

Commission Decision of 18 September 2008 on a temporary derogation from the rules of origin laid down in Annex II to Council Regulation (EC) No 1528/2007 to take account of the special situation of Madagascar with regard to preserved tuna and tuna loins (notified under document number C(2008) 5097) (2008/751/EC)

[^{F1} Article 1

By way of derogation from Annex II to Regulation (EC) No 1528/2007 and in accordance with its Article 36(1)(a), preserved tuna and tuna loins of HS Heading 1604 manufactured from non-originating tuna of HS Headings 0302 or 0303 shall be regarded as originating in Madagascar in accordance with the terms set out in Articles 2 to 5 of this Decision.]

Textual Amendments

- F1** Substituted by [Commission Implementing Decision of 4 April 2012 amending Decisions 2008/603/EC, 2008/691/EC and 2008/751/EC as regards the temporary derogations from the rules of origin laid down in Annex II to Council Regulation \(EC\) No 1528/2007 to take account of the special situation of Mauritius, Seychelles and Madagascar with regard to preserved tuna and tuna loins \(notified under document C\(2012\) 2321\) \(2012/190/EU\)](#).

[^{F1} Article 2

The derogation provided for in Article 1 shall apply to the products and the quantities set out in the Annex which are declared for release for free circulation into the Community from Madagascar during the periods of 1 January 2008 until 31 December 2008, 1 January 2009 until 31 December 2009, 1 January 2010 until 31 December 2010, 1 January 2011 until 31 December 2011 and 1 January 2012 until 31 December 2012.]

Textual Amendments

- F1** Substituted by [Commission Implementing Decision of 4 April 2012 amending Decisions 2008/603/EC, 2008/691/EC and 2008/751/EC as regards the temporary derogations from the rules of origin laid down in Annex II to Council Regulation \(EC\) No 1528/2007 to take account of the special situation of Mauritius, Seychelles and Madagascar with regard to preserved tuna and tuna loins \(notified under document C\(2012\) 2321\) \(2012/190/EU\)](#).

Article 3

The quantities set out in the Annex to this Decision shall be managed in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 4

The customs authorities of Madagascar shall take the necessary measures to carry out quantitative checks on exports of the products referred to in Article 1.

To that end, all the EUR.1 movement certificates they issue in relation to those products shall bear a reference to this Decision.

The competent authorities of Madagascar shall forward to the Commission a quarterly statement of the quantities in respect of which EUR.1 movement certificates have been issued pursuant to this Decision and the serial numbers of those certificates.

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 18 September 2008 on a temporary derogation from the rules of origin laid down in Annex II to Council Regulation (EC) No 1528/2007 to take account of the special situation of Madagascar with regard to preserved tuna and tuna loins (notified under document number C(2008) 5097) (2008/751/EC). (See end of Document for details)

Article 5

Box 7 of EUR.1 certificates issued under this Decision shall contain the following:

Derogation — Decision 2008/751/EC.

^{F1}Article 6

This Decision shall apply from 1 January 2008 until 31 December 2012.]

Textual Amendments

- F1** Substituted by Commission Implementing Decision of 4 April 2012 amending Decisions 2008/603/EC, 2008/691/EC and 2008/751/EC as regards the temporary derogations from the rules of origin laid down in Annex II to Council Regulation (EC) No 1528/2007 to take account of the special situation of Mauritius, Seychelles and Madagascar with regard to preserved tuna and tuna loins (notified under document C(2012) 2321) (2012/190/EU).

Article 7

This Decision is addressed to the Member States.

Changes to legislation:

There are currently no known outstanding effects for the Commission Decision of 18 September 2008 on a temporary derogation from the rules of origin laid down in Annex II to Council Regulation (EC) No 1528/2007 to take account of the special situation of Madagascar with regard to preserved tuna and tuna loins (notified under document number C(2008) 5097) (2008/751/EC).