COUNCIL REGULATION (EEC) No 3351/83

of 14 November 1983

on the procedure to facilitate the issue of movement certificates EUR.1 and the making out of forms EUR.2 under the provisions governing preferential trade between the European Economic Community and certain countries

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 the provisions governing preferential trade between the European Economic Community and certain countries provide that the preferential originating status of goods needs to be demonstrated by the presentation of movement certificates EUR.1 or forms EUR.2 at import; whereas these movement certificates EUR.1 are issued by the customs authorities of the Member States on the basis of applications made out by Community exporters and the forms EUR.2 have to be made out by Community exporters;

Whereas goods may qualify as preferential originating products as a result of working or processing carried out in more than one Member State;

Whereas it is therefore evident that the information relating to the working or processing carried out in one Member State may be required by a Community exporter in another Member State;

Whereas goods imported in one Member State may have preferential origin status and be intended either for working or processing in, or for re-export in the same state from, another Member State; whereas it is thus evident that information relating to their status may have to be transmitted from one Member State to another;

Whereas the same considerations also apply *mutatis mutandis* to transactions taking place within individual Member States and the procedure established to facilitate the passage of information between firms in different Member States should be extended to cover these transactions;

Whereas experience has demonstrated that the procedure set up under Council Regulation (EEC) No 1908/73 of 4 July 1973 on the procedure to facilitate the issue of movement certificates under the provisions governing trade between the European Economic Community and certain countries (1) for the use of suppliers' declarations and information certificates needs to be modified and presented more clearly and that the form of suppliers' declarations and the information certificates need to be revised;

Whereas under the present procedure a suppliers' declaration can only apply to a single consignment of goods, even though over a period of time the supplier supplies goods, whose origin status remains constant, to a particular customer; whereas it is therefore sensible to provide for suppliers' declarations to be made on a long-term basis;

Whereas the requirement for each supplier's declaration, which is normally given on a commercial invoice, to be signed in manuscript has proved burdensome when invoices are prepared using computer systems as it has become widespread commercial practice not to sign invoices in manuscript for commercial ends; whereas, for this reason, the requirement for manuscript signature of computer-produced supplier declarations may be waived;

Whereas experience has also demonstrated the need for adequate customs verification procedures, as provided for by Council Regulation (EEC) No 1468/81 of 19 May 1981 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters (2).

(1) OJ No L 197, 17. 7. 1973, p. 1.
(2) OJ No L 144, 2. 6. 1981, p. 1.

HAS ADOPTED THIS REGULATION:

TITLE I

GENERAL PROVISIONS

Article 1

Use of suppliers' declarations

1. Suppliers of goods which are intended to be exported from the Community, either in the same state or after further working or processing, may furnish a declaration concerning the status of the goods supplied in relation to the Communities' preferential origin rules, hereinafter referred to as 'suppliers' declaration'.

2. Suppliers' declarations may be used by exporters as evidence, in particular in support of applications made for the issue of movement certificates EUR.1 or as the basis upon which forms EUR.2 can be completed.

Article 2

Use of information certificate INF 4

1. The customs authorities may request the production by the exporter of an information certificate INF 4 to verify the accuracy or authenticity of any supplier's declaration.

2. The customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate in order to verify the correctness of any supplier's declaration or information certificate.

TITLE II

SUPPLIERS' DECLARATIONS

Article 3

Provision of suppliers' declarations

A separate suppliers' declaration shall, except in the cases provided for in Article 4, be given by the supplier for each consignment of goods on the commercial invoice related to that shipment or in an annex to that invoice or on a delivery note or other commercial document related to that shipment which describe the goods concerned in sufficient detail to enable them to be identified.

Article 4

Long-term suppliers' declarations

1. When a supplier regularly supplies a particular customer with goods whose origin status is expected to remain constant for considerable periods of time, he may provide a single suppliers' declaration to cover subsequent shipments of those goods, hereinafter referred to as 'a long-term suppliers' declaration'.

2. A long-term suppliers' declaration may normally be given for a period of up to one year from the date of giving the declaration. The customs authorities may lay down the conditions under which longer periods may be used.

3. The supplier shall inform the buyer immediately if the long-term suppliers' declaration is no longer valid in relation to the goods supplied.

Article 5

Form and completion of suppliers' declarations

1. For products having obtained preferential originating status, the suppliers' declarations, shall be given in the form prescribed in Annex I, or, for long-term suppliers' declarations, in that prescribed in Annex II.

2. For products which have undergone working or processing in the Community without having obtained preferential originating status, the supplier's declarations shall be given in the form prescribed in Annex III or, for long-term suppliers' declarations, in that prescribed in Annex IV.

3. Suppliers' declarations may be made out in a pre-printed form.

Article 6

Signatures

1. Suppliers' declarations shall be signed in manuscript.

2. However, where the invoice and the suppliers' declaration are established using electronic data-processing methods, the suppliers' declaration need not be signed in manuscript provided the responsible official in the supplying company is identified to the satisfaction of the customs authorities in the Member State where the suppliers' declaration are established. The said customs authorities may lay down conditions for the implementation of this paragraph.

TITLE III

INFORMATION CERTIFICATES INF 4

Article 7

Application for and issue of information certificates

1. An information certificate INF 4 shall be issued by the appropriate customs office after any necessary steps have been taken to verify that the information given thereon and on the application made out by the supplier for its issue is correct in relation to the goods supplied.

2. The certificate shall be given or sent to the supplier who shall forward it to the buyer or to the customs office which has requested it to be produced.

3. The application form shall be kept by the issuing office for at least two years.

Article 8

Form of information certificate

1. The form of information certificate INF 4 and application for the issue of an information certificate given in Annex V shall be used and be printed in one or more of the official languages of the Community. Information certificates INF 4 shall be completed in one of those languages in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink in capital letters. They shall bear a serial number, whether or not printed, by which they can be identified.

2. The information certificate INF 4 shall be A4 format (210 × 297 mm); however, a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used shall be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m^2.

3. Member States may reserve the right to print the forms themselves or may have them printed by printers approved by them. In the latter case, each form must include a reference to such approval. The forms shall bear the name and address of the printer or a mark by which the printer can be identified.

TITLE IV

ADMINISTRATIVE AND TRANSITIONAL PROVISIONS

Article 9

Information

Each Member State shall inform the Commission of the steps taken for the application of this Regulation, and of any significant problems which have arisen in connection with its application. The Commission shall keep the other Member States informed.

Article 10

Repeal of previous provisions

1. Regulation (EEC) No 1908/73 is hereby repealed.

2. Suppliers' declarations made and information certificates issued before the date of entry into force of this Regulation shall remain valid.

3. The form of information certificate given in Annex II to Regulation (EEC) No 1908/73 may be used for a period of 12 months from the entry into force of this Regulation under the conditions laid down in this Regulation.

Article 11

Entry into force

This Regulation shall enter into force on the first day of the third month 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, 14 November 1983.

For the Council
The President
C. SIMITIS

ANNEX I

DECLARATION FOR PRODUCTS HAVING PREFERENTIAL ORIGIN STATUS

I, the undersigned, declare that the goods listed on this invoice..... (1)

were produced in ..... (2) and satisfy the rules of origin governing preferential trade with:

..... (3)

.....

.....

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

..... (4) ..... (5)

..... (6)

Note
The text inside the box, suitably completed in conformity with the footnotes below, constitutes a suppliers' declaration. The footnotes do not have to be reproduced.

---

(1) — If only some of the goods listed on the invoice are concerned they should be clearly indicated or marked and this marking entered on the declaration as follows: '..... listed on this invoice and marked ..... were produced .....',
— If a document other than the invoice or an annex to the invoice is used (see Article 3), the name of the document concerned shall be mentioned instead of the word 'invoice'.

(2) The Community, Member State or partner State. Where a partner State is given, a reference must also be made to the Community customs office holding the EUR.1(s) or EUR.2(s) concerned, giving the No of the certificate(s) or form(s) concerned and, if possible, the relevant customs entry No involved.

(3) List partner State or States concerned.

(4) Place and date.

(5) Name and function in company.

(6) Signature.

ANNEX II

LONG-TERM DECLARATION FOR PRODUCTS HAVING PREFERENTIAL ORIGIN STATUS

I, the undersigned, declare that the goods described below:

..... (1) ..... (2)

....

....

which are regularly supplied to ..... (3) were produced in ..... (4) and satisfy the rules of origin governing preferential trade with ..... (5)

This declaration is valid for all further shipments of these products dispatched from ..... to ..... (6). I undertake to inform ..... (3) immediately if this declaration is no longer valid.

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

..... (7) ..... (8)

..... (9)

Note
The text inside the box, suitably completed in conformity with the footnotes below, constitutes a suppliers' declaration. The footnotes do not have to be reproduced.

---

(1) Description.
(2) Commercial designation as used on invoices, e.g. model No.
(3) Name of company being supplied.
(4) The Community, Member State or partner State. Where a partner State is given, a reference must be made to the Community customs office holding the EUR.1(s) or EUR.2(s) concerned.
(5) List partner State or States concerned.
(6) Insert dates. The period should not normally, subject to the conditions laid down by the customs authorities, exceed 12 months.
(7) Place and date.
(8) Name and function, name and address of company.
(9) Signature.

ANNEX III

DECLARATION FOR PRODUCTS NOT HAVING PREFERENTIAL ORIGIN STATUS

I, the undersigned, declare that the goods listed on this invoice ..... (1) were produced in ..... (2) and incorporate the following components or materials which do not have Community origin for preferential trade:

..... (3)	..... (4)	..... (5)
.....	.....	.....
.....	.....	.....

..... (6)

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

..... (7)

..... (8)

..... (9)

Note

The text inside the box, suitably completed in conformity with the footnotes below, constitutes a suppliers' declaration. The footnotes do not have to be reproduced.

---

(1) — If only some of the goods listed on the invoice are concerned they should be clearly indicated or marked and this marking entered on the declaration as follows: 'Listed on this invoice and marked ..... were produced .....',

— If a document other than the invoice or an annex to the invoice is used (see Article 3), the name of the document concerned shall be mentioned instead of the word 'invoice'.

(2) The Community or Member State.

(3) Description is to be given in all cases. The description must be adequate and should be sufficiently detailed to allow the tariff classification of the goods concerned to be determined.

(4) Customs values to be given only if required.

(5) Country of origin to be given only if required. The origin to be given must be a preferential origin, all other origins to be given as 'third country'.

(6) 'and have undergone the following processing in [the Community] [Member State] .....' to be added with a description of the processing carried out if this information is required.

(7) Place and date.

(8) Name and function in company.

(9) Signature.

ANNEX IV

LONG-TERM DECLARATION FOR PRODUCTS NOT HAVING PREFERENTIAL ORIGIN STATUS

I, the undersigned, declare that the goods described below ..... (1)

..... (2), which are regularly supplied to

..... (3) were produced in ..... (4) and incorporate the following components or materials which do not have Community origin for preferential trade:

..... (5)	..... (6)	..... (7)
.....	.....	.....
.....	.....	.....

..... (8)

This declaration is valid for all further shipments of these products dispatched from

..... to ..... (9). I undertake to inform

..... (3) immediately if this declaration is no longer valid.

I undertake to make available to the customs authorities, if required, evidence in support of this declaration.

..... (10) ..... (11)

..... (12)

Note
The text inside the box, suitably completed in conformity with the footnotes below, constitutes a suppliers' declaration. The footnotes do not have to be reproduced.

---

(1) Description.
(2) Commercial designation as used on invoices, e.g. model No.
(3) Name of company being supplied.
(4) The Community or Member State.
(5) Description is to be given in all cases. The description must be adequate and should be sufficiently detailed to allow the tariff classification of the goods concerned to be determined.
(6) Customs values to be given only if required.
(7) Country of origin to be given only if required. The origin to be given must be a preferential origin, all other origins to be given as 'third country'.
(8) 'and have undergone the following processing in [the Community] [Member State] .....' to be added with a description of the processing carried out if this information is required.
(9) Insert dates. The periods should not normally, subject to the conditions laid down by the customs authorities, exceed 12 months.
(10) Place and date.
(11) Name and function, name and address of company.
(12) Signature.

ANNEX V

1. Supplier (Full name and address, country)

2. **INF 4** **No**

INFORMATION CERTIFICATE

For use in facilitating the preferential trade between the European Communities

and .....
(Name of country or countries or preferential arrangement)

3. Consignee (Full name and address, country)

NOTES

(1) The term 'invoice' shall also be taken as including delivery notes or other commercial documents relating to the shipment or shipments concerned and upon which the declaration or declarations concerned were given.

(2) In the case of long-term declarations, this box need not be completed.

(3) The goods shown in box 6 must be described in accordance with commercial practice and with sufficient details to enable them to be identified.

(4) Indicate appropriate text.

4. Remarks

5. Invoice(s) No(s) (1) (2)

6. Item number — Marks and numbers — Number and kind of packages — Description of goods supplied (3)

7. Net mass (kg)

8. This/These declaration(s) concerning the origin status of the goods described above in box 6 made (4):

☐ on the invoice(s) (1) shown in box 5 and which are attached to this certificate

☐ on my long-term declaration of .....
(Date)

is/are correct.

9. **CUSTOMS CERTIFICATION**

Declaration certified — Stamp:

Customs document (where appropriate): — Type:

No:

Customs office:

Issuing country or territory:

Date:

Signature:

Place:

Date:

Name and signature:

1. Supplier (Full name and address, country)

2. **INF 4** No

APPLICATION FOR INFORMATION CERTIFICATE

For use in facilitating the preferential trade between the European Communities

and .....
(Name of country or countries or preferential arrangement)

3. Consignee (Full name and address, country)

NOTES

(1) The term 'invoice' shall also be taken as including delivery notes or other commercial documents relating to the shipment or shipments concerned and upon which the declaration or declarations concerned were given.

(2) In the case of long-term declarations, this box need not be completed.

(3) The goods shown in box 6 must be described in accordance with commercial practice and with sufficient details to enable them to be identified.

(4) Indicate appropriate text.

4. Remarks

5. Invoice(s) No(s) (1) (2)

6. Item number — Marks and numbers — Number and kind of packages — Description of goods supplied (3)

7. Net mass (kg)

8. This/These declaration(s) concerning the origin status of the goods described above in box 6 made (4):

☐ on the invoice(s) (1) shown in box 5 and which are attached to this certificate

☐ on my long-term declaration of .....
(Date)

is/are correct.

Place:

Date:

Name and signature: