REGULATION (EEC) No 3135/73 OF THE COUNCIL

of 9 November 1973

on the implementation of the economic and control rules of the International Cocoa Agreement, 1972

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 by virtue of the Council Decision of 26 June 1973 the Community provisionally applied the International Cocoa Agreement, 1972, as from the coming into operation of this Agreement provisionally concluded 1 July 1973;

Whereas the International Cocoa Council on 10 August 1973 adopted economic rules and rules by which the control system under the Agreement is to be applied;

Whereas in accordance with Article 12 (4) of the Agreement appropriate measures have to be taken to implement these rules,

HAS ADOPTED THIS REGULATION:

Article 1

The economic and control rules of the International Cocoa Agreement, 1972, adopted by the International Cocoa Council on 10 August 1973, and annexed to this Regulation shall apply, subject to the provisions of the following Articles in implementation of the said Agreement.

Article 2

1. Importation into the Community of products falling under headings 18.01, 18.03, 18.04 and 18.05 of the Common Customs Tariff shall be subject to the presentation of the certificate provided for this purpose by the rules provided for in Article 1 at the customs office where the import formalities are completed.

2. Importation into the Community in the sense of paragraph 1 means the abovementioned products which are

(a) entered for free circulation;

(b) entered for inward processing.

Article 3

1. Exportation from the Community of products falling under headings 18.01, 18.03, 18.04 and 18.05 of the Common Customs Tariff shall be subject to the presentation of the certificate provided for this purpose by the rules referred to in Article 1 at the customs office where the export formalities are completed.

2. Exportation from the Community in the sense of paragraph 1 means the abovementioned products which are exported from the customs territory of the Community either in the same state as at importation or in the form of other products falling under the tariff headings referred to in the said paragraph.

Article 4

This Regulation shall enter into force on the eighth 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, 9 November 1973.

For the Council

The President

Per HÆKKERUP

ANNEX

ECONOMIC AND CONTROL RULES OF THE INTERNATIONAL COCOA AGREEMENT, 1972

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ECONOMIC AND CONTROL RULES OF THE INTERNATIONAL COCOA AGREEMENT, 1972

Rule 1

Daily Price

(a) When quotations in one of the two cocoa markets referred to in Article 28 (2) are not available on a particular market day or days, the prices to be used for the purposes of that Article in respect of the relevant market shall be the arithmetic average of the quotations for the day preceding and the day following that or those on which the quotations were not available on that market.

(b) When the six months forward rate of exchange referred to in Article 28 (2) is not available on a particular market day or days, the exchange rate, to be used for converting London prices to US cents per pound (lb) shall be the arithmetic average of the six months forward rate of exchange for the day preceding and the day following that or those on which that rate was not available.

Rule 2

Evidence by exporting Members producing less than 10 000 tons of cocoa

The evidence required by the Council for the purposes of Article 31 (4) shall be provided by the Member concerned before the session of the Council at which quotas are determined. The evidence shall consist of an estimate of the expected production and domestic consumption together with statistics of actual production, domestic consumption and exports of the last three years for which figures are available.

Rule 3

Records of Contracts

(a) For the purposes of Article 35 (2) and (9) each exporting Member shall register its sales contracts with its Certifying Agency within two weeks of the establishment of such contracts and in any case before application is made for the Certificate of Origin and the Certificate of Buffer Stock Contribution.

(b) For the purposes of Article 32 (1) (b), each exporting Member shall report to the Executive Director before 15 October of each quota year particulars of the quantity of cocoa of the previous quota year which it expects to export within its quota or export entitlement for that year.

(c) Contracts for purchases from non-Members shall be deemed to be *bona fide* contracts for the purposes of Article 54 (4) only if they have been registered with the Certifying Agency or with the import licensing authority of the Member importing the cocoa within one month of the establishment of the contracts and in any case before application is made for the Certificate of Import from a non-Member.

(d) For the purposes of Article 35 (2) and (9) and Article 54 (4) referred to in this rule, the body which registers the contracts in accordance with paragraphs (a) and (c) of this rule shall send, before the end of each month, in a sealed envelope, to the Executive Director a list of first-hand contracts recorded by it in the preceding month. This list shall include the following information: date, serial numbers, tonnages, expected times of shipment, origin and, if known, destinations.

(e) The envelopes shall be opened for verification by the Executive Director only when evidence is required for the purposes of the Articles referred to in this rule. The Executive Director shall inform the Member or Members concerned at the time the envelopes are opened, indicating the circumstances in which the evidence is required.

(f) If he considers it necessary, the Executive Director may arrange with the Members concerned for the inspection at any time of the registers of sales and purchase contracts maintained by the certifying Agencies of Members.

Rule 4

Reporting of Exports and Imports

(a) Members shall supply to the Executive Director statistics of their exports and imports for each month by countries of origin or destination, as

appropriate, to reach the Executive Director within 60 days of the end of that month. The data shall include any information required under rules which may be made governing the operation of the buffer stock and the shipment of cocoa for humanitarian or other non-commercial purposes.

(b) Members shall supply to the Executive Director statistics of their exports and imports for each quota year by countries of origin or destination, as appropriate, to reach the Executive Director by the last day of February. The data shall include any information required under rules which may be made governing the operation of the buffer stock and the shipment of cocoa for humanitarian or other non-commercial purposes.

(c) The International Cocoa Council may seek the cooperation of any non-Member for the supply of data as provided for in paragraphs (a) and (b).

Rule 5

Exports from a producing Member to another Member

(a) Subject to the exceptions described in Rules 6 and 7, every export of cocoa from any Member in the territory of which that cocoa is grown shall be covered by a valid Certificate of Origin and a valid Certificate of Buffer Stock Contribution.

(b) The Certificate of Origin shall be in Form ICC-1 prescribed in Annex I and shall only be issued in accordance with the provisions of this rule by a certifying agency in the producing Member. The Certificate of Buffer Stock Contribution referred to in Article 38 shall be in the form of Cocoa Export Stamps issued in accordance with Rule 13.

(c) The stamps shall be affixed to the Certificate of Origin only upon the provision to the certifying agency of satisfactory evidence of sale or registration of sale or such other evidence of intention to ship as may be appropriate and they shall be cancelled by the certifying agency so that they cannot be used again.

(d) The original of the Certificate of Origin, with Stamps affixed, shall be signed, stamped and dated by the customs authority of the Member concerned when that authority is satisfied that the export takes place. The original of the certificate shall then be given to the exporter or his agent and shall accompany the shipping documents to the importer.

(e) The blue copy of the Certificate of Origin as described in Rule 15 (b) shall be sent to the Executive Director by the issuing certifying agency as soon as possible and in any case within one month of the date of issue.

(f) The Member importing the cocoa shall collect and forward the original of the valid Certificate of Origin to the Executive Director after completion of Part B thereof, as soon as possible after the importation and in any case within one month of the importation.

(g) In the case of a Certificate of Origin covering the shipment of cocoa in a form other than beans, the net weight in beans equivalent obtained in accordance with the conversion factors in Article 32 (2) shall be indicated under 'observations' in the body of the certificate.

Rule 6

Exceptions to Rules 5, 7, 8, 9 and 10

The following exports and imports are exempted from the provisions of Rules 5, 7, 8, 9 and 10:

(i) Samples and parcels of cocoa up to a maximum net weight of 25 kilogrammes per sample of cocoa beans, cocoa butter, cocoa cake or powder and cocoa paste or nibs.

(ii) Small quantities of cocoa products for direct consumption as stores on ships, aeroplanes and other international commercial carriers.

Rule 7

Fine or Flavour Cocoa

(a) Pursuant to Article 33 (1), the provisions of Rule 5 shall not apply, except as specified in this rule, to fine or flavour cocoa grown in the territory of any exporting Member listed in paragraph (1) of Annex C of the Agreement.

(i) Such cocoa shall be covered by a Certificate of Origin validated by the affixation of

appropriate Cocoa Export Stamps which shall be cancelled by the certifying agency so that they cannot be used again.

(ii) These stamps shall be in the form prescribed in paragraphs (g), (h) and (i) of Rule 13 and shall be overprinted with 'C1'.

(iii) C1 Cocoa Export Stamps shall be made available free of charge and shall not be subject to the quantitative limitations set out in paragraph (d) of Rule 13.

(iv) At least 15 working days before the commencement of each quota year, the Executive Director shall deposit these stamps with the agent appointed under paragraph (a) of Rule 13. The stamps shall be made available by the Executive Director to the Certifying Agency of each such Member subject to the provisions of paragraph (f) of Rule 13.

(v) The provisions of paragraphs (d), (e), (f) and (g), of Rule 5 shall apply to Certificates of Origin for fine or flavour cocoa.

(b) In respect of exporting Members listed in paragraph (2) of Annex C of the Agreement, the provisions of paragraph (a) of this rule shall apply, save that the Certificate of Origin shall be validated by Cocoa Export Stamps over-printed with 'C2'. C2 Cocoa Export Stamps shall be issued only against payment of the proportionate buffer stock contribution or an irrevocable guarantee that payment will be made within three months from the date of supply of the stamps. Quantitative limitations as set out in paragraph (d) of Rule 13 shall apply only to those countries whose exports of other than fine or flavour cocoa are 10 000 tons or more per annum.

Rule 8

Exports from a producing Member to a non-Member

The procedures set out in Rule 5 shall apply in respect of exports from producing Members to non-Members except that the original of the valid Certificate of Origin shall not accompany the shipping documents to the importer but shall be surrendered by the exporter to the customs authority of the exporting Member which shall send it to the Executive Director within one month of the date of its issue. The blue copy, as described in Rule 15 (b), of the Certificate of Origin shall accompany the shipping documents to the importer.

Rule 9

Imports by Members from non-Members

(a) Every import by Member from non-Members in accordance with Article 54 shall be covered by a valid Certificate of Import from a non-Member and a valid Certificate of Buffer Stock Contribution.

(b) The Certificate of Import from a non-Member shall be issued by a certifying agency of the Member importing the cocoa in accordance with the provisions of this rule. The provisions of Rules 5 and 13 shall apply *mutatis mutandis* to imports by Members from non-Members.

(c) For the purposes of Articles 38 and 54 all imports of cocoa by a Member from a non-Member shall be deemed as originating from that non-Member unless the cocoa is accompanied by a valid original certificate obtained from the Executive Director in accordance with Rule 11 or 12 and the Executive Director is provided with any other information he may specify.

(d) If the Executive Director has any reason to believe that this rule is militating against the effective operation of Articles 38 and 54, he shall immediately request the Executive Committee to review, and, if need be, amend the Rule.

(e) The Certificate of Import from a non-Member shall be in Form ICC-4 prescribed in Annex IV.

Rule 10

Exports of cocoa previously imported by Members

(a) Every export of cocoa previously imported by a Member shall be covered by a Certificate of Export.

(b) Certificates of Export shall be issued only by the certifying agency or customs authority of the Member from which the cocoa is being exported.

(c) The Certificate of Export shall be in Form ICC-2 prescribed in Annex II and shall be issued in accordance with this rule.

(d) The original of the Certificate of Export shall, at the time of export of the cocoa covered thereby, be validated by the customs authority of the Mem-

ber concerned by means of a customs stamp when it is satisfied that export takes place.

(e) The blue copy of each Certificate of Export as described in Rule 15 (b) shall be sent to the Executive Director by the issuing authority within one month of the date of issue of the certificate.

(f) If the destination is a Member, the original of the Certificate of Export shall be handed to the exporter or his agent to accompany the shipping documents. The Member importing the cocoa shall collect and forward the original of the Certificate of Export to the Executive Director, after completion of Part B thereof, as soon as possible after the importation and in any case within one month of the importation.

(g) If the destination is a non-Member, the original of the certificate shall be sent by the appropriate customs authority or the certifying agency of the Member concerned to the Executive Director within one month of issue. The blue copy of the Certificate of Export as described in Rule 15 (b) shall accompany the shipping documents to the importer.

Rule 11

Change of declared destination

Any change in the country of destination entered in a valid original certificate shall be subject to certification by the appropriate certifying agency upon presentation of satisfactory evidence of the location of the cocoa concerned. When the new destination is a non-Member country instead of a Member, the valid original certificate accompanying the shipment shall be surrendered to the appropriate certifying agency, which shall cancel it and send it to the Executive Director. A new certificate shall be issued by the appropriate certifying agency on presentation of satisfactory evidence of the location of the cocoa concerned and in accordance with the provisions of Rule 8 or of Rule 10, paragraph (g). In the case of change of destination from a non-Member to a Member, the certification shall be by the Executive Director upon presentation of satisfactory evidence of the location of the cocoa concerned, including the presentation of the blue copy, as described in Rule 15 (b), of the valid original certificate referred to in Rules 5, 7, 8, 10 and 12. This copy shall be exchanged for the original held by the Executive Director.

Rule 12

Splitting of Consignments

(a) A certifying agency may on request issue certificates for Splitting of Consignments to permit the splitting of a consignment of cocoa covered by a single validated original certificate.

(b) Certificates for Splitting of Consignments shall be issued by the certifying agency only upon the surrender of the valid original certificate and presentation of satisfactory evidence of the location of the consignment. In the case of cocoa afloat and destined for a non-Member or within the territory of a non-Member, the Certificate for Splitting of Consignments shall be issued by the Executive Director upon production of the blue copy, as described in Rule 15 (b), referred to in Rules 8 and 10 and upon presentation of satisfactory evidence of the location of the consignment.

(c) The original of each Certificate for Splitting of Consignments shall be validated by the affixation thereto of stamps for Splitting of Consignments which shall be cancelled by the certifying agency so that they cannot be used again.

(d) The original of the validated Certificate for Splitting of Consignments shall be given to the re-consigner requesting it or his agent to accompany the shipping documents to the new consignee. The Member importing the cocoa shall collect and forward the original of the validated Certificate for Splitting of Consignments to the Executive Director, after completion of Part B thereof, as soon as possible after the importation and in any case within one month of the importation.

(e) The blue copy of each Certificate for Splitting of Consignments as well as the relevant valid original certificate shall be sent to the Executive Director by the certifying agency within one month of the date of issue. If the destination is a non-Member, the validated original certificate shall also be sent to the Executive Director within the same time limit, and the blue copy of the certificate shall accompany the shipping documents to the new consignee.

(f) The Certificate for Splitting of Consignments shall be in Form ICC-3 prescribed in Annex III and shall be issued in accordance with this rule.

(g) In addition to the procedure outlined in paragraphs (a) to (f) the respective institutions in each Member country may take other practical measures in order to implement the objectives of this rule. Such measures must be approved by the Executive Committee.

Rule 13

Cocoa Export Stamps

(a) The Executive Director shall appoint in each Member country a bank or financial institution independent of the certifying agency and the Cocoa Authority, after consultation with the Member concerned to act as an agent of the international Cocoa Organization in respect of Cocoa Export Stamps. The Executive Director may on the proposal of a Member, appoint any other suitable body which furnishing him with all the necessary guarantees.

(b) At least 15 working days before the commencement of each quota year, the Executive Director shall deposit with the agent appointed under paragraph (a), Cocoa Export Stamps sufficient to cover the export entitlement of the Member concerned for that quota year plus an additional reserve, to be determined by the Executive Director, to cover exchanges of denomination, replacement of damaged stamps, etc.

(c) The agent shall be responsible for the secure custody of the stamps and their issue to the certifying agency for use in accordance with these rules and with the instructions of the Executive Director.

(d) The agent will supply to the certifying agency of the exporting Member on the instruction of the Executive Director and in accordance with paragraph (e), before the commencement of each quota year Cocoa Export Stamps equivalent to not more than 85 per cent of that exporting Member's annual export quota or export entitlement. Additional stamps will be supplied at least 15 working days before the third and fourth quarters of the quota year on request and in accordance with effective export entitlement.

(e) The agent will supply Cocoa Export Stamps to the Certifying Agency in accordance with the provisions of this rule only against payment of the appropriate Buffer Stock Contribution or an irrevocable guarantee that payment will be made within three months from the date of the supply of the stamps.

(f) Each Member shall be responsible for the proper custody and use of the Cocoa Export Stamps supplied to its certifying agency. After the end of the quota year, and not later than 15 January, each Member shall render a final report to the Executive Director (including the surrender of unused stamps) in a form prescribed by the latter.

(g) Cocoa Export Stamps will be issued in denominations of 50, 500, 5 000, 10 000, 50 000, 100 000 and 500 000 kilograms of cocoa beans. Additional denominations may be determined by the Executive Director. Each denomination will be of a different colour.

(h) The Cocoa Export Stamps to be affixed to the Certificate of Origin shall correspond to the net weight of the cocoa beans or their equivalent covered by the certificate, subject to a margin of tolerance not exceeding 49 kilogrammes or such other margin as may subsequently be determined by the Executive Director.

(i) Cocoa Export Stamps shall bear an individual exporting Member code as well as the quota year code. Cocoa Export Stamps shall not be transferable between Members. Cocoa Export Stamps for the purpose of imports from non-Members shall bear a single code number.

(j) Cocoa Export Stamps shall only be valid for exports made during the quota year specified in the quota year code printed thereon. For the purpose of this Rule and having regard to Article 32 (1) (b), an export shall be deemed to have taken place during the quota year for which the export stamps are valid, provided that the date stamp of the Customs Authority of the exporting Member concerned on the relevant Certificate of Origin is not later than 7 January.

(k) Cocoa Export Stamps shall be supplied to certifying agencies in Member countries for the purposes of imports from non-Members under Article 54 in accordance, *mutatis mutandis*, with the provisions of this rule.

(l) Nothing in this rule shall derogate from the provisions governing fine or flavour cocoa in Rule 7.

Rule 14

Stamps for Splitting of Consignments

(a) Stamps for Splitting of Consignments shall be supplied by the Executive Director, on request to

the certifying agency of each Member for use strictly according to Rule 12.

(b) Each Member shall be responsible for the proper custody and use of the Stamps for Splitting of Consignments supplied to its certifying agency. After the end of the quota year, and not later than 15 January, each Member shall render a final report to the Executive Director (including the surrender of unused stamps) in a form prescribed by the latter.

(c) Stamps for Splitting of Consignments will be the same as Cocoa Export Stamps except that the former will be over-printed with the letters 'SC'.

Rule 15

Forms of certificates and their issue

(a) The forms of certificates employed under the provisions of these Rules shall be 210 mm wide and 297 mm long. Minor deviations to a size not smaller than 200 mm wide and 280 mm long may be permitted if they are necessitated by special reasons in the issuing Member country.

(b) All certificates shall be in printed form as prescribed in Annexes I to V and issued in an original and at least one copy. The certifying agency may issue as many additional copies as may be found necessary. The original shall be clearly marked ORIGINAL and the copies clearly marked COPY. The first copy only shall be blue.

(c) Each certificate may be printed in two languages of which one must be English.

(d) Guidance for the issuing and proper completion of the certificates stipulated in these rules shall be provided by the Executive Director.

Rule 16

Buffer Stock Accounts

The Buffer Stock Manager shall open Buffer Stock Accounts in the name of the International Cocoa Organization in Member countries and at banks approved by the Executive Committee. He shall pay into these accounts all contributions and other receipts to the Buffer Stock. He shall arrange for withdrawals by cheque signed by any two of three persons designated by the Executive Director and including the Buffer Stock Manager.

Rule 17

Appointment of Certifying agencies

(a) Certifying agencies shall be acceptable to the International Cocoa Organization. These agencies shall be appointed in each Member country by the Member concerned in consultation with the Executive Director.

(b) The International Cocoa Organization shall not be responsible for any charges that certifying agencies may make for their services.

Rule 18

Entry into Force

The International Cocoa Council shall determine the date or dates of the entry into force of these rules.

Rule 19

Implementation

The Executive Director shall have the responsibility of taking such action as he considers necessary to ensure the effective implementation of the controls provided for in the agreement and in these Rules.

Rule 20

Transitional Provisions

(a) All cocoa from crop years prior to the crop year 1973/74 that was either in shipment or in bonded store or in free port on 30 September 1973 other than in an exporting Member country shall be exempt from the quota and buffer stock contribution provisions of the agreement as well as from these Rules. Any holder of a parcel of such cocoa in a Member country wishing to take advantage of the exemption provided for in this paragraph shall obtain a Certificate of Exemption from the certifying agency in respect of each parcel of cocoa involved on the presentation of evidence which the certifying agency considers satisfactory. Copies of Certificates of Exemption issued shall be transmitted to the Executive Director before the end of December 1973.

(b) For cocoa of the crop year prior to the 1973/74 crop year awaiting export in an exporting Member, such exporting Member shall make declar-

ations to the certifying agency in a form prescribed by the Executive Director. To the extent that the certifying agency is satisfied with such declarations, it shall issue a Certificate of Exemption in respect of each parcel of cocoa involved. Copies of Certificates of Exemption issued shall be transmitted to the Executive Director before the date of export and in any event before the end of December 1973.

(c) In the case of exports to Members the original of the Certificate of Exemption shall be given to the exporter or his agent and shall accompany the shipping documents to the importer. The Member importing the cocoa shall collect and forward the original of the Certificate of Exemption to the Executive Director as soon as possible after the importation and in any case within one month of the importation. In the case of exports to a non-Member the original of the certificate shall be forwarded directly to the Executive Director and only the blue copy shall accompany the shipping documents to the importer.

(d) The Certificate of Exemption shall be in Form ICC-5 prescribed in Annex V.

Rule 21

Amendments

Any amendments to these Rules shall require a special vote by the Council or by the Executive Committee on its behalf, and shall come into effect on the date decided by the Council, or by the Executive Committee, as appropriate.

ANNEX I

CERTIFICATE OF ORIGIN – CERTIFICAT D'ORIGINE FORM FORMULE ICC-1

(Form approved by the International Cocoa Organization)
(Formule approuvée par l'Organisation internationale du cacao)

PART A, FOR USE BY ISSUING AUTHORITY
PARTIE A, À REMPLIR PAR L'ORGANISME DÉLIVRANT LE CERTIFICAT

1. Reference No – N° de référence, O	Country code / Code du pays	Port code / Code du port	Serial Number / N° d'ordre
2. Producing country – Pays producteur			
3. Country of destination (*) – Pays destinataire (*)			
4. Name of ship or other carrier / Navire ou autre moyen de transport	5. Port of embarkation / Port d'expédition		6. Date of shipment / Date de l'expédition
7. Intermediate ports – Ports de transit			
8. Port or point of destination (*) – Port ou lieu de destination (*)			

9. Description (Mark X in appropriate box – Insérer X à l'emplacement approprié) – (specify – à préciser)

Cocoa beans	Butter	Cake or powder	Paste or nibs	Other
☐ Fèves de cacao	☐ Beurre	☐ Pâte débeurrée ou poudre	☐ Pâte ou amandes décortiquées	☐ Autre

10. Shipping marks or other identification – Marques d'expédition ou autres signes d'identification	Weight of shipment – Poids de l'envoi 11. Unit of weight / Unité de poids ☐ kg ☐ lb 12. Gross – Brut 13. Net
14. Observations (**)	
15. It is hereby certified that the cocoa described above was grown in the above-mentioned producing country – Il est certifié par la présente que le cacao décrit ci-dessus a été cultivé par le pays producteur précité.	

16. Customs stamp of issuing country – Cachet de la douane du pays de délivrance	17. Name of certifying agency – Organisme de certification
Date of stamp / Date du cachet ..... Authorized Customs signature / Signature du fonctionnaire autorisé	Date of issue / Date de délivrance ..... Authorized signature of Certifying Officer / Signature du fonctionnaire autorisé .....

PART B, FOR USE WHEN DOCUMENT IS COLLECTED – À REMPLIR LORS DE LA REMISE DU DOCUMENT

18. NOTATION BY CUSTOMS AUTHORITY – RENSEIGNEMENTS À CONSIGNER PAR LA DOUANE Certificate collected and cocoa imported – Certificat recueilli et cacao importé	19. NOTATION BY CERTIFYING AGENCY OTHER THAN CUSTOMS – RENSEIGNEMENTS À CONSIGNER PAR UN ORGANISME DE CERTIFICATION AUTRE QUE LA DOUANE Certificate collected for the purpose of splitting – Certificat recueilli aux fins de fractionnement
At – À ..... Date	At – À ..... Date .....
Customs stamp – Cachet de la douane	Name of certifying agency – Organisme de certification Stamp of certifying agency – Cachet de l'organisme de certification Authorized signature – Signature autorisée .....

(*) Where destination is not known insert 'Member' or 'non-member' – Lorsque la destination n'est pas connue, inscrire la mention «Membre» ou «non-membre».

(**) In the case of a shipment of cocoa in a form other than beans, the net weight in beans equivalent obtained in accordance with the conversion factors in Article 32 (2) shall be indicated here – Dans le cas d'une expédition de cacao sous une forme autre que de fèves, on indiquera ici le poids net en équivalent fèves obtenu par application des coefficients de conversion indiqués à l'article 32 paragraphe 2.

FORM
FORMULE **ICC-1**

Note: This certificate is valid only when it has been properly completed and valid Cocoa Export Stamps corresponding to the net weight of shipment shown on the obverse have been affixed and duly cancelled.

Affix Cocoa Export Stamps here

Note: Le présent certificat n'est valide que s'il a été correctement rempli et qu'y sont apposés et dûment oblitérés des timbres valides d'exportation de cacao correspondant au poids net du lot expédié comme indiqué au recto.

Apposer ici les timbres d'exportation de cacao

ANNEX II

CERTIFICATE OF EXPORT – CERTIFICAT D'EXPORTATION FORM FORMULE ICC-2

(Form approved by the International Cocoa Organization)
(Formule approuvée par l'Organisation internationale du cacao)

PART A, FOR USE BY ISSUING AUTHORITY
PARTIE A, À REMPLIR PAR L'ORGANISME DÉLIVRANT LE CERTIFICAT

1. Reference No – N° de référence, E | Country code / Code du pays | Port code / Code du port | Serial Number / N° d'ordre

2. Exporting country – Pays exportateur

3. Country of destination (*) – Pays destinataire (*)

4. Name of ship or other carrier / Navire ou autre moyen de transport
5. Port of embarkation / Port d'expédition
6. Date of shipment / Date de l'expédition

7. Intermediate ports – Ports de transit

8. Port or point of destination (*) – Port ou lieu de destination (*)

9. Description (Mark X in appropriate box – Insérer X à l'emplacement approprié) – (specify – à préciser)

Cocoa beans	Butter	Cake or powder	Paste or nibs	Other
☐ Fèves de cacao	☐ Beurre	☐ Pâte débeurrée ou poudre	☐ Pâte ou amandes décortiquées	☐ Autre

10. Shipping marks or other identification – Marques d'expédition ou autres signes d'identification

Weight of shipment – Poids de l'envoi
11. Unit of weight / Unité de poids ☐ kg ☐ lb
12. Gross – Brut
13. Net

14. Observations (**)

15. It is hereby certified that this certificate is issued in compliance with the Rules of the International Cocoa Organization and the cocoa described above is being exported under Customs control from the above-mentioned country – Il est certifié par la présente que ce certificat a été délivré conformément à la réglementation de l'Organisation internationale du cacao et que le cacao décrit ci-dessus est en cours d'exportation du pays précité sous contrôle douanier.

16. Customs stamp of issuing country – Cachet de la douane du pays de délivrance

Date of stamp / Date du cachet
Authorized Customs signature / Signature du fonctionnaire autorisé

17. Name of certifying agency – Organisme de certification

Date of issue / Date de délivrance
Authorized signature of Certifying Officer / Signature du fonctionnaire autorisé

PART B, FOR USE WHEN DOCUMENT IS COLLECTED – À REMPLIR LORS DE LA REMISE DU DOCUMENT

18. NOTATION BY CUSTOMS AUTHORITY
RENSEIGNEMENTS À CONSIGNER PAR LA DOUANE

Certificate collected and cocoa imported –
Certificat recueilli et cacao importé

At – À Date

Customs stamp – Cachet de la douane

19. NOTATION BY CERTIFYING AGENCY OTHER THAN CUSTOMS – RENSEIGNEMENTS À CONSIGNER PAR UN ORGANISME DE CERTIFICATION AUTRE QUE LA DOUANE

Certificate collected for the purpose of splitting –
Certificat recueilli aux fins de fractionnement

At – À Date

Name of certifying agency – Organisme de certification

Stamp of certifying agency – Cachet de l'organisme de certification

Authorized signature – Signature autorisée

(*) Where destination is not known insert 'Member' or 'non-member' – Lorsque la destination n'est pas connue, inscrire la mention «Membre» ou «non-membre».

(**) In the case of a shipment of cocoa in a form other than beans, the net weight in beans equivalent obtained in accordance with the conversion factors in Article 32 (2) shall be indicated here – Dans le cas d'une expédition de cacao sous une forme autre que de fèves, on indiquera ici le poids net en équivalent fèves obtenu par application des coefficients de conversion indiqués à l'article 32 paragraphe 2.

ANNEX III

CERTIFICATE FOR SPLITTING OF CONSIGNMENTS / CERTIFICAT DE FRACTIONNEMENT DE LOTS

FORM / FORMULE ICC-3

(Form approved by the International Cocoa Organization)
(Formule approuvée par l'Organisation internationale du cacao)

PART A, FOR USE BY ISSUING AUTHORITY
PARTIE A, À REMPLIR PAR L'ORGANISME DÉLIVRANT LE CERTIFICAT

1. Reference No - N° de référence, S | Country code / Code du pays | Port code / Code du port | Serial Number / N° d'ordre

2. Issuing country – Pays de délivrance — Country of origin/export – Pays d'origine/d'exportation

3. Country of destination (*) – Pays destinataire (*)

4. Name of ship or other carrier / Navire ou autre moyen de transport — 5. Port of embarkation / Port d'expédition — 6. Date of shipment / Date de l'expédition

7. Intermediate ports – Ports de transit

8. Port or point of destination (*) – Port ou lieu de destination (*)

9. Description (Mark X in appropriate box – Insérer X à l'emplacement approprié) – (specify – à préciser)

Cocoa beans / ☐ Fèves de cacao	Butter / ☐ Beurre	Cake or powder / ☐ Pâte débeurrée ou poudre	Paste or nibs / ☐ Pâte ou amandes décortiquées	Other / ☐ Autre

10. Shipping marks or other identification – Marques d'expédition ou autres signes d'identification

Weight of shipment – Poids de l'envoi
11. Unit of weight / Unité de poids ☐ kg ☐ lb — 12. Gross – Brut — 13. Net

14. Observations (**)

15. It is hereby certified that this certificate is issued as a partial replacement of the original Certificate.
Il est certifié par la présente que ce certificat a été délivré en remplacement partiel du certificat original.
number / numéro ..... covering a shipment of / portant sur un lot de ..... kg/lb of cocoa. / kg/lb de cacao.

16.

17. Name of certifying agency – Organisme de certification

..... Date of issue / Date de délivrance

..... Authorized signature of Certifying Officer / Signature du fonctionnaire autorisé

PART B, FOR USE WHEN DOCUMENT IS COLLECTED – À REMPLIR LORS DE LA REMISE DU DOCUMENT

18. NOTATION BY CUSTOMS AUTHORITY / RENSEIGNEMENTS À CONSIGNER PAR LA DOUANE

Certificate collected and cocoa imported – Certificat recueilli et cacao importé

At – À — Date

Customs stamp – Cachet de la douane

19. NOTATION BY CERTIFYING AGENCY OTHER THAN CUSTOMS – RENSEIGNEMENTS À CONSIGNER PAR UN ORGANISME DE CERTIFICATION AUTRE QUE LA DOUANE

Certificate collected for the purpose of splitting – Certificat recueilli aux fins de fractionnement

At – À — Date

Stamp of certifying agency – Cachet de l'organisme de certification

..... Authorized signature – Signature autorisée

(*) Where destination is not known insert 'Member' or 'non-member' – Lorsque la destination n'est pas connue, inscrire la mention «Membre» ou «non-membre».

(**) In the case of a shipment of cocoa in a form other than beans, the net weight in beans equivalent obtained in accordance with the conversion factors in Article 32 (2) shall be indicated here – Dans le cas d'une expédition de cacao sous une forme autre que de fèves, on indiquera ici le poids net en équivalent fèves obtenu par application des coefficients de conversion indiqués à l'article 32 paragraphe 2.

FORM
FORMULE **ICC-3**

Note: This certificate is valid only when it has been properly completed and valid Cocoa Export Stamps corresponding to the net weight of shipment shown on the obverse have been affixed and duly cancelled.

Affix Cocoa Export Stamps here

Note: Le présent certificat n'est valide que s'il a été correctement rempli et qu'y sont apposés et dûment oblitérés des timbres valides d'exportation de cacao correspondant au poids net du lot expédié comme indiqué au recto.

Apposer ici les timbres d'exportation de cacao

ANNEX IV

CERTIFICATE OF IMPORT FROM A NON-MEMBER (*) FORM ICC-4
CERTIFICAT D'IMPORTATION EN PROVENANCE D'UN NON-MEMBRE (*) FORMULE

(Form approved by the International Cocoa Organization)
(Formule approuvée par l'Organisation internationale du cacao)

PART A, FOR USE BY ISSUING AUTHORITY
PARTIE A, À REMPLIR PAR L'ORGANISME DÉLIVRANT LE CERTIFICAT

1. Reference No - N° de référence,	Country code / Code du pays	Port code / Code du port	Serial Number / N° d'ordre
2. Importing country – Pays importateur			
3. Imported from – Importé en provenance de			
4. Name of ship or other carrier / Navire ou autre moyen de transport	5. Port of embarkation / Port d'expédition		6. Date of shipment / Date de l'expédition
7. Intermediate ports – Ports de transit			
8. Port or point of destination (*) – Port ou lieu de destination (*)			

9. Description (Mark X in appropriate box – Insérer X à l'emplacement approprié) – (specify – à préciser)

Cocoa beans	Butter	Cake or powder	Paste or nibs	Other
☐ Fèves de cacao	☐ Beurre	☐ Pâte débeurrée ou poudre	☐ Pâte ou amandes décortiquées	☐ Autre

10. Shipping marks or other identification – Marques d'expédition ou autres signes d'identification	Weight of shipment – Poids de l'envoi 11. Unit of weight / Unité de poids ☐ kg ☐ lb 12. Gross – Brut 13. Net
14. Observations (**)	
15. It is hereby certified that the cocoa described above is being imported from the above-mentioned country – Il est certifié par la présente que le cacao décrit ci-dessus est importé en provenance du pays précité.	
16.	17. Name of certifying agency – Organisme de certification ..... Date of issue / Date de délivrance ..... Authorized signature of Certifying Officer / Signature du fonctionnaire autorisé

PART B, FOR USE WHEN DOCUMENT IS COLLECTED – À REMPLIR LORS DE LA REMISE DU DOCUMENT

18. NOTATION BY CUSTOMS AUTHORITY – RENSEIGNEMENTS À CONSIGNER PAR LA DOUANE Certificate collected and cocoa imported – Certificat recueilli et cacao importé	19. NOTATION BY CERTIFYING AGENCY OTHER THAN CUSTOMS – RENSEIGNEMENTS À CONSIGNER PAR UN ORGANISME DE CERTIFICATION AUTRE QUE LA DOUANE Certificate collected for the purpose of splitting – Certificat recueilli aux fins de fractionnement
At – À ... Date	At – À ... Date
Customs stamp – Cachet de la douane	Name of certifying agency – Organisme de certification
	Stamp of certifying agency – Cachet de l'organisme de certification ..... Authorized signature – Signature autorisée

(*) To be used in accordance with Rule 9 only when a valid original certificate is not available – A n'utiliser conformément à la règle 9 qu'en l'absence d'un certificat original valide.

(**) In the case of a shipment of cocoa in a form other than beans, the net weight in beans equivalent obtained in accordance with the conversion factors in Article 32 (2) shall be indicated here – Dans le cas d'une expédition de cacao sous une forme autre que de fèves, on indiquera ici le poids net en équivalent fèves obtenu par application des coefficients de conversion indiqués à l'article 32 paragraphe 2.

FORM
FORMULE **ICC-4**

Note: This certificate is valid only when it has been properly completed and valid Cocoa Export Stamps corresponding to the net weight of shipment shown on the obverse have been affixed and duly cancelled.

Affix Cocoa Export Stamps here

Note: Le présent certificat n'est valide que s'il a été correctement rempli et qu'y sont apposés et dûment oblitérés des timbres valides d'exportation de cacao correspondant au poids net du lot expédié comme indiqué au recto.

Apposer ici les timbres d'exportation de cacao

ANNEX V

CERTIFICATE OF EXEMPTION – CERTIFICAT D'EXEMPTION

FORM FORMULE **ICC-5**

(Form approved by the International Cocoa Organization)
(Formule approuvée par l'Organisation internationale du cacao)

PART A, FOR USE BY ISSUING AUTHORITY
PARTIE A, À REMPLIR PAR L'ORGANISME DÉLIVRANT LE CERTIFICAT

1. Reference No – N° de référence	Country code / Code du pays	Port code / Code du port	Serial Number / N° d'ordre

2. It is hereby certified that the Cocoa described in this certificate and any attached warehouse warrant or similar evidence is exempted according to Rule 20 of the Economic and Control Rules of the Agreement, from quota and buffer stock contribution provisions laid down in that Agreement and its Rules – Il est certifié par la présente que le cacao décrit dans ce certificat et dans tout bulletin d'entrepôt ou document analogue joint au certificat est, conformément à la règle 20 du règlement économique et des règles de contrôle de l'accord, exempté de l'application des dispositions de l'accord et de ses règles relatives aux contingents et à la contribution au stock régulateur.

3. Description (Mark X in appropriate box – Insérer X à l'emplacement approprié) – (specify – à préciser)

Cocoa beans ☐ Fèves de cacao	Butter ☐ Beurre	Cake or powder ☐ Pâte débeurrée ou poudre	Paste or nibs ☐ Pâte ou amandes décortiquées	Other ☐ Autre

4. Shipping marks or other identification – Marques d'expédition ou autres signes d'identification	Weight of shipment – Poids de l'envoi 5. Unit of weight / Unité de poids ☐ kg ☐ lb 6. Gross – Brut 7. Net

8. Observations (*)	9. Name of certifying agency – Organisme de certification
	..... Date of issue / Date de délivrance ..... Authorized signature of Certifying Officer / Signature du fonctionnaire autorisé

PART B, FOR USE WHEN DOCUMENT IS COLLECTED – À REMPLIR LORS DE LA REMISE DU DOCUMENT

10. NOTATION BY CUSTOMS AUTHORITY – RENSEIGNEMENTS À CONSIGNER PAR LA DOUANE Certificate collected and cocoa imported / Certificat recueilli et cacao importé	11. NOTATION BY CERTIFYING AGENCY OTHER THAN CUSTOMS – RENSEIGNEMENTS À CONSIGNER PAR UN ORGANISME DE CERTIFICATION AUTRE QUE LA DOUANE Certificate collected for the purpose of splitting – / Certificat recueilli aux fins de fractionnement
AT – À ..... Date	AT – À ..... Date
Customs stamp – Cachet de la douane	Name of certifying agency – Organisme de certification Stamp of certifying agency – Cachet de l'organisme de certification ..... Authorized signature – Signature autorisée

(*) In the case of a shipment of cocoa in a form other than beans, the net weight in beans equivalent obtained in accordance with the conversion factors in Article 32 (2) shall be indicated here – Dans le cas d'une expédition de cacao sous une forme autre que des fèves, on indiquera ici le poids net en équivalent fèves obtenu par application des coefficients de conversion indiqués à l'article 32 paragraphe 2.

ANNEX VI

Alpha code of exporting Members

Member	*Alpha code*
Australia (Papua New Guinea)	AU
Brazil	BR
Cameroon	CM
Cuba	CU
Ecuador	EC
Ghana	GH
Guatemala	GT
Ivory Coast	CI
Jamaica	JA
Nigeria	NG
Portugal (Sao Tome and Principe)	PT
Togo	TG
Trinidad and Tobago	TT
Venezuela	VE

ANNEX VII

Alpha code of importing Members

Member	*Alpha code*
Algeria	DZ
Austria	AT
Belgium	BE
Bulgaria	BG
Canada	CA
Chile	CL
Colombia	CO
Denmark	DK
Federal Republic of Germany	DE
Finland	FI
France	FR
Honduras	HN
Hungary	HU
Ireland	EI
Italy	IT
Japan	JP
Luxembourg	LU
Netherlands	NL
Norway	NO
Romania	RO
Spain	ES
Sweden	SE
Switzerland	CH
United Kingdom	GB
USSR	SU
Yugoslavia	YU