

COMMISSION DECISION

of 30 July 1964

on the institution of a special method of administrative co-operation for applying intra-Community treatment to the fishery catches of vessels of Member States

(64/503/EEC)

THE COMMISSION OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the provisions of the Treaty, and in particular the first subparagraph of Article 10 (2) thereof;

Whereas the methods of administrative co-operation provided for in the Decision of 5 December 1960¹ cannot be used where the fishery catch of vessels of a Member State is imported into another Member State without prior transit through a port in the territory of the first Member State;

Whereas Community fishing vessels must therefore return to their home State in order that a certificate may be issued which will enable their catch to benefit from intra-Community treatment in the other Member States;

Whereas, in order to remedy this situation, there are grounds for instituting a special method of administrative co-operation enabling any Member State to establish in such cases that fish caught by vessels of another Member State in fact originated in that State, within the meaning of Article 9 (2) of the Treaty, and are thus eligible for intra-Community treatment;

HAS ADOPTED THIS REGULATION:

Article 1

Within the framework of the administrative co-operation provided for in the first sub-paragraph of Article 10 (2) of the Treaty, a movement certificate (Form DD5) shall be introduced. The purpose of that certificate shall be to establish that fishery catches of vessels of a Member State originate in that Member

State within the meaning of Article 9 (2) of the Treaty, even though they were landed in another Member State (hereinafter called the 'Member State of entry') either in the natural state or after simple processing for preservation, without prior transit through a port in the territory of the first State.

Article 2

1. The movement certificate (Form DD5) can be used only if the goods to which it refers:
 - (a) are carried from the fishing grounds to the Member State of entry in the vessel which actually made the catch; or
 - (b) are carried in the vessel which actually made the catch from the fishing grounds to a customs warehouse in an associated State or territory and forwarded from there to the Member State of entry.
2. Where the catch to which it relates is declared for home use in the Member State of entry, the movement certificate (Form DD5) duly completed, shall constitute the document on production of which intra-Community treatment is granted.

Where the catch to which it relates is re-exported from the Member State of entry to another Member State, the movement certificate (Form DD5) duly completed, shall constitute the document on production of which the customs authorities of the re-exporting Member State shall issue a movement certificate form DD1 or DD3 in respect of that catch in accordance with the provisions of the Commission Decision of 5 December 1960.

Article 3

The movement certificate (Form DD5) shall be made out on a form of which a specimen is annexed to

¹ OJ No 4, 20.1.1961, p. 29/61.

this Decision. It shall be in the language (or one of the languages) of the Member State to which the fishing vessel belongs. It shall be completed in typewriting or handwriting—if the latter, in ink and block capitals.

The movement certificate forms DD5 shall be bound in booklets of ten, there being one detachable original and one non-detachable duplicate of each form.

The size of the certificates shall be 21 × 30 cm. The paper used for the original shall be free of mechanical pulp, dressed for writing purposes, and weigh at least 64 g/m². It shall have printed on it a green guilloche pattern such as to reveal any falsification by mechanical or chemical means.

The front of the original of each certificate form shall bear a blue band running diagonally from the lower left to the top right corner.

Member States may themselves print the certificate forms and assemble them in booklets, or entrust the work to printers appointed by them. In the latter case, reference to the appointment must appear on each form. Furthermore, each certificate form (original and duplicate) must bear the distinguishing mark of the appointed printing works and an individual serial number.

Article 4

A booklet of movement forms DD5 shall be issued at the request of the shipowner or his representative, by the customs authorities of the port of registry or home port of the vessel.

Those customs authorities, when issuing the booklet, shall complete the section headed 'Customs Certificate' on all the forms in the booklet.

Each time the vessel's catch is landed either in the Member State of entry or in a warehouse in an associated State or territory, the master of the vessel concerned shall complete the section headed 'Master's Declaration' on one of the forms in the booklet.

Article 5

The original of the movement certificate (Form DD5) completed as provided in Article 4 must be presented to the customs authorities of the Member State of entry in accordance with the procedure laid down by that Member State. These authorities shall have the right to require a translation. They may further require, in order to check the entries on the certificate,

that all relevant documents, and in particular the ship's papers of the fishing vessel, be produced, and may also require a translation of those documents.

Where the catch to which the DD5 certificate refers has been stored in a customs warehouse in an associated State or territory, the certificate shall be valid only if accompanied by a statement from the customs authorities in control of the warehouse. The statement shall certify:

- (a) that the accuracy of the entries on the movement certificate (Form DD5) has been verified;
- (b) that the goods to which it relates have been under customs supervision throughout the period of their storage in the warehouse and have not undergone any handling or processing other than is necessary for their preservation.

It shall also specify exactly the means of transport used for the onward carriage of the fishery catch from the customs warehouse to the Member State of entry.

Article 6

Packings presented at the same time as the catch to which the DD5 certificate relates shall only be accorded intra-Community treatment if separate proof is supplied to the customs authorities that they are eligible for such procedure.

Article 7

Each time the fishing vessel returns to its port of registry or home port, if use has been made since its departure of the booklet of movement certificate forms DD5, the owner or his representatives shall be required to produce the booklet at the customs office of issue so that the duplicates may be verified.

The booklet shall be returned to the holder after each verification until all the forms have been used.

Article 8

Where a vessel for which a booklet of movement certificate forms DD5 has been issued ceases, before all the forms have been used, to satisfy the requisite conditions for according its catch intra-Community treatment in other Member States, the booklet shall be returned immediately to the customs office of issue

Article 9

In order that the provisions of this Decision may be properly applied, Member States shall afford each other assistance in verifying the authenticity of movement certificate forms DD5 and the accuracy of the entries thereon.

Article 10

Member States shall apply this Decision from 1 November 1964.

Article 11

This Decision is addressed to the Member States.

Done at Brussels, 30 July 1964.

For the Commission

The President

Walter HALLSTEIN

ANNEX

See Form DD5 reproduced on following pages

EEC

CEE

EWG

EEG

D.D.5

CERTIFICAT DE CIRCULATION DES MARCHANDISES
CERTIFICATO PER LA CIRCULAZIONE DELLE MERCI
MOVEMENT CERTIFICATE

WARENVERKEHRSBESCHEINIGUNG
CERTIFICAAT INZAKE GOEDERENVERKEER

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A. CUSTOMS CERTIFICATE

The undersigned customs officer hereby certifies that the conditions laid down by
law are met in respect of the fish caught and, if such should be the case, processed by the under-mentioned vessel:

Name and type
of vessel:

Registration number:

Port of registry
or home port:

Shipowner:
(name or firm and full address)

and may be considered as originating in under Article 9 (2) of the Treaty
(Member State)



Customs office

..... 19

(Signature of customs officer)

B. MASTER'S DECLARATION

I the undersigned master of the
(full name) (name of vessel)
declare that the under-mentioned items:

Number and kind of packages ¹	Description of produce	Gross Weight
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.....
.....
.....
.....
.....
.....
.....
.....

have been caught by the above vessel.

The making out of this certificate has been recorded on page of the ship's logbook.

At on 19

(place of signature)

(Signature of master)

¹ If appropriate show 'in bulk'

REQUEST FOR VERIFICATION OF THIS
MOVEMENT CERTIFICATE D.D.5.

The undersigned customs officer requests that the authenticity of the document and the accuracy of the information contained herein be verified.

Official
Stamp

At on
(place of signature) (date)

.....
(Signature of customs officer)

RESULT OF VERIFICATION

The verification carried out by the undersigned customs officer has shown that this document:

1. Was duly issued by the customs office named, and that the information contained therein is correct¹
2. Does not satisfy the requirements as to conditions of authenticity and regularity (see remarks annexed hereto)¹

Official
Stamp

At on
(place of signature) (date)

.....
(Signature)

¹ Delete as necessary