REGULATION (EEC) No 633/75 OF THE COMMISSION

of 12 March 1975

concerning the documentary evidence to be presented for the importation of raw or unmanufactured flue-cured Virginia type tobacco originating in developing countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 3058/74 [1] of 2 December 1974 opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured flue-cured Virginia type tobacco originating in developing countries, and in particular Article 1 (2) thereof;

Whereas, for tobacco covered by the Regulation cited above, rules of origin have by Commission Regulation (EEC) No 3106/74 [2] of 5 December 1974 been laid down concerning the conditions under which the product acquires the status of an originating product, the means of proof of this status and the arrangements for its control;

Whereas as a result of commercial practice a certain quantity of raw or unmanufactured flue-cured Virginia type tobacco originating in developing countries was in bonded warehouses in the Community before the date of entry into force of Council Regulation (EEC) No 3058/74 of 2 December 1974; whereas at the time of the export of this tobacco from the relevant developing countries no certificate of origin form A was issued;

Whereas it is therefore necessary to provide that in the case of such tobacco documentary evidence other than that specified in Commission Regulation (EEC) No 3106/74 of 5 December 1974 may be presented and that for the form of attestation of authenticity provided for in Article 31 of the said Regulation there be substituted, in so far as the customs authorities of the importing Member State consider an analysis to be necessary, the result of an analysis performed by the authorities of that State;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Committee on Origin,

HAS ADOPTED THIS REGULATION:

Article 1

By way of exception, raw or unmanufactured flue-cured Virginia type tobacco falling within subheading 24.01 B of the Common Customs Tariff originating in developing countries, in accordance with the rules contained in Commission Regulation (EEC) No 3106/74 of 5 December 1974 and which on 1 March 1974 is in a bonded warehouse within the Community may qualify for the application of the preferential system laid down by Council Regulation (EEC) No 3058/74 of 2 December 1974, on condition that any necessary documentary evidence is produced to the customs authorities of the importing Member State showing to the satisfaction of those authorities that the tobacco concerned fulfil the conditions laid down in the above Commission Regulation.

Article 2

In the cases envisaged in Article 1, the form of attestation provided for in Article 31 (2) of Commission Regulation (EEC) No 3106/74 of 5 December 1974 shall, in so far as the customs authorities of the importing State consider that an analysis is necessary, be replaced by the result of that analysis.

Article 3

This Regulation shall enter into force on the third day after 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, 12 March 1975.

For the Commission

The President

François-Xavier ORTOLI

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[1] OJ No L 329, 9. 12. 1974, p. 150.
[2] OJ No L 336, 16. 12. 1974, p. 1.