

COMMISSION DECISION**of 19 December 1969****on adaption of the methods of administrative cooperation introduced for the purpose of applying Article 9 (2) of the EEC Treaty to the new rules applicable in the field of Community transit****(70/41/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 10 (2) thereof;

Whereas Council Regulation (EEC) No 542/69¹ of 18 March 1969 on Community transit, introduced transit procedures which differed according to whether the goods in question were Community goods or goods from third countries;

Whereas with regard to goods which, pursuant to the provisions of that Regulation, are not transported under a Community transit procedure, proof of the Community nature of the goods is provided by the internal Community transit document known as T2L which is issued for that purpose;

Whereas, with regard to the crossing of a third country, the Community transit procedure applies only where the crossing of that country is covered by a single transport document issued in a Member State and where the use of the T2L document is subject to the like requirement;

Whereas, consequently, the use of movement certificates introduced by the Commission Decisions of 5 December 1960² and 17 July 1963³ proves to be no longer necessary save for movement certificate DD3 which is for certifying the Community nature of goods that are not transported directly from one Member State to another;

Whereas the rules for issue and use of movement certificate DD3 should continue to apply with such amendments as may be necessary to meet the current situation;

Whereas transitional provisions are necessary to ensure a smooth changeover from the system of movement certificates to that introduced by Regulation (EEC) No 542/69,

HAS ADOPTED THIS DECISION:

Article 1

1. A movement certificate DD3 shall on application by the exporter be issued in respect of goods which satisfy the conditions contained in Articles 9 and 10 of the Treaty establishing the European Economic Community and are dispatched from a Member State to a place outside the Community, from where they may be redispached in an unaltered state to another Member State.

2. Movement certificate DD3 may not be issued in respect of packaged goods unless the packagings, as well as the goods themselves, satisfy the conditions contained in Articles 9 and 10 of the Treaty.

3. Movement certificate DD3 shall not be issued in respect of goods referred to in:

- Article 1 of Council Regulation No 120/67/EEC⁴ of 13 June 1967 on the common organization of the market in cereals;
- Article 1 of Council Regulation No 121/67/EEC⁵ of 13 June 1967 on the common organization of the market in pigmeat;
- Article 1 of Council Regulation No 122/67/EEC⁶ of 13 June 1967 on the common organization of the market in eggs;
- Article 1 of Council Regulation No 123/67/EEC⁷ of 13 June 1967 on the common organization of the market in poultrymeat;

¹ OJ No L 77, 29.3.1969, p. 1.

² OJ No 4, 20.1.1961, p. 29/61.

³ OJ No 76, 24.8.1962, p. 2140/62.

⁴ OJ No 117, 19.6.1967, p. 2269/67.

⁵ OJ No 117, 19.6.1967, p. 2283/67.

⁶ OJ No 117, 19.6.1967, p. 2293/67.

⁷ OJ No 117, 19.6.1967, p. 2301/67.

- Articles 1 (2) (c) and (e), 15 (1) and 21 (1) of Council Regulation No 136/66/EEC¹ of 22 September 1966 on the establishment of a common organization of the market in oils and fats;
- Article 1 of Council Regulation No 170/67/EEC² of 27 June 1967 on the common trading system for ovalbumin and lactalbumin, revoking Regulation No 48/67/EEC;
- Article 1 (1) of Council Regulation No 359/67/EEC³ of 25 July 1967 on the common organization of the market in rice;
- Article 1 (1) of Council Regulation No 1009/67/EEC⁴ of 18 December 1967 on the common organization of the market in sugar;
- Article 1 of Council Regulation (EEC) No 804/68⁵ of 27 June 1968 on the common organization of the market in milk and milk products;
- Article 1 of Council Regulation (EEC) No 805/68⁶ of 27 June 1968 on the common organization of the market in beef and veal;
- Annex II to Council Regulation (EEC) No 865/68⁷ of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables;

or for goods subject to Council Regulation (EEC) No 1059/69⁸ of 28 May 1969 determining the trading system applicable to certain goods resulting from the processing of agricultural products.

Article 2

1. Movement certificate DD3 shall be issued by the customs authorities of the exporting State as soon as the customs formalities regarding dispatch of the goods have been completed.
2. It shall not be issued if the goods have left the customs territory of the Community.
3. It shall be drawn up in such manner as to enable the goods to which it refers to be identified if they are reintroduced into the Community. The customs authorities of the exporting Member State shall, in addition, take such steps as they consider necessary to facilitate identification and shall note them on the certificate itself.

Article 3

1. Movement certificate DD3 shall be produced not later than six months from its date of issue at the customs office where the goods to which the certi-

cate relates are declared for the purpose of placing them either under a customs procedure for the first time or a customs procedure other than that under which they are reintroduced into the Community.

2. It shall be valid only in respect of the quantities of goods reintroduced into the Community during the same period.

Article 4

1. Movement certificates DD3 shall be in the form set out in the Annex.

2. White paper shall be used, free of mechanical pulp, dressed for writing purposes and weighing between 55 and 65 g/m². It shall have a printed guilloche pattern background in green such as to reveal any falsification by mechanical or chemical means. The front page of each certificate shall bear a red diagonal line from the bottom left-hand corner to the top right-hand corner.

The size of the form shall be 210 × 297 mm.

3. Member States shall be responsible for having the forms printed. The forms may also be printed by printers appointed by the Member State in which they are established, in which case each form shall make a reference to the appointment. Each form shall bear the name and address of the printer or a mark enabling the printer to be identified. It shall also bear an individual serial number.

4. The forms shall be printed and completed in one of the official languages of the Community to be designated by the competent authorities of the exporting Member State. The competent authorities of the Member State in which the certificate is produced may require it to be translated into the official languages of that Member State.

5. Member States may require the certificate to be drawn up in duplicate, one copy being retained by the customs office where the customs formalities for dispatch are completed.

6. Movement certificate DD3 forms complying as regards format and paper used with the third paragraph of Article 7 of the Commission Decision⁹ of 5 December 1960 may continue to be used up to and including 31 December 1970.

Article 5

Member States shall assist one another in verifying the authenticity of movement certificate DD3 and the accuracy of the information contained therein.

Article 6

1. Save for the purpose of applying the second paragraph of Article 8 of Commission Regulation

¹ OJ No 172, 30.9.1966, p. 3025/66.

² OJ No 130, 28.6.1967, p. 2596/67.

³ OJ No 174, 31.7.1967, p. 1.

⁴ OJ No 308, 18.12.1967, p. 1.

⁵ OJ No L 148, 28.6.1968, p. 13.

⁶ OJ No L 148, 28.6.1968, p. 24.

⁷ OJ No L 153, 1.7.1968, p. 8.

⁸ OJ No L 141, 12.6.1969, p. 1.

⁹ OJ No 4, 20.1.1961, p. 29/61.

(EEC) No 2315/69¹ of 19 November 1969 and subject to the provisions of paragraph 2 of this Article, the following Decisions shall cease to have effect:

- Decision relating to methods of administrative cooperation for the purpose of applying Article 9 (2) of the Treaty establishing the European Economic Community;
- Commission Decision² addressed to Member States, establishing special methods of administrative cooperation for the application of the intra-Community levies instituted within the framework of the common agricultural policy;
- Commission Decision³ of 28 October 1964 on methods of administrative cooperation for the application of the intra-Community system to certain products falling within Regulation No 14/64/EEC on the progressive establishment of a common organization of the market in beef and veal and the movement of goods obtained from those products in the circumstances referred to in the second subparagraph of Article 10 (2) of the Treaty;
- Commission Decision⁴ of 8 January 1965 fixing the conditions of issue of movement certificates, DD1, DD3 and DD4 relating to packed goods;
- Commission Decision⁵ of 9 November 1966 on methods of administrative cooperation to ensure the free circulation of certain products in the olive oil sector;
- Commission Decision⁶ of 28 April 1967 extending the field of application of its Decision of 17 July 1962 establishing special methods of administrative cooperation for the application of intra-Community levies instituted within the framework of the common agricultural policy to products which are the subject of Council Regulation No 48/67/EEC;
- Commission Decision⁷ of 19 May 1967 extending the field of application of its Decision of 17 July 1962, establishing special methods of administrative cooperation for application of intra-Community levies instituted within the framework of the common agricultural policy, to goods which are the subject of Council Regulation No 160/66/EEC;
- Commission Decision⁸ of 30 June 1967 on methods of administrative cooperation to ensure the free

circulation of products in the cereal, pigmeat, egg and poultrymeat sectors;

- Commission Decision⁹ of 3 July 1967 extending the field of application of its Decision of 17 July 1962 instituting special methods of administrative cooperation for the application of intra-Community levies instituted within the framework of the common agricultural policy for colza, rape and sunflower seed referred to in Council Regulation No 136/66/EEC;
- Commission Decision¹⁰ of 20 September 1967 on methods of administrative cooperation to ensure free circulation of rice;
- Commission Decision¹¹ of 17 October 1967 on the procedure for using the certificate DD4 for certain trade in agricultural products;
- Commission Decision¹² of 13 August 1968 on methods of administrative cooperation to ensure the free circulation of products in the sugar, milk, dairy products and beef and veal sectors.

2. As a transitional measure, these Decisions shall remain applicable with regard to:

- the effect of movement certificates issued before 1 January 1970;
- the issue and effect of movement certificates relating to goods which, in accordance with the second subparagraph of Article 62 (2) of Regulation (EEC) No 542/69, are dispatched up to and including 10 January 1970, under a procedure other than that of internal Community transit.

Article 7

Member States shall apply this Decision from 1 January 1970.

Article 8

This Decision is addressed to Member States.

Done at Brussels, 19 December 1969.

For the Commission

The President

Jean REY

¹ OJ No L 295, 24.11.1969, p. 14.

² OJ No 76, 24.8.1962, p. 2140/62.

³ OJ No 173, 31.10.1964, p. 2763/64.

⁴ OJ No 6, 21.1.1965, p. 49/65.

⁵ OJ No 210, 18.11.1966, p. 3393/66.

⁶ OJ No 91, 12.5.1967, p. 1778/67.

⁷ OJ No 100, 30.5.1967, p. 1985/67.

⁸ OJ No 150, 12.7.1967, p. 9.

⁹ OJ No 180, 3.8.1967, p. 12.

¹⁰ OJ No 248, 13.10.1967, p. 3.

¹¹ OJ No 258, 25.10.1967, p. 15.

¹² OJ No L 206, 17.8.1968, p. 19.

DD3

EEC

CEE

EWG

EEG

CERTIFICAT DE CIRCULATION DES MARCHANDISES

WARENVERKEHRSBESCHEINIGUNG

CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MOVEMENT CERTIFICATE

DECLARATION BY THE EXPORTER

I, the undersigned

(full name and address of exporter)

being the exporter of the goods described below:

[illegible]

Total number of packages (col.3) _____

in words

Total quantities (col.6) _____

declare that these goods which are in _____

satisfy the conditions required for the issue of this certificate:

Place of loading: _____

Shipped on (date) _____ No _____

Country of destination of goods at the time of exportation: _____

At _____, on _____
(Place) (date)

(Signature of exporter)

¹ For goods in bulk, indicate the name of the vessel or the number of the railway wagon or road vehicle.

RESULT OF CUSTOMS EXAMINATION AND INDICATION OF MEANS OF IDENTIFICATION¹

Declaration certified correct

Export document model _____ No _____ of _____

Customs office _____

Date _____ 19____

Official stamp

(Signature of customs officer)

¹ The Customs authorities at the place of exportation should give in this space any relevant details which may facilitate identification of the goods. They should also indicate any special identification measures such as sealing, stamping, etc., which they have taken.

Spaces not used should be crossed through so as to make any later additions impossible.

REQUEST FOR VERIFICATION OF THIS MOVEMENT CERTIFICATE DD3

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

Official
stamp

At _____, on _____
(Place) (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) (date)

(Signature)

¹ Delete as necessary.