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REGULATION (EEC) No 1501/70 OF THE COMMISSION

of 27 July 1970

specifying the conditions for inclusion of cows for immediate slaughter, the meat of which is intended for processing, under sub-heading No 01.02 A II (b) 1 of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 97/69[1] of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff, and in particular Article 3 thereof;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68[2] of 28 June 1968, as last amended by Regulation (EEC) No 1237/70,[3] comprises under sub-heading No 01.02 A II (b) 1 cows for immediate slaughter, the meat of which is intended for processing; whereas inclusion under that sub-heading is subject to conditions to be laid down by the appropriate authorities; whereas, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, common provisions are required for the purpose of specifying those conditions;

Whereas, by Council Regulation (EEC) No 1196/70[4] of 15 June 1970 on the conclusion of an agreement between the European Economic Community and Austria, the Community has undertaken to include under sub-heading No 01.02 A II (b) 1 live cows of the domestic bovine species originating in Austria and intended for processing under customs control; whereas inclusion under that subheading accordingly depends not only on the use made of the meat obtained after slaughter of the imported cows but also on the origin thereof;

Whereas it will facilitate the work of the customs authorities of the Community in ascertaining the origin of the cows imported if the authorities of the exporting country certify that the cows in question originate in that country; whereas it is advisable to make their inclusion under sub-heading No 01.02 A II (b) 1 subject to the production of a certificate in appropriate form issued under the responsibility of the exporting country;

Whereas the certificate, in accordance with the provisions of Article 9 of Council Regulation (EEC) No 802/68[5] of 27 June 1968 on the common definition of the concept of the origin of goods, must comply with certain conditions;

Whereas it is appropriate to specify the form which the certificate must take and the conditions for its use; whereas, furthermore, it is necessary to introduce measures enabling the Community to control the conditions of issue of certificates and prevent falsification; whereas, accordingly, specific obligations must be imposed upon the issuing body;

Whereas it is necessary to define what is meant by processing;

Whereas, in accordance with Article 20 (1) of Council Regulation (EEC) No 805/68[6] of 27 June 1968 on the common organisation of the market in beef and veal, as last amended by Regulation (EEC) No 1253/70,[7] general rules for the interpretation of the Common Customs Tariff and detailed rules for the

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[1] OJ No L 14, 21.1.1969, p. 1.
[2] OJ No L 172, 22.7.1968, p. 3 to 402.
[3] OJ No L 141, 29.6.1970, p. 50.
[4] OJ No L 140, 27.6.1970, p. 1.
[5] OJ No L 148, 28.6.1968, p. 3.
[6] OJ No L 148, 28.6.1968, p. 31.
[7] OJ No L 143, 1.7.1970, p. 1.

application thereof apply to the classification of products covered by that Regulation;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Committee on the Common Customs Tariff Nomenclature;

HAS ADOPTED THIS REGULATION:

Article 1

The inclusion of cows for immediate slaughter, the meat of which is intended for processing, under sub-heading No 01.02 A II (b) 1 of the Common Customs Tariff shall be subject to the conditions laid down in this Regulation.

Article 2

Without prejudice to the provisions of Article 9 (2) of Regulation (EEC) No 802/68, a certificate issued in Austria fulfilling the requirements laid down in this Regulation shall be submitted upon importation into the Community of cows referred to in Article 1.

Article 3

1. The certificate shall be prepared in one original and two copies in the form set out in Annex I. It may, however, be drawn up in the language of the exporting country or in any of the languages of the Community.

2. The original and the copies thereof shall be completed in one operation by duplication, either typewritten or by hand. In the latter case, the original must be completed in ink and in block capitals.

3. The size of the certificate shall be about 21 cm x 30 cm. White paper shall be used for the original, pink for the first copy and yellow for the second copy.

4. Each certificate shall bear an individual serial number followed by the nationality symbol A.

The copies shall bear the same serial number and the same nationality symbol as the original.

Article 4

1. The original and the first copy of the certificate shall be submitted to the customs authorities of the importing Member State within twelve days of the date of issue.

2. The second copy of the certificate shall be sent direct to the competent authorities of the importing Member State by the issuing body.

Article 5

1. A certificate shall be valid only if it is duly authenticated by a body appearing in the list provided for in Article 6 (2).

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorised to sign it.

Article 6

1. An issuing body may appear on the list only if:

(a) it is recognised as such by the exporting country;

(b) it undertakes to verify the particulars shown in the certificates;

(c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates;

(d) it undertakes to send to the authorities indicated in Article 4 (2) the second copy of each authenticated certificate within three days of the date of issue.

2. The list of issuing bodies appears in Annex II to this Regulation.

3. This list shall be revised where the condition under paragraph 1 (a) is no longer satisfied or where an issuing body does not fulfil any of the obligations which it has undertaken.

Article 7

Invoices produced in support of import declarations shall bear the serial number of the corresponding certificate.

Article 8

The imported cows shall be taken under customs control to slaughterhouses approved by the competent authorities of the importing Member State; they shall be slaughtered within three days of their arrival in those slaughterhouses.

Article 9

1. Meat obtained after slaughter shall be processed under customs control. Processing shall be completed within six months.

2. Meat shall be considered to be processed if, after having undergone one or more processes, it constitutes, either alone or when mixed with other products, a commodity classifiable under sub-heading No ex 02.06 C I (a) 2 (meat of domestic bovine animals, boned or boneless, dried or smoked), under heading No 16.01 (sausages and the like, of meat, meat offals or animal blood) or under heading No 16.02 (other prepared and preserved meat or meat offals) of the Common Customs Tariff.

Article 10

This Regulation shall enter into force on 6 August 1970.

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

Done at Brussels, 27 July 1970.

For the Commission

The President

Franco M. MALFATTI

ANNEX I

(Front)

CERTIFICATE

for export to the EEC of cows for immediate slaughter the meat of which is intended for processing

(sub-heading No 01.02 A II (b)[1] of the Common Customs Tariff of the EEC)

Certificate No ..... A

Authorised veterinary surgeon .....
certifies that the consignment of live cows of the domestic bovine species

— consignor[1] .....

— consignee[1] .....

Consists of (number of head in figures and letters) ..... head

— weight .....

— ear tag .....

.....

.....

certifies further that the above-mentioned cows, which have been subjected to veterinary inspection at ..... as shown in the attached veterinary certificate of .....,

— **are of Austrian origin and**

— **are for export to the EEC for immediate slaughter, the meat thereof being for processing under customs control**

Place and date of issue .....

.....

Stamp of issuing body

.....
(Signature)

(Back)

Space reserved for use by the authorities of the importing Member States.

Note: This Certificate is valid for twelve days from the date of issue.

ANNEX II

Issuing body

Bundesministerium für Land- und Forstwirtschaft

Wien I

Stubenring 1

[1] Surname and forenames, or name of firm, and full address.