REGULATION (EEC) No 162/74 OF THE COMMISSION

of 18 January 1974

defining the conditions for the admission of certain kinds of frozen beef and veal to subheading No 02.01 A II a) 2 dd) 22 bbb) 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 805/68 [1] of 27 June 1968 on the common organization of the market in beef and veal as last amended by Regulation (EEC) No 187/73 [2], and in particular Article 13 (5) thereof ;

Whereas imports of certain cuts of frozen beef and veal into the Community have increased substantially ; whereas these cuts were defined by Article 5 (6) of Commission Regulation (EEC) No 2260/73 [3] of 17 August 1973 laying down the bases for calculating the levy on certain kinds of frozen beef and veal, and whereas that Regulation also introduced a new tariff subheading for them ;

Whereas it is, however, difficult to identify these cuts when they are frozen ; whereas a product may be admitted to the subheading No 02.01 A II a) 2 dd) 22 bbb) of the Common Customs Tariff only when suitable evidence is provided ; whereas a certificate to this effect issued by the competent authorities of the exporting country would serve this end ;

Whereas, together with this system of certificates, provisions should be adopted under which, without prejudice to customs control, it is possible to verify that the product in question conforms to the description in Annex I to Regulation (EEC) No 2260/73 and, in certain cases, to check the conditions under which the certificates are issued ; whereas, furthermore, the system must provide the best possible safeguards against fraud ;

Whereas consideration of the export conditions of certain third countries shows that the agencies listed in Annex II to this Regulation meet the obligations required of certificates issued by them ;

Whereas the provisions of this Regulation are without prejudice to Community provisions pertaining to veterinary and foodstuffs legislation and aimed at protecting the health of people and animals and at preventing adulteration and fraud ;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION :

Article 1

The admission of products from third countries to subheading No 02.01 A II a) 2 dd) 22 bbb) of the Common Customs Tariff (crop, brisket, chuck and blade) shall be subject to the production of a certificate which satisfies the requirements laid down in this Regulation.

Article 2

1. The certificate shall be drawn up as a form of the pattern appearing in Annex I of this Regulation. The size of the certificate shall be approximately 21 × 30 cm. Yellow paper shall be used.

2. Each certificate shall bear a serial number followed by the nationality sign of the issuing agency. The serial number shall be indicated on the parcel or parcels to which it belongs.

Article 3

The certificate shall be completed in either typescript or manuscript. Ink and capital letters shall be used for forms completed in manuscript. The text may also be given in the language or languages of the exporting country.

Article 4

The certificate shall be submitted to customs authorities of the importing Member State with the customs entry documents for the commodity to which it belongs.

[1] OJ No L 148, 28. 6. 1968, p. 24.
[2] OJ No L 25, 30. 1. 1973, p. 23.
[3] OJ No L 233, 21. 8. 1973, p. 10.

Article 5

A certificate shall be valid only if duly authenticated by an agency appearing on the list in Annex II.

The certificate is duly authenticated when it shows the date and place of issue and is stamped by the issuing agency.

Article 6

1. An issuing agency may be included in the list referred to in Article 5 only if:

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

(b) it undertakes to verify the accuracy of the declarations made in the certificates;

(c) it undertakes to supply the Commission and the Member States, upon request, with any information that may be required to verify the particulars entered in the certificates.

2. The list shall be revised when the condition referred to in paragraph 1 (a) is no longer fulfilled or when an issuing agency does not fulfil one of the obligations it has undertaken.

Article 7

Member States shall take the measures necessary for supervising the proper functioning of the system of certificates established by this Regulation.

Article 8

This Regulation shall enter into force on 1 March 1974.

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

Done at Brussels, 18 January 1974.

For the Commission

The President

François-Xavier ORTOLI

BILAG I — ANHANG I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I

CERTIFIKAT OM ÆGTHED
ECHTHEITSZEUGNIS
CERTIFICATE OF AUTHENTICITY
CERTIFICAT D'AUTHENTICITÉ
CERTIFICATO DI AUTENTICITÀ
CERTIFICAAT VAN ECHTHEID

N° de série et sigle de nationalité

for frosset spiseligt kød af tamkvæg, udskæringer benævnt »crop«, »chuck and blade« og »brisket«
für Fleisch von Hausrindern, gefroren, als „crops", „chuck and blade" und „brisket" gezeichnete Teilstücke
for frozen meat, for human consumption, of domestic bovine animals, crop, chuck and blade and brisket cuts
pour viande comestible de l'espèce domestique congelée, découpes de quartiers avant et de poitrines dites australiennes
per carni commestibili, della specie bovina domestica, congelate, tagli di quarti anteriori e di punta di petto, detti « crop », « chuck and blade » e « brisket »
voor eetbaar vlees van runderen, van huisdieren, bevroren, als „crops", „chucks and blades" en „briskets" aangeduide delen

af underposition		**i den fælles toldtarif**
der Tarifstelle		**des Gemeinsamen Zolltarifs**
of subheading	**02.01 A II a) 2 dd) 22 bbb)**	**of the Common Customs Tariff**
de la sous-position		**du tarif douanier commun**
della sottovoce		**della tariffa doganale comune**
van onderverdelig		**van het gemeenschappelijk douanetarief**

Den kompetente myndighed / Die zuständige Stelle / The competent authority / L'autorité compétente / L'autorità competente / De bevoegde autoriteit

certifikat om at det frosne oksekød beskrevet nedenfor svarer nøjagtigt til definitionerne i suppl. bestemmelse M i kapitel 2 i den fælles toldtarif (1)

bescheinigt, daß das nachstehend bezeichnete Rindfleisch den Begriffsbestimmungen der Zusätzlichen Vorschrift M zu Kapitel 2 des Gemeinsamen Zolltarifs entspricht (1)

certifies, that the cattle meat as described below corresponds to the additional note M to Chapter 2 of the Common Customs Tariff (1)

certifie que la viande bovine congelée décrite ci-dessous correspond aux définitions figurant dans la note complémentaire M du chapitre 2 du tarif douanier commun (1)

certifica che la carne bovina congelata descritta qui sotto corrisponde alle definizioni che figurano nella nota complementare M del capitolo 2 della tariffa doganale comune (1)

bevestigt dat het hieronder omschreven rundvlees overeenkomt met de definities welke zijn opgenomen in de aanvullende aantekening M van het hoofdstuk 2 van het gemeenschappelijk douanetarief (1)

Sted og dato for udstedelsen	Den udstedende myndigheds stempel
Ort und Datum der Ausstellung	Stempel der ausstellenden Stelle
Place and date of issue	Stamp of issuing agency
Lieu et date d'émission	Cachet de l'organisme émetteur
Luogo e data di emissione	Timbro dell'organismo emittente
Plaats en datum van afgifte	Stempel van het met afgifte belaste bureau

Forbeholdt det importerende medlemslands toldmyndigheder
Vermerke der Zollbehörde des einführenden Mitgliedstaats
Reserved for the customs authorities of the Member State of importation
Case réservée aux autorités douanières de l'État membre importateur
Riservato alle autorità doganali dello Stato membro importatore
Bestemd voor de douane-autoriteiten van de Lid-Staat van invoer

Kolli / Sendung / Packages / Colis / Colli / Colli		Vægt / Gewicht / Weight / Poids / Peso / Gewicht		
Antal og art	Mærker og numre	brutto	netto	Bemærkninger
Anzahl und Art	Zeichen und Nummern	brutto	netto	Bemerkungen
Number and nature	Marks and Numbers	gross	net	Observations
Nombre et nature	Marques et numéros	brut	net	Observations
Numero e spezie	Marche e numeri	lordo	netto	Osservazioni
Aantal en aard	Merken en nummers	bruto	netto	Opmerkingen
		kg	kg	

(1) Supplerende bestemmelse M i kapitel 2 i den FTT :

»M. a) Som udskæringer benævnt »crop« og »chuck and blade« (pos. 02.01 A II a) 2 dd) 22 bbb) betragtes rygstykker af forfjerdinger, som fremkommer ved et lige snit efter en linie gennem det første ribbens fæstelse på brystbenet til mellemgulvsbøjningen på det tiende ribben, med mindst 4 og højst 10 ribben, således at udskæringerne omfatter øverste del af boven ;

b) som udskæringer benævnt »brisket« (pos. 02.01 A II a) 2 dd) 22 bbb) betragtes bugdelen af forfjerdingen med brystpunkt, midten af brystet, af slaget eller en del af slaget«.

(1) Zusätzliche Vorschrift M zu Kapitel 2 des GZT :

„M. a) „crops" und „chucks and blades" bezeichnete Teilstücke im Sinne der Tarifstelle 02.01 A II a) 2 dd) 22 bbb) das Rückenstück des Vorderviertels einschließlich des oberen Teils der Schulter, das bei einem geraden Schnitt durch den Berührungspunkt der ersten Rippe mit der Brustbeinspitze und dem Ansatzpunkt des Zwerchfellpfeilers bei der 10. Rippe anfällt, mit mindestens vier und höchstens zehn Rippen ;

b) als „briskets" bezeichnete Teilstücke im Sinne der Tarifstelle 02.01 A II a) 2 dd) 22 bbb) gilt der untere Teil des Vorderviertels mit Brustspitze, Brustmitte und Querrippe."

(1) Additional note M to Chapter 2 of the CCT :

'M. a) "Crop" and "chuck and blade" cuts ; for the purposes of subheading 02.01 A II a) 2 dd) 22 bbb), the dorsal part of the forequarter, including the upper part or the shoulder, obtained by a cut along a straight line through the point where the first rib joins the first sternal segment to the point of reflection of the diaphragm on the tenth rib with a minimum of four ribs and a maximum of ten ribs ;

b) "Brisket" cut for the purposes of subheading 02.01 A II a) 2 dd) 22 bbb), the lower part of the forequarter comprising the brisket navel end and brisket point end'.

(1) Note complémentaire M du chapitre 2 du TDC :

« M. a) comme découpes de quartiers avant dites australiennes au sens de la sous-position 02.01 A II a) 2 dd) 22 bbb), les parties dorsales du quartier avant y compris la partie supérieure de l'épaule, obtenues par une coupe droite suivant un plan passant par le point de jonction de la première côte avec le premier segment de l'os de la poitrine au point de réflection du diaphragme situé sur la dixième côte avec au minimum 4 côtes et au maximum 10 côtes ;

b) comme découpe de poitrine dite australienne au sens de la sous-position 02.01 A II a) 2 dd) 22 bbb), la partie inférieure du quartier avant comprenant la pointe de poitrine, le milieu de poitrine et le tendron ».

(1) Nota complementare M del capitolo 2 della TDC :

« M. a) come tagli di quarti anteriori detti « crop » e «chuck and blade», ai sensi della sottovoce 02.01 A II a) 2 dd) 22 bbb), le parti dorsali del quarto anteriore inclusa la parte superiore della spalla ottenuto mediante un taglio diritto secondo un piano che passa dal punto di congiunzione della prima costola con il primo segmento dell'osso del petto al punto di riflessione del diaframma situato sulla decima costola con un massimo di dieci costole ed un minimo di quattro costole ;

b) come tagli di punta di petto detti « brisket », ai sensi della sottovoce 02.01 A II a) 2 dd) 22 bbb), la parte inferiore del quarto anteriore comprendente la punta di petto, il centro e le cartilagini all'estremità del petto. »

(1) Aanvullende aantekening M van het hoofdstuk 2 van het G.D.T. :

„M. a) als „crops" en „chuck and blades" aangeduide delen, bedoeld bij onderverdeling 02.01 A II a) 2 dd) 22 bbb), de tot de rug behorende gedeelten van de voorvoet met inbegrip van het bovenste gedeelte van de schouder, die verkregen worden bij versnijding in een dwarsvlak, gaande van het verbindingspunt tussen de eerste rib en het eerste borstbeensegment naar het terugslagpunt van het middenrif bij de tiende rib, met ten minste vier en ten hoogste tien ribben ;

b) als „brisket" aangeduid deel, bedoeld bij onderverdeling 02.01 A II a) 2 dd) 22 bbb), het onderste gedeelte van de voorvoet, omvattende de puntborst, de borst en de naborst."

ANNEX II

Third countries	Issuing agency	
	Designation	Location
Argentine	Junta Nacional de Carnes	San Martin 459, Buenos Aires
Australia	Australian Meat Board	30, Grosvenor Street, Sydney
New Zealand	New Zealand Meat Producers Board	Massey House, Lambton Quay, Wellington
Uruguay	Direction de l'industrie animale du ministère de l'élevage et de l'agriculture	892, rue Colonia, Montevideo