

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 924 final

Brussels, 29 January 1981

Proposal for a

## COUNCIL REGULATION (EEC)

on the application of Joint Committee EEC Decision (1) No adding to and amending Lists A and B annexed to Protocol No 3 concerning the definition of the concept of originating products and methods of administrative cooperation

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Draft

## JOINT COMMITTEE DECISION LIBRARIES

adding to and amending Lists A and B annexed to Protocol No 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation

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(submitted to the Council by the Commission)

(1) Austria, Finland, Iceland, Norway, Portugal, Sweden, Switzerland

### EXPLANATORY NOTE

In the context of adopting Joint Committee Decision No. 1/77 of each of the EEC-EFTA Agreements, a Joint Committee Declaration was made as follows :

" When the new Lists A and B, introduced by Decision No. 1/77 following the amendments made to the Customs Cooperation Council Nomenclature; modify, because the texts were simplified, the effect of one or other of the rules existing prior to Decision No. 1/77, and if it is said that the modification results in a situation prejudicial to the interest of the sector concerned, the need to re-establish the effect of the rule concerned as it was before Decision No. 1/77 will be examined urgently at the request of one of the contracting parties, until 31 December 1979, in accordance with the procedure laid down in Article 28 of Protocol No 3. "

This review has been carried out and an anomaly was discovered in relation to heading ex 35.07. The current rules in Lists A and B are restricted to enzymatic preparations used for certain purposes and the same or similar enzymatic preparations used for different purposes have a more restrictive rule. It is therefore proposed to remove this anomaly by applying the rules uniformly and the annexed draft of a model Decision to be taken by each Joint Committee includes the amendments upon which an agreement has been reached after discussion on this subject with the customs experts of the Member States.

It is suggested that the Council adopts this draft on the common position of the Community for use in the EEC-EFTA Joint Committees.

For reasons of clarity of presentation and to prevent duplication of work a model proposition for Council Regulations to apply the Joint Committee Decisions is also annexed.

Proposal Council Regulation (EEC) on the application of Joint  
Committee EEC-Decision (1) No. adding to and amending Lists A and B  
annexed to Protocol No 3 concerning the definition of the concept of originating  
products and methods of administrative cooperation

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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 of the Commission,

Whereas an Agreement between the European Economic Community and

(2) (3) was signed on (4) and entered into force on  
(5);

Whereas by virtue of Article 28 of Protocol No 3 concerning the definition  
of the concept of originating products and methods of administrative cooperation,  
which forms an integral part of the above Agreement, the Joint Committee  
has adopted Decision No adding to and amending Lists A and B annexed  
to that Protocol.

Whereas it is necessary to apply this Decision in the Community;

.../...

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- (1) Austria, Finland, Iceland, Norway, Portugal, Sweden, Switzerland
  - (2) The Republic of Austria, the Republic of Finland, the Republic of  
Iceland, the Kingdom of Norway, the Portuguese Republic, the Kingdom  
of Sweden, the Swiss Confederation
  - (3) Austria, Sweden, Switzerland : OJ No L 300 of 31.12.72  
Finland : OJ No L 328 of 28.11.73  
Norway : OJ No L 171 of 27.6.73  
Iceland, Portugal : OJ No L 301 of 31.12.72
  - (4) Austria, Iceland, Portugal, Sweden, Switzerland : 22 July 1972  
Norway : 14 May 1973  
Finland : 5 October 1973
  - (5) Austria, Portugal, Sweden, Switzerland : 1st January 1973  
Iceland : 1st April 1973  
Norway : 1st July 1973  
Finland : 1st January 1974

HAS ADOPTED THIS REGULATION :

Article 1

Decision No.        of the EEC-        (1) Joint Committee shall apply in the  
Community.

The text of the Decision is annexed to this Regulation.

Article 2

This Regulation shall enter into force on the third 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,

For the Council  
The President

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(1) Austria, Finland, Norway, Portugal, Sweden, Switzerland, Iceland.

AGREEMENT EEC-

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The Joint Committee

Draft

JOINT COMMITTEE DECISION

adding to and Lists A and B annexed to Protocol No 3 concerning the definition of the concept of "originating products" and methods of administrative cooperation

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THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the (1) signed in Brussels on (2),

Having regard to Protocol No 3 concerning the definition of the concept of originating products and methods of administrative cooperation (hereinafter referred to as "Protocol No 3"), and in particular Article 28 thereof,

Whereas, as a result of the adoption of Joint Committee Decision No 1/77, certain anomalies in the rules of origin relating to enzymatic preparations have been established; whereas it is desirable to remove these anomalies;

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(1) The Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Portuguese Republic, the Kingdom of Sweden, the Swiss Confederation

(2) Austria, Iceland, Portugal, Sweden, Switzerland : 22 July 1972  
Norway : 14 May 1973  
Finland : 5 October 1973

Finished products		Working or processing that confers the status of originating products
CCT Heading No.	Description	
ex Chapter 28 - 37	Products of the chemical and allied industries excluding sulphuric anhydride (ex 28.13), tannins (ex 32.01), essential oils, resinoids and terpenic by-products (ex 33.01), prepared enzymes <u>not</u> otherwise specified or included (ex 35.07)	Working or processing in which the value of the non-originating products used does not exceed 20% of the value of the finished product
ex 35.07	Prepared enzymes <u>not</u> otherwise specified or included	Manufacture in which the value of the products used doew not exceed 50% of the value of the finished product