COMMISSION REGULATION (EEC) No 2874/82

of 28 October 1982

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 2870/82 of 21 October 1982 on the restriction of exports of certain steel products to the United States of America [1], and in particular Article 5 (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 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 5 of Regulation (EEC) No 2870/82 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 5. 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 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. A licence shall be issued within 15 working days of the day of the receipt of the exporter's application.

A licence may be issued only until the end of the second month of each calendar quarter. The licence shall be valid for three months from the date of issue. However, export licences shall only be valid for exports to be carried out during the initial period as defined in Article 1 of Regulation (EEC) No 2870/82, or during 1984 or 1985 to which it refers.

Nevertheless, where the Commission decides to apply Article 2 (3) of Regulation (EEC) No 2870/82:

— in cases of anticipated use of licences, exports may be carried out during December 1983 and December 1984; the endorsement 'Anticipated issue' shall be stamped on the certificates corresponding to these licences,

— in the case of carry-over of licences, the period of validity of licences expiring on 31 December 1983 and 31 December 1984 may be prolonged by two months by the authority which issued them,

— where supplementary allocations are made in cases of shortages, licences valid for a period of six months may be issued; the endorsement 'Special issue' shall be stamped on the certificates corresponding to these licences.

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.

[1] See page 3 of this Official Journal.

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 5 (3) of Regulation (EEC) No 2870/82.

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, extracts from licences and certificates issued by the authorities of a Member State, as well as 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 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 of their fully used period 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 of expiry of their period of validity to the authority in the Member State which issued them.

Article 6

The original of the export licence and certificate 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 from 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 their own copy and forward the copies destined for the issuing authority of the export licence and the Commission.

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

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

Article 7

1. The licence application must include the following information:

— a description of the products, specifying the category and the NIMEXE code, in accordance with Annex I,

— the quantity of products (in tonnes),

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

— the consignee's name or trade-name and address,

— 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.

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 so issued and certificates so endorsed should 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 tonnages in respect of which licences were issued during the preceding month;

(b) the tonnages exported in the month preceding that referred to in paragraph (a) above.

2. The notifications 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), moreover by NIMEXE code;

(b) a breakdown by licence-holder;

(c) an indication (in tonnes) for each product destined to be temporarily imported into the United States of America for re-export in the same state or without having been subject to substantial transformation there.

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

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

5. At the same time as they submit the monthly notifications provided for in paragraph 1, the Member States shall send to the Commission all relevant information concerning infringements of Regulation (EEC) No 2870/82 and of this Regulation and any penalties thereby imposed.

Article 10

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

It shall apply from 1 November 1982.

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

Done at Brussels, 28 October 1982.

For the Commission

Wilhelm HAFERKAMP

Vice-President

ANNEX I

CCT heading No	NIMEXE code	Description	TSUSA No	Description
		CATEGORY: COLD-ROLLED SHEET (CARBON STEEL)		
		Hoop and strip, not further worked than cold-rolled:		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.12 B II b)	73.12-29 (1)	Other than in coils, for the manufacture of tin plate and other than 'electrical'		Hot coated or plated with metal and not clad:
73.13 B II a)	73.13-41	Non-electrical sheets and plates of iron and steel, not further worked than cold-rolled, of a thickness of 3 mm or more		Other than black plate:
			607.83-20	Plates, pickled or cold-rolled
			607.83-44	Sheets, other than pickled
		High carbon steel		
73.15 A VI b)	73.64-50 (1)	Hoop and strip, not further worked than cold-rolled		
		Sheets and plates:		
73.15 A VII b) 1	73.65-53	Not further worked than cold-rolled, of a thickness of 3 mm or more		
		CATEGORY: COLD-ROLLED SHEET (ALLOY STEEL)		
		Hoop and strip, not further worked than cold-rolled:	607.93-20	Sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.15 B VI b) 3	73.74-54 (1)	— High-speed steel		
73.15 B VI b) 4	73.74-59 (1)	— Other than high-speed steel, stainless or heat-resisting or 'electrical'		Not coated or plated with metal and not clad:
		Sheets and plates, other than 'electrical', not further worked than cold-rolled, of a thickness of 3 mm or more:		Other than black plate, pickled or cold-rolled:
				Other than of tool or stainless steel:
				Other than silicon electrical steel:
73.15 B VII b) 2 aa) 22	73.75-54	— High-speed steel		Other than heat-resisting steel
73.15 B VII b) 2 aa) 33	73.75-59	— Other than high-speed steel, or stainless or heat-resisting		
		CATEGORY: PLATE (CARBON STEEL)		
73.15 A VI c) 1 bb)	73.64-75	Hoop and strip, not further worked than clad, cold-rolled		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
			607.66-15 (2)	— Not coated or plated with metal and not clad:
				Other than black plate:
				Not pickled and not cold-rolled:

(1) Covered if over 12 inches in width.
(2) Excluding semi-finished products, over six inches in thickness, produced by rolling on a primary (slabbing) mill.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
				Plates:
				Other than in coils
			607.94-00	— Clad
				Plates:
				Coated or plated with metal other than tin plate, tin coated sheets, terne plate and terne coated sheets:
			608.07-10	— Valued not over 10 cents per pound
			608.11-00	— Valued over 10 cents per pound
		CATEGORY: STRUCTURAL SHAPES (CARBON STEEL)		
		Angles, shapes and sections of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished:		Angles, shapes and sections, all the foregoing of iron or steel, hot-rolled, forged, extruded or drawn, or cold-formed or cold-finished, whether or not drilled, punched or otherwise advanced:
73.11 A II	73.11-20	— Not further worked than forged		
III a)	73.11-31	— Not further worked than cold-formed or cold-finished:		Hot-rolled or cold-formed and weighing over 0·29 pound per linear foot:
		From coils for re-rolling, universal plates, hoop, strip, sheets or plates		Not drilled, not punched and not otherwise advanced:
III b)	73.11-39	— Other than:		Having a maximum cross sectional dimension of three inches or more:
		From coils for re-rolling, universal plates, hoop, strip, sheets or plates		Wide-flange shapes or sections:
73.15 A V a)	73.63-10	— Not further worked than forged (high carbon steel)	609.80-05	— H-piles
			609.80-15	— Other
73.15 A V c)	73.63-50	— Not further worked than cold-formed or cold-finished (high carbon steel)		Other than wide-flange shapes or sections:
			609.80-35	— Angles
			609.80-41	— Channels
			609.80-45	— Other
		CATEGORY: STRUCTURAL SHAPES (ALLOY STEEL)		
		Bars and rods and hollow mining drill steel; angles, shapes and sections:	609.82-00	Angles, shapes and sections, all the foregoing of iron or steel, hot-rolled, forged, extruded, or drawn, or cold-formed or cold-finished, whether or not drilled, punched, or otherwise advanced:
		Not further worked than forged:		
73.15 B V a) 2	73.73-14 (1)	— High-speed steel		
73.15 B V a) 3	73.73-19 (1)	— Other than high-speed steel or than stainless or heat-resisting		Hot-rolled or cold-formed and weighing over 0·29 pound per linear foot:
		Not further worked than cold-formed or cold-finished:		Not drilled, not punched and not otherwise advanced
		Angles, shapes and sections, made from coils for re-rolling, universal plates, hoop, strip, sheets or plates:		
73.15 B V c) 1 bb)	73.73-49	— Other than stainless or heat-resisting		
		— Other angles, shapes and sections; bars and rods:		

(1) Covered if structural shapes.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
		— Other angles, shapes and sections; bars and rods:		
73.15 B V c) 2 bb)	73.73-54	— High-speed steel		
73.15 B V c) 2 cc)	73.73-55 (1)	— S, Pb and P steels (free-cutting and other)		
73.15 B V c) 2 dd)	73.73-59	— Other than those under the preceding indent, than stainless or heat-resisting or high-speed steel		
		CATEGORY: HOT-ROLLED BARS (CARBON STEEL)		
73.10 D II	73.10-49 (2)	Bars and rods, further worked than clad		Bars of steel (other than deformed concrete reinforcing bars):
73.15 A V d) 2	73.63-79 (2)	Bars and rods, further worked than clad (high carbon steel)		Not cold-formed:
				Not coated or plated with metal:
			606.83-10	— Flats
			606.83-30	— Rounds
			606.83-50	— Other
		CATEGORY: HOT-ROLLED BARS (ALLOY STEEL)		
73.15 B V a) 2	73.73-14 (3)	Bars and rods and hollow mining drill steel; angles, shapes and sections:	606.97-00	Bars of steel (other than deformed concrete reinforcing bars):
		Not further worked than forged:		Other than stainless or tool steel:
		— High-speed steel		Not cold-formed
73.15 B V a) 3	73.73-19 (3)	— Other than high-speed or than stainless or heat-resisting		
73.15 B V d) 2 bb)	73.73-89 (2)	Further worked than clad:		
		— Other than stainless or heat-resisting		
		CATEGORY: COATED SHEET (GALVANIZED AND OTHER) (CARBON STEEL)		
		Hoop and strip:		Sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.12 C II	73.12-40 (4)	— Enamelled		
73.12 C IV a)	73.12-61 (4)	— Electrolytically zinc-coated (electro-galvanized)		Coated or plated with metal:
73.12 C IV b)	73.12-63 (4)	— Zinc-coated otherwise than electro-lytically		Other than tin plate, tin coated sheets, terne plate and terne coated sheets:
73.12 C V a) 2	73.12-75 (4)	Not further worked than clad: cold-rolled	608.07-30	— Valued not over 10 cents per pound
73.12 C V b) 2 dd)	73.12-88 (4)	— Lacquered, varnished, painted or plastic-coated	608.13-00	— Valued over 10 cents per pound
73.15 A VI c) 2	73.64-79 (4)	— Further worked than clad (high carbon steel)		

(1) Covered if structural shapes.
(2) Excluded if cold-finished.
(3) Covered if hot-rolled bar.
(4) Covered if over 12 inches in width.

CCT heading No	NIMEXE code	Description	TSUSA No	Description
		CATEGORY: COATED SHEET (ALLOY STEEL) AND TERNE PLATE AND SHEET		
		Hoop and strip:		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
73.12 C IV c)	73.12-65 (1)	— Lead-coated		
73.15 B VI c) 1 bb)	73.74-74 (1)	— Not further worked than clad: cold-rolled (alloy steel)		Coated or plated with metal:
73.15 B VI c) 2 bb)	73.74-89 (1)	— Further worked than clad: other than stainless or heat-resisting	608.01-00	Terne plate and terne coated sheets
				Sheets of alloy iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
			608.14-40	Coated or plated with metal other than tin plate, tin coated sheets, terne plate and terne coated sheets
		CATEGORY: TIN PLATE (NOT INCLUDING BLACK PLATE)		
73.12 C III b)	73.12-59	Hoop and strip, tinned, other than tin plate		Plates and sheets of iron or steel, not cut, not pressed and not stamped to non-rectangular shape (except as provided in 609.17):
				Coated or plated with metal:
				Tin plate and tin coated sheets:
			607.96-00	— Imported for use in the manufacture of maple sap evaporators
			607.97-00	— Other, valued not over 10 cents per pound
			607.99-00	— Other, valued over 10 cents per pound
		CATEGORY: RAILS		
		Railway and tramway track construction material of iron or steel, the following: rails, rack rails, chairs, chair wedges and other material specialized for joining or fixing rails:		Rails of steel:
				Other than alloy steel:
			610.20-10	— Standard T rails over 60 pounds per yard
			610.20-20	— Other
73.16 A I	73.16-11	Rails current-conducting, with parts of non-ferrous metal	610.21-00	— Alloy steel

(1) Covered if over 12 inches in width.

EUROPEAN COMMUNITY

ANNEX II

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** NIMEXE 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
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 NIMEXE 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:

EUROPEAN COMMUNITY

ANNEX III

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:

type:

number:

date: | | | | | | | | |

Signature:

Stamp:

Customs office:

Member State:

*) The appropriate box to be indicated like this: [X]

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 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:
type:
number:
date: | | | | | | | | |

Signature:

Stamp:

Customs office:

Member State:

*) The appropriate box to be indicated like this: [X]

ANNEX IV

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

1. Licences, extracts thereof 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 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, 'FR' for France, 'GR' for Greece, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands and 'GB' for the United Kingdom.

4. Licences, extracts thereof 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.