		7308.90.60 (13)	7308 30 00 (15)
		7308.90.90 (9) (14)	7308 40 00
			7308 90 (9) (14) (67)
26.	Stainless wire	7223.00.10	7223 00 10 (68)
		7223.00.50 (2) (6)	7223 00 90 (68)
27.	Wire strand	7312.10.10 (4)	7312 10 30 (4) (69) (71)
		7312.10.3015 (4)	7312 10 50 (4) (69) (70) (70)
		7312.10.3065 (4)	7312 10 71 (4) (69) (71)
		7312.10.3075 (4)	7312 10 75 (4) (69) (70)
		7312.10.3090 (4)	7312 10 79 (4) (69) (70)
28.	Wire rope	7312.10.60 (4)	7312 10 30 (4) (69) (72)
		7312.10.90 (4)	7312 10 50 (4) (69) (72) (73)
			7312 10 91 (4) (69)
			7312 10 95 (4) (69)
			7312 10 99 (4) (69) (73)
29.	Carbon and alloy wire	7217.11	7217 11
		7217.12	7217 12
		7217.13	7217 13
		7217.19	7217 19
		7217.21	7217 21 00
		7217.22	7217 22 00
		7217.23	7217 23 00
		7217.29	7217 29 00
		7217.31 (3)	7217 31 00 (3)
		7217.32	7217 32 00
		7217.33	7217 33 00
		7217.39 (3)	7217 39 00 (3)
		7223.00.90	7223 00 10 (74)
			7223 00 90 (74)
		7229.20	
		7229.90	7229 20 00
			7229 90 00
30.	Wire products	7313.00 (11)	7313 00 00 (11)
		7314.41 (8)	7314 41 (8)
		7314.42 (8)	7314 42 (8)
		7314.49 (8)	7314 49 00 (8)
		7317.00.55 (7)	7317 00 (7) (75)
		7317.00.6560 (7)	
		7317.00.75 (7)	
31.	Rails	7302.10 (10)	7302 10 (10)
32.	Rail products	7302.20 (18)	7302 20 00 (18)
		7302.40 (18)	7302 40 10
		7302.90 (23)	7302 90 30 (23)
			7302 90 90 (23)
		8607.19.10	8607 19 11
		8607.19.20	8607 19 19

Category	Product	HTS	CN code
33.	Alloy tool steel	7225.20 ⁽⁵⁾ ⁽⁶⁾	7225 20 ⁽⁵⁾ ⁽⁶⁾
		7225.30.10	7225 30 00 ⁽⁷⁶⁾
		7225.30.5060	7225 40 ⁽⁷⁷⁾
		7225.40.1090	7225 50 00 ⁽⁷⁷⁾
		7225.40.5060	
		7225.50.1060	7226 20 ⁽⁶⁾
			7226 91 00 ⁽⁷⁷⁾
		7226.20 ⁽⁶⁾	7226 92 ⁽⁷⁷⁾
		7226.91.1060	
		7226.91.3060	7227 10 00
		7226.92.1060	7227 90 90 ⁽⁷⁷⁾
		7226.92.3060	
			7228 10 ⁽⁶⁾
		7227.10	7228 30 ⁽⁷⁷⁾
		7227.90.1060	7228 50 00 ⁽⁷⁷⁾
		7227.90.2060	7228 60 ⁽⁶⁾ ⁽⁷⁷⁾
		7228.10 ⁽⁶⁾	7229 10 00
		7228.30.40	
		7228.30.60	
		7228.50.1020	
		7228.50.1040	
		7228.50.1060	
		7228.50.1080	
		7228.60.1060 ⁽⁶⁾	
		7229.10	
34.	Other speciality steel	7225.30.5030	7225 30 00 ⁽⁷⁸⁾
		7225.40.1015	7225 40 ⁽⁷⁹⁾
		7225.40.5030	7225 50 00 ⁽⁷⁹⁾ ⁽⁸⁰⁾
		7225.50.1030	
		7225.50.70	7226 91 00 ⁽⁷⁹⁾
			7226 92 ⁽⁷⁹⁾
		7226.91.1030	
		7226.91.3030	7227 90 90 ⁽⁷⁹⁾
		7226.92.1030	
		7226.92.3030	7228 30 ⁽⁷⁹⁾
			7228 50 00 ⁽⁷⁹⁾
		7227.90.1030	7228 60 ⁽⁶⁾ ⁽⁷⁹⁾
		7227.90.2030	
		7228.30.20	
		7228.50.1010	
		7228.50.1030 ⁽⁶⁾	

Footnotes

- (2) Excluded if 'razor blade steel' i.e. flat-rolled products of stainless steel not over 0,25 mm in thickness and not over 23 mm in width, containing by weight not over 14,7 % of chromium, and certified at the time of entry to be used in the manufacture of razor blades.
- (3) Excluded if 'carbon/alloy band saw steel' defined as follows:
- (a) 'metal cutting band saw steel' referring to steel flat-rolled products, not less than 0,61 mm and not more than 0,91 mm in thickness, not less than 6,30 mm and not more than 50,80 mm in width, in coils, containing:
- carbon: not less than 1,18 % and not more than 1,32 %;
 - chromium: not less than 0,15 % and not more than 0,32 %;
 - manganese: not less than 0,10 % and not more than 0,40 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of metal-cutting band saw blades; or
- (b) 'wood band saw steel' referring to
- (1) alloy steel flat-rolled products less than 4,75 mm in thickness which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % and not more than 0,81 %;
 - manganese: not less than 0,30 % and not more than 0,55 %;
 - silicon: not less than 0,20 % and not more than 0,35 %;
 - nickel: not less than 1,60 % and not more than 2,70 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %; and
 - sulfur: none, or not more than 0,15 %;
- or
- (2) cold-rolled flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % and not more than 0,81 %;
 - manganese: not less than 0,30 % more than 0,50 %;
 - silicon: not less than 0,20 % not more than 0,35 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %; and
 - sulfur: none, or not more than 0,15 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of wood band saws.
- (4) Excluded if covered with textile or other non-metallic material.
- (5) Excluded if cut, pressed or stamped to non-rectangular shape (including scroll cutting).
- (6) Covered if corrugated or subjected to surface treatments.
- (7) Excluded if corrugated fasteners, glaziers' points, hook nails, or ring nails.
- (8) Excluded if other than galvanized wire fencing wholly of round iron or steel wire measuring not over 5,08 mm and not under 1,905 mm in diameter, whether or not such wire is covered with plastics.
- (9) Excluded if fence or sign posts.
- (10) Excluded if current-conducting rail.
- (11) Excluded if twisted hoop or single flat wire, whether or not barbed.
- (12) Excluded if of cast iron.
- (13) Excluded if in part of stainless steel.
- (14) Excluded if plastic foam core insulating composite panels.
- (15) Excluded if door or window frames.
- (16) Excluded if bale ties.
- (17) Excluded if other primary forms, e.g. blocks, lumps, puddled bars and pilings.
- (18) Excluded if forged.
- (19) Excluded if cladding grade 434 stainless steel certified by the importer of record to be used in the manufacture of stainless steel clad aluminum automobile trim.
- (20) Excluded if grade 253MA or 254SMO stainless steel.
- (21) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness and over 1 803,4 mm in width.
- (22) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, and certified by the importer of record or ultimate consignee to be used in the manufacture of stainless steel flapper valves for compressors.
- (23) Covered if either
- (a) hot-rolled and designed to connect the ends of adjacent rails in track (i.e. 'joint bars'). These products are usually punched or slotted; or
- (b) hot-rolled and used to support rails in track, to maintain track gauge, and protect the ties (i.e. 'tie plates'). These products are punched to provide holes for spikes and have one or two shoulder sections as rail guides.

- (24) Excluded if cut, pressed or stamped to non-rectangular shape and other than electrolytically coated or plated.
- (40) Excluded if pieces roughly shaped by forging.
- (41) Covered if of a width measuring less than four times, the thickness.
- (42) Covered if of a cross-sectional area of 19,4 cm² or more.
- (43) Covered if of a width measuring at least four times the thickness.
- (44) Excluded if pickled.
- (45) Excluded if in coils.
- (46) Covered if of a thickness of 4,75 mm or more.
- (47) Excluded if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS.
- (48) Covered if in coils.
- (49) Covered if of a thickness of less than 4,75 mm.
- (50) Covered if pickled.
- (51) Covered if of a thickness of 0,361 mm or more.
- (52) Excluded if coated or plated with metal or clad.
- (53) Covered if of a width of 300 mm or more.
- (54) Excluded if of heat resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (55) Covered if of a thickness of less than 0,361 mm.
- (56) Covered if of a width of less than 300 mm.
- (57) Covered if electrolytically coated or plated with base metal.
- (58) Covered if coated or plated with metal or clad.
- (59) Excluded if electrolytically coated or plated with base metal.
- (60) Covered if of circular cross-section and with a diameter of 19 mm or more if of other than circular cross-section.
- (61) Excluded if cold formed.
- (62) Covered if cold formed.
- (63) Covered if of a cross sectional area of less than 19,4 cm².
- (64) Covered if of circular cross-section and with a diameter of 14 mm or more but less than 19 mm.
- (65) Covered if of circular cross-section and with either a diameter of less than 14 mm or with a diameter of 14 mm or more but less than 19 mm.
- (66) Covered if hot rolled, not drilled, not punched and not otherwise advanced.
- (67) If columns, pillars, posts, beams, girders and similar structural units, excluded if in part of stainless steel or if of cast iron.
- (68) Excluded if other than round or flat wire. Also excluded if flat wire or razor blade steel (see footnote 2) or flat wire further worked after flat rolling (see footnote 6).
- (69) Excluded if fitted with fittings or made up into articles.
- (70) Excluded if tyre cord. If other than tyre cord and other than stranded wire for prestressing concrete, excluded if of brass plated wire.
- (71) Covered if stranded wire.
- (72) Excluded if stranded wire.
- (73) Excluded if of brass plated wire.
- (74) Excluded if round or flat wire.
- (75) Excluded if thumb tacks; or drive pins, studs or other fasteners, suitable for use in powder-activated hand tools; or staples in strip form; or furniture glides; or cut products made of other than round wire and of one piece construction.
- (76) If of a thickness of 4,75 mm or more, covered if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS. If of a thickness of less than 4,75 mm, covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (77) Covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (78) Covered if of a thickness of less than 4,75 mm and of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (79) Covered if of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (80) Covered if of a thickness of less than 4,75 mm and of heat-resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (81) Excluded if silvered, gilded or platinum plated.

Definitions

Extracts from the additional notes to Chapter 72 of the HTS:

1. For the purpose of the tariff schedule the following expressions have the meanings hereby assigned to them:

(e) Tool steel

Alloy steels which contain the following combinations of elements in the quantity by weight respectively indicated:

- (i) more than 1,2 % carbon and more than 10,5 % chromium; or
- (ii) not less than 0,3 % carbon and 1,25 % or more but less than 10,5 % chromium; or
- (iii) not less than 0,85 % carbon and 1 % to 1,8 %, inclusive, manganese; or
- (iv) 0,9 % to 1,2 %, inclusive, chromium and 0,9 % to 1,4 %, inclusive, molybdenum; or
- (v) not less than 0,5 % carbon and not less than 3,5 % molybdenum; or
- (vi) not less than 0,5 % carbon and not less than 5,5 % tungsten.

(f) Chipper knife steel

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,48 % and not more than 0,55 % of carbon;
- (ii) not less than 0,2 % and not more than 0,5 % of manganese;
- (iii) not less than 0,75 % and not more than 1,05 % of silicon;
- (iv) not less than 7,25 % and not more than 8,75 % of chromium;
- (v) not less than 1,25 % and not more than 1,75 % of molybdenum;
- (vi) none, or not more than 1,75 % of tungsten; and
- (vii) not less than 0,2 % nor more than 0,55 % of vanadium.

(g) Heat-resisting steel

Alloy steels containing by weight less than 0,3 % of carbon and 4 % or more but less than 10,5 % of chromium.

(h) Ball-bearing steel

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,95 % and not more than 1,13 % of carbon;
- (ii) not less than 0,22 % and not more than 0,48 % of manganese;
- (iii) none, or not more than 0,03 % of sulfur;
- (iv) none, or not more than 0,03 % of phosphorus;
- (v) not less than 0,18 % and not more than 0,37 % of silicon;
- (vi) not less than 1,25 % and not more than 1,65 % of chromium;
- (vii) none, or not more than 0,28 % of nickel;
- (viii) none, or not more than 0,38 % of copper; and
- (ix) none, or not more than 0,09 % of molybdenum.

ANNEX II

United States customs territory and United States foreign trade zones

The United States customs territory shall comprise the States, the district of Columbia and Puerto Rico.

A United States foreign zone shall be defined as follows:

It is an isolated, enclosed and policed area, operated as a public utility, in or adjacent to a port of entry, furnished with facilities for lading, unloading, handling, storing, manipulating, manufacturing and exhibiting goods and for reshipping them by land, water or air. Any foreign and domestic merchandise, except such as is prohibited by law or such as the Board may order to be excluded as detrimental to the public interest, health or safety, may be brought into a zone without being subject to the customs laws of the United States governing the entry of goods or the payment of duty thereon; and such merchandise permitted in a zone may be stored, exhibited, manufactured, mixed or manipulated in any manner, except as provided in the act and other applicable laws or regulations. The merchandise may be exported, destroyed or sent into customs territory from the zone, in the original package or otherwise. It is subject to customs duties if sent into customs territory, but not if reshipped to foreign points.

ANNEX III

Allocation among Member States

	(%)											
	D	F	I	NL	B	L	UK	GR	DK	IRL	E	P
Semi-finished products	46,53	13,49	2,79	13,96	12,10	—	4,19	—	—	—	6,94	—
Plate	18,42	2,95	8,47	0,74	38,61	—	11,17	—	1,44	—	18,20	—
Hot-rolled sheet and strip	32,66	32,04	8,60	19,39	3,65	0,55	0,85	—	—	—	2,26	—
Cold-rolled sheet	39,90	14,46	8,90	14,67	8,14	0,25	2,14	4,75	—	—	6,79	—
Black plate	11,72	10,75	—	16,71	30,96	—	0,16	29,70	—	—	—	—
Cold-rolled strip	51,75	6,29	0,39	0,13	3,98	—	8,54	6,13	—	—	22,79	—
Electrical sheet and strip	47,60	1,03	46,11	—	1,23	—	4,03	—	—	—	—	—
Stainless plate	55,90	3,88	0,77	0,03	9,63	—	29,79	—	—	—	—	—
Stainless sheet and strip	19,31	42,23	5,60	0,02	3,84	—	5,44	—	—	—	23,56	—
Tinplate	45,07	32,57	—	10,75	3,35	—	0,69	—	—	—	7,57	—
Tin-free steel	78,70	18,90	—	0,89	0,99	—	0,52	—	—	—	—	—
Coated flat-rolled products	47,19	19,16	7,15	3,41	3,19	0,35	2,08	—	—	—	12,62	4,85
Reinforcing bar	21,59	26,59	0,08	—	—	—	1,50	—	—	—	50,24	—
Hot finished bar	7,03	11,28	2,78	0,24	4,43	16,05	41,13	—	—	—	17,06	—
Cold finished bar	6,94	45,40	3,85	0,08	0,65	—	27,56	—	—	—	15,52	—
Stainless bar	11,09	22,48	11,10	0,04	0,10	—	9,32	—	0,10	—	45,77	—
Carbon wire rod	12,27	37,57	0,01	2,87	6,62	0,02	21,00	—	—	—	18,91	0,73
Stainless wire rod	11,39	33,93	19,55	0,03	8,20	—	0,21	—	0,06	—	26,63	—
Alloy wire rod	7,49	40,84	10,42	27,94	0,92	—	11,75	—	—	—	0,64	—
Bar shapes under 80 mm	12,18	1,95	1,22	1,34	53,86	19,18	7,43	—	—	—	2,84	—
Structurals	17,50	8,63	0,50	—	19,30	13,83	18,31	—	—	—	21,93	—
Sheet piling	27,67	25,16	—	—	—	30,52	16,65	—	—	—	—	—
Fabricated structurals	11,62	4,32	40,51	3,27	—	17,44	19,62	—	3,22	—	—	—
Stainless wire	6,97	23,06	29,65	0,51	20,18	—	19,13	—	—	—	0,50	—
Wire strand	8,62	10,73	27,57	9,58	4,87	—	7,63	—	0,01	—	30,99	—
Wire rope	19,77	21,55	8,96	7,68	4,11	—	15,16	—	1,13	—	21,64	—
Carbon and alloy wire	14,90	27,30	4,05	1,16	35,33	4,27	12,48	—	0,09	—	0,42	—
Wire products	2,32	3,32	1,10	2,51	13,89	15,59	4,76	—	4,47	—	52,04	—
Rails	58,54	14,36	—	—	—	20,77	6,33	—	—	—	—	—
Rail products	10,59	75,98	4,26	0,13	0,76	0,79	6,69	—	—	—	0,80	—
Alloy tool steel	62,61	9,60	13,90	0,53	0,45	—	10,71	—	—	—	2,20	—
Other specialty steel	12,87	33,74	49,70	0,15	0,92	—	2,27	—	—	—	0,35	—

COMMISSION REGULATION (EEC) No 3725/89

of 11 December 1989

on the monitoring by the Community of exports of certain steel products to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3722/89 of 6 November 1989 on the restriction of exports of certain steel products to the United States of America ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

1. the putting into force of the Arrangement over a period of time, particularly as regards the distribution of exports, makes it necessary to provide for fixed periods during which licences may be issued;
2. to allow for optimum utilization of all the export possibilities provided for in the Arrangement, the licensing system should be drawn up so as to monitor the development of exports as closely as possible;
3. it is necessary to authorize the competent authorities of Member States to take the appropriate measures in cases of loss, theft or destruction of a licence or certificate,

HAS ADOPTED THIS REGULATION:

Article 1

1. For each of the categories of products originating in the Community, such categories being defined in Annex I, export licences as provided for in Article 4 of Regulation (EEC) No 3722/89 shall be issued free of charge by the competent authorities in the Member States (hereinafter referred to as 'the issuing authorities'), subject to the conditions provided for by the said Article 00. Licences shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions laid down in Annex IV.

For each export of the products under the abovementioned categories, the exporter must make out a certificate on a form conforming to the specimen set out in Annex III and respecting the provisions laid down in Annex IV.

2. Export certificates shall be drawn up as follows:

- (a) each certificate may refer to only one licence or one extract from a licence;
- (b) the description of the category shall be accompanied by its number;
- (c) the description of the products in box 5 of the copy of the certificate shall include the CN codes;
- (d) the letter 'T' shall be placed after the figures for tonnes and before any fractions thereof;
- (e) each certificate shall comprise a single total;
- (f) the customs office accepting the export declaration shall affix, in a legible manner, on both the original and copies of the certificate its stamp bearing the name of the office and the date of acceptance;
- (g) the number of each certificate shall be entered in box 13 of the licence or extract thereof to which the certificate refers.

3. An export licence shall be issued within 15 working days of the day on which the application is received. Licences may be issued only until the end of the second month of each calendar quarter.

4. Export licences shall be valid for three months from the date on which they are issued. However, licences shall be valid only for exports to be carried out during the quota period indicated in box 4 of the licences.

However, where the Commission decides to apply Article 2 (3) of Regulation (EEC) No 3722/89:

- in cases of early use of licences, exports may be carried out during December 1990 and December 1991. Licences may be issued from 1 November to 31 December of the year preceding that to which they refer,
- where licences are carried over, the period of validity of licences expiring on 31 December 1990 to 31 December 1991 may be extended by two months by the authority which issued them,
- where additional allocations are made in the event of shortages, licences valid for a period of six months may be issued; the licences and the certificates corresponding to these licences shall be stamped with the words 'special issue'.

⁽¹⁾ See page 1 of this Official Journal.

Article 2

At the request of the titular holder of the export licence, and upon production of the licence, the competent authorities of Member States may issue one or several extracts from the export licence. These extracts shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions of Annex IV.

Extract may not be used as a basis for issuing further extracts.

At the time the extracts are issued, the quantities of products covered by the said extracts shall be deducted from the quantities indicated on the licence from which it has been issued.

Extracts shall have the same legal effects as the export licences from which they have been issued and to which they refer.

Article 3

1. Export licences may be transferred in whole or in part by their titular holder (hereinafter referred to as 'the transferer') to other steel undertakings or distribution undertakings (hereinafter referred to as 'the transferees') subject to the conditions laid down in Article 4 (3) of Regulation (EEC) No 3722/89.

2. The authority which issued the licence must be informed of such transfer by both the transferer and transferee. That authority shall, without delay, certify the transfer on the export licence or on the extract and inform the Commission. Transfer shall take effect from the date of this certification.

3. In cases where only a part of an export licence is transferred, an extract from the export licence should be issued in respect of this part.

4. Where a licence has been transferred to a transferee in a Member State other than that which issued the licence, the authority which certified the transfer shall, without delay, inform the competent authority of the Member State in which the transferee is situated.

5. Each licence may be transferred only once.

Article 4

Licences or extracts from licences issued by the authorities of a Member State, and certificates and declarations accompanied by the stamp of those authorities, shall have the same legal value in each of the other Member States as such documents issued by the authorities of those Member States and certificates and declarations accompanied by the stamp of those authorities.

Article 5

1. Fully used licences shall be returned at the latest on the eighth working day after they have been fully used to the competent authority in the Member State which issued them.

2. Unused or partially used licences shall be returned at the latest on the eighth working day following expiry of their period of validity to the authority in the Member State which issued them.

Article 6

1. The original of the export licence and certificate and the requisite copies thereof must be presented in support of the export declaration to the customs office in the European Economic Community in which formalities regarding exports of steel products to the United States of America are completed.

this office shall:

(a) attribute the quantity to be exported upon the original of the licence;

(b) endorse the original and copies of the certificate, return the original to the titular holder of the licence or to his representative so that it may be presented to the customs authorities of the United States of America on importation, keep its own copy and forward the copies intended for the issuing authority of the export licences and the Commission.

2. The copies of the certificates shall be forwarded to the Commission within three working days following the week in which the customs office endorsed them.

3. Where certificates are amended or cancelled with the authorization of the customs office which endorsed them, that office shall also forward to the authority which issued the export licence and to the Commission copies of certificates thus amended or cancelled within three working days following the week in which the amendment or cancellation was authorized.

4. Member States may provide for the forwarding of copies to the Commission to take place through a central organization appointed for this purpose.

Article 7

1. Licence applications shall include the following information:

— a description of the products, specifying their category and CN code, in accordance with Annex I; however, the CN code need not be specified if the applicant states

that he wishes to transfer the licence requested, in which case the code shall be specified by the transferee,

- the quantity of products (in tonnes),
- the exporter's name or trade name, address and telephone and telex numbers,
- the consignee's name or trade name and address; however, these indications need not be specified if the applicant states that he wishes to transfer the licence requested, in which case they shall be given by the transferee,
- scheduled date(s) of export,
- where appropriate, an indication that the products are intended for temporary importation into the United States of America and re-export in the same state or without having been subject to substantial transformation or having been subject to double substantial transformation as defined in Appendix D of the Arrangement ⁽¹⁾.

2. The exporter shall declare that the goods are of Community origin and that the information on his licence application is accurate.

Article 8

In the case of loss, theft or destruction of the original of an export licence or certificate, the competent authorities which issued or endorsed the said documents may issue or endorse a duplicate.

Licences so issued and certificates so endorsed should bear the endorsement "Duplicata" in red.

Article 9

1. Within the first 10 days of each month Member States shall notify the Commission of:

- (a) the tonnages in respect of which licences were issued during the preceding month;
- (b) the tonnages exported in the month preceding that referred to in point (a).

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

Done at Brussels, 11 December 1989.

2. The notifications from Member States shall include:

- (a) a breakdown of the products by category in accordance with Annex I, and in respect of the information referred to in paragraph I (b), by CN code also;
- (b) an indication (in tonnes) for each product intended for temporary importation into the United States of America for re-export in the same state or without having been subject to substantial transformation there, or having been subject to double substantial transformation.

3. Within the first 15 days of each month Member States shall inform the Commission of the tonnages in respect of which licences expired during the preceding month.

4. Member States shall forward to the Commission, without delay, a copy of each licence and any extract as soon as it has been issued.

They shall also forward a copy of each amended or cancelled licence or extract as soon as it has been amended or cancelled.

5. Where the Commission ascertains that a Member State has issued licences in excess of its allocation for a given category, it shall inform that State that those licences were issued in infringement of the rules and that any certificates issued on the basis of those licences cannot be considered to be certificates within the meaning of Article 6 of the Arrangement.

This information shall be published in the *Official Journal of the European Communities*.

6. At the same time as they submit the monthly notifications provided for in paragraph 1, Member States shall send to the Commission all relevant information concerning infringements of Regulation (EEC) No 3722/89 and of this Regulation and any penalties imposed.

Article 10

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

For the Commission

BANGEMANN

⁽¹⁾ See page 99 of this Official Journal.

ANNEX I

Product list

Category	Product	HTS (*)	CN code
1.	Blooms and billets	7207.11 7207.12.0010 7207.19 ⁽⁴⁰⁾ 7207.20.0025 7207.20.0075 ⁽⁴⁰⁾ 7207.20.0090 ⁽⁴⁰⁾ 7218.90.0010 7218.90.0020 7218.90.0045 ⁽⁴⁰⁾ 7218.90.0055 ⁽⁴⁰⁾ 7218.90.0070 ⁽⁴⁰⁾ 7218.90.0080 ⁽⁴⁰⁾ 7224.90.0010 7224.90.0030 ⁽⁴⁰⁾ 7224.90.0040 7224.90.0060 ⁽⁴⁰⁾ 7224.90.0070 ⁽⁴⁰⁾	7207 11 7207 12 11 ⁽⁴¹⁾ 7207 12 19 ⁽⁴¹⁾ 7207 12 90 ⁽⁴¹⁾ 7207 19 ⁽⁴⁰⁾ 7207 20 11 7207 20 15 7207 20 17 7207 20 19 7207 20 31 ⁽⁴¹⁾ 7207 20 33 ⁽⁴¹⁾ 7207 20 39 ⁽⁴¹⁾ 7207 20 51 7207 20 55 7207 20 57 7207 20 59 ⁽⁴⁰⁾ 7207 20 71 7207 20 79 ⁽⁴⁰⁾ 7207 20 90 ⁽⁴⁰⁾ 7218 90 11 ⁽⁴²⁾ 7218 90 13 ⁽⁴²⁾ 7218 90 15 ⁽⁴¹⁾ ⁽⁴²⁾ 7218 90 19 ⁽⁴¹⁾ ⁽⁴²⁾ 7218 90 30 ⁽⁴¹⁾ ⁽⁴²⁾ 7218 90 50 ⁽⁴²⁾ 7218 90 91 ⁽⁴⁰⁾ ⁽⁴²⁾ 7218 90 99 ⁽⁴⁰⁾ ⁽⁴²⁾ 7224 90 11 ⁽⁴¹⁾ 7224 90 19 ⁽⁴¹⁾ 7224 90 30 7224 90 91 ⁽⁴⁰⁾ 7224 90 99 ⁽⁴⁰⁾
2.	Other semi-finished (including slabs)	7206.10 7207.12.0050 7207.20.0045 7218.10 ⁽¹⁷⁾ 7218.90.0035 7224.10 ⁽¹⁷⁾ 7224.90.0020 7224.90.0050	7206 10 00 7207 12 11 ⁽⁴³⁾ 7207 12 19 ⁽⁴³⁾ 7207 12 90 ⁽⁴³⁾ 7207 20 31 ⁽⁴³⁾ 7207 20 33 ⁽⁴³⁾ 7207 20 39 ⁽⁴³⁾ 7218 10 00 ⁽¹⁷⁾ 7218 90 15 ⁽⁴³⁾ 7218 90 19 ⁽⁴³⁾ 7218 90 30 ⁽⁴³⁾ 7224 10 00 ⁽¹⁷⁾ 7224 90 11 ⁽⁴³⁾ 7224 90 19 ⁽⁴³⁾
3.	Plate	7208.31 7208.32 7208.33.50 7208.41 7208.42 7208.43	7208 31 00 7208 32 7208 33 ⁽⁴⁴⁾ 7208 41 00 7208 42 7208 43

(*) HTS represents the Harmonized Tariff Schedule of the United States of America.

Category	Product	HTS	CN code
3. (cont'd)	Plate	7210.90.10 ⁽⁵⁾ ⁽⁶⁾	7210 90 31 ⁽⁵⁾
		7211.11	7211 11 00
		7211.12	7211 12
		7211.21	7211 21 00
		7211.22.00.45	7211 22 10 ⁽⁴⁵⁾
			7211 22 90 ⁽⁴⁵⁾
		7212.60 ⁽⁶⁾	7212 60 ⁽⁶⁾
		7225.30.30	7225 30 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
		7225.40.30	7225 40 10 ⁽⁴⁷⁾
		7225.50.60	7225 40 30 ⁽⁴⁷⁾
		7226.91.50	7225 40 50 ⁽⁴⁷⁾
			7225 50 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
			7226 91 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
4.	Hot-rolled sheet and strip	7208.11	7208 11 00
		7208.12	7208 12
		7208.13	7208 13
		7208.14	7208 14
		7208.21.50	7208 21 10 ⁽⁴⁴⁾
		7208.22.50	7208 21 90 ⁽⁴⁴⁾
		7208.23	7208 22 10 ⁽⁴⁴⁾
		7208.24	7208 22 91 ⁽⁴⁴⁾
		7208.34	7208 22 99 ⁽⁴⁴⁾
		7208.35	7208 23
		7208.44	7208 24
		7208.45	7208 34
		7208.90 ⁽⁵⁾ ⁽⁶⁾	7208 35
			7208 44
		7211.19 ⁽³⁾	7208 45
		7211.22.0090	7208 90 ⁽⁵⁾ ⁽⁶⁾
		7211.29 ⁽³⁾	
			7211 19 ⁽³⁾
		7225.30.70 ⁽³⁾	7211 22 ⁽⁴⁸⁾
		7225.40.70 ⁽³⁾	7211 29 ⁽³⁾
		7226.91.70 ⁽³⁾	7225 30 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
		7226.91.80 ⁽³⁾	7225 40 70 ⁽³⁾ ⁽⁴⁷⁾
			7225 40 90 ⁽³⁾ ⁽⁴⁷⁾
5.	Cold-rolled sheet		7226 91 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
		7208.21.10	7208 21 10 ⁽⁵⁰⁾
		7208.22.10	7208 21 90 ⁽⁵⁰⁾
		7208.33.10	7208 22 10 ⁽⁵⁰⁾
			7208 22 91 ⁽⁵⁰⁾
		7209.11	7208 22 99 ⁽⁵⁰⁾
		7209.12	7208 33 10 ⁽⁵⁰⁾
		7209.13	7208 33 91 ⁽⁵⁰⁾
		7209.14	7208 33 99 ⁽⁵⁰⁾
		7209.21	
		7209.22	7209 11 00
		7209.23	7209 12
		7209.24.50	7209 13
		7209.31	7209 14
		7209.32	7209 21 00
		7209.33	7209 22
		7209.34	7209 23
		7209.41	7209 24 10 ⁽⁵¹⁾
		7209.42	7209 24 91 ⁽⁵¹⁾
		7209.43	7209 31 00
		7209.44	7209 32
		7209.90 ⁽⁵⁾ ⁽⁶⁾	7209 33
			7209 34
		7210.70.30 ⁽⁵⁾ ⁽⁶⁾	7209 41 00
			7209 42
		7211.30.50	

Category	Product	HTS	CN code
5. (cont'd)	Cold-rolled sheet	7211.41.70	7209 43
		7211.49.50	7209 44
			7209 90 (5) (6)
		7225.50.80 (3)	
		7225.90 (3) (5) (6)	7210 70 19 (5) (52)
			7210 70 90 (5) (6) (52)
		7226.92.50 (3)	
			7211 30 (53)
			7211 41 (53)
			7211 49 (53)
			7225 50 00 (3) (47) (49) (54)
			7225 90 (3) (5) (6)
			7226 92 (3) (47) (53)
6.	Blackplate	7209.24.10	7209 24 (55)
7.	Cold-rolled strip	7211.30.10 (3) (16)	7211 30 31 (3) (16) (56)
		7211.30.30 (3) (16)	7211 30 39 (3) (16) (56)
		7211.41.10 (3) (16)	7211 30 50 (3) (16) (56)
		7211.41.30 (3) (16)	7211 30 90 (3) (16) (56)
		7211.41.50 (3) (16)	7211 41 91 (3) (16) (56)
		7211.49.10 (3) (16)	7211 41 95 (3) (16) (56)
		7211.49.30 (3) (16)	7211 41 99 (3) (16) (56)
		7211.90 (3) (6) (16)	7211 49 91 (3) (16) (56)
			7211 49 99 (3) (16) (56)
		7212.30.10 (6) (16)	7211 90 (3) (6) (16)
		7212.30.30 (6) (16)	
		7212.40.10 (6) (16)	7212 30 90 (6) (16) (56)
			7212 40 10 (6) (16) (56)
		7226.92.70 (3) (16)	7212 40 99 (6) (16) (56)
		7226.92.80 (3) (16)	
		7226.99 (3) (6) (16)	7226 92 90 (3) (16) (47) (56)
			7226 99 (3) (6) (16)
8.	Electrical sheet and strip	7225.10 (5) (6)	7225 10 (5) (6)
		7226.10 (6)	7226 10 (6)
9.	Stainless plate	7219.11 (19) (20)	7219 11 (19) (20)
		7219.12 (19) (20)	7219 12 (19) (20)
		7219.21 (19) (20)	7219 21 (19) (20)
		7219.22 (19) (20)	7219 22 (19) (20)
		7219.31 (19) (20)	7219 31 (19) (20)
		7220.11 (19) (20)	7220 11 00 (19) (20)
10.	Stainless sheet and strip	7219.13 (19) (20) (21)	7219 13 (19) (20) (21)
		7219.14 (19) (20) (21)	7219 14 (19) (20) (21)
		7219.23 (19) (20) (21)	7219 23 (19) (20) (21)
		7219.24 (19) (20) (21)	7219 24 (19) (20) (21)
		7219.32 (19) (20) (21)	7219 32 (19) (20) (21)
		7219.33 (19) (20) (21)	7219 33 (19) (20) (21)
		7219.34 (19) (20) (21)	7219 34 (19) (20) (21)
		7219.35 (19) (20) (21)	7219 35 (19) (20) (21)
		7219.90 (5) (6) (19) (20) (21)	7219 90 (5) (6) (19) (20) (21)
		7220.12 (2) (19) (20) (22)	7220 12 00 (2) (19) (20) (22)
		7220.20.10 (19) (20) (22)	7220 20 (2) (19) (20) (22)
		7220.20.60 (19) (20) (22)	7220 90 (2) (6) (19) (20) (22)
		7220.20.70 (19) (20) (22)	
		7220.20.90 (19) (20) (22)	
		7220.90 (2) (6) (19) (20) (22)	
11.	Tinplate	7210.11 (5) (6)	7210 11 (5) (6)
		7210.12 (5) (6)	7210 12 (5) (6)
		7212.10 (6)	7212 10 (6)

Category	Product	HTS	CN code
12.	Tin-free steel	7210.50 ⁽⁶⁾ 7210.90.60 ⁽⁶⁾	7210 50 ⁽⁶⁾ 7210 90 35 ⁽⁵⁷⁾ 7210 90 39 ⁽⁵⁷⁾ 7210 90 90 ⁽⁶⁾ ⁽⁵⁷⁾
13.	Electrogalvanized	7210.31 ⁽⁵⁾ ⁽⁶⁾ 7210.39 ⁽⁵⁾ ⁽⁶⁾ 7212.21 ⁽⁶⁾ 7212.29 ⁽⁶⁾	7210 31 ⁽⁵⁾ ⁽⁶⁾ 7210 39 ⁽⁵⁾ ⁽⁶⁾ 7212 21 ⁽⁶⁾ 7212 29 ⁽⁶⁾
14.	Other coated flat-rolled products	7210.20 ⁽⁵⁾ ⁽⁶⁾ 7210.41 ⁽⁵⁾ ⁽⁶⁾ 7210.49 ⁽⁵⁾ ⁽⁶⁾ 7210.60 ⁽⁶⁾ ⁽²⁴⁾ 7210.70.60 ⁽⁵⁾ ⁽⁶⁾ 7210.90.90 ⁽⁵⁾ ⁽⁶⁾ ⁽⁸¹⁾ 7212.30.50 ⁽⁶⁾ 7212.40.50 ⁽⁶⁾ 7212.50 ⁽⁶⁾ ⁽⁸¹⁾	7210 20 ⁽⁵⁾ ⁽⁶⁾ 7210 41 ⁽⁵⁾ ⁽⁶⁾ 7210 49 ⁽⁵⁾ ⁽⁶⁾ 7210 60 ⁽⁶⁾ ⁽²⁴⁾ 7210 70 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁸⁾ 7210 90 10 ⁽⁵⁾ ⁽⁶⁾ ⁽⁸¹⁾ 7210 90 33 ⁽⁵⁾ ⁽⁶⁾ 7210 90 35 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁹⁾ 7210 90 39 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁹⁾ 7210 90 90 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁹⁾ 7212 30 ⁽⁶⁾ ⁽⁵³⁾ 7212 40 ⁽⁶⁾ ⁽⁵³⁾ 7212 50 10 ⁽⁶⁾ ⁽⁸¹⁾ 7212 50 31 ⁽⁶⁾ 7212 50 39 ⁽⁶⁾ 7212 50 51 ⁽⁶⁾ 7212 50 59 ⁽⁶⁾ 7212 50 71 ⁽⁶⁾ 7212 50 73 ⁽⁶⁾ 7212 50 75 ⁽⁶⁾ 7212 50 91 ⁽⁶⁾ 7212 50 93 ⁽⁶⁾ 7212 50 97 ⁽⁶⁾ 7212 50 99 ⁽⁶⁾
15.	Rebar	7214.20	7214 20 00
16.	Hot-finished bar	7213.39.0060 7213.39.0090 7213.49.0060 7213.49.0090 7213.50.0060 7213.50.0080 7214.10 7214.30 7214.40 7214.50 7214.60 7228.20.10 ⁽⁶⁾ 7228.30.80 7228.40 7228.60.60 ⁽⁶⁾	7213 39 00 ⁽⁶⁰⁾ 7213 49 00 ⁽⁶⁰⁾ 7213 50 00 ⁽⁶⁰⁾ 7214 10 00 7214 30 00 7214 40 7214 50 7214 60 00 7228 20 11 7228 20 19 7228 20 30 7228 20 50 7228 20 90 ⁽⁶¹⁾ 7228 30 10 ⁽⁴⁷⁾ 7228 30 90 ⁽⁴⁷⁾ 7228 40 00 7228 60 10 ⁽⁴⁷⁾ 7228 60 90 ⁽⁴⁷⁾ ⁽⁶¹⁾
17.	Cold-finished bar	7215.10 7215.20 7215.30 7215.40 7215.90 ⁽⁶⁾ 7228.20.50 ⁽⁶⁾ 7228.50.50 7228.60.80 ⁽⁶⁾ 7228.80	7215 10 00 7215 20 00 7215 30 00 7215 40 00 7215 90 ⁽⁶⁾ 7228 20 70 7228 20 90 ⁽⁶⁾ ⁽⁶²⁾ 7228 50 00 ⁽⁴⁷⁾ 7228 60 90 ⁽⁶⁾ ⁽⁴⁷⁾ ⁽⁶²⁾ 7228 80

Category	Product	HTS	CN code
18.	Stainless bar	7218.90.0030 7218.90.0065 7218.90.0090 7221.00.0060 7221.00.0080 7222.10 7222.20 7222.30 (6)	7218 90 11 (63) 7218 90 13 (63) 7218 90 15 (41) (63) 7218 90 19 (41) (63) 7218 90 30 (41) (63) 7218 90 50 (63) 7218 90 91 (63) 7218 90 99 (63) 7221 00 10 (60) 7221 00 90 (60) 7222 10 7222 20 7222 30 (6)
19.	Carbon wire rod	7213.10 7213.20 7213.31 7213.39.0030 7213.41 7213.49.0030 7213.50.0020 7213.50.0040	7213 10 00 7213 20 00 7213 31 00 7213 39 00 (64) 7213 41 00 7213 49 00 (64) 7213 50 00 (65)
20.	Stainless wire rod	7221.00.0020 7221.00.0040	7221 00 10 (65) 7221 00 90 (65)
21.	Alloy wire rod	7227.20 7227.90.60	7227 20 00 7227 90 10 7227 90 90 (47)
22.	Bar shapes less than 80 mm	7216.10 7216.21 7216.22	7216 10 00 7216 21 00 7216 22 00
23.	Structurals	7216.31 7216.32 7216.33 7216.40 7216.50 7216.60 7222.40.30 7228.70.30	7216 31 00 7216 32 00 7216 33 00 7216 40 7216 50 7216 60 7222 40 11 7222 40 19 7222 40 30 7228 70 10 7228 70 31
24.	Sheet piling	7301.10	7301 10 00
25.	Fabricated structurals	7216.90 7222.40.60 7228.70.60 7301.20 7308.10 7308.20 7308.30 (15) 7308.40 7308.90.30 (12) 7308.90.60 (13) 7308.90.90 (9) (14)	7216 90 7222 40 91 7222 40 93 7222 40 99 7228 70 91 7228 70 99 7301 20 00 7308 10 00 7308 20 00 7308 30 00 (15) 7308 40 00 7308 90 (9) (14) (67)

Category	Product	HTS	CN code
26.	Stainless wire	7223.00.10 7223.00.50 (2) (6)	7223 00 10 (68) 7223 00 90 (68)
27.	Wire strand	7312.10.10 (4) 7312.10.3015 (4) 7312.10.3065 (4) 7312.10.3075 (4) 7312.10.3090 (4)	7312 10 30 (4) (69) (71) 7312 10 50 (4) (69) (70) (71) 7312 10 71 (4) (69) (70) 7312 10 75 (4) (69) (70) 7312 10 79 (4) (69) (70)
28.	Wire rope	7312.10.60 (4) 7312.10.90 (4)	7312 10 30 (4) (69) (72) 7312 10 50 (4) (69) (72) (73) 7312 10 91 (4) (69) 7312 10 95 (4) (69) 7312 10 99 (4) (69) (73)
29.	Carbon and alloy wire	7217.11 7217.12 7217.13 7217.19 7217.21 7217.22 7217.23 7217.29 7217.31 (3) 7217.32 7217.33 7217.39 (3) 7223.00.90 7229.20 7229.90	7217 11 7217 12 7217 13 7217 19 7217 21 00 7217 22 00 7217 23 00 7217 29 00 7217 31 00 (3) 7217 32 00 7217 33 00 7217 39 00 (3) 7223 00 10 (74) 7223 00 90 (74) 7229 20 00 7229 90 00
30.	Wire products	7313.00 (11) 7314.41 (8) 7314.42 (8) 7314.49 (8) 7317.00.55 (7) 7317.00.6560 (7) 7317.00.75 (7)	7313 00 00 (11) 7314 41 (8) 7314 42 (8) 7314 49 00 (8) 7317 00 (7) (75)
31.	Rails	7302.10 (10)	7302 10 (10)
32.	Rail products	7302.20 (18) 7302.40 (18) 7302.90 (23) 8607.19.10 8607.19.20	7302 20 00 (18) 7302 40 10 7302 90 30 (23) 7302 90 90 (23) 8607 19 11 8607 19 19
33.	Alloy tool steel	7225.20 (5) (6) 7225.30.10 7225.30.5060 7225.40.1090 7225.40.5060 7225.50.1060 7226.20 (6) 7226.91.1060 7226.91.3060 7226.92.1060 7226.92.3060 7227.10 7227.90.1060 7227.90.2060	7225 20 (5) (6) 7225 30 00 (76) 7225 40 (77) 7225 50 00 (77) 7226 20 (6) 7226 91 00 (77) 7226 92 (77) 7227 10 00 7227 90 90 (77) 7228 10 (6) 7228 30 (77) 7228 50 00 (77) 7228 60 (6) (77)

Category	Product	HTS	CN code
33. (cont'd)	Alloy tool steel	7228.10 (6) 7228.30.40 7228.30.60 7228.50.1020 7228.50.1040 7228.50.1060 7228.50.1080 7228.60.1060 (6) 7229.10	7229 10 00
34.	Other speciality steel	7225.30.5030 7225.40.1015 7225.40.5030 7225.50.1030 7225.50.70 7226.91.1030 7226.91.3030 7226.92.1030 7226.92.3030 7227.90.1030 7227.90.2030 7228.30.20 7228.50.1010 7228.60.1030 (6)	7225 30 00 (78) 7225 40 (79) 7225 50 00 (79) (80) 7226 91 00 (79) 7226 92 (79) 7227 90 90 (79) 7228 30 (79) 7228 50 00 (79) 7228 60 (6) (79)

Footnotes

- (2) Excluded if 'razor blade steel' i.e. flat-rolled products of stainless steel not over 0,25 mm in thickness and not over 23 mm in width, containing by weight not over 14,7 % of chromium, and certified at the time of entry to be used in the manufacture of razor blades.
- (3) Excluded if 'carbon/alloy band saw steel' defined as follows:
- (a) 'metal cutting band saw steel' referring to steel flat-rolled products, not less than 0,61 mm and not more than 0,91 mm in thickness, not less than 6,30 mm and not more than 50,80 mm in width, in coils, containing:
- carbon: not less than 1,18 % and not more than 1,32 %;
 - chromium: not less than 0,15 % and not more than 0,32 %;
 - manganese: not less than 0,10 % and not more than 0,40 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of metal-cutting band saw blades; or
- (b) 'wood band saw steel' referring to
- (1) alloy steel flat-rolled products less than 4,75 mm in thickness which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % and not more than 0,81 %;
 - manganese: not less than 0,30 % and not more than 0,55 %;
 - silicon: not less than 0,20 % and not more than 0,35 %;
 - nickel: not less than 1,60 % and not more than 2,70 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %;
 - sulfur: none, or not more than 0,15 %;
- or
- (2) cold-rolled flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % and not more than 0,81 %;
 - manganese: not less than 0,30 % and not more than 0,50 %;
 - silicon: not less than 0,20 % and not more than 0,35 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %;
 - sulfur: none, or not more than 0,15 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of wood band saws.
- (4) Excluded if covered with textile or other non-metallic material.
- (5) Excluded if cut, pressed or stamped to non-rectangular shape (including scroll cutting).
- (6) Covered if corrugated or subjected to surface treatments.
- (7) Excluded if corrugated fasteners, glaziers' points, hook nails, or ring nails.
- (8) Excluded if other than galvanized wire fencing wholly of round iron or steel wire measuring not over 5,08 mm and not under 1,905 mm in diameter, whether or not such wire is covered with plastics.
- (9) Excluded if fence or sign posts.
- (10) Excluded if current-conducting rail.
- (11) Excluded if twisted hoop or single flat wire, whether or not barbed.
- (12) Excluded if of cast iron.
- (13) Excluded if in part of stainless steel.
- (14) Excluded if plastic foam core insulating composite panels.
- (15) Excluded if door or window frames.
- (16) Excluded if bale ties.
- (17) Excluded if other primary forms, e.g. blocks, lumps, puddled bars and pilings.
- (18) Excluded if forged.
- (19) Excluded if cladding grade 434 stainless steel certified by the importer of record to be used in the manufacture of stainless steel clad aluminum automobile trim.
- (20) Excluded if grade 253MA or 254SMO stainless steel.
- (21) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness and over 1 803,4 mm in width.
- (22) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, and certified by the importer of record or ultimate consignee to be used in the manufacture of stainless steel flapper valves for compressors.
- (23) Covered if either
- (a) hot-rolled and designed to connect the ends of adjacent rails in track (i.e. 'joint bars'). These products are usually punched or slotted; or
- (b) hot-rolled and used to support rails in track, to maintain track gauge, and protect the ties (i.e. 'tie plates'). These products are punched to provide holes for spikes and have one or two shoulder sections as rail guides.

- (24) Excluded if cut, pressed or stamped to non-rectangular shape and other than electrolytically coated or plated.
- (40) Excluded if pieces roughly shaped by forging.
- (41) Covered if of a width measuring less than four times, the thickness.
- (42) Covered if of a cross-sectional area of 19,4 cm² or more.
- (43) Covered if of a width measuring at least four times the thickness.
- (44) Excluded if pickled.
- (45) Excluded if in coils.
- (46) Covered if of a thickness of 4,75 mm or more.
- (47) Excluded if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS.
- (48) Covered if in coils.
- (49) Covered if of a thickness of less than 4,75 mm.
- (50) Covered if pickled.
- (51) Covered if of a thickness of 0,361 mm or more.
- (52) Excluded if coated or plated with metal or clad.
- (53) Covered if of a width of 300 mm or more.
- (54) Excluded if of heat resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (55) Covered if of a thickness of less than 0,361 mm.
- (56) Covered if of a width of less than 300 mm.
- (57) Covered if electrolytically coated or plated with base metal.
- (58) Covered if coated or plated with metal or clad.
- (59) Excluded if electrolytically coated or plated with base metal.
- (60) Covered if of circular cross-section and with a diameter of 19 mm or more if of other than circular cross-section.
- (61) Excluded if cold formed.
- (62) Covered if cold formed.
- (63) Covered if of a cross sectional area of less than 19,4 cm².
- (64) Covered if of circular cross-section and with a diameter of 14 mm or more but less than 19 mm.
- (65) Covered if of circular cross-section and with either a diameter of less than 14 mm or with a diameter of 14 mm or more but less than 19 mm.
- (66) Covered if hot rolled, not drilled, not punched and not otherwise advanced.
- (67) If columns, pillars, posts, beams, girders and similar structural units, excluded if in part of stainless steel or if of cast iron.
- (68) Excluded if other than round or flat wire. Also excluded if flat wire or razor blade steel (see footnote 2) or flat wire further worked after flat rolling (see footnote 6).
- (69) Excluded if fitted with fittings or made up into articles.
- (70) Excluded if tyre cord. If other than tyre cord and other than stranded wire for prestressing concrete, excluded if of brass plated wire.
- (71) Covered if stranded wire.
- (72) Excluded if stranded wire.
- (73) Excluded if of brass plated wire.
- (74) Excluded if round or flat wire.
- (75) Excluded if thumb tacks; or drive pins, studs or other fasteners, suitable for use in powder-activated hand tools; or staples in strip form; or furniture glides; or cut products made of other than round wire and of one piece construction.
- (76) If of a thickness of 4,75 mm or more, covered if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS. If of a thickness of less than 4,75 mm, covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (77) Covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (78) Covered if of a thickness of less than 4,75 mm and of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (79) Covered if of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (80) Covered if of a thickness of less than 4,75 mm and of heat-resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (81) Excluded if silvered, gilded or platinum plated.

Definitions

Extracts from the additional notes to Chapter 72 of the HTS:

1. For the purpose of the tariff schedule the following expressions have the meanings hereby assigned to them:

(e) Tool steel

Alloy steels which contain the following combinations of elements in the quantity by weight respectively indicated:

- (i) more than 1,2 % carbon and more than 10,5 % chromium; or
- (ii) not less than 0,3 % carbon and 1,25 % or more but less than 10,5 % chromium; or
- (iii) not less than 0,85 % carbon and 1 % to 1,8 %, inclusive, manganese; or
- (iv) 0,9 % to 1,2 %, inclusive, chromium and 0,9 % to 1,4 %, inclusive, molybdenum; or
- (v) not less than 0,5 % carbon and not less than 3,5 % molybdenum; or
- (vi) not less than 0,5 % carbon and not less than 5,5 % tungsten.

(f) Chipper knife steel

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,48 % and not more than 0,55 % of carbon;
- (ii) not less than 0,2 % and not more than 0,5 % of manganese;
- (iii) not less than 0,75 % and not more than 1,05 % of silicon;
- (iv) not less than 7,25 % and not more than 8,75 % of chromium;
- (v) not less than 1,25 % and not more than 1,75 % of molybdenum;
- (vi) none, or not more than 1,75 % of tungsten; and
- (vii) not less than 0,2 % nor more than 0,55 % of vanadium.

(g) Heat-resisting steel

Alloy steels containing by weight less than 0,3 % of carbon and 4 % or more but less than 10,5 % of chromium.

(h) Ball-bearing steel

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,95 % and not more than 1,13 % of carbon;
- (ii) not less than 0,22 % and not more than 0,48 % of manganese;
- (iii) none, or not more than 0,03 % of sulfur;
- (iv) none, or not more than 0,03 % of phosphorus;
- (v) not less than 0,18 % and not more than 0,37 % of silicon;
- (vi) not less than 1,25 % and not more than 1,65 % of chromium;
- (vii) none, or not more than 0,28 % of nickel;
- (viii) none, or not more than 0,38 % of copper; and
- (ix) none, or not more than 0,09 % of molybdenum.

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / ORIGINAL	
2 EXTRACT of export licence No /		3 Period of validity from until included 4 Quota year	
5 Licence transferred to (full name and address) with effect from Signature: Stamp of competent authority:		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT NOTE This licence and a certificate for the export of iron and steel products must be produced at the customs office at which customs formalities for export to the United States of America are completed.	
7 Category and detailed description of iron and steel products		8 CN codes	9 Quantity (metric tonnes)
10 Place of issue: Date of issue: Signature: Stamp of competent authority:		11 Period of validity extended until included Signature: Stamp of competent authority:	

ATTRIBUTION OF QUANTITIES EXPORTED OR FOR WHICH AN EXTRACT IS ISSUED

12 Quantities (metric tonnes)	13 Customs export document (type, number and date) or extract (number and date)	14 Name, Member State, signature and stamp of attributing authority
Available		
Attributed		
Available		
Attributed		
Available		
Attributed		
Available		
Attributed		
Available		
Attributed		
Available		
Attributed		

EUROPEAN COMMUNITY

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / COPY									
2 EXTRACT of export licence No /		3 Period of validity from <table border="1" style="display: inline-table; width: 100px; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> until <table border="1" style="display: inline-table; width: 100px; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> included 4 Quota year									
5 Licence transferred to (full name and address) with effect from <table border="1" style="display: inline-table; width: 100px; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> Signature: Stamp of competent authority:						6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT NOTE This licence and a certificate for the export of iron and steel products must be produced at the customs office at which customs formalities for export to the United States of America are completed.					
7 Category and detailed description of iron and steel products		8 CN codes	9 Quantity (metric tonnes)								
10 Place of issue: Date of issue: <table border="1" style="display: inline-table; width: 100px; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> Signature: Stamp of competent authority:						11 Period of validity extended until <table border="1" style="display: inline-table; width: 100px; height: 20px;"><tr><td> </td><td> </td><td> </td><td> </td></tr></table> included Signature: Stamp of competent authority:					

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No ORIGINAL	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State)	
	of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the customs office at which customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the customs office shown in box 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
---	-----------------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box 3

☐ to the extract shown in box 4.*)

Customs export document: _____ Signature: _____ Stamp: _____

type: _____

number: _____

date:

Customs office: _____

Member State: _____

(*) The appropriate box to be indicated like this: ☒

EUROPEAN COMMUNITY

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No COPY	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the customs office at which customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the customs office shown in box 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
---	-----------------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY		
The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box 3 ☐ to the extract shown in box 4. *)		
Customs export document: type: number: date:	Signature:	Stamp:
Customs office:		
Member State:		
(*) The appropriate box to be indicated like this: ☒		

ANNEX IV

Technical provisions relating to export licences, extracts thereof, and certificate forms

1. Licences, extracts thereof including any extensions and forms shall be made up in sets containing at least one original, a copy for the issuing authority and a copy for the Commission.

Certificate forms shall be made up in sets containing at least one original, a copy for the customs, a copy for the authority issuing the export licence or the extract thereof and a copy for the Commission.

2. Forms referred to in point 1 shall be printed on white paper dressed for writing and weighing at least 40 g/m². Their size shall be 210 × 297 mm.
3. The Member States shall be responsible for having the forms referred to in point 1 printed. These may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address, or a mark enabling the printer to be identified, and an individual serial number.

The number which shall be composed of six digits shall be preceded by the following letters according to the country in which the forms are utilized: 'BE' for Belgium, 'DK' for Denmark, 'DE' for the Federal Republic of Germany, 'ES' for Spain, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands, 'PO' for Portugal and 'GB' for the United Kingdom. It may be followed by additional number which Member States may deem necessary for statistical purposes.

4. Licences, extracts thereof including any extensions and forms shall be printed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State.

Certificates shall be printed in English.

COMMISSION REGULATION (EEC) No 3726/89

of 11 December 1989

on the monitoring by the Community of exports of steel tubes and pipes to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3723/89 of 6 November 1989 on the restriction of exports of steel tubes and pipes to the United States of America ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

1. the application of the Arrangement concluded with the United States of America, hereinafter referred to as 'the Arrangement' ⁽²⁾, particularly as regards the phasing of exports, makes it necessary to provide for fixed periods during which licences may be issued;
2. to allow for optimum utilization of all the export opportunities provided for in the Arrangement, the licensing system should be designed so that the development of exports can be monitored as closely as possible;
3. it is necessary to authorize the competent authorities of the Member States to take the appropriate measures in cases of loss, theft or destruction of a licence or certificate,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the products originating in the Community and listed in Annex I, export licences as provided for in Article 4 of Regulation (EEC) No 3723/89 shall be issued free of charge by the competent authorities in the Member States (hereinafter referred to as 'the issuing authorities') subject to the conditions laid down in the abovementioned Article 4. Licences shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions laid down in Annex IV.

For each export of these products, the exporter must make out a certificate on a form conforming to the specimen set out in Annex III and respecting the provisions laid down in Annex IV.

2. Export certificates shall be drawn up as follows:

- (a) each certificate may refer to only one licence or to only one extract from a licence;
- (b) the words 'category 35 pipes and tubes other than OCTG' or, as appropriate, 'category 36 OCTG', as provided for in Annex I, should be inserted in box 5 of each certificate;
- (c) the product description in box 5 of the copies of the certificates must include the CN codes;
- (d) the quantity in tonnes must be indicated by means of a letter T after the figures representing the tonnes and before any fractions of tonnes;
- (e) no more than one total may be indicated on each certificate;
- (f) the stamp affixed by the customs office which accepted the export declaration must show legibly, on the original and the copies of the certificate, the name of the office and the date of acceptance;
- (g) the number of each certificate must be indicated in box 13 of the licence or the extract of the licence to which the certificate refers.

3. The export licence must be issued within 15 working days of the day of receipt of the exporter's application. The licence may be issued only until the end of the second month of each calendar quarter.

4. The licence shall be valid for three months from the date of issue. However, each export licence shall be valid only for exports to be effected during the quota year indicated in box 4 of the licence.

Where, however, the Commission decides to apply Article 2 (3) of Regulation (EEC) No 3723/89, and where supplementary allocations are made in cases of shortage, licences with a period of validity exceeding three months may be issued; the words 'special issue' shall be entered on such licences and on the certificates relating thereto.

Article 2

At the request of the titular holder of the export licence and upon production of the licence, the competent authorities of the Member States may issue one or several extracts

⁽¹⁾ See page 16 of this Official Journal.

⁽²⁾ See page 126 of this Official Journal.

from the export licence. These extracts shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions of Annex IV.

Extracts may not be used as a basis for issuing further extracts.

At the time the extracts are issued, the quantities of products covered by the said extracts shall be deducted from the quantities indicated on the licence from which it has been issued.

Extracts shall have the same legal effects as the export licences from which they have been issued and to which they refer.

Article 3

1. Export licences may be transferred in whole or in part by their titular holder (hereinafter referred to as 'the transferer') to other steel undertakings or distribution undertakings (hereinafter referred to as 'the transferees') subject to the conditions laid down in Article 4 (3) of Regulation (EEC) No 3723/89.

2. The authority which issued the licence must be informed of such transfer by both the transferer and transferee. That authority shall, without delay, certify the transfer on the export licence or on the extract and inform the Commission. Transfer shall take effect from the date of this certification.

3. In cases where only a part of an export licence is transferred, an extract from the export licence should be issued in respect of this part.

4. Where a licence has been transferred to a transferee in a Member State other than that which issued the licence, the authority which certified the transfer shall, without delay, inform the competent authority of the Member State in which the transferee is situated.

5. Each licence may be transferred only once.

Article 4

Licences or extracts from licences issued by the authorities of a Member State, as well as certificates, declarations and certifications accompanied by the stamp of these authorities, shall have the same legal value in each of the other Member States as such documents issued by the authorities of these Member States as well as certificates, declarations and certifications accompanied by the stamp of these authorities.

Article 5

1. Fully used licences shall be returned at the latest on the eighth working day following their complete use to the competent authority in the Member State which issued them.

2. Unused or partially used licences shall be returned at the latest on the eighth working day following expiry of their period of validity to the authority in the Member State which issued them.

Article 6

1. The original and the necessary copies of the export licences and of the certificate must be presented in support of the export declarations to the customs office in the Community in which formalities regarding exports of steel products to the United States of America are completed.

This office shall:

(a) deduct the quantity to be exported from the original of the licence;

(b) endorse the original and copy of the certificate, return the original to the titular holder of the licence or to his representative so that it may be presented to the customs authorities of the United States of America on importation, keep its own copy and send to the authority which issued the export licence and to the Commission the copies intended for them.

2. The copies of the certificates must reach the Commission within three working days following the week in which the abovementioned customs office endorsed them.

3. Where certificates are amended or cancelled with the authorization of the customs office which endorsed them, that office shall also forward copies of the amended or cancelled certificates to the authority which issued the export licence and to the Commission, within three working days following the week in which it authorized the amendment or the cancellation.

4. Member States may provide for the forwarding of copies to the Commission to take place through a central organization appointed for this purpose.

Article 7

1. Licence applications must include the following information:

— a description of the products, specifying the category and the CN code, in accordance with Annex I; however, the CN code is not required if the applicant declares that he wishes to transfer the requested licence, in which case the code must be given by the transferee,

— the quantity of products (in tonnes),

— the exporter's name or trade-name, address and telephone and telex numbers,

- the consignee's name or trade-name and address; however, this information is not required if the applicant declares that he wishes to transfer the licence requested, in which case this information must be provided by the transferee,
- scheduled date(s) of export,
- where appropriate, an indication that the products are intended for temporary importation into the United States of America and re-export in the same state or without having undergone substantial processing or having been subject to double substantial transformation as defined in Appendix D of the Arrangement ⁽¹⁾.

2. The exporter must declare that the goods are of Community origin and that the information on his licence application is accurate.

Article 8

In the case of loss, theft or destruction of the original of an export licence or certificate, the competent authorities which issued or endorsed the said documents may issue or endorse a duplicate.

Licences issued and certificates endorsed in this way shall bear the endorsement "Duplicata" in red.

Article 9

1. Within the first 10 days of each month the Member States shall notify the Commission of:

- (a) the amounts in respect of which licences were issued during the preceding month;
- (b) the amounts exported in the month preceding that referred to in point (a) above.

2. The notification from the Member States shall include:

- (a) a breakdown of the products by category in accordance with Annex I, and in respect of the information referred to in paragraph 1 (b), by CN code also;

(b) a breakdown by licence-holder;

(c) an indication of the amounts for each product to be temporarily imported into the United States of America for re-export in the same state or without having undergone substantial processing there or having been subject to double substantial transformation as defined in Appendix D of the Arrangement.

3. Within the first 15 days of each month Member States shall inform the Commission of the amounts in respect of which licences expired in the preceding month.

4. The Member States shall forward to the Commission, within eight days, a copy of each licence and any extracts once they have been issued.

They shall also forward a copy of each amended or cancelled licence and of amended or cancelled extracts as soon as they have been amended or cancelled.

5. Where the Commission ascertains that a Member State had issued licences in excess of its allocation for a specific category, it shall notify the State in question that such licences are in breach of the requirements in force and that the certificates issued on the basis of those licences cannot be considered as certificates within the meaning of Article 4 of the Arrangement.

6. At the same time as they submit the monthly notifications provided for in paragraph 1, Member States shall send to the Commission all relevant information concerning infringements of Regulation (EEC) No 3723/89 and of this Regulation and any penalties thereby imposed.

Article 10

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

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

Done at Brussels, 11 December 1989

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ See page 99 of this Official Journal.

ANNEX I

List of Products

Product	HTS (*)	Combined Nomenclature
— Category 35: Pipe and tube other than OCTG	7304.10 (1) 7304.31 (1) 7304.39 (1) 7304.41 (1) 7304.49 (1) 7304.51 (1) 7304.59 (1) 7304.90 (1) 7305.11 7305.12 7305.19 7305.31.40 (1) 7305.31.60 (1) 7305.39 (1) 7305.90 (1) 7306.10 7306.30.10 (1) 7306.30.50 (1) 7306.40 (1) 7306.50.10 (1) 7306.50.50 (1) 7306.60 (1) 7306.90 (1) 8547.90.0020	7304 10 (1) 7304 31 (1) 7304 39 (1) 7304 41 (1) 7304 49 (1) 7304 51 (1) 7304 59 (1) 7304 90 (1) 7305 11 00 7305 12 00 7305 19 00 7305 31 00 (1) (2) 7305 39 00 (1) 7305 90 00 (1) 7306 10 7306 30 (1) (2) 7306 40 (1) 7306 50 (1) (2) 7306 60 (1) 7306 90 00 (1) 8547 90 00 (3)
— Category 36: OCTG	7304.20 7305.20 7306.20	7304 20 7305 20 7306 20 00

(*) The subheadings and item numbers referred to above are subject to revision when the European Community or the United States adopt modifications to their respective import nomenclatures. When such modifications are adopted, prior notification shall be given to the other party. HTS represents the Harmonized Tariff Schedule of the United States.

(1) Excluded if drill pipe of a kind used in drilling for earth, minerals or ores.

(2) Excluded if tapered pipes and tubes principally used as parts of illuminating articles.

(3) Covered if conduit tubing.

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / ORIGINAL	
2 EXTRACT of export licence No /		3 Period of validity from until included	4 Quota year
5 Licence transferred to (full name and address) with effect from Signature: Stamp of competent authority:		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT NOTE: ... This licence and a certificate for the export of iron and steel products must be produced at the customs office at which customs formalities for export to the United States of America are completed.	
7 Category and detailed description of iron and steel products		8 CN codes	9 Quantity (metric tonnes)
10 Place of issue: Date of issue: Signature: Stamp of competent authority:		11 Period of validity extended until included Signature: Stamp of competent authority:	

ATTRIBUTION OF QUANTITIES EXPORTED OR FOR WHICH AN EXTRACT IS ISSUED

12	Quantities (metric tonnes)	13	Customs export document (type, number and date) or extract (number and date)	14	Name, Member State, signature and stamp of attributing authority
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				

1 Exporter (full name and address) ...

2 EXTRACT
of export licence No /

5 Licence transferred to (full name and address)

with effect from

Signature:

Stamp of competent authority:

7 Category and detailed description of iron and steel products

10 Place of issue:

Date of issue:

Signature:

Stamp of competent authority:

11 Period of validity extended

until _____ included

Signature: _____ Stamp of competent authority: _____

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No ORIGINAL	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the customs office at which customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the customs office shown in box 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
---	-----------------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box 3

☐ to the extract shown in box 4. *)

Customs export document: _____ Signature: _____ Stamp: _____

type: _____

number: _____

date:

Customs office: _____

Member State: _____

(*) The appropriate box to be indicated like this: ☒

EUROPEAN COMMUNITY

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No COPY	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the customs office at which customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the customs office shown in box 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	----------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box 3

☐ to the extract shown in box 4. *)

Customs export document: Signature: Stamp:

type:

number:

date:

Customs office:

Member State:

(*) The appropriate box to be indicated like this: ☒

ANNEX IV

Technical provisions relating to export licences, extracts thereof, and certificate forms

1. Licences, extracts thereof including any extensions and forms shall be made up in sets containing at least one original, a copy for the issuing authority and a copy for the Commission.

Certificate forms shall be made up in sets containing at least one original, a copy for the customs, a copy for the authority issuing the export licence or the extract thereof and a copy for the Commission.

2. Forms referred to in point 1 shall be printed on white paper dressed for writing and weighing at least 40 g/m². Their size shall be 210 × 297 mm.
3. The Member States shall be responsible for having the forms referred to in point 1 printed. These may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address, or a mark enabling the printer to be identified, and an individual serial number.

The number which shall be composed of six digits shall be preceded by the following letters according to the country in which the forms are utilized: 'BE' for Belgium, 'DK' for Denmark, 'DE' for the Federal Republic of Germany, 'ES' for Spain, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands, 'PO' for Portugal and 'GB' for the United Kingdom. It may be followed by additional numbers which Member States may deem necessary for statistical purposes.

4. Licences, extracts thereof including any extensions and forms shall be printed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State.

Certificates shall be printed in English.

COMMISSION DECISION No 3727/89/ECSC

of 11 December 1989

on the monitoring by the Community of exports of certain steel products to the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 3724/89/ECSC of 11 December 1989 on the restriction of exports of certain steel products to the United States of America ⁽¹⁾, and in particular Article 4 (6) thereof,

Whereas:

1. the putting into force of the Arrangement over a period of time, particularly as regards the distribution of exports, makes it necessary to provide for fixed periods during which licences may be issued;
2. to allow for optimum utilization of all the export possibilities provided for in the Arrangement, the licensing system should be drawn up so as to monitor the development of exports as closely as possible;
3. it is necessary to authorize the competent authorities of Member States to take the appropriate measures in cases of loss, theft or destruction of a licence or certificate,

HAS ADOPTED THIS DECISION:

Article 1

1. For each of the categories of products originating in the Community, such categories being defined in Annex I, export licences, as provided for in Article 4 of Decision No 3724/89/ECSC shall be issued free of charge by the competent authorities in the Member States (hereinafter referred to as 'the issuing authorities'), subject to the conditions provided for by the said Article. Licences shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions laid down in Annex IV.

For each export of the products under the abovementioned categories, the exporter must make out a certificate on a form conforming to the specimen set out in Annex III and respecting the provisions laid down in Annex IV.

2. Export certificates shall be drawn up as follows:

- (a) each certificate may refer to only one licence or one extract from a licence;
- (b) the description of the category shall be accompanied by its number;
- (c) the description of the products in box 5 of the copy of the certificate shall include the CN codes;
- (d) The letter 'T' shall be placed after the figures for tonnes and before any fractions thereof;
- (e) each certificate shall comprise a single total;
- (f) the customs office accepting the export declaration shall affix, in a legible manner, on both the original and copies of the certificate its stamp bearing the name of the office and the date of acceptance;
- (g) the number of each certificate shall be entered in box 13 of the licence or extract thereof to which the certificate refers.

3. An export licence shall be issued within 15 working days of the day on which the application is received. Licences may be issued only until the end of the second month of each calendar quarter.

4. Export licences shall be valid for three months from the date on which they are issued. However, licences shall be valid only for exports to be carried out during the quota period indicated in box 4 of the licences.

However, where the Commission decides to apply Article 2 (3) of Decision No 3724/89/ECSC:

- in cases of early use of licences, exports may be carried out during December 1990 and December 1991. Licences may be issued from 1 November to 31 December of the year preceding that to which they refer,
- where licences are carried over, the period of validity of licences expiring on 31 December 1990 and 31 December 1991 may be extended by two months by the authority which issued them,
- where additional allocations are made in the event of shortages, licences valid for a period of six months may be issued; the licences and the certificates corresponding to these licences shall be stamped with the words 'special issue'.

⁽¹⁾ See page 21 of this Official Journal.

Article 2

At the request of the titular holder of the export licence, and upon production of the licence, the competent authorities of Member States may issue one or several extracts from the export licence. These extracts shall be made out on forms conforming to the specimen set out in Annex II and respecting the provisions of Annex IV.

Extracts may not be used as the basis for issuing further extracts.

At the time the extracts are issued, the quantities of products covered by the said extracts shall be deducted from the quantities indicated on the licence from which it has been issued.

Extracts shall have the same legal effects as the export licences from which they have been issued and to which they refer.

Article 3

1. Export licences may be transferred in whole or in part by their titular holder (hereinafter referred to as 'the transferer') to other steel undertakings or distribution undertakings (hereinafter referred to as 'the transferees') subject to the conditions laid down in Article 4 (3) of Decision No 3724/89/ECSC.

2. The authority which issued the licence must be informed of such transfer by both the transferer and transferee. That authority shall, without delay, certify the transfer on the export licence or on the extract and inform the Commission. Transfer shall take effect from the date of this certification.

3. In cases where only a part of an export licence is transferred, an extract from the export licence should be issued in respect of this part.

4. Where a licence has been transferred to a transferee in a Member State other than that which issued the licence, the authority which certified the transfer shall, without delay, inform the competent authority of the Member State in which the transferee is situated.

5. Each licence may be transferred only once.

Article 4

Licences or extracts from licences issued by the authorities of a Member State, and certificates and declarations accompanied by the stamp of those authorities, shall have the same legal value in each of the other Member States as such documents issued by the authorities of those Member States and certificates and declarations accompanied by the stamp of those authorities.

Article 5

1. Fully used licences shall be returned at the latest on the eighth working day after they have been fully used to the competent authority in the Member State which issued them.

2. Unused or partially used licences shall be returned at the latest on the eighth working day following expiry of their period of validity to the authority in the Member State which issued them.

Article 6

1. The original of the export licence and certificate and the requisite copies thereof must be presented in support of the export declaration to the customs office in the Community in which formalities regarding exports of steel products to the United States of America are completed.

This office shall:

(a) attribute the quantity to be exported upon the original of the licence;

(b) endorse the original and copies of the certificate, return the original to the titular holder of the licence or to his representative so that it may be presented to the customs authorities of the United States of America on importation, keep its own copy and forward the copies intended for the issuing authority of the export licences and the Commission.

2. The copies of the certificates shall be forwarded to the Commission within three working days following the week in which the customs office endorsed them.

3. Where certificates are amended or cancelled with the authorization of the customs office which endorsed them, that office shall also forward to the authority which issued the export licence and to the Commission copies of certificates thus amended or cancelled within three working days following the week in which the amendment or cancellation was authorized.

4. Member States may provide for the forwarding of copies to the Commission to take place through a central organization appointed for this purpose.

Article 7

1. Licence applications shall include the following information:

— a description of the products, specifying their category and CN code, in accordance with Annex I; however, the CN code need not be specified if the applicant states

that he wishes to transfer the licence requested, in which case the code shall be specified by the transferee,

- the quantity of products (in tonnes),
- the exporter's name or trade name, address and telephone and telex numbers,
- the consignee's name or trade name and address; however, these indications need not be specified if the applicant states that he wishes to transfer the licence requested, in which case they shall be given by the transferee,
- scheduled date(s) of export,
- where appropriate, an indication that the products are intended for temporary importation into the United States of America and re-export in the same state or without having been subject to substantial transformation or having been subject to double substantial transformation as defined in Appendix D of the Arrangement ⁽¹⁾.

2. The exporter shall declare that the goods are of Community origin and that the information on his licence application is accurate.

Article 8

In the case of loss, theft or destruction of the original of an export licence or certificate, the competent authorities which issued or endorsed the said documents may issue or endorse a duplicate.

Licences so issued and certificates so endorsed should bear the endorsement "Duplicata" in red.

Article 9

1. Within the first 10 days of each month Member States shall notify the Commission of:

- (a) the tonnages in respect of which licences were issued during the preceding month;
- (b) the tonnages exported in the month preceding that referred to in point (a).

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

Done at Brussels, 11 December 1989

For the Commission

BANGEMANN

- 2. The notifications from Member States shall include;
 - (a) a breakdown of the products by category in accordance with Annex I, and in respect of the information referred to in paragraph 1 (b), by CN code also;
 - (b) an indication (in tonnes) for each product intended for temporary importation into the United States of America for re-export in the same state or without having been subject to substantial transformation there, or having been subject to double substantial transformation.
- 3. Within the first 15 days of each month Member States shall inform the Commission of the tonnages in respect of which licences expired during the preceding month.
- 4. Member States shall forward to the Commission, without delay, a copy of each licence and any extract as soon as it has been issued.

They shall also forward a copy of each amended or cancelled licence or extract as soon as it has been amended or cancelled.

5. Where the Commission ascertains that a Member State has issued licences in excess of its allocation for a given category, it shall inform that State that those licences were issued in infringement of the rules and that any certificates issued on the basis of those licences cannot be considered to be certificates within the meaning of Article 6 of the Arrangement.

This information shall be published in the *Official Journal of the European Communities*.

6. At the same time as they submit the monthly notifications provided for in paragraph 1, Member States shall send to the Commission all relevant information concerning infringements of Decision No 3724/89/ECSC and of this Decision and any penalties imposed.

Article 10

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ See page 99 of this Official Journal.

ANNEX I

List of products

Category	Product	HTS (*)	CN code
1.	Blooms and billets	7207.11	7207 11
		7207.12.0010	7207 12 11 ⁽⁴¹⁾
		7207.19 ⁽⁴⁰⁾	7207 12 19 ⁽⁴¹⁾
		7207.20.0025	7207 12 90 ⁽⁴¹⁾
		7207.20.0075 ⁽⁴⁰⁾	7207 19 ⁽⁴⁰⁾
		7207.20.0090 ⁽⁴⁰⁾	7207 20 11
			7207 20 15
		7218.90.0010	7207 20 17
		7218.90.0020	7207 20 19
		7218.90.0045 ⁽⁴⁰⁾	7207 20 31 ⁽⁴¹⁾
		7218.90.0055 ⁽⁴⁰⁾	7207 20 33 ⁽⁴¹⁾
		7218.90.0070 ⁽⁴⁰⁾	7207 20 39 ⁽⁴¹⁾
		7218.90.0080 ⁽⁴⁰⁾	7207 20 51
			7207 20 55
		7224.90.0010	7207 20 57
		7224.90.0030 ⁽⁴⁰⁾	7207 20 59 ⁽⁴⁰⁾
		7224.90.0040	7207 20 71
		7224.90.0060 ⁽⁴⁰⁾	7207 20 79 ⁽⁴⁰⁾
		7224.90.0070 ⁽⁴⁰⁾	7207 20 90 ⁽⁴⁰⁾
			7218 90 11 ⁽⁴²⁾
			7218 90 13 ⁽⁴²⁾
			7218 90 15 ⁽⁴¹⁾ ⁽⁴²⁾
			7218 90 19 ⁽⁴¹⁾ ⁽⁴²⁾
			7218 90 30 ⁽⁴¹⁾ ⁽⁴²⁾
			7218 90 50 ⁽⁴²⁾
			7218 90 91 ⁽⁴⁰⁾ ⁽⁴²⁾
			7218 90 99 ⁽⁴⁰⁾ ⁽⁴²⁾
			7224 90 11 ⁽⁴¹⁾
			7224 90 19 ⁽⁴¹⁾
			7224 90 30
			7224 90 91 ⁽⁴⁰⁾
			7224 90 99 ⁽⁴⁰⁾
2.	Other semi-finished (including slabs)	7206.10	7206 10 00
		7207.12.0050	7207 12 11 ⁽⁴³⁾
		7207.20.0045	7207 12 19 ⁽⁴³⁾
			7207 12 90 ⁽⁴³⁾
			7207 20 31 ⁽⁴³⁾
		7218.10 ⁽¹⁷⁾	7207 20 33 ⁽⁴³⁾
		7218.90.0035	7207 20 39 ⁽⁴³⁾
		7224.10 ⁽¹⁷⁾	7218 10 00 ⁽¹⁷⁾
		7224.90.0020	7218 90 15 ⁽⁴³⁾
		7224.90.0050	7218 90 19 ⁽⁴³⁾
			7218 90 30 ⁽⁴³⁾
3.	Plate		7224 10 00 ⁽¹⁷⁾
			7224 90 11 ⁽⁴³⁾
			7224 90 19 ⁽⁴³⁾
		7208.31	7208 31 00
		7208.32	7208 32
		7208.33.50	7208 33 ⁽⁴⁴⁾
		7208.41	7208 41 00
		7208.42	7208 42
		7208.43	7208 43

(*) HTS represents the Harmonized Tariff Schedule of the United States.

Category	Product	HTS	CN code
3. (cont'd)	Plate	7210.90.10 ⁽⁵⁾ ⁽⁶⁾	7210 90 31 ⁽⁵⁾
		7211.11	
		7211.12	7211 11 00
		7211.21	7211 12
		7211.22.0045	7211 21 00
			7211 22 10 ⁽⁴⁵⁾
		7212.60 ⁽⁶⁾	7211 22 90 ⁽⁴⁵⁾
		7225.30.30	7212 60 ⁽⁶⁾
		7225.40.30	
		7225.50.60	7225 30 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
			7225 40 10 ⁽⁴⁷⁾
		7226.91.50	7225 40 30 ⁽⁴⁷⁾
			7225 40 50 ⁽⁴⁷⁾
			7225 50 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
4.	Hot-rolled sheet and strip		7226 91 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
		7208.11	7208 11 00
		7208.12	7208 12
		7208.13	7208 13
		7208.14	7208 14
		7208.21.50	7208 21 10 ⁽⁴⁴⁾
		7208.22.50	7207 21 90 ⁽⁴⁴⁾
		7208.23	7208 22 10 ⁽⁴⁴⁾
		7208.24	7208 22 91 ⁽⁴⁴⁾
		7208.34	7208 22 99 ⁽⁴⁴⁾
		7298.35	7208 23
		7208.44	7208 24
		7208.45	7208 34
		7208.90 ⁽⁵⁾ ⁽⁶⁾	7208 35
			7208 44
		7211.19 ⁽³⁾	7208 45
		7211.22.0090	7208 90 ⁽⁵⁾ ⁽⁶⁾
		7211.29 ⁽³⁾	
			7211 19 ⁽³⁾
		7225.30.70 ⁽³⁾	7211 22 ⁽⁴⁸⁾
		7225.40.70 ⁽³⁾	7211 29 ⁽³⁾
5.	Cold-rolled sheet		
		7208.21.10	7225 30 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
		7208.22.10	7225 40 70 ⁽³⁾ ⁽⁴⁷⁾
		7208.33.10	7225 40 90 ⁽³⁾ ⁽⁴⁷⁾
			7226 91 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
		7209.11	
		7209.12	7208 21 10 ⁽⁵⁰⁾
		7209.13	7208 21 90 ⁽⁵⁰⁾
		7209.14	7208 22 10 ⁽⁵⁰⁾
		7209.21	7208 22 91 ⁽⁵⁰⁾
		7209.22	7208 22 99 ⁽⁵⁰⁾
		7209.23	7208 33 10 ⁽⁵⁰⁾
		7209.24.50	7208 33 91 ⁽⁵⁰⁾
		7209.31	7208 33 99 ⁽⁵⁰⁾
		7209.32	
		7209.33	7209 11 00
		7209.34	7209 12
		7209.41	7209 13
		7209.42	7209 14
		7209.43	7209 21 00
		7209.44	7209 22
		7209.90 ⁽⁵⁾ ⁽⁶⁾	7209 23
			7209 24 10 ⁽⁵¹⁾
		7210.70.30 ⁽⁵⁾ ⁽⁶⁾	7209 24 91 ⁽⁵¹⁾
			7209 31 00
			7209 32
			7209 33
			7209 34
			7209 41 00
			7209 42

Category	Product	HTS	CN code
5. (cont'd)	Cold-rolled sheet	7211.30.50	7209 43
		7211.41.70	7209 44
		7211.49.50	7209 90 (5) (6)
		7225.50.80 (3)	7210 70 19 (5) (52)
		7225.90 (3) (5) (6)	7210 70 90 (5) (6) (52)
		7226.92.50 (3)	7211 30 (53)
			7211 41 (53)
			7211 49 (53)
			7225 50 00 (3) (47) (49) (54)
			7225 90 (3) (5) (6)
			7226 92 (3) (47) (53)
6.	Blackplate	7209.24.10	7209 24 (55)
7.	Cold-rolled strip	7211.30.10 (3) (16)	7211 30 31 (3) (16) (56)
		7211.30.30 (3) (16)	7211 30 39 (3) (16) (56)
		7211.41.10 (3) (16)	7211 30 50 (3) (16) (56)
		7211.41.30 (3) (16)	7211 30 90 (3) (16) (56)
		7211.41.50 (3) (16)	7211 41 91 (3) (16) (56)
		7211.49.10 (3) (16)	7211 41 95 (3) (16) (56)
		7211.49.30 (3) (16)	7211 41 99 (3) (16) (56)
		7211.90 (3) (6) (16)	7211 49 91 (3) (16) (56)
			7211 49 99 (3) (16) (56)
		7212.30.10 (6) (16)	7211 90 (3) (6) (16)
		7212.30.30 (6) (16)	
		7212.40.10 (6) (16)	7212 30 90 (6) (16) (56)
			7212 40 10 (6) (16) (56)
		7226.92.70 (3) (16)	7212 40 99 (6) (16) (56)
		7226.92.80 (3) (16)	
		7226.99 (3) (6) (16)	7226 92 90 (3) (16) (47) (56)
			7226 99 (3) (6) (16)
8.	Electrical sheet and strip	7225.10 (5) (6)	7225 10 (5) (6)
		7226.10 (6)	7226 10 (6)
9.	Stainless plate	7219.11 (19) (20)	7219 11 (19) (20)
		7219.12 (19) (20)	7219 12 (19) (20)
		7219.21 (19) (20)	7219 21 (19) (20)
		7219.22 (19) (20)	7219 22 (19) (20)
		7219.31 (19) (20)	7219 31 (19) (20)
		7220.11 (19) (20)	7220 11 00 (19) (20)
10.	Stainless sheet and strip	7219.13 (19) (20) (21)	7219 13 (19) (20) (21)
		7219.14 (19) (20) (21)	7219 14 (19) (20) (21)
		7219.23 (19) (20) (21)	7219 23 (19) (20) (21)
		7219.24 (19) (20) (21)	7219 24 (19) (20) (21)
		7219.32 (19) (20) (21)	7219 32 (19) (20) (21)
		7219.33 (19) (20) (21)	7219 33 (19) (20) (21)
		7219.34 (19) (20) (21)	7219 34 (19) (20) (21)
		7219.35 (19) (20) (21)	7219 35 (19) (20) (21)
		7219.90 (5) (6) (19) (20) (21)	7219 90 (5) (6) (19) (20) (21)
		7220.12 (2) (19) (20) (22)	7220 12 00 (2) (19) (20) (22)
		7220.20.10 (19) (20) (22)	7220 20 (2) (19) (20) (22)
		7220.20.60 (19) (20) (22)	7220 90 (2) (6) (19) (20) (22)
		7220.20.70 (19) (20) (22)	
		7220.20.90 (19) (20) (22)	
		7220.90 (2) (6) (19) (20) (22)	
11.	Tinplate	7210.11 (5) (6)	7210 11 (5) (6)
		7210.12 (5) (6)	7210 12 (5) (6)
		7212.10 (6)	7212 10 (6)

Category	Product	HTS	CN code
12.	Tin-free steel	7210.50 ⁽⁶⁾ 7210.90.60 ⁽⁶⁾	7210 50 ⁽⁶⁾ 7210 90 35 ⁽⁵⁷⁾ 7210 90 39 ⁽⁵⁷⁾ 7210 90 90 ⁽⁶⁾ ⁽⁵⁷⁾
13.	Electrogalvanized	7210.31 ⁽⁵⁾ ⁽⁶⁾ 7210.39 ⁽⁵⁾ ⁽⁶⁾ 7212.21 ⁽⁶⁾ 7212.29 ⁽⁶⁾	7210 31 ⁽⁵⁾ ⁽⁶⁾ 7210 39 ⁽⁵⁾ ⁽⁶⁾ 7212 21 ⁽⁶⁾ 7212 29 ⁽⁶⁾
14.	Other coated flat-rolled products	7210.20 ⁽⁵⁾ ⁽⁶⁾ 7210.41 ⁽⁵⁾ ⁽⁶⁾ 7210.49 ⁽⁵⁾ ⁽⁶⁾ 7210.60 ⁽⁶⁾ ⁽²⁴⁾ 7210.70.60 ⁽⁵⁾ ⁽⁶⁾ 7210.90.90 ⁽⁵⁾ ⁽⁶⁾ ⁽⁸¹⁾ 7212.30.50 ⁽⁶⁾ 7212.40.50 ⁽⁶⁾ 7212.50 ⁽⁶⁾ ⁽⁸¹⁾	7210 20 ⁽⁵⁾ ⁽⁶⁾ 7210 41 ⁽⁵⁾ ⁽⁶⁾ 7210 49 ⁽⁵⁾ ⁽⁶⁾ 7210 60 ⁽⁶⁾ ⁽²⁴⁾ 7210 70 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁸⁾ 7210 90 10 ⁽⁵⁾ ⁽⁶⁾ ⁽⁸¹⁾ 7210 90 33 ⁽⁵⁾ ⁽⁶⁾ 7210 90 35 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁹⁾ 7210 90 39 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁹⁾ 7210 90 90 ⁽⁵⁾ ⁽⁶⁾ ⁽⁵⁹⁾ 7212 30 ⁽⁶⁾ ⁽⁵³⁾ 7212 40 ⁽⁶⁾ ⁽⁵³⁾ 7212 50 10 ⁽⁶⁾ ⁽⁸¹⁾ 7212 50 31 ⁽⁶⁾ 7212 50 39 ⁽⁶⁾ 7212 50 51 ⁽⁶⁾ 7212 50 59 ⁽⁶⁾ 7212 50 71 ⁽⁶⁾ 7212 50 73 ⁽⁶⁾ 7212 50 75 ⁽⁶⁾ 7212 50 91 ⁽⁶⁾ 7212 50 93 ⁽⁶⁾ 7212 50 97 ⁽⁶⁾ 7212 50 99 ⁽⁶⁾
15.	Rebar	7214.20	7214 20 00
16.	Hot-finished bar	7213.39.0060 7213.39.0090 7213.49.0060 7213.49.0090 7213.50.0060 7213.50.0080 7214.10 7214.30 7214.40 7214.50 7214.60 7228.20.10 ⁽⁶⁾ 7228.30.80 7228.40 7228.60.60 ⁽⁶⁾	7213 39 00 ⁽⁶⁰⁾ 7213 49 00 ⁽⁶⁰⁾ 7213 50 00 ⁽⁶⁰⁾ 7214 10 00 7214 30 00 7214 40 7214 60 00 7228 20 11 7228 20 19 7228 20 30 7228 20 50 7228 20 90 ⁽⁶¹⁾ 7228 30 10 ⁽⁴⁷⁾ 7228 30 90 ⁽⁴⁷⁾ 7228 40 00 7228 60 10 ⁽⁴⁷⁾ 7228 60 90 ⁽⁴⁷⁾ ⁽⁶¹⁾
17.	Cold-finished bar	7215.10 7215.20 7215.30 7215.40 7215.90 ⁽⁶⁾ 7228.20.50 ⁽⁶⁾ 7228.50.50 7228.60.80 ⁽⁶⁾ 7228.80	7215 10 00 7215 20 00 7215 30 00 7215 40 00 7215 90 ⁽⁶⁾ 7228 20 70 7228 20 90 ⁽⁶⁾ ⁽⁶²⁾ 7228 50 00 ⁽⁴⁷⁾ 7228 60 90 ⁽⁶⁾ ⁽⁴⁷⁾ ⁽⁶²⁾ 7228 80

Category	Product	HTS	CN code
18.	Stainless bar	7218.90.0030 7218.90.0065 7218.90.0090 7221.00.0060 7221.00.0080 7222.10 7222.20 7222.30 (6)	7218 90 11 (63) 7218 90 13 (63) 7218 90 15 (41) (63) 7218 90 19 (41) (63) 7218 90 30 (41) (63) 7218 90 50 (63) 7218 90 91 (63) 7218 90 99 (63) 7221 00 10 (60) 7221 00 90 (60) 7222 10 7222 20 7222 30 (6)
19.	Carbon wire rod	7213.10 7213.20 7213.31 7213.39.0030 7213.41 7213.49.0030 7213.50.0020 7213.50.0040	7213 10 00 7213 20 00 7213 31 00 7213 39 00 (64) 7213 41 00 7213 49 00 (64) 7213 50 00 (65)
20.	Stainless wire rod	7221.00.0020 7221.00.0040	7221 00 10 (65) 7221 00 90 (65)
21.	Alloy wire rod	7227.20 7227.90.60	7227 20 00 7227 90 10 7227 90 90 (47)
22.	Bar shapes less than 80 mm	7216.10 7216.21 7216.22	7216 10 00 7216 21 00 7216 22 00
23.	Structurals	7216.31 7216.32 7216.33 7216.40 7216.50 7216.60 7222.40.30 7228.70.30	7216 31 00 7216 32 00 7216 33 00 7216 40 7216 50 7216 60 7222 40 11 7222 40 19 7222 40 30 7228 70 10 7228 70 31
24.	Sheet piling	7301.10	7301 10 00
25.	Fabricated structurals	7216.90 7222.40.60 7228.70.60 7301.20 7308.10 7308.20 7308.30 (15) 7308.40 7308.90.30 (12) 7308.90.60 (13) 7308.90.90 (9) (14)	7216 90 7222 40 91 7222 40 93 7222 40 99 7228 70 91 7228 70 99 7301 20 00 7308 10 00 7308 20 00 7308 30 00 (15) 7308 40 00 7308 90 (9) (14) (67)

Category	Product	HTS	CN code
26.	Stainless wire	7223.00.10 7223.00.50 (2) (6)	7223 00 10 (68) 7223 00 90 (68)
27.	Wire strand	7312.10.10 (4) 7312.10.3015 (4) 7312.10.3065 (4) 7312.10.3075 (4) 7312.10.3090 (4)	7312 10 30 (4) (69) (71) 7312 10 50 (4) (69) (70) (71) 7312 10 71 (4) (69) (70) 7312 10 75 (4) (69) (70) 7312 10 79 (4) (69) (70)
28.	Wire rope	7312.10.60 (4) 7312.10.90 (4)	7312 10 30 (4) (69) (72) 7312 10 50 (4) (69) (72) (73) 7312 10 91 (4) (69) 7312 10 95 (4) (69) 7312 10 99 (4) (69) (73)
29.	Carbon and alloy wire	7217.11 7217.12 7217.13 7217.19 7217.21 7217.22 7217.23 7217.29 7217.31 (3) 7217.32 7217.33 7217.39 (3) 7223.00.90 7229.20 7229.90	7217 11 7217 12 7217 13 7217 19 7217 21 00 7217 22 00 7217 23 00 7217 29 00 7217 31 00 (3) 7217 32 00 7217 33 00 7217 39 00 (3) 7223 00 10 (74) 7223 00 90 (74) 7229 20 00 7229 90 00
30.	Wire products	7313.00 (11) 7314.41 (8) 7314.42 (8) 7314.49 (8) 7317.00.55 (7) 7317.00.6560 (7) 7317.00.75 (7)	7313 00 00 (11) 7314 41 (8) 7314 42 (8) 7314 49 00 (8) 7317 00 (7) (75)
31.	Rails	7302.10 (10)	7302 10 (10)
32.	Rail products	7302.20 (18) 7302.40 (18) 7302.90 (23) 8607.19.10 8607.19.20	7302 20 00 (18) 7302 40 10 7302 90 30 (23) 7302 90 90 (23) 8607 19 11 8607 19 19
33.	Alloy tool steel	7225.20 (5) (6) 7225.30.10 7225.30.5060 7225.40.1090 7225.40.5060 7225.50.1060 7226.20 (6) 7226.91.1060 7226.91.3060 7226.92.1060 7226.92.3060 7227.10 7227.90.1060 7227.90.2060	7225 20 (5) (6) 7225 30 00 (76) 7225 40 (77) 7225 50 00 (77) 7226 20 (6) 7226 91 00 (77) 7226 92 (77) 7227 10 00 7227 90 90 (77) 7228 10 (6) 7228 30 (77) 7228 50 00 (77) 7228 60 (6) (77)

Category	Product	HTS	CN code
33. (cont'd)	Alloy tool steel	7228.10 ⁽⁶⁾	7229 10 00
		7228.30.40	
		7228.30.60	
		7228.50.1020	
		7228.50.1040	
		7228.50.1060	
		7228.50.1080	
		7228.60.1060 ⁽⁶⁾	
		7229.10	
34.	Other speciality steel	7225.30.5030	7225 30 00 ⁽⁷⁸⁾
		7225.40.1015	7225 40 ⁽⁷⁹⁾
		7225.40.5030	7225 50 00 ⁽⁷⁹⁾ ⁽⁸⁰⁾
		7225.50.1030	
		7225.50.70	7226 91 00 ⁽⁷⁹⁾
			7226 92 ⁽⁷⁹⁾
		7226.91.1030	
		7226.91.3030	7227 90 90 ⁽⁷⁹⁾
		7226.92.1030	
		7226.92.3030	7228 30 ⁽⁷⁹⁾
			7228 50 00 ⁽⁷⁹⁾
		7227.90.1030	7228 60 ⁽⁶⁾ ⁽⁷⁹⁾
		7227.90.2030	
		7228.30.20	
		7228.50.1010	
		7228.60.1030 ⁽⁶⁾	

Footnotes

- (2) Excluded if 'razor blade steel' i.e. flat-rolled products of stainless steel not over 0,25 mm in thickness and not over 23 mm in width, containing by weight not over 14,7 % of chromium, and certified at the time of entry to be used in the manufacture of razor blades.
- (3) Excluded if 'carbon/alloy band saw steel' defined as follows:
- (a) 'metal cutting band saw steel' referring to steel flat-rolled products, not less than 0,61 mm and not more than 0,91 mm in thickness, not less than 6,30 mm and not more than 50,80 mm in width, in coils, containing:
- carbon: not less than 1,18 % and not more than 1,32 %;
 - chromium: not less than 0,15 % and not more than 0,32 %;
 - manganese: not less than 0,10 % and not more than 0,40 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of metal-cutting band saw blades; or
- (b) 'wood band saw steel' referring to
- (1) alloy steel flat-rolled products less than 4,75 mm in thickness which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % and not more than 0,81 %;
 - manganese: not less than 0,30 % and not more than 0,55 %;
 - silicon: not less than 0,20 % and not more than 0,35 %;
 - nickel: not less than 1,60 % and not more than 2,70 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %, and
 - sulfur: none, or not more than 0,15 %;
- or
- (2) cold-rolled flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % and not more than 0,81 %;
 - manganese: not less than 0,30 % and not more than 0,50 %;
 - silicon: not less than 0,20 % and not more than 0,35 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %, and
 - sulfur: none, or not more than 0,15 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of wood band saws.
- (4) Excluded if covered with textile or other non-metallic material.
- (5) Excluded if cut, pressed or stamped to non-rectangular shape (including 9 scroll cutting).
- (6) Covered if corrugated or subjected to surface treatments.
- (7) Excluded if corrugated fasteners, glaziers' points, hook nails, or ring nails.
- (8) Excluded if other than galvanized wire fencing wholly of round iron or steel wire measuring not over 5,08 mm and not under 1,905 mm in diameter, whether or not such wire is covered with plastics.
- (9) Excluded if fence or sign posts.
- (10) Excluded if current-conducting rail.
- (11) Excluded if twisted hoop or single flat wire, whether or not barbed.
- (12) Excluded if of cast iron.
- (13) Excluded if in part of stainless steel.
- (14) Excluded if plastic foam core insulating composite panels.
- (15) Excluded if door or window frames.
- (16) Excluded if bale ties.
- (17) Excluded if other primary forms, e.g. blocks, lumps, puddled bars and pilings.
- (18) Excluded if forged.
- (19) Excluded if cladding grade 434 stainless steel certified by the importer of record to be used in the manufacture of stainless steel clad aluminum automobile trim.
- (20) Excluded if grade 253MA or 254SMO stainless steel.
- (21) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness and over 1 803,4 mm in width.
- (22) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, and certified by the importer of record or ultimate consignee to be used in the manufacture of stainless steel flapper valves for compressors.
- (23) Covered if either
- (a) hot-rolled and designed to connect the ends of adjacent rails in track (i.e. 'joint bars'). These products are usually punched or slotted; or
- (b) hot-rolled and used to support rails in track, to maintain track gauge, and protect the ties (i.e. 'tie plates'). These products are punched to provide holes for spikes and have one or two shoulder sections as rail guides.

- (24) Excluded if cut, pressed or stamped to non-rectangular shape and other than electrolytically coated or plated.
- (40) Excluded if pieces roughly shaped by forging.
- (41) Covered if of a width measuring less than four times, the thickness.
- (42) Covered if of a cross-sectional area of 19,4 cm² or more.
- (43) Covered if of a width measuring at least four times the thickness.
- (44) Excluded if pickled.
- (45) Excluded if in coils.
- (46) Covered if of a thickness of 4,75 mm or more.
- (47) Excluded if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS.
- (48) Covered if in coils.
- (49) Covered if of a thickness of less than 4,75 mm.
- (50) Covered if pickled.
- (51) Covered if of a thickness of 0,361 mm or more.
- (52) Excluded if coated or plated with metal or clad.
- (53) Covered if of a width of 300 mm or more.
- (54) Excluded if of heat resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (55) Covered if of a thickness of less than 0,361 mm.
- (56) Covered if of a width of less than 300 mm.
- (57) Covered if electrolytically coated or plated with base metal.
- (58) Covered if coated or plated with metal or clad.
- (59) Excluded if electrolytically coated or plated with base metal.
- (60) Covered if of circular cross-section and with a diameter of 19 mm or more if of other than circular cross-section.
- (61) Excluded if cold formed.
- (62) Covered if cold formed.
- (63) Covered if of a cross sectional area of less than 19,4 cm².
- (64) Covered if of circular cross-section and with a diameter of 14 mm or more but less than 19 mm.
- (65) Covered if of circular cross-section and with either a diameter of less than 14 mm or with a diameter of 14 mm or more but less than 19 mm.
- (66) Covered if hot rolled, not drilled, not punched and not otherwise advanced.
- (67) If columns, pillars, posts, beams, girders and similar structural units, excluded if in part of stainless steel or if of cast iron.
- (68) Excluded if other than round or flat wire. Also excluded if flat wire of razor blade steel (see footnote 2) or flat wire further worked after flat rolling (see footnote 6).
- (69) Excluded if fitted with fittings or made up into articles.
- (70) Excluded if tyre cord. If other than tyre cord and other than stranded wire for prestressing concrete, excluded if of brass plated wire.
- (71) Covered if stranded wire.
- (72) Excluded if stranded wire.
- (73) Excluded if of brass plated wire.
- (74) Excluded if round or flat wire.
- (75) Excluded if thumb tacks; or drive pins, studs or other fasteners, suitable for use in powder-activated hand tools; or staples in strip form; or furniture glides; or cut products made of other than round wire and of one piece construction.
- (76) If of a thickness of 4,75 mm or more, covered if of tool steel as defined in additional note 1 (e), (f) and (h) to Chapter 72 of the HTS. If of a thickness of less than 4,75 mm, covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (77) Covered if of tool steel as defined in additional note 1 (e) and (f) to Chapter 72 of the HTS.
- (78) Covered if of a thickness of less than 4,75 mm and of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (79) Covered if of ball-bearing steel as defined in additional note 1 (h) to Chapter 72 of the HTS.
- (80) Covered if of a thickness of less than 4,75 mm and of heat-resisting steel as defined in additional note 1 (g) to Chapter 72 of the HTS.
- (81) Excluded if silvered, gilded or platinum plated.

Definitions

Extracts from the additional notes to Chapter 72 of the HTS:

1. For the purpose of the tariff schedule the following expressions have the meanings hereby assigned to them:

(e) Tool steel

Alloy steels which contain the following combinations of elements in the quantity by weight respectively indicated:

- (i) more than 1,2 % carbon and more than 10,5 % chromium; or
- (ii) not less than 0,3 % carbon and 1,25 % or more but less than 10,5 % chromium; or
- (iii) not less than 0,85 % carbon and 1 % to 1,8 %, inclusive, manganese; or
- (iv) 0,9 % to 1,2 %, inclusive, chromium and 0,9 % to 1,4 %, inclusive, molybdenum; or
- (v) not less than 0,5 % carbon and not less than 3,5 % molybdenum; or
- (vi) not less than 0,5 % carbon and not less than 5,5 % tungsten.

(f) Chipper knife steel

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,48 % and not more than 0,55 % of carbon;
- (ii) not less than 0,2 % and not more than 0,5 % of manganese;
- (iii) not less than 0,75 % and not more than 1,05 % of silicon;
- (iv) not less than 7,25 % and not more than 8,75 % of chromium;
- (v) not less than 1,25 % and not more than 1,75 % of molybdenum;
- (vi) none, or not more than 1,75 % of tungsten; and
- (vii) not less than 0,2 % and not more than 0,55 % of vanadium.

(g) Heat-resisting steel

Alloy steels containing by weight less than 0,3 % of carbon and 4 % or more but less than 10,5 % of chromium.

(h) Ball-bearing steel

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,95 % and not more than 1,13 % of carbon;
- (ii) not less than 0,22 % and not more than 0,48 % of manganese;
- (iii) none, or not more than 0,03 % of sulfur;
- (iv) none, or not more than 0,03 % of phosphorus;
- (v) not less than 0,18 % and not more than 0,37 % of silicon;
- (vi) not less than 1,25 % and not more than 1,65 % of chromium;
- (vii) none, or not more than 0,28 % of nickel;
- (viii) none, or not more than 0,38 % of copper; and
- (ix) none, or not more than 0,09 % of molybdenum.

[illegible]

ATtribution of quantities exported or for which an extract is issued

12	Quantities (metric tonnes)	13	Customs export document (type, number and date) or extract (number and date)	14	Name, Member State, signature and stamp of attributing authority
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				
	Available				
	Attributed				

EUROPEAN COMMUNITY

1 Exporter (full name and address)		EXPORT LICENCE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No / COPY	
2 EXTRACT of export licence No /		3 Period of validity from <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> until <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> included 4 Quota year	
5 Licence transferred to (full name and address) with effect from <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> Signature: Stamp of competent authority:		6 AUTHORITY ISSUING THE LICENCE OR THE EXTRACT NOTE This licence and a certificate for the export of iron and steel products must be produced at the customs office at which customs formalities for export to the United States of America are completed.	
7 Category and detailed description of iron and steel products		8 CN codes <table border="1" style="width: 100%; height: 300px; vertical-align: top;"></table> 9 Quantity (metric tonnes) <table border="1" style="width: 100%; height: 300px; vertical-align: top;"></table>	
10 Place of issue: Date of issue: <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> Signature: Stamp of competent authority:		11 Period of validity extended until <table border="1" style="display: inline-table; width: 100px; height: 20px; vertical-align: middle;"></table> included Signature: Stamp of competent authority:	

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No ORIGINAL	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the customs office at which customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the customs office shown in box 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	----------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box 3

☐ to the extract shown in box 4.*)

Customs export document:

Signature:

Stamp:

type:

number:

date:

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Customs office:

Member State:

(*) The appropriate box to be indicated like this: ☒

EUROPEAN COMMUNITY

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No COPY	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the customs office at which customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the customs office shown in box 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	----------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box 3

☐ to the extract shown in box 4. (*)

Customs export document: Signature: Stamp:

type:

number:

date:

Customs office:

Member State:

(*) The appropriate box to be indicated like this: ☒

ANNEX IV

Technical provisions relating to export licences, extracts thereof, and certificate forms

1. Licences, extracts thereof including any extensions and forms shall be made up in sets containing at least one original, a copy for the issuing authority and a copy for the Commission.

Certificate forms shall be made up in sets containing at least one original, a copy for the customs, a copy for the authority issuing the export licence or the extract thereof and a copy for the Commission.

2. Forms referred to in point 1 shall be printed on white paper dressed for writing and weighing at least 40 g/m². Their size shall be 210 × 297 mm.
3. The Member States shall be responsible for having the forms referred to in point 1 printed. These may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address, or a mark enabling the printer to be identified, and an individual serial number.

The number which shall be composed of six digits shall be preceded by the following letters according to the country in which the forms are utilized: 'BE' for Belgium, 'DK' for Denmark, 'DE' for the Federal Republic of Germany, 'ES' for Spain, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands, 'PO' for Portugal and 'GB' for the United Kingdom. It may be followed by additional numbers which Member States may deem necessary for statistical purposes.

4. Licences, extracts thereof including any extensions and forms shall be printed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State.

Certificates shall be printed in English.

II

(Acts whose publication is not obligatory)

COUNCIL AND COMMISSION

COUNCIL DECISION

of 6 November 1989

on the conclusion of an Arrangement and a Consensus with the United States of America concerning trade in certain steel products

(89/634/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas, following the Council Decision of 6 October 1989, the Commission opened negotiations with the United States of America culminating in an Arrangement and a Consensus concerning trade in certain steel products;

Whereas the Arrangement will make it possible to safeguard the essential interests of Community producers exporting the products in question to the United States market;

Whereas the Consensus will provide a transition towards the more liberal conditions in steel trade which will result from the general rules and disciplines of the GATT negotiated in the Uruguay Round and reduce trade distorting practices in, and establish an open trading environment for, steel;

Whereas the Commission Decision, pursuant to the Treaty establishing the European Coal and Steel Community, on the conclusion of the Arrangement and the Consensus has received the assent of the Council in accordance with that Treaty; whereas, therefore, the abovementioned

Arrangement and Consensus should be approved to the extent that they relate to products covered by the Treaty establishing the European Economic Community,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Arrangement and the Consensus with the United States of America concerning trade in certain steel products are hereby approved on behalf of the European Economic Community, to the extent to which the Arrangement and the Consensus relate to products covered by the EEC Treaty.

2. The texts of the Arrangement and the Consensus are attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Arrangement and the Consensus in order to bind the European Economic Community.

Done at Brussels, 6 November 1989.

For The Council

The President

R. DUMAS

COUNCIL DECISION

of 6 November 1989

on the conclusion of an Arrangement with the United States of America concerning trade in steel pipes and tubes

(89/635/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

1. The Arrangement with the United States of America concerning trade in steel pipes and tubes is hereby approved on behalf of the European Economic Community.

Having regard to the recommendation from the Commission,

2. The text of the Arrangement is attached to this Decision.

Article 2

Whereas, following the Council Decision of 6 October 1989, the Commission conducted negotiations with the United States of America culminating in an Arrangement concerning Community exports of steel pipes and tubes;

The President of the Council is hereby authorized to designate the person empowered to sign the Arrangement in order to bind the European Economic Community.

Done at Brussels, 6 November 1989.

Whereas the Arrangement will make it possible to safeguard the essential interests of Community producers exporting steel pipes and tubes to the United States market;

For The Council

The President

R. DUMAS

COMMISSION DECISION

of 11 December 1989

on the conclusion of an Arrangement and a Consensus with the United States of America
concerning trade in certain steel products

(89/636/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 95 thereof,

Whereas, following the Council Decision of 6 October 1989, the Commission opened negotiations with the United States of America culminating in an Arrangement and a Consensus concerning trade in certain steel products;

Whereas the Arrangement makes it possible to safeguard the essential interests of Community producers exporting the products in question to the United States market;

Whereas the Consensus will provide a transition towards the more liberal conditions in steel trade which will result from the general rules and disciplines of the GATT negotiated in the Uruguay Round and reduce trade distorting practices in, and establish an open trading environment for, steel;

Whereas the Consultative Committee has been consulted and the assent of the Council obtained,

Article 1

1. The Arrangement and the Consensus with the United States of America concerning trade in certain steel products are hereby approved on behalf of the European Coal and Steel Community, to the extent to which they relate to products covered by the Treaty establishing that Community.
2. The texts of the Arrangement and the Consensus are annexed to this Decision ⁽¹⁾.

Article 2

The Commission shall designate the member of the Commission empowered to sign the Arrangement and the Consensus for the purpose of binding the European Coal and Steel Community.

Done at Brussels, 11 December 1989.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ See pages 99 and 139 of this Official Journal.

ARRANGEMENT

concerning trade in certain steel products

His Excellency Frans Andriessen
Vice President
Commission of the European Communities
200 Rue de La loi
1049 Brussels, Belgium

Dear Mr Vice-President,

With reference to the discussions held between representatives of the Government of the United States of America and the European Coal and Steel Community and the European Economic Community (collectively, the EC), I have the honour to confirm that the Arrangement concerning trade in certain steel products attached to this letter and forming its integral part sets out the understanding reached between us.

I shall be grateful, Mr Vice-President, if you kindly confirm that the attached Arrangement, as well as this letter, correctly sets out the understanding reached between us.

I propose, Mr Vice-President, that if the EC agrees to the provisions of the attached Arrangement, this letter and your reply to that effect constitute an arrangement between the Government of the United States of America and the EC, which will enter into force on the date of your reply.

Please accept, Mr Vice-President, the assurance of my highest consideration.

Sincerely,



Carla A. HILLS

Dear Madame Ambassador,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Dear Mr Vice-President,

With reference to the discussions held between representatives of the Government of the United States of America and the European Coal and Steel Community and the European Economic Community (collectively, the EC), I have the honour to confirm that the Arrangement concerning trade in certain steel products attached to this letter and forming its integral part sets out the understanding reached between us.

I shall be grateful, Mr Vice-President, if you would kindly confirm that the attached Arrangement, as well as this letter, correctly sets out the understanding reached between us.

I propose, Mr Vice-President, that if the EC agrees to the provisions of the attached Arrangement, this letter and your reply to that effect constitute an arrangement between the Government of the United States of America and the EC, which will enter into force on the date of your reply.

Please accept, Mr Vice-President, the assurance of my highest consideration.

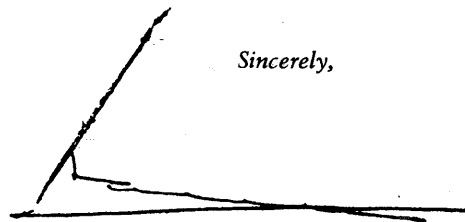
Sincerely,

Carla A. HILLS'

I have the honour to confirm that the EC agrees to the provisions of the attached Arrangement, and that your letter, and this reply, shall constitute an arrangement between the EC and the Government of the United States of America, in accordance with your proposal.

Please accept, Madame Ambassador, the assurance of my highest consideration.

Sincerely,



*For the Council and the Commission
of the European Communities*

ARRANGEMENT

between the European Coal and Steel Community and the European Economic Community, and the Government of the United States of America concerning trade in certain steel products

Recognizing the policy of the Government of the United States of America (the 'US') and its Steel Trade Liberalization Program and also that the European Coal and Steel Community and the European Economic Community (collectively, the 'EC') for its steel industry and its achievements in phasing out State aids,

Recognizing the aim of the US and EC to liberalize global trade in steel,

Recognizing the policies of the US and EC that the adjustment and modernization of their steel industries should maximize reliance on market forces, and

Recognizing that an objective of this Arrangement is to contribute to the orderly transition to open markets and to restore fair and open steel trade,

THE EC AND THE US HAVE AGREED:

1. Basis of the Arrangement

- (a) To pursue vigorously multilateral agreement in the Uruguay Round of Multilateral Trade Negotiations to eliminate trade distorting practices in, and to ensure open markets for, steel trade.
- (b) That the EC will restrain exports to, or destined for consumption in, the United States of America (the 'USA') of products originating in the EC which are described in Article 3 (a) (the 'Arrangement products') through 31 March 1992, as the final phase of such restraints on such exports.

2. Conditions: actions under US law

If, during the period in which this Arrangement is in effect, any investigations under the US anti-dumping or countervailing duty statutes, Section 201 of the Trade Act of 1974, Section 301 of the Trade Act of 1974 (other than Section 301 petitions relating to third country sales by United States exporters), Section 232 of the Trade Expansion Act of 1962, or Section 337 of the Tariff Act of 1930 ⁽¹⁾ are initiated or litigation (including anti-trust litigation), is instituted with respect to Arrangement products, then the EC shall be entitled to terminate the Arrangement with respect to the Arrangement product which is the subject of the investigation or litigation, after consultation with the US, at the earliest 15 days after such consultation. In addition, if during these consultations it is determined that the investigation or litigation threatens to impair the attainment of the objectives of this Arrangement, then the EC shall be entitled to terminate the Arrangement, with respect to some or all of the Arrangement products at the earliest 15 days after such consultations.

These consultations will take into account the nature of the investigation or litigation, the identity of the petitioner or litigant, the amount of trade involved, the scope of relief sought and other relevant factors.

⁽¹⁾ With respect to any Section 337 investigations, the parties shall consult to determine the basis for the investigation.

3. Product description

(a) The Arrangement products are:

- Semi-finished products
- Plate
- Hot-rolled sheet and strip
- Cold-rolled sheet
- Black plate
- Cold-rolled strip
- Electrical sheet and strip
- Stainless plate
- Stainless sheet and strip
- Tin plate
- Tin-free steel
- Other coated flat-rolled products
- Rebar
- Hot-finished bar
- Cold-finished bar
- Stainless bar
- Carbon wire rod
- Stainless wire rod
- Alloy wire rod
- Bar shapes under 80 mm
- Structurals
- Sheet piling
- Fabricated structurals
- Stainless wire
- Wire strand
- Wire rope
- Carbon and alloy wire
- Wire
- Rails
- Rail products
- Alloy tool steel
- Other speciality steel

as described and classified in Appendix A by reference to the corresponding Harmonized Tariff Schedule of the United States (HTS) subheadings and combined nomenclature (CN) code numbers.

- (b) The subheadings and the code numbers referred to in paragraph (a) above are subject to revision when the EC or the US adopts modifications to their respective import nomenclatures. When such modifications are adopted, prior notification shall be given to the other party.

4. Export ceilings

- (a) (i) For the period 1 October 1989 through 31 December 1990 (the 'initial period'), for calendar year 1991, and for the period 1 January 1992 through 31 March 1992 (the 'end period'), export licenses and certificates shall be issued to the EC exporters for products within the scope of each of the following product categories (the 'categories') and sub-categories (the 'sub-categories') in quantities no greater than the
- (a) percentages of projected United States apparent consumption, or

- (b) number of tonnes, indicated below for each category or sub-category for the relevant period.
- (ii) Notwithstanding subparagraph (i), products exported from the EC on or after 1 October 1989 and prior to the day following the publication date in the *Official Journal of the European Communities* of the Decisions and Regulations referred to in Article 6 (a) (hereinafter called the 'interim period') shall be admitted into the USA without an export license and certificate. This tonnage will be counted towards the restraint level for each Arrangement category for the initial period.
- Such tonnage shall be determined on the basis of US import invoice data sorted by export date. Date of export for all such shipments under this Arrangement will be that established by the US Customs Service. No later than 1 March 1990, the US will notify the EC of the amount of tonnage exported on or after 1 October 1989 but without a certificate.
- (iii) For the purposes of this Arrangement, the maximum quantities of products that may be exported from the EC to the USA under (i) above shall be the 'export ceilings'. 'United States apparent consumption' shall equal shipments (deliveries) minus exports, plus imports, as described in Appendix C.

Category/ subcategory No	Category/subcategory name	Export ceiling on an annual basis
1 + 2	Semifinished products	0,76 %
of which		
2	Slabs	92 % of category
3	Plate	7,13 %
4	Hot-rolled sheet and strip	7,29 %
5	Cold-rolled sheet	5,94 %
6	Black plate	12,84 %
7	Cold-rolled strip	5,34 %
8	Electrical sheet and strip	4,98 %
9	Stainless plate	5,89 %
10	Stainless sheet and strip	5,94 %
11	Tin plate	2,96 %
12	Tin-free steel	4,22 %
13 + 14	Other coated flat-rolled products	4,51 %
of which		
13	Electrogalvanized	25 % of category
15	Rebar	0,09 %
16	Hot-finished bar	3,09 %
17	Cold-finished bar	6,63 %
18	Stainless bar	7,40 %
19	Carbon wire rod	5,70 %
20	Stainless wire rod	13,16 %
21	Alloy wire rod	19,68 %
22	Bar shapes under 80 mm	2,48 %
23	Structurals	14,15 %
24	Sheet piling	23,70 %
25	Fabricated structurals	16 546 tonnes
26	Stainless wire	15,34 %
27	Wire strand	49 800 tonnes
28	Wire rope	9 800 tonnes
29	Carbon and alloy wire	182 600 Tonnen
30	Wire products	25 500 tonnes
31	Rails	9,26 %
32	Rail products	3 900 tonnes
33	Alloy tool steel	11,02 %
34	Other speciality steel	12 100 tonnes

(b) For purposes of this Arrangement, the USA shall comprise both the United States Customs Territory and United States Foreign Trade Zones. Therefore, entries of merchandise into the USA shall include admission of merchandise into a Foreign Trade Zone. In consequence, the entry into the United States Customs Territory of Arrangement products which have already entered into a Foreign Trade Zone shall not then again be taken into account as imports of those Arrangement products.

(c) Where Arrangement products entered into the USA are subsequently re-exported therefrom, without having been subject to substantial transformation, the export ceilings for such products for the period corresponding to the time of such re-export shall be increased by the same amount.

(d) Where Arrangement products entered into the USA are subsequently re-exported therefrom in the form of Arrangement products, or in the form of products covered by the Arrangement on pipes and tubes entered into in 1989, and the imported Arrangement products have been subject to double substantial transformation in the USA, as defined in Appendix D, the export ceilings for such imported Arrangement products for the period corresponding to the time of such re-export shall be increased by the quantity of the re-exported doubly substantially transformed Arrangement products, up to a maximum of 500 000 metric tonnes. The US and the EC will hold consultations upon request with a view to appropriate amendments to Appendix D and adjustments to the aforementioned maximum tonnage.

(e) The US may permit entry into the USA of such additional quantities of semi-finished steel products and under such conditions, as it deems appropriate. The US shall notify the EC of quantities and conditions. The EC will issue special export licenses and certificates for any such additional quantities and such special certificates shall accompany imports of such products.

5. Calculation and revision of United States apparent consumption forecast and of export ceilings

(a) The US, with the agreement of the EC, will select an independent forecaster which will provide the estimates of United States apparent consumption for the purposes of the Arrangement. A first projection of United States apparent consumption for the initial period for each category for which export ceilings are calculated as a percentage of US apparent consumption will be established as early as possible, and in any event before 1 November 1989.

(b) The figures for projected 1990 United States apparent consumption will be revised in December of 1989 and February, May, August and October

of 1990 by the independent forecaster, and appropriate adjustments will be made to the export ceilings for each category taking into account licenses already issued. Export ceilings calculated for the initial period based on the May, August and October 1990 forecast will use actual October through December 1989 US apparent consumption.

For 1991, a first projection of United States apparent consumption by category will be established by October of 1990. These figures will be revised in December 1990 and February, May, August and October of 1991.

(c) For the end period, a first projection of United States apparent consumption by category will be established by October of 1991. These figures will be revised in December of 1991.

(d) By 1 May 1991, adjustments to the 1991 export ceiling for each category will be made for differences between the forecasted US apparent consumption and actual US apparent consumption of that category in the initial period.

6. Export licenses and certificates

(a) The EC will require export licenses and certificates for all Arrangement products, publishing appropriate decisions and regulations in the *Official Journal of the European Communities*. Such export licences and certificates will continue to be issued in a manner that will avoid abnormal concentration in exports of Arrangement products to the USA, taking into account seasonal trade patterns. The EC shall take action, including the imposition of penalties, as may be necessary to make effective the obligations resulting from the export licences and certificates. The EC will inform the US of any violations concerning the export licences and certificates which come to its attention and the action taken with respect thereto.

The US will inform the EC of violations concerning the export licenses and certificates which come to its attention and the action taken with respect thereto.

Export licenses will provide that shipment must be made within a period of three months.

Export licenses will be issued against the export ceiling for the initial period, 1991 or the end period. Export licenses for 1991 or the end period may be used as early as 15 November of the previous period within a limit of 8,00 % of the ceiling for 1991, or the end period, respectively. Export licenses issued for the initial period and 1991, respectively, may not be used after 31

December 1990, and 31 December 1991, respectively, except that licenses not so used may be used during the first two months of the respective following period, up to a maximum of 8,00 % of the export ceiling for the current period.

The EC and the US may increase the above percentage limits by mutual agreement.

- (b) The EC will require that the Arrangement products shall be accompanied by a certificate substantially in the form set out in Appendix B, endorsed in relation to a license indicating the day, month, and year in which the Arrangement products were exported, the category name and number, sub-category name and number if applicable, and tonnage exported. If any of this information is in a language other than English, the certificate must also contain an English language translation of this information.

The US shall require presentation of such certificates as a condition for entry into USA of the Arrangement products. The US shall prohibit entry of such products not accompanied by such a certificate.

7. Technical adjustments

- (a) Export ceilings for specific categories may be adjusted by the EC with notice to the US. Adjustments to increase the volume of one category must be offset by an equivalent volume reduction for another or other categories for the same period. Notwithstanding the preceding sentences, no adjustment may be made under this Article which results in an increase or a decrease in a specific category export ceiling by more than 5,00 % by volume of the unadjusted export ceiling for the relevant period. The EC and the US may agree to increase the above percentage limit.
- (b) Normally, only one change in a specific product export ceiling in the initial period, 1991 or the end period may be made by an adjustment under the preceding paragraph or use of licenses in November/December or January/February under Article 6 (a). Accordingly, changes in the initial period, 1991 or end period export ceiling by use of more than one of these three provisions may be made only upon agreement between the EC and the US.

8. Short supply

- (a) If the US in consultation with the EC determines that, because of abnormal supply or demand

factors, (including substantial objective evidence such as allocation, extended delivery periods, the willingness of domestic producers to supply the steel product at prices which are not aberrations from prevailing domestic market prices, or other relevant factors), the United States steel industry will be unable to meet demand in the USA for a particular product, an additional tonnage shall be allowed for such product by a special issue of licenses.

- (b) The US shall make a determination under this Article within 30 days through a transparent procedure on the basis of objective evidence from all relevant sources. Furthermore, a 15 day fast track procedure shall be used for requests submitted during periods during which capacity utilization is 90 % or more. Under such fast track procedures there shall be a rebuttable presumption that short supply exists.
- (c) Each authorized special export license and certificates derived therefrom shall be so marked. Each such license must be used within 180 days after the date of the authorization of the special issuance unless the US agrees to extend that period.
- (d) Notwithstanding paragraphs (a), (b) and (c), short supply procedures shall be no less favorable than is provided for in legislation that may be enacted by the US.

9. Monitoring

- (a) The EC will, within one month of the end of each quarter, or upon request, supply the US with such non-confidential information on all export licenses and certificates issued for Arrangement products as is required for the proper functioning of this Arrangement. This information will include at a minimum each license number, certificate number, quantity, date of export, category number and sub-category number.
- (b) The US will collect and transmit quarterly, or upon request, to the EC all non-confidential information relating to certificates received during the preceding quarter in respect of the Arrangement products. The US will also collect and transmit non-confidential information relating to actions taken in respect of the Arrangement products for violations of United States Customs Law.

10. Consultations

Consultations shall take place between the EC and the US on any matter arising out of the operation of this Arrangement.

Consultations will also be held if there are indications that imports from third countries are replacing imports from the EC.

If imports from the EC of a product show a significant increase indicating the possibility of diversion of trade from carbon to alloy, into small diameter wire, or into stainless steel sheet over 1 370 mm wide, within the same Arrangement products, consultations will be held promptly upon request between the US and the EC with the objective of working out a mutually satisfactory solution and reaching agreement on preventing such diversion.

Should these consultations demonstrate that there has indeed been a diversion of trade which is such as to impair the attainment of the objectives of this Arrangement, then within 60 days of the request for consultations, both sides shall take the necessary measures for the product(s) concerned in order to prevent such diversion.

11. Application

This Arrangement shall apply to the USA and to the territories to which the Treaties establishing the European Coal and Steel Community and the

European Economic Community are applied on the conditions laid down in those Treaties.

12. Notices

For all purposes hereunder, the US and the EC shall be represented by and all communications and notices shall be given and addressed to:

— *for the EC:*

The Commission of the European Communities
Directorates-General for External Relations (I)
and for
Internal Market and Industrial Affairs (III)
Rue de La Loi, 200
B-1049 Brussels

— *for the Government of the United States of America:*

Office of the United States Trade Representative
Assistant United States Trade Representative for
Industry
Washington, D.C. 20506

United States Department of Commerce
Assistant Secretary for Import Administration
International Trade Administration
Washington, D.C. 20230

ANNEX

Product category	Apparent consumption forecast category
Semi-finished products	Total basic steel mill products (all covered arrangement products, minus fabricated structurals, wire strand, and wire rope, plus all products covered in the US-EC pipe and tube arrangement)
Plate	Plate
Hot-rolled sheet and strip	Hot-rolled sheet and strip
Cold-rolled sheet	Cold-rolled-Sheet
Black plate	Black plate
Cold-rolled strip	Cold-rolled strip
Electrical sheet and strip	Electrical sheet and strip
Stainless plate	Stainless plate
Stainless sheet and strip	Stainless sheet and strip
Tinplate	Tinplate
Tin-free steel	Tin-free steel
Other coated flat-rolled products	Electrogalvanized; and other coated flat-rolled products
Rebar	Rebar
Hot-finished bar	Carbon hot-finished bar; and 33 % of alloy bar
Cold-finished bar	Carbon cold-finished bar; and 65 % of alloy bar
Stainless bar	Stainless bar
Carbon wire rod	Carbon wire rod
Stainless wire rod	Stainless wire rod
Alloy wire rod	Alloy wire rod
Bar shapes under 80 mm	Bar shapes under 80 mm
Structurals	94,48 % of structurals
Sheet piling	5,52 % of structurals
Stainless wire	Stainless wire
Rails	Rails
Alloy tool steel	Alloy tool steel

Appendix A

Imports by category

Product	HTS (*)	CN code
Blooms and billets	7207.11	7207 11
	7207.12.0010	7207 12 11 ⁽⁴¹⁾
	7207.19 ⁽⁴⁰⁾	7207 12 19 ⁽⁴¹⁾
	7207.20.0025	7207 12 90 ⁽⁴¹⁾
	7207.20.0075 ⁽⁴⁰⁾	7207 19 ⁽⁴⁰⁾
	7207.20.0090 ⁽⁴⁰⁾	7207 20 11
		7207 20 15
	7218.90.0010	7207 20 17
	7218.90.0020	7207 20 19
	7218.90.0045 ⁽⁴⁰⁾	7207 20 31 ⁽⁴¹⁾
	7218.90.0055 ⁽⁴⁰⁾	7207 20 33 ⁽⁴¹⁾
	7218.90.0070 ⁽⁴⁰⁾	7207 20 39 ⁽⁴¹⁾
	7218.90.0080 ⁽⁴⁰⁾	7207 20 51
		7207 20 55
	7224.90.0010	7207 20 57
	7224.90.0030 ⁽⁴⁰⁾	7207 20 59 ⁽⁴⁰⁾
	7224.90.0040	7207 20 71
	7224.90.0060 ⁽⁴⁰⁾	7207 20 79 ⁽⁴⁰⁾
	7224.90.0070 ⁽⁴⁰⁾	7207 20 90 ⁽⁴⁰⁾
		7218 90 11 ⁽⁴²⁾
		7218 90 13 ⁽⁴²⁾
		7218 90 15 ⁽⁴¹⁾ ⁽⁴²⁾
		7218 90 19 ⁽⁴¹⁾ ⁽⁴²⁾
		7218 90 30 ⁽⁴¹⁾ ⁽⁴²⁾
		7218 90 50 ⁽⁴²⁾
		7218 90 91 ⁽⁴⁰⁾ ⁽⁴²⁾
		7218 90 99 ⁽⁴⁰⁾ ⁽⁴¹⁾
		7224 90 11 ⁽⁴¹⁾
		7224 90 19 ⁽⁴¹⁾
		7224 90 30
		7224 90 91 ⁽⁴⁰⁾
		7224 90 99 ⁽⁴⁰⁾
Other semi-finished (including slabs)	7206.10	7206 10 00
	7207.12.0050	7207 12 11 ⁽⁴³⁾
	7207.20.0045	7207 12 19 ⁽⁴³⁾
		7207 12 90 ⁽⁴³⁾
	7218.10 ⁽¹⁷⁾	7207 20 31 ⁽⁴³⁾
	7218.90.0035	7207 20 33 ⁽⁴³⁾
		7207 20 39 ⁽⁴³⁾
	7224.10 ⁽¹⁷⁾	7218 10 00 ⁽¹⁷⁾
	7224.90.0020	7218 90 15 ⁽⁴³⁾
	7224.90.0050	7218 90 19 ⁽⁴³⁾
		7218 90 30 ⁽⁴³⁾
		7224 10 00 ⁽¹⁷⁾
Plate	7208.31	7208 31 00
	7208.32	7208 32
	7208.33.50	7208 33 ⁽⁴⁴⁾
	7208.41	7208 41 00
	7208.42	7208 42
	7208.43	7208 43

(*) HTS represents the Harmonized Tariff Schedule of the United States.

Product	HTS	CN code
Plate (cont'd)	7210.90.10 ⁽⁵⁾ ⁽⁶⁾	7210 90 31 ⁽⁵⁾
	7211.11	7211 11 00
	7211.12	7211 12
	7211.21	7211 21 00
	7211.22.0045	7211 22 10 ⁽⁴⁵⁾
		7211 22 90 ⁽⁴⁵⁾
	7212.60 ⁽⁶⁾	7212 60 ⁽⁶⁾
	7225.30.30	
	7225.40.30	7225 30 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
	7225.50.60	7225 40 10 ⁽⁴⁷⁾
		7225 40 30 ⁽⁴⁷⁾
	7226.91.50	7225 40 50 ⁽⁴⁷⁾
		7225 50 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
		7226 91 00 ⁽⁴⁶⁾ ⁽⁴⁷⁾
Hot-rolled sheet & strip	7208.11	7208 11 00
	7208.12	7208 12
	7208.13	7208 13
	7208.14	7208 14
	7208.21.50	7208 21 10 ⁽⁴⁴⁾
	7208.22.50	7208 21 90 ⁽⁴⁴⁾
	7208.23	7208 22 10 ⁽⁴⁴⁾
	7208.24	7208 22 91 ⁽⁴⁴⁾
	7208.34	7208 22 99 ⁽⁴⁴⁾
	7208.35	7208 23
	7208.44	7208 24
	7208.45	7208 34
	7208.90 ⁽⁵⁾ ⁽⁶⁾	7208 35
		7208 44
	7211.19 ⁽³⁾	7208 45
	7211.22.0090	7208 90 ⁽⁵⁾ ⁽⁶⁾
	7211.29 ⁽³⁾	
		7211 19 ⁽³⁾
	7225.30.70 ⁽³⁾	7211 22 ⁽⁴⁸⁾
	7225.40.70 ⁽³⁾	7211 29 ⁽³⁾
	7226.91.70 ⁽³⁾	7225 30 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
	7226.91.80 ⁽³⁾	7225 40 70 ⁽³⁾ ⁽⁴⁷⁾
		7225 40 90 ⁽³⁾ ⁽⁴⁷⁾
		7226 91 00 ⁽³⁾ ⁽⁴⁷⁾ ⁽⁴⁹⁾
Cold-rolled sheet	7208.21.10	7208 21 10 ⁽⁵⁰⁾
	7208.22.10	7208 21 90 ⁽⁵⁰⁾
	7208.33.10	7208 22 10 ⁽⁵⁰⁾
		7208 22 91 ⁽⁵⁰⁾
	7209.11	7208 22 99 ⁽⁵⁰⁾
	7209.12	7208 33 10 ⁽⁵⁰⁾
	7209.13	7208 33 91 ⁽⁵⁰⁾
	7209.14	7208 33 99 ⁽⁵⁰⁾
	7209.21	
	7209.22	7209 11 00
	7209.23	7209 12
	7209.24.50	7209 13
	7209.31	7209 14
	7209.32	7209 21 00
	7209.33	7209 22
	7209.34	7209 23
	7209.41	7209 24 10 ⁽⁵¹⁾
	7209.42	7209 24 91 ⁽⁵¹⁾
	7209.43	7209 31 00
	7209.44	7209 32
	7209.90 ⁽⁵⁾ ⁽⁶⁾	7209 33
		7209 34
	7210.70.30 ⁽⁵⁾ ⁽⁶⁾	7209 41 00
		7209 42

Product	HTS	CN code
Cold-rolled sheet (cont'd)	7211.30.50	7209 43
	7211.41.70	7209 44
	7211.49.50	7209 90 (5) (6)
	7225.50.80 (3)	7210 70 19 (5) (52)
	7225.90 (3) (5) (6)	7210 70 90 (5) (6) (52)
	7226.92.50 (3)	7211 30 (53)
		7211 41 (53)
		7211 49 (53)
		7225 50 00 (3) (47) (49) (54)
		7225 90 (3) (5) (6)
		7226 92 (3) (47) (53)
Blackplate	7209.24.10	7209 24 (55)
Cold-rolled strip	7211.30.10 (3) (16)	7211 30 31 (3) (16) (56)
	7211.30.30 (3) (16)	7211 30 39 (3) (16) (56)
	7211.41.10 (3) (16)	7211 30 50 (3) (16) (56)
	7211.41.30 (3) (16)	7211 30 90 (3) (16) (56)
	7211.41.50 (3) (16)	7211 41 91 (3) (16) (56)
	7211.49.10 (3) (16)	7211 41 95 (3) (16) (56)
	7211.49.30 (3) (16)	7211 41 99 (3) (16) (56)
	7211.90 (3) (6) (16)	7211 49 91 (3) (16) (56)
		7211 49 99 (3) (16) (56)
	7212.30.10 (6) (16)	7211 90 (3) (6) (16)
	7212.30.30 (6) (16)	7212 30 90 (6) (16) (56)
	7212.40.10 (6) (16)	7212 40 10 (6) (16) (56)
	7226.92.70 (3) (16)	7212 40 99 (6) (16) (56)
	7226.92.80 (3) (16)	
	7226.99 (3) (6) (16)	7226 92 90 (3) (16) (47) (56)
		7226 99 (3) (6) (16)
Electrical sheet and strip	7225.10 (5) (6)	7225 10 (5) (6)
	7226.10 (6)	7226 10 (6)
Stainless plate	7219.11 (19) (20)	7219 11 (19) (20)
	7219.12 (19) (20)	7219 12 (19) (20)
	7219.21 (19) (20)	7219 21 (19) (20)
	7219.22 (19) (20)	7219 22 (19) (20)
	7219.31 (19) (20)	7219 31 (19) (20)
	7220.11 (19) (20)	7220 11 00 (19) (20)
Stainless sheet and strip	7219.13 (19) (20) (21)	7219 13 (19) (20) (21)
	7219.14 (19) (20) (21)	7219 14 (19) (20) (21)
	7219.23 (19) (20) (21)	7219 23 (19) (20) (21)
	7219.24 (19) (20) (21)	7219 24 (19) (20) (21)
	7219.32 (19) (20) (21)	7219 32 (19) (20) (21)
	7219.33 (19) (20) (21)	7219 33 (19) (20) (21)
	7219.34 (19) (20) (21)	7219 34 (19) (20) (21)
	7219.35 (19) (20) (21)	7219 35 (19) (20) (21)
	7219.90 (5) (6) (19) (20) (21)	7219 90 (5) (6) (19) (20) (21)
	7220.12 (2) (19) (20) (22)	7220 12 00 (2) (19) (20) (22)
	7220.20.10 (19) (20) (22)	7220 20 (2) (19) (20) (22)
	7220.20.60 (19) (20) (22)	7220 90 (2) (6) (19) (20) (22)
	7220.20.70 (19) (20) (22)	
	7220.20.90 (19) (20) (22)	
	7220.90 (2) (6) (19) (20) (22)	
Tinplate	7210.11 (5) (6)	7210 11 (5) (6)
	7210.12 (5) (6)	7210 12 (5) (6)
	7212.10 (6)	7212 10 (6)

Product	HTS	CN code
Tin-free steel	7210.50 (6)	7210 50 (6)
	7210.90.60 (6)	7210 90 35 (57)
		7210 90 39 (57)
		7210 90 90 (6) (57)
Electrogalvanized	7210.31 (5) (6)	7210 31 (5) (6)
	7210.39 (5) (6)	7210 39 (5) (6)
	7212.21 (6)	7212 21 (6)
	7212.29 (6)	7212 29 (6)
Other coated flat-rolled products	7210.20 (5) (6)	7210 20 (5) (6)
	7210.41 (5) (6)	7210 41 (5) (6)
	7210.49 (5) (6)	7210 49 (5) (6)
	7210.60 (6) (24)	7210 60 (6) (24)
	7210.70.60 (5) (6)	7210 70 (5) (6) (58)
	7210.90.90 (5) (6) (81)	7210 90 10 (5) (6) (81)
		7210 90 33 (5) (6)
	7212.30.50 (6)	7210 90 35 (5) (6) (59)
	7212.40.50 (6)	7210 90 39 (5) (6) (59)
	7212.50 (6) (81)	7210 90 90 (5) (6) (59)
		7212 30 (6) (53)
		7212 40 (6) (53)
		7212 50 10 (6) (81)
		7212 50 31 (6)
		7212 50 39 (6)
		7212 50 51 (6)
		7212 50 59 (6)
		7212 50 71 (6)
		7212 50 73 (6)
		7212 50 75 (6)
		7212 50 91 (6)
		7212 50 93 (6)
		7212 50 97 (6)
		7212 50 99 (6)
Rebar	7214.20	7214 20 00
Hot-finished bar	7213.39.0060	7213 39 00 (60)
	7213.39.0090	7213 49 00 (60)
	7213.49.0060	7213 50 00 (60)
	7213.49.0090	
	7213.50.0060	7214 10 00
	7213.50.0080	7214 30 00
		7214 40
	7214.10	7214 50
	7214.30	7214 60 00
	7214.40	
	7214.50	7228 20 11
	7214.60	7228 20 19
		7228 20 30
	7228.20.10 (6)	7228 20 50
	7228.30.80	7228 20 90 (61)
	7228.40	7228 30 10 (47)
	7228.60.60 (6)	7228 30 90 (47)
Cold-finished bar		7228 40 00
		7228 60 10 (47)
		7228 60 90 (47) (61)
	7215.10	7215 10 00
	7215.20	7215 20 00
	7215.30	7215 30 00
	7215.40	7215 40 00
	7215.90 (6)	7215 90 (6)
	7228.20.50 (6)	7228 20 70
	7228.50.50	7228 20 90 (6) (62)
	7228.60.80 (6)	7228 50 00 (47)
	7228.80	7228 60 90 (6) (47) (62)
		7228 80

Product	HTS	CN code
Stainless bar	7218.90.0030	7218 90 11 ⁽⁶³⁾
	7218.90.0065	7218 90 13 ⁽⁶³⁾
	7218.90.0090	7218 90 15 ⁽⁴¹⁾ ⁽⁶³⁾
		7218 90 19 ⁽⁴¹⁾ ⁽⁶³⁾
	7221.00.0060	7218 90 30 ⁽⁴¹⁾ ⁽⁶³⁾
	7221.00.0080	7218 90 50 ⁽⁶³⁾
		7218 90 91 ⁽⁶³⁾
	7222.10	7218 90 99 ⁽⁶³⁾
	7222.20	
	7222.30 ⁽⁶⁾	7221 00 10 ⁽⁶⁰⁾
		7221 00 90 ⁽⁶⁰⁾
		7222 10
		7222 20
		7222 30 ⁽⁶⁾
Carbon wire rod	7213.10	7213 10 00
	7213.20	7213 20 00
	7213.31	7213 31 00
	7213.39.0030	7213 39 00 ⁽⁶⁴⁾
	7213.41	7213 41 00
	7213.49.0030	7213 49 00 ⁽⁶⁴⁾
	7213.50.0020	7213 50 00 ⁽⁶⁵⁾
	7213.50.0040	
Stainless wire rod	7221.00.0020	7221 00 10 ⁽⁶⁵⁾
	7221.00.0040	7221 00 90 ⁽⁶⁵⁾
Alloy wire rod	7227.20	7227 20 00
	7227.90.60	7227 90 10
		7227 90 90 ⁽⁴⁷⁾
Bar shapes under 80 mm	7216.10	7216 10 00
	7216.21	7216 21 00
	7216.22	7216 22 00
Structurals	7216.31	7216 31 00
	7216.32	7216 32 00
	7216.33	7216 33 00
	7216.40	7216 40
	7216.50	7216 50
	7216.60	7216 60
	7222.40.30	7222 40 11
		7222 40 19
	7228.70.30	7222 40 30
		7228 70 10 ⁽⁶⁶⁾
		7228 70 31 ⁽⁶⁶⁾
Sheet piling	7301.10	7301 10 00
Fabricated structurals	7216.90	7216 90
	7222.40.60	7222 40 91
		7222 40 93
	7228.70.60	7222 40 99
	7301.20	7228 70 91
		7228 70 99
	7308.10	
	7308.20	7301.20.00
	7308.30 ⁽¹⁵⁾	
	7308.40	7308 10 00
	7308.90.30 ⁽¹²⁾	7308 20 00
	7308.90.60 ⁽¹³⁾	7308 30 00 ⁽¹⁵⁾
	7308.90.90 ⁽⁹⁾ ⁽¹⁴⁾	7308 40 00
		7308 90 ⁽⁹⁾ ⁽¹⁴⁾ ⁽⁶⁷⁾

Product	HTS	CN code
Stainless wire	7223.00.10 7223.00.50 (2) (6)	7223 00 10 (68) 7223 00 90 (68)
Wire strand	7312.10.10 (4) 7312.10.3015 (4) 7312.10.3065 (4) 7312.10.3075 (4) 7312.10.3090 (4)	7312 10 30 (4) (69) (71) 7312 10 50 (4) (69) (70) (71) 7312 10 71 (4) (69) (71) 7312 10 75 (4) (69) (71) 7312 10 79 (4) (69) (71)
Wire rope	7312.10.60 (4) 7312.10.90 (4)	7312 10 30 (4) (69) (72) 7312 10 50 (4) (69) (72) (73) 7312 10 91 (4) (69) 7312 10 95 (4) (69) 7312 10 99 (4) (69) (73)
Other wire	7217.11 7217.12 7217.13 7217.19 7217.21 7217.22 7217.23 7217.29 7217.31 (3) 7217.32 7217.33 7217.39 (3) 7223.00.90 7229.20 7229.90	7217 11 7217 12 7217 13 7217 19 7217 21 00 7217 22 00 7217 23 00 7217 29 00 7217 31 00 (3) 7217 32 00 7217 33 00 7217 39 00 (3) 7223 00 10 (74) 7223 00 90 (74) 7229 20 00 7229 90 00
Wire products	7313.00 (11) 7314.41 (8) 7314.42 (8) 7314.49 (8) 7317.00.55 (7) 7317.00.6560 (7) 7317.00.75 (7)	7313 00 00 (11) 7314 41 (8) 7314 42 (8) 7314 49 00 (8) 7317 00 (7) (75)
Rails	7302.10 (10)	7302 10 (10)
Rail products	7302.20 (18) 7302.40 (18) 7302.90 (23) 8607.19.10 8607.19.20	7302 20 00 (18) 7302 40 10 7302 90 30 (23) 7302 90 90 (23) 8607 19 11 8607 19 19
Alloy tool steel	7225.20 (5) (6) 7225.30.10 7225.30.5060 7225.40.1090 7225.40.5060 7225.50.1060 7226.20 (6) 7226.91.1060 7226.91.3060 7226.92.1060 7226.92.3060 7227.10 7227.90.1060 7227.90.2060	7225 20 (5) (6) 7225 30 00 (76) 7225 40 (77) 7225 50 00 (77) 7226 20 (6) 7226 91 00 (77) 7226 92 (77) 7227 10 00 7227 90 90 (77) 7228 10 (6) 7228 30 (77) 7228 50 00 (77) 7228 60 (6) (77)

Product	HTS	CN code
Alloy tool steel (cont'd)	7228.10 (6)	7229 10 00
	7228.30.40	
	7228.30.60	
	7228.50.1020	
	7228.50.1040	
	7228.50.1060	
	7228.50.1080	
	7228.50.1060 (6)	
	7229.10	
Other speciality steel	7225.30.5030	7225 30 00 (78)
	7225.40.1015	7225 40 (79)
	7225.40.5030	7225 50 00 (79) (80)
	7225.50.1030	
	7225.50.70	7226 91 00 (79)
		7226 92 (79)
	7226.91.1030	
	7226.91.3030	7227 90 90 (79)
	7226.92.1030	
	7226.92.3030	7228 30 (79)
		7228 50 00 (79)
	7227.90.1030	7228 60 (6) (79)
	7227.90.2030	
	7228.30.20	
	7228.50.1010	
	7228.60.1030 (6)	

Footnotes

- (2) Excluded if 'razor blade steel' i.e. flat-rolled products of stainless steel not over 0,25 mm in thickness and not over 23 mm in width, containing by weight not over 14,7 percent of chromium, and certified at the time of entry to be used in the manufacture of razor blades.
- (3) Excluded if 'carbon/alloy band saw steel' defined as follows:
- (a) 'metal cutting band saw steel' referring to steel flat-rolled products, not less than 0,61 mm and not more than 0,91 mm in thickness, not less than 6,30 mm and not more than 50,80 mm in width, in coils, containing:
- carbon: not less than 1,18 % and not more than 1,32 %;
 - chromium: not less than 0,15 % and not more than 0,32 %;
 - manganese: not less than 0,10 % and not more than 0,40 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of metal-cutting band saw blades; or
- (b) 'wood band saw steel' referring to
- (1) alloy steel flat-rolled products less than 4,75 mm in thickness which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 % nor more than 0,81 %;
 - manganese: not less than 0,30 % nor more than 0,55 %;
 - silicon: not less than 0,20 % nor more than 0,35 %;
 - nickel: not less than 1,60 % nor more than 2,70 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %; and
 - sulfur: none, or not more than 0,15 %;
- or
- (2) cold-rolled flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, which contains, in addition to iron, each of the following elements by weight in the amount specified:
- carbon: not less than 0,70 nor more than 0,81 %;
 - manganese: not less than 0,30 nor more than 0,50 %;
 - silicon: not less than 0,20 nor more than 0,35 %;
 - chromium: none, or not more than 0,50 %;
 - phosphorus: none, or not more than 0,03 %; and
 - sulfur: none, or not more than 0,15 %;
- certified by the importer of record or the ultimate consignee for use in the manufacture of wood band saws.
- (4) Excluded if covered with textile or other non-metallic material.
- (5) Excluded if cut, pressed or stamped to non-rectangular shape.
- (6) Covered if corrugated or subjected to surface treatments.
- (7) Excluded if corrugated fasteners, glaziers' points, hook nails, or ring nails.
- (8) Excluded if other than galvanized wire fencing wholly of round iron or steel wire measuring not over 5,08 mm and not under 1,905 mm in diameter, whether or not such wire is covered with plastics.
- (9) Excluded if fence or sign posts.
- (10) Excluded if current-conducting rail.
- (11) Excluded if twisted hoop or single flat wire, whether or not barbed.
- (12) Excluded if of cast iron.
- (13) Excluded if in part of stainless steel.
- (14) Excluded if plastic foam core insulating composite panels.
- (15) Excluded if door or window frames.
- (16) Excluded if bale ties.
- (17) Excluded if other primary forms, e.g. blocks, lumps, puddled bars and pilings.
- (18) Excluded if forged.
- (19) Excluded if cladding grade 434 stainless steel certified by the importer of record to be used in the manufacture of stainless steel clad aluminum automobile trim.
- (20) Excluded if grade 253MA or 254SMO stainless steel.
- (21) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness and over 1 803,4 mm in width.
- (22) Excluded if stainless steel flat-rolled products less than 4,75 mm in thickness, less than 300 mm in width, and certified by the importer of record or ultimate consignee to be used in the manufacture of stainless steel flapper valves for compressors.
- (23) Covered if either (A) hot-rolled and designed to connect the ends of adjacent rails in track (i.e. 'joint bars'). These products are usually punched or slotted; or (B) hot-rolled and used to support rails in track, to maintain track gauge, and protect the ties (i.e. 'tie plates'). These products are punched to provide holes for spikes and have one or two shoulder sections as rail guides.

- (24) Excluded if cut, pressed or stamped to non-rectangular shape and other than electrolytically coated or plated.
- (40) Excluded if pieces roughly shaped by forging.
- (41) Covered if of a width measuring less than four times the thickness.
- (42) Covered if of a cross-sectional area of 19,4 cm² or more.
- (43) Covered if of a width measuring at least four times the thickness.
- (44) Excluded if pickled.
- (45) Excluded if in coils.
- (46) Covered if of a thickness of 4,75 mm or more.
- (47) Excluded if of tool steel as defined in Additional Note 1 (e), (f) and (h) to Chapter 72 of the HTS.
- (48) Covered if in coils.
- (49) Covered if of a thickness of less than 4,75 mm.
- (50) Covered if pickled.
- (51) Covered if of a thickness of 0,361 mm or more.
- (52) Excluded if coated or plated with metal or clad.
- (53) Covered if of a width of 300 mm or more.
- (54) Excluded if of heat resisting steel as defined in Additional Note 1 (g) to Chapter 72 of the HTS.
- (55) Covered if of a thickness of less than 0,361 mm.
- (56) Covered if of a width of less than 300 mm.
- (57) Covered if electrolytically coated or plated with base metal.
- (58) Covered if coated or plated with metal or clad.
- (59) Excluded if electrolytically coated or plated with base metal.
- (60) Covered if of circular cross-section and with a diameter of 19 mm or more if of other than circular cross-section.
- (61) Excluded if cold formed.
- (62) Covered if cold formed.
- (63) Covered if of a cross sectional area of less than 19,4 cm².
- (64) Covered if of circular cross-section and with a diameter of 14 mm or more but less than 19 mm.
- (65) Covered if of circular cross-section and with either a diameter of less than 14 mm or with a diameter of 14 mm or more but less than 19 mm.
- (66) Covered if hot rolled, not drilled, not punched and not otherwise advanced.
- (67) If columns, pillars, posts, beams, girders and similar structural units, excluded if in part of stainless steel or if of cast iron.
- (68) Excluded if other than round or flat wire. Also excluded if flat wire or razor blade steel (see footnote 2) or flat wire further worked after flat rolling (see footnote 6).
- (69) Excluded if fitted with fittings or made up into articles.
- (70) Excluded if tyre cord. If other than tyre cord and other than stranded wire for prestressing concrete, excluded if of brass plated wire.
- (71) Covered if stranded wire.
- (72) Excluded if stranded wire.
- (73) Excluded if of brass plated wire.
- (74) Excluded if round or flat wire.
- (75) Excluded if thumb tacks; or drive pins, studs or other fasteners, suitable for use in power-activated hand tools; or staples in strip form; or furniture glides; or cut products made of other than round wire and of one piece construction.
- (76) If of a thickness of 4,75 mm or more, covered if of tool steel as defined in Additional Note 1 (e), (f) and (h) to Chapter 72 of the HTS. If of a thickness of less than 4,75 mm, covered if of tool steel as defined in Additional Note 1 (e) and (f) to Chapter 72 of the HTS.
- (77) Covered if of tool steel as defined in Additional Note 1 (e) and (f) to Chapter 72 of the HTS.
- (78) Covered if of a thickness of less than 4,75 mm and of ball-bearing steel as defined in Additional Note 1 (h) to Chapter 72 of the HTS.
- (79) Covered if of ball-bearing steel as defined in Additional Note 1 (h) to Chapter 72 of the HTS.
- (80) Covered if of a thickness of less than 4,75 mm and of heat-resisting steel as defined in Additional Note 1 (g) to Chapter 72 of the HTS.
- (81) Excluded if silvered, gilded or platinum plated.

Definitions

Extracts from the Additional Notes to Chapter 72 of the HTS:

1. For the purpose of the tariff schedule the following expressions have the meanings hereby assigned to them:

(e) **Tool steel:**

Alloy steels which contain the following combinations of elements in the quantity by weight respectively indicated:

- (i) more than 1,2 % carbon and more than 10,5 % chromium; or
- (ii) not less than 0,3 % carbon and 1,25 % or more but less than 10,5 % chromium; or
- (iii) not less than 0,85 carbon and 1 % to 1,8 %, inclusive, manganese; or
- (iv) 0,9 % to 1,2 %, inclusive, chromium and 0,9 % to 1,4 %, inclusive, molybdenum; or
- (v) not less than 0,5 % carbon and not less than 3,5 % molybdenum; or
- (vi) not less than 0,5 % carbon and not less than 5,5 % tungsten.

(f) **Chipper knife steel**

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,48 % and not more than 0,55 % of carbon;
- (ii) not less than 0,2 % and not more than 0,5 % of manganese;
- (iii) not less than 0,75 % and not more than 1,05 % of silicon;
- (iv) not less than 7,25 % and not more than 8,75 % of chromium;
- (v) not less than 1,25 % and not more than 1,75 % of molybdenum;
- (vi) none, or not more than 1,75 % of tungsten; and
- (vii) not less than 0,2 % nor more than 0,55 % of vanadium.

(g) **Heat-resisting steel**

Alloy steels containing by weight less than 0,3 % of carbon and 4 % or more but less than 10,5 % of chromium.

(h) **Ball-bearing steel**

Alloy tool steels which contain, in addition to iron, each of the following elements by weight in the amount specified:

- (i) not less than 0,95 % and not more than 1,13 % of carbon;
- (ii) not less than 0,22 % and not more than 0,48 % of manganese;
- (iii) none, or not more than 0,03 % of sulfur;
- (iv) none, or not more than 0,03 % of phosphorus;
- (v) not less than 0,18 % and not more than 0,37 % of silicon;
- (vi) not less than 1,25 % and not more than 1,65 % of chromium;
- (vii) none, or not more than 0,28 % of nickel;
- (viii) none, or not more than 0,38 % of copper; and
- (ix) none, or not more than 0,09 % of molybdenum.

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No ORIGINAL	
2 Consignee (full name and address)	3 Export licence No / issued in (Member State)	
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)	

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers – Number and kind of packages – Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
---	-----------------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3

☐ to the extract shown in box no 4. *)

Customs export document: Signature: Stamp:

type: _____

number: _____

date:

--	--	--	--

Customs office: _____

Member State: _____

*) The appropriate box to be indicated like this: ☒

Appendix C

Concordance of US shipments, exports, and imports (*)

	Type (**)	Shipments (Category)	Exports (***) (Schedule B)	Imports (***) (HTS)
Plate	C	6A	7208.31	7208.31
	C		7208.32	7208.32
	C		7208.33	7208.33
	C		7208.41	7208.41
	C		7208.42	7208.42
	C		7208.43	7208.43
	C	6A	7211.11	7211.11
	C		7211.12	7211.12
	C		7211.21	7211.21
	C		7211.22	7211.22
	A		7225.40	7225.40
Hot-rolled sheet and strip	C	6B	7208.11	7208.11
	C		7208.12	7208.12
	C		7208.13	7208.13
	C		7208.14	7208.14
	C		7208.21	7208.21
	C		7208.22	7208.22
	C	36	7208.23	7208.23
	C		7208.24	7208.24
	C		7208.34	7208.34
	C		7208.35	7208.35
	C		7208.44	7208.44
	C		7208.45	7208.45
	C		7208.90	7208.90
	C	6B	7211.19	7211.19
	C		7211.29	7211.29
Cold-rolled sheet	A		7225.30	7225.30
	A	31	7226.91	7226.91
	A		7226.91	7226.91
	C	32	7209.11	7209.11
	C		7209.12	7209.12
	C		7209.13	7209.13
	C		7209.14	7209.14
	C		7209.21	7209.21
	C		7209.22	7209.22
	C		7209.23	7209.23
	C		7209.24	7209.24
	C		7209.31	7209.31
	C		7209.32	7209.32
	C		7209.33	7209.33
	C		7209.34	7209.34
	C		7209.41	7209.41
	C		7209.42	7209.42
	C		7209.43	7209.43
	C		7209.44	7209.44
	C		7209.90	7209.90
	A	32	7225.20	7225.20
	A		7225.50	7225.50
	A		7225.90	7225.90

(*) Includes only product for which the independent forecaster will forecast United States apparent consumption.

(**) C — Carbon
S — Stainless
A — Alloy
F — Fabricated

(***) These numbers are subject to revision when the United States adopts modifications to the applicable import or export nomenclatures. Technical adjustments will be made as necessary.

	Type	Shipments (Category)	Exports (Schedule B)	Imports (HTS)
Blackplate	C	28	N/A	7209.24.10
Cold-rolled strip	C	37	7211.30	7211.30
	C		7211.41	7211.41
	C		7211.49	7211.49
	C		7211.90	7211.90
	A	37	7226.20	7226.20
	A		7226.92	7226.92
	A		7226.99	7226.99
Electrical sheet and strip	A	35	7225.10	7225.10
	A		7226.10	7226.10
Stainless plate	S	6A	7219.21	7219.21
	S		7219.22	7219.22
	S		7219.31	7219.31
	S		7220.11	7220.11
Stainless sheet and strip	S	31	7219.11	7219.11
	S	32	7219.12	7219.12
	S	36	7219.13	7219.13
	S	37	7219.14	7219.14
	S		7219.23	7219.23
	S		7219.24	7219.24
	S		7219.32	7219.32
	S		7219.33	7219.33
	S		7219.34	7219.34
	S		7219.35	7219.35
	S		7219.90	7219.90
	S		7220.12	7220.12
	S		7220.20	7220.20
	S		7220.90	7220.90
Tinplate	C	29	7210.11	7210.11
	C		7210.12	7210.12
	C		7212.10	7212.10
Tin-free steel	C	29A	7210.50	7210.50
Electrogalvanized	C	33B	7210.31	7210.31
	C		7210.39	7210.39
	C		7212.21	7212.21
	C		7212.29	7212.29
Other coated flat-rolled products	C	33A	7210.20	7210.20
	C	34	7210.41	7210.41
	C		7210.49	7210.49
	C		7210.60	7210.60
	C		7210.70	7210.70
	C		7210.90	7210.90
	C		7212.30	7212.30
	C		7212.40	7212.40
	C		7212.50	7212.50
	C		7212.60	7212.60
Rebar	C	15	7213.10	7213.10
	C		7214.20	7214.20

	Type	Shipments (Category)	Exports (Schedule B)	Imports (HTS)
Carbon hot-finished bar	C	14	7214.10	7214.10
	C		7214.30	7214.30
	C		7214.40	7214.40
	C		7214.50	7214.50
	C		7214.60	7214.60
	C		7228.80	7228.80
Carbon cold-finished bar	C	16	7215.10	7215.10
	C		7215.20	7215.20
	C		7215.30	7215.30
	C		7215.40	7215.40
	C		7215.90	7215.90
Stainless bar	S	14	7222.10	7222.10
	S	16	7222.20	7222.20
	S		7222.30	7222.30
Alloy bar	A	14	7228.10	7228.10
	A	16	7228.20	7228.20
	A		7228.30	7228.30
	A		7228.40	7228.40
	A		7228.50	7228.50
	A		7228.60	7228.60
Carbon wire rod	C	3	7213.20	7213.20
	C		7213.31	7213.31
	C		7213.39	7213.39
	C		7213.41	7213.41
	C		7213.49	7213.49
	C		7213.50	7213.50
Stainless wire rod	S	3	7221.00	7221.00
Alloy wire rod	A	3	7227.10	7227.10
	A		7227.20	7227.20
	A		7227.90	7227.90
Bar shapes under 80 mm	C	14A	7216.10	7216.10
	C		7216.21	7216.21
	C		7216.22	7216.22
Structurals	C	4	7216.31	7216.31
	C	5	7216.32	7216.32
	C		7216.33	7216.33
	C		7216.40	7216.40
	C		7216.50	7216.50
	C		7216.60	7216.60
			7301.10	7301.10
	S	4	7222.40	7222.40
	A	4	7228.70	7228.70
Stainless wire	S	23	7223.00	7223.00
Wire rope	F	Confidential report	7312.10.2500	7312.10.50
	F		7312.10.3015	7312.10.60
	F		7312.10.3500	7312.10.70
	F			7312.10.80
	F			7312.10.90

	Type	Shipments (Category)	Exports (Schedule B)	Imports (HTS)
Other wire and wire products	C	23	7217.11	7217.11
	C		7217.12	7217.12
	C		7217.13	7217.13
	C		7217.19	7217.19
	C		7217.21	7217.21
	C		7217.22	7217.22
	C		7217.23	7217.23
	C		7217.29	7217.29
	C		7217.31	7217.31
	C		7217.32	7217.32
	C		7217.33	7217.33
	C		7217.39	7217.39
	A	23	7229.10	7229.10
	A		7229.20	7229.20
	A		7229.90	7229.90
	F		7313.00	7313.00
	F		7314.11	7314.11
	F		7314.19	7314.19
	F		7314.20	7314.20
	F		7314.30	7314.30
	F		7314.41	7314.41
	F		7314.42	7314.42
	F		7314.49	7314.49
	F		7317.00	7317.00
Rails	C	7	7302.10	7302.10
		8		
Rail products	C	9	7302.20	7302.20
	C	10	7302.40	7302.40
	C		7302.90	7302.90
	C		8607.19.1000	8607.19.10
	C		8607.19.2000	8607.19.20
Alloy tool steel	A	17		7225.20
	A			7225.30.1000
	A			7225.30.5060
	A			7225.40.1090
	A			7225.40.5060
	A			7225.50.1060
	A			7226.20
	A			7226.91.1060
	A			7226.91.3060
	A			7226.92.1060
	A			7226.92.3060
	A			7227.10
	A			7227.90.1060
	A			7227.90.2060
	A			7228.10
	A			7228.30.40
	A			7228.30.60
	A			7228.50.1020
	A			7228.50.1040
	A			7228.50.1060
	A			7228.50.1080
	A			7228.60.1060
	A			7229.10

Appendix D

The following is a list of steelmaking processes which constitute double substantial transformation.

- Slab to cold-rolled sheet, galvanized or other metallic-coated sheet.
 - Slab to pipe and tube.
 - Billet to cold-finished bar.
 - Hot-rolled sheet to cold-rolled and galvanized or other metallic-coated sheet.
-

ARRANGEMENT

concerning trade in steel pipes and tubes

His Excellency Frans Andriessen
Vice-President
Commission of the European Communities
200 Rue de La Loi
1049 Brussels, Belgium

Dear Mr Vice-President,

With reference to the discussions held between representatives of the Government of the United States of America and the European Economic Community ('the EEC'), I have the honor to confirm that the Arrangement concerning trade in steel pipes and tubes attached to this letter and forming its integral part sets out the understanding reached between us.

I shall be grateful, Mr Vice-President, if you kindly confirm that the attached Arrangement, as well as this letter, correctly sets out the understanding reached between us.

I propose, Mr Vice-President, that if the EEC agrees to the provisions of the attached Arrangement, this letter and your reply to that effect constitute an arrangement between the Government of the United States of America and the EEC, which will enter into force on the date of your reply.

Please accept, Mr Vice-President, the assurance of my highest consideration.

Sincerely,



Carla A. HILLS

Dear Madame Ambassador,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Dear Mr Vice-President:

With reference to the discussions held between representatives of the Government of the United States of America and the European Economic Community ('the EEC'), I have the honour to confirm that the Arrangement concerning trade in steel pipes and tubes attached to this letter and forming its integral part sets out the understanding reached between us.

I shall be grateful, Mr Vice-President, if you would kindly confirm that the attached Arrangement, as well as this letter, correctly sets out the understanding reached between us.

I propose, Mr Vice-President, that if the EEC agrees to the provisions of the attached Arrangement, this letter and your reply to that effect constitute an arrangement between the Government of the United States of America and the EEC, which will enter into force on the date of your reply.

Please accept, Mr Vice-President, the assurance of my highest consideration.

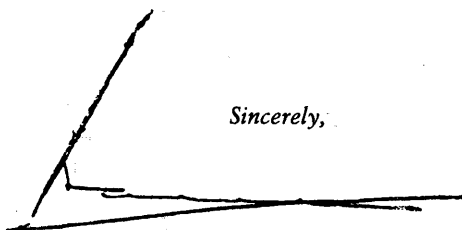
Sincerely,

Carla A. HILLS'

I have the honour to confirm that the EEC agrees to the provisions of the attached Arrangement, and that your letter, and this reply, shall constitute an arrangement between the EEC and the Government of the United States of America, in accordance with your proposal.

Please accept, Madame Ambassador, the assurance of my highest consideration.

Sincerely,



*For the Council and the Commission
of the European Communities*

ARRANGEMENT

**between the European Economic Community and the Government of the United States of America
concerning trade in steel pipes and tubes**

Recognizing the policy of the Government of the United States of America (the 'US') and its Steel Trade Liberalization Program and also that of the European Economic Community (the 'EC') for its steel industry and its achievements in phasing out State aids,

Recognizing the aim of the US and EC to liberalize global trade in steel,

Recognizing the policies of the US and EC that the adjustment and modernization of their steel industries should maximize reliance on market forces, and

Recognizing that an objective of this Arrangement is to contribute to the orderly transition to open markets and to restore fair and open steel trade,

THE EC AND THE US HAVE AGREED:

1. Basis of the Arrangement

- (a) To pursue vigorously multilateral agreement in the Uruguay Round of Multilateral Trade Negotiations to eliminate trade distorting practices in, and to ensure open markets for, steel trade; and
- (b) that the EC will restrain exports to, or destined for consumption in, the United States of America (the 'USA') of products originating in the EC which are described in Article 3 (a) (the 'Arrangement products') through 31 March 1992, as the final phase of such restraints on such exports.

2. Conditions: actions under US law

If, during the period in which this Arrangement is in effect, any investigations under the US anti-dumping or countervailing duty statutes, Section 201 of the Trade Act of 1974, Section 301 of the Trade Act of 1974 (other than Section 301 petitions relating to third country sales by United States exporters), Section 232 of the Trade Expansion Act of 1962, or Section 337 of the Tariff Act of 1930 ⁽¹⁾ are initiated or litigation (including anti-trust litigation) is instituted with respect to Arrangement products, then the EC shall be entitled to terminate the Arrangement with respect to the Arrangement product which is the subject of the investigation or litigation, after consultation with the US, at the earliest 15 days after such consultation. In addition, if during these consultations it is determined that the investigation or litigation threatens to impair the attainment of the objectives of this Arrangement, then the EC shall be entitled to terminate the Arrangement, with respect to some or all of the Arrangement products at the earliest 15 days after such consultations.

These consultations will take into account the nature of the investigation or litigation, the identity of the petitioner or litigant, the amount of trade involved, the scope of relief sought and other relevant factors.

⁽¹⁾ With respect to any Section 337 investigations, the parties shall consult to determine the basis for the investigation.

3. Product description and export ceilings

- (a) The EC shall restrain exports to, or destined for consumption in, the USA of Arrangement products, as described in Annex A, originating in the EC to a level of 8,82 % of US apparent consumption for the periods 1 October 1989 through 31 December 1990 (the initial period), 1991, and 1 January 1992 through 3 March 1992 (the end period). During these periods, export licenses shall be required for the Arrangement products.

For the purposes of this Arrangement, the maximum quantities of products that may be exported from the EC to the USA under the preceding sentence shall be the 'export ceilings'. 'United States apparent consumption' shall equal shipments (deliveries) minus exports, plus imports, as described in Appendix C.

- (b) Within the limit set section 3 (a), EC exports of oil country tubular goods as described in Appendix A shall not exceed 9,00 % of US apparent consumption of oil country tubular goods.
- (c) Notwithstanding paragraphs (a) and (b), Arrangement products exported from the EC on or after 1 October 1989 and prior to the day after the publication day in the *Official Journal of the European Communities* of the Regulations referred to in Article 5 (a) (hereinafter called the 'interim period') shall be admitted into the USA without an export license and certificate. This tonnage will be counted towards the export ceiling for each Arrangement product for the initial period.

Such tonnage shall be determined on the basis of US import invoice data sorted by export date. Date of export for all such shipments under this Arrangement will be that established by the US Customs Service. No later than 1 March 1990, the US will notify the EC of the amount of tonnage exported on or after 1 October 1989 but without a certificate.

- (d) For purposes of this Arrangement, the USA shall comprise both the United States Customs Territory and United States Foreign Trade Zones. Therefore, entries of merchandise into the USA shall include administration of merchandise into a Foreign Trade Zone. In consequence, the entry into the United States Customs Territory of Arrangement products which have already entered into a Foreign Trade Zone shall not then again be taken into account as imports of those Arrangement products.
- (e) Where Arrangement products entered into the USA are subsequently re-exported therefrom, without having been subject to substantial transformation, the export ceilings for such products for the period corresponding to the time of such re-export shall be increased by the same amount.
- (f) Where the Arrangement products entered into the USA are subsequently re-exported therefrom in the form of Arrangement products, and the imported Arrangement products have been subject to double substantial transformation in the USA, as defined in Appendix D, the export ceilings for such imported Arrangement products for the period corresponding to the time of such re-export shall be increased by the quantity of the re-exported doubly substantially transformed Arrangement products, up to a maximum of 100 000 metric tonnes. The US and the EC will hold consultations upon request with a view to appropriate amendments to Appendix D and adjustments to the aforementioned maximum tonnage.

4. Calculation and revision of United States apparent consumption forecast and of export ceilings

- (a) The US, with the agreement of the EC, will select an independent forecaster which will provide the estimates of United States apparent consumption for the purposes of the Arrangement. A first projection of United States apparent consumption for the initial

period for each category for which export ceilings are calculated as a percentage of US apparent consumption will be established as early as possible, and in any event before 1 November 1989.

- (b) The figures for projected 1990 United States apparent consumption will be revised in December of 1989 and February, May, August and October of 1990 by the independent forecaster, and appropriate adjustments will be made to the export ceilings for each category taking into account licences already issued. Export ceilings calculated for the initial period based on the May, August and October 1990 forecasts will use actual October through December 1989 US apparent consumption.

For 1991, a first projection of United States apparent consumption by category will be established by October of 1990. These figures will be revised in December 1990 and February, May, August and October of 1991.

- (c) For the end period, a first projection of United States apparent consumption by category will be established by October 1991. These figures will be revised in December 1991.
- (d) By 1 May 1991, adjustments to the 1991 export ceiling for each category will be made for differences between the forecasted US apparent consumption and actual US apparent consumption of that category in the initial period.

5. Export licenses and certificate

- (a) The EC will require export licenses and certificate for all Arrangement products, publishing appropriate regulations in the *Official Journal of the European Communities*. Such export licenses and certificates will continue to be issued in a manner that will avoid abnormal concentration in exports of Arrangement products to the USA, taking into account seasonal trade patterns. The EC shall take action, including the imposition of penalties, as may be necessary to make effective the obligations resulting from the export licenses and certificates. The EC will inform the USA of any violations concerning the export licenses and certificates which come to its attention and the action taken with respect thereto.

The US will inform the EC of violations concerning the export licenses and certificates which come to its attention and the action taken with respect thereto.

Export licenses will provide that shipment must be made within a period of three months.

Export licenses will be issued against the export ceiling for the initial period 1991 or the end period. Export licenses for 1991 or the end period may be used as early as 15 November of the previous period within a limit of 8,00 % of the export ceiling for 1991, or the end period, respectively. Export licenses issued for the initial period and 1991, respectively, may not be used after 31 December 1990, and 31 December 1991, respectively, except that licenses not so used may be used during the first two months of the respective following period, up to a maximum of 8,00 % of the export ceiling for the current period.

The EC and the US may increase the above percentage limits by mutual agreement.

- (b) The EC will require that the Arrangement products shall be accompanied by a certificate substantially in the form set out in Appendix B, endorsed in relation to a license indicating the day, month, and year in which the Arrangement product were exported, the Arrangement product name and number and tonnage exported. If any of this information is in a language other than English, the certificate must also contain an English language translation of this information.

The US shall require presentation of such certificates as a condition for entry into the USA of the Arrangement products. The US shall prohibit entry of such products not accompanied by such a certificate.

6. Technical adjustments

- (a) Export ceilings for Arrangement products may be adjusted by the EC with prior notice to the US. Adjustments to increase or decrease the volume of the limit provided for in Article 3 (a) and the sub-limit provided for in Article 3 (b) must be offset by an equivalent volume change to one or more of the export ceilings for the categories established under the US-EC Arrangement on certain steel products, entered into in 1989, for the same period. Notwithstanding the preceding sentences, no adjustment may be made under this Article which results in an increase or a decrease in a specific export ceiling by more than 5,00 % by volume of the unadjusted export ceiling for the relevant period. The EC and the US may agree to increase the above percentage limit.
- (b) Normally, only one change in a specific products export ceiling in the initial period 1991 or the end period may be made by an adjustment under the preceding paragraph or use of licenses in November/December or January/February under Article 5 (a). Accordingly, changes in the initial period, 1991 or end period export ceilings by use of more than one of these provisions may be made only upon agreement between the EC and the US.

7. Short supply

- (a) If the US in consultation with the EC determines that, because of abnormal supply or demand factors, (including substantial objective evidence such as allocation, extended delivery periods, the willingness of domestic producers to supply the steel product at prices which are not aberrations from prevailing domestic market prices, or other relevant factors), the United States steel industry will be unable to meet demand in the USA for a particular product, an additional tonnage shall be allowed for such product by a special issue of licenses.
- (b) The US shall make a determination under this Article within 30 days through a transparent procedure on the basis of objective evidence from all relevant sources. Furthermore, a 15 day fast track procedure shall be used for requests submitted during periods during which capacity utilization is 90 % or more. Under such fast track procedures there shall be a rebuttable presumption that short supply exists.
- (c) Each authorized special issue export license and certificates derived therefrom shall be so marked. Each such license must be used within 180 days after the date of the authorization of the special issuance unless the US agrees to extend that period.
- (d) Notwithstanding paragraphs (a), (b) and (c), short supply procedures shall be no less favorable than is provided for in legislation that may be enacted by the US.

8. Monitoring

- (a) The EC will, within one month of the end of each quarter, or upon request, supply the US with such non-confidential information on all export licenses and certificates issued for Arrangement products as is required for the proper functioning of this Arrangement. This information will include at a minimum each licence number, certificate number, quantity, date of export, category number and sub-category number.
- (b) The US will collect and transmit quarterly, or upon request, to the EC all non-confidential information relating to certificates received during the preceding quarter in respect of the Arrangement products. The US will also collect and transmit non-confidential information relating to actions taken in respect of the Arrangement products for violations of United States Customs Law.

9. Consultations

Consultations shall take place between the EC and the US on any matter arising out of the operation of this Arrangement.

Consultations will also be held if there are indications that imports from third countries are replacing imports from the EC.

If imports of a product within a limit or sub-limit significantly increase, relatively or absolutely and in relation to US apparent consumption, so as to disturb traditional patterns of trade, consultations shall be held upon in order to find an appropriate solution.

10. Application

This Arrangement shall apply to the USA and to the territories to which the Treaty establishing the European Economic Community is applied on the conditions laid down in that Treaty.

11. Notices

For all purposes hereunder, the US and the EC shall be represented by, and all communications and notices shall be given and addressed to:

— *for the EC:*

The Commission of the European Communities
Directorates-General for External Relations (I) and for
Internal Market and Industrial Affairs (III)
Rue de La Loi, 200
B-1049 Brussels

— *for the Government of the United States of America:*

Office of the United States Trade Representative
Assistant United States Trade Representative for Industry
Washington, D.C. 20506

United States Department of Commerce
Assistant Secretary for Import Administration
International Trade Administration
Washington, D.C. 20230

ANNEX A

Product category	Apparent consumption forecast category
Total pipe and tube	Total pipe and tube
OCTG	OCTG

Appendix A

Imports by category

Product	HTS (*)	CN code
OCTG	7304.20	7304 20
	7305.20	7305 20
	7306.20	7306 20 00
Other pipe & tube	7304.10 (1)	7304 10 (1)
	7304.31 (1)	7304 31 (1)
	7304.39 (1)	7304 39 (1)
	7304.41 (1)	7304 41 (1)
	7304.49 (1)	7304 49 (1)
	7304.51 (1)	7304 51 (1)
	7304.59 (1)	7304 59 (1)
	7304.90 (1)	7304 90 (1)
	7305.11	7305 11 00
	7305.12	7305 12 00
	7305.19	7305 19 00
	7305.31.40 (1)	7305 31 00 (1) (2)
	7305.31.60 (1)	7305 39 00 (1)
	7305.39 (1)	7305 90 00 (1)
	7305.90 (1)	
	7306.10 (1)	7306 10
	7306.30.10 (1)	7306 30 (1) (2)
	7306.30.50 (1)	7306 40 (1)
	7306.40 (1)	7306 50 (1) (2)
	7306.50.10 (1)	7306 60 (1)
	7306.50.50 (1)	7306 90 (1)
	7306.60 (1)	
	7306.90 (1)	
	8547.90.0020 (1)	8547 90 00 (3)

(*) The subheadings and code numbers referred to above are subject to revision when the EC or the US adopt modifications to their respective import nomenclatures. When such modifications are adopted, prior notification shall be given to the other party. HTS represents the Harmonized Tariff Schedule of the United States.

(1) Excluded if drill pipe of a kind used in drilling for earth, minerals or ores.

(2) Excluded if tapered pipes and tubes principally used as parts of illuminating articles.

(3) Covered if conduit tubing.

1 Exporter (full name and address)	CERTIFICATE FOR THE EXPORT OF IRON AND STEEL PRODUCTS TO THE UNITED STATES OF AMERICA No ORIGINAL
2 Consignee (full name and address)	
	3 Export licence No. / issued in (Member State)
	4 Extract No / issued in (Member State) of export licence No / issued in (Member State)

NOTES

- A. This certificate must be completed on a typewriter and in English.
- B. This certificate and the export licence or the extract thereof to which it refers must be produced at the Customs office at which Customs formalities for export to the United States of America are completed.
- C. This certificate, duly endorsed by the Customs office shown in box no 7, must be produced to the competent authorities in the United States of America at the time of importation.

5 Marks and numbers - Number and kind of packages - Category and detailed description of iron and steel products	6 Quantity (metric tonnes)
--	----------------------------

7 ENDORSEMENT BY THE COMPETENT CUSTOMS OFFICE IN THE EUROPEAN COMMUNITY

The quantity (metric tonnes) of iron and steel products shown above has been attributed ☐ to the export licence shown in box no 3
☐ to the extract shown in box no 4. *)

Customs export document:

Signature:

Stamp:

type:

number:

date:

--	--	--	--

Customs office:

Member State:

*) The appropriate box to be indicated like this: ☒

Appendix C

Concordance of US shipments, exports, and imports

	Type *)	Shipments (category)	Exports (**) (schedule B)	Imports (**) (HTS)
Total pipe and tube	C	18	7304.10	7304.10
	C	19	7304.20	7304.20
	C	20	7304.31	7304.31
	C	21A	7304.39	7304.39
	C	21B	7304.90	7304.90
	C	22A	7305.11	7305.11
	C	22B	7305.12	7305.12
	C		7305.19	7305.19
	C		7305.20	7305.20
	C		7305.31	7305.31
	C		7305.39	7305.39
	C		7305.90	7305.90
	C		7306.10	7306.10
	C		7306.20	7306.20
	C		7306.30	7306.30
	C		7306.60	7306.60
	C		7306.90	7306.90
	C		7307.92.3010	7307.92.30
	C		7307.92.3030	8547.90.0020
			8547.90.0020	
	A	18	7304.51	7304.51
	A	19,20	7304.59	7304.59
	A	21A, 21B	7306.50	7306.50
	A	22A, 22B	7307.22.1000	7307.22.10
	S	21C	7304.41	7304.41
	S	21D	7304.49	7304.49
	S		7306.40	7306.40
OCTG (included in total pipe and tube)	C	19	7304.20	7304.20
	C		7305.20	7305.20
	C		7306.20	7306.20
Line pipe (included in total pipe and tube)	C	20	7304.10	7304.10
	C		7305.11	7305.11
	C		7305.12	7305.12
	C		7305.19	7305.19
	C		7306.10	7306.10
Stainless (included in total pipe and tube)	S	21C	7304.41	7304.41
	S	21D	7304.49	7304.49
	S		7306.40	7306.40
Other pipe and tube (included in total pipe and tube)	C	18	7304.31	7304.31
	C	21A	7304.39	7304.39
	C	21B	7304.90	7304.90
	C	22A	7305.31	7305.31
	C	22B	7305.39	7305.39
	C		7305.90	7305.90
	C		7306.30	7306.30
	C		7306.60	7306.60
	C		7306.90	7306.90
	C		7307.92.3010	7307.92.30
	C		7307.92.3030	
	C		8547.90.0020	8547.90.0020

(*) C — Carbon

S — Stainless

A — Alloy

(**) These numbers are subject to revision when the United States adopts modifications to the applicable import or export nomenclatures. Technical adjustments will be made as necessary.

	Type	Shipments (Category)	Exports (schedule B)	Imports (HTS)
Standard pipe and tube (included in other pipe and tube)	A	18	7304.51	7304.51
	A	21A	7304.59	7304.59
	A	21B	7306.50	7306.50
	A	22B	7307.22.1000	7307.22.10
		22B		
	C	18	7304.39	7304.39.0010
	C		7306.30.1500	7304.39.0015
	C		8547.90.0020	7304.39.0025
	C			7304.39.0060
	C			7304.39.0090
				7306.30.5025
				7306.30.5030
				7306.30.5040
				7306.30.5055
				7306.30.5580
				8547.90.0020
Structural pipe and tube (included in other pipe and tube)	C	22A	7304.90.4000	7304.90.1000
	C	22B	7305.39	7305.31
	C		7305.90	7305.39
	C		7306.60.2500	7305.90
	C		7306.90	7306.30.3000
	C			7306.60.1000
	C			7306.90
	A	22A	7305.31	7304.90.3000
	A	22B		7306.50.3000
	A			7306.60.3000
Mechanical tube (included in other pipe and tube)	C	21A	7304.31	7304.31.3000
	C		7304.51	7304.31.6050
	C			7304.90.5000
	C			7306.30.1000
	C			7306.30.5015
	C			7306.30.5020
	C			7306.30.5035
	C			7306.60.5000
	A	21A	7304.59	7304.51.1000
	A		7304.90.6000	7304.51.5090
	A		7306.50.4500	7304.59.1000
	A		7306.60.6500	7304.59.6000
	A			7304.59.8000
	A			7304.90.7000
	A			7306.50.1000
	A			7306.50.5030
	A			7306.50.5050
	A			7306.50.5070
	A			7306.60.7000
Pressure tube (included in other pipe and tube)	C	21B	7306.30.1000	7304.31.6010
	C		7306.50.1000	7304.39.0005
	C			7306.30.5010
	A	21B		7304.51.5030
	A			7304.51.5050
	A			7304.59.2030
	A			7304.59.2050
	A			7306.50.5010

Appendix D

(to be specified in consultations between the parties)

CONSENSUS

Dear Mr Vice-President

In the course of discussions between the Government of the United States of America (the 'US') and the European Coal and Steel Community and the European Economic Community (collectively, the 'EC'), both parties have agreed to the following concerning steel trade:

Article 1

1. The US and the EC recognize that there is a need to achieve efficient new general disciplines in the context of the Uruguay Round of Multilateral Trade Negotiations to avoid trade distorting practices.
2. The US and the EC recognize the economic importance of the steel sector for their economies, the history of public support and barriers to market access which have distorted trade in steel for many years, and the other specific characteristics of this sector.
3. To cover the period prior to the establishment of new GATT disciplines during the Uruguay Round, the US and EC have agreed to conclude this bilateral agreement, the basic objectives of which are:
 - to provide a transition toward the more liberal conditions for steel trade which will result from the rules and disciplines of the GATT negotiated in the Uruguay Round,
 - to reduce distorting practices in steel, and
 - to establish a trading environment for steel that is fair and open.
4. This Agreement, while facilitating the achievement of the objectives described in paragraph 3, shall not prejudice the negotiating positions of the US or EC with respect to general disciplines on subsidies, dispute settlement or tariff and non-tariff measures in the GATT or in the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade. The US and EC recognize that this Agreement cannot predetermine the results of the Uruguay Round of Multilateral Trade Negotiations or the techniques or modalities for achieving disciplines under negotiation in the Uruguay Round that may apply to the steel sector under general rules or otherwise.
5. The US and EC confirm that their mutual interests will be served by working together in the Uruguay Round to achieve multilateral agreement on rules imposing effective disciplines on public support, and limitations on tariff and non-tariff measures, that are consistent with the aims and principles of this Agreement. To obtain this objective, the US and EC agree that they will both seek such agreement in the Uruguay Round and coordinate their efforts to this end.

Article 2

1. The US and EC reaffirm, for purposes of this Agreement, their obligations under existing multilateral rules not to grant any export subsidy identified in the Illustrative List of Export Subsidies in the Annex to the Agreement on Interpretation and Application of Articles VI, XVI and XXIII of the General Agreement on Tariffs and Trade.
2. The US and the EC agree that other public support shall not be granted to their steel industries except as provided in Appendix A.
3. For purposes of this Agreement 'Public Support' to the steel industry means intervention specifically provided by law or in fact to that sector by the US or EC, their Member States or

States, or any regional or local authorities or through public resources in any form whatsoever. It shall in particular cover the foregoing of receipts, such as fiscal concessions, and the transfer of public resources to steel undertakings in the form of acquisitions of shareholdings or provisions of capital or similar financing which cannot be regarded as a genuine provision of risk capital according to usual investment practice in a market economy.

4. Public support commitments taken by the US or EC before the entry into force of this Agreement and described in Appendix B shall not be affected by this Agreement.

Article 3

Because tariff and non-tariff measures can restrict and distort steel trade flows, the US and the EC agree to implement liberalization of both tariff and non-tariff measures as follows:

1. Tariffs: Through negotiations in the Uruguay Round, the US and the EC agree to seek from all participants substantial reductions, harmonization, or, as appropriate, elimination of tariffs on steel, as well as a substantial increase in the scope of bindings.
2. Non-tariff measures: The US and the EC agree not to introduce any steel trade restrictive or distorting measures inconsistent with the provisions of the GATT or the instruments negotiated within the framework of GATT or under its auspices. Further, the US and EC agree not to take trade restrictive measures for balance of payments reasons. In addition, the US and EC agree to phase out all steel voluntary restraint agreements with third parties by 31 March 1992.

Article 4

At a time when the US and EC have made, and will need to continue to make, structural adjustments to their steel capacities, they confirm their determination not to foster overcapacities in steel production through official export credits or tied aids. Therefore, the US and EC agree to seek expeditiously increased discipline over tied aid credits and other forms of subsidized official export credit support for steel plant and equipment in the OECD.

When guaranteeing or granting such credits, the US and EC will take into consideration the viability of the projects and examine the possible repercussions on the stability of the steel market of the US or EC.

The US and EC:

Acknowledge that the interests of both parties are best served if agreement can be reached at an early stage on a common attitude on official facilities for a particular transaction;

Reaffirm, therefore, the need to promote common attitudes, particularly on important transactions;

Recognize that in certain instances, notably when existing exchange of information procedures are perceived to be functioning in an unsatisfactory manner, face-to-face consultations could facilitate the adoption of a common line;

Undertake, in such circumstances, to respond favourably to any such request for early face-to-face consultations and to attend any meeting arranged in order to reach a common attitude in conjunction with other interested participants;

and

Confirm moreover the importance they attach to a strict observation of the arrangement on guidelines for officially supported export credits.

Article 5

1. The US and EC shall enter into consultations with each other concerning such representations as either party may make with respect to any matter affecting the operation of this Agreement.

2. If a dispute arises between the US and EC arising out of, or related to, the interpretation or the application of this Agreement, and if such dispute cannot be settled by means of consultation

within 15 days after a request therefor made by either party, then the US or EC may notify the other party that it is referring the dispute to binding arbitration and appoint an arbitrator. Within 15 days of such notice, the other party must appoint a second arbitrator. Such arbitrators shall not have a financial interest in the dispute and shall not take instructions from either party.

The two arbitrators appointed by the US and EC shall appoint a third arbitrator, selected from a list of arbitrators compiled by the US and EC, or by random selection if necessary, within 15 days after the appointment of the second arbitrator. The third arbitrator shall not be a national of either party, shall not have a financial interest in the dispute, and shall serve as Chairman of the arbitration panel.

The rules of procedure shall be established by the EC and the US or, failing that, by the arbitrators. The procedures shall assure a right to at least one hearing before the panel as well as the opportunity to provide written submissions and rebuttal arguments.

Each party shall bear the cost of its own arbitrator and its presentation in the proceedings. The cost of the Chairman and the remaining cost of the proceeding shall be borne equally by the US and EC.

3. The panel shall make its decisions by majority vote.

4. Within three months after the Chairman is appointed, the panel shall determine whether there has been an infringement of this Agreement. The panel shall also determine the appropriate measures to remedy such infringement.

In extraordinary circumstances that prevent the panel from meeting the required deadline, the parties may agree to extend the deadline but only to the extent necessary.

5. In the case of a clear and significant violation of Article 2 or 3, the adversely affected party may propose a preliminary remedy to offset the effects of such a violation pending a final arbitral determination. The preliminary remedy shall be subject to the same guidelines as a final remedy.

The procedures for establishing a preliminary remedy shall be as follows:

(a) If the matter has not been resolved through consultations within 15 days, and notice has been given by the adversely affected party that it considers the matter to be a clear and significant violation, the parties shall within five days appoint the Chairman of the arbitration panel by agreement or by random selection from the mutually compiled list.

(b) After selection of the Chairman, the adversely affected party may submit to the Chairman a proposed preliminary remedy to offset effects of such a violation. Within 15 days, the Chairman must decide whether to authorize the proposed preliminary remedy, or to modify or disapprove such proposed remedy. The decision of the Chairman on the existence, scope, nature and duration of the preliminary remedy shall be made taking into account the clarity and significance of the violation and the reasonableness of the preliminary remedy in light of the guidelines for a remedy.

(c) The preliminary remedy authorized by the Chairman may be applied by the adversely affected party until extended, modified or terminated by the arbitration panel's final determination.

6. (a) In making its interim relief and final remedy determinations under paragraphs 4 and 5, the panel shall take into account the following guidelines:

(i) Preference shall be given to measures that are (A) related to the product or products associated with the violation, and (B) that increase or decrease export ceilings under the Arrangement between the European Coal and Steel Community and the European Economic Community, and the Government of the United States of America concerning trade in certain steel products and the Arrangement on pipes and tubes entered into in 1989.

- (ii) If necessary to achieve the objectives of this Agreement with respect to an infringement, the panel may authorize the imposition of temporary duties, or security therefor, on imports of products originating in the territory of the infringing party into the territory of the non-infringing party.

In designing such measures, the following shall be taken into account:

- (A) the gravity and nature of the infringement
- (B) the duration thereof
- (C) the adverse effects on the interests of the other party
- and
- (D) the proportion of US-EC trade in the product or products directly concerned by the infringement.

- (b) Measures decided by the arbitrators should not be applied cumulatively with national or other provisions in respect of the same factual elements which constitute the infringement whether they have already been decided or are decided subsequently.

7. The US and EC must take measures specified by the panel in its determinations. If the US or EC fails to implement such measures and they are unable to agree on appropriate compensation or other remedial action, then the other party may propose to the panel suspension of equivalent benefits under this Agreement to the non-complying party. Such suspension shall take effect 30 days after it is proposed to the panel unless the panel disapproves such action.

Article 6

1. This Agreement shall enter into force on the date of its acceptance by both parties and shall remain in force until 31 March 1992.

2. This Agreement may be amended by mutual consent of the US and EC to take into account any new situation which may arise, in particular the results of the Uruguay Round negotiations.

3. Each party shall have the right to terminate this Agreement in the event of termination of the Arrangement concerning trade in certain steel products and the Arrangement on pipes and tubes entered into in 1989.

4. The provisions of this Agreement only concern steel and for the purpose of this Agreement, 'steel' shall mean those products described in Article 3 of the Arrangement concerning trade in certain steel products and the Arrangement on pipes and tubes entered into in 1989.

5. This Agreement shall be of application in the territories described in Article 11 of the Arrangement concerning trade in certain steel products and the Arrangement on pipes and tubes entered into in 1989.

6. This Agreement does not affect the rights and obligations of the parties under the GATT or other multilateral instruments negotiated under the auspices of the GATT.

I shall be grateful, Mr Vice-President, if you would kindly confirm that the foregoing correctly sets out the understanding reached between us.

Please accept, Mr Vice-President, the assurance of my highest consideration.

Sincerely,



Carla A. HILLS

Appendix A

All public support to the steel industry is prohibited under the terms of this Agreement with the following exceptions:

1. *Public support for research and development*

Up to a maximum of 35 % net grant equivalent of the eligible costs as regards basic industrial research and 25 % in the case of applied research and development.

Eligible costs are only those which are directly related to research and development, excluding those related to industrial application or commercial exploitation of the results.

2. *Public support for environmental protection*

Up to a maximum of 15 % net grant equivalent of the investment costs directly related to the environmental measures concerned.

3. *Public support for social purposes*

Aid to costs of payment to workers made redundant or accepting early retirement by the permanent discontinuance, curtailment or change of activities of steel undertakings.

4. *Public support for closure*

Aid to meet closure costs additional to social costs mentioned in paragraph 3 to steel companies which for a period of not less than four consecutive years have been engaged in the production of steel products described in Article 3 of the Arrangement concerning trade in certain steel products and the Arrangements concerning trade in steel pipes and tubes between the US and EC and which permanently cease all such steel production by the entire company up to a maximum of the higher of the following two values:

- (a) the discounted value of the contribution to fixed costs obtainable from the plants over a three year period less the advantages obtained by the firm from the closure; or
- (b) the residual book value of the plants.

Appendix B

EC: The commitments deriving from Commission Decision 89/218/ECSC of 23 December 1988 concerning aid that the Italian Government proposes to grant to the public steel sector as consented to unanimously by the Council at its meeting of 13 December 1988, and from the Protocol No 20 to the Act of Accession of Portugal to the European Communities.

USA: The benefits provided by Section 9303 (e) (3) of the Omnibus Budget Reconciliation Act of 1987 (24 USC 412) concerning reduced pension funding requirement for steel companies.

Any cost reduction or benefits under Chapter 11 of Title 11 of the United States Code, (11 USC Sections 1101-1146), concerning voluntary bankruptcy proceedings.

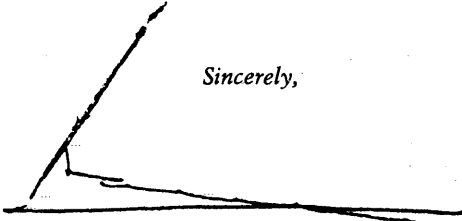
Dear Madame Ambassador,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'.....' (1)

I have the honour to confirm the agreement of the European Communities to the content of your letter.

Please accept, Madame Ambassador, the assurance of my highest consideration.



Sincerely,

For the Council and the Commission
of the European Communities

(1) See pages 139-143 of this Official Journal.

**Information on the signing of the Arrangements and the Consensus between the European
Economic Community and the United States in the steel sector**

The Arrangements and the Consensus in the steel sector which the Council decided, on
6 November 1989, to conclude with the United States were signed on 20 November 1989.

ASSENTS No 24/89 and No 25/89

Acting pursuant to Article 95 of the Treaty establishing the European Coal and Steel Community the Council gave its assent, as requested by the Commission on 6 November 1989, to:

- the Commission Decision on the conclusion of an Arrangement and a Consensus with the United States of America concerning trade in certain steel products ⁽¹⁾,
- the Commission Decision on the restriction of exports of certain steel products to the United States of America ⁽²⁾.

For the Council

The President

R. DUMAS

⁽¹⁾ See page 98 of this Official Journal.

⁽²⁾ See page 21 of this Official Journal.

