

Issuing of a longterm supplier's declaration

1. General aspects / legal basis

Longterm supplier's declarations are documents which are issued by a supplier as a proof of origin of a certain product. Supplier's declarations are generally the responsibility of the supplier and are issued without government involvement. They represent an important component in the chain of proof of the preferential origin characteristic of a product and are also accepted as an alternative in the field of non-preferential origins by the Chambers of Industry and Commerce as preliminary documents. However, supplier's declarations can be randomly-checked with an information sheet INF4. In this case the local customs office in charge must confirm the supplier's declaration. It is the supplier's duty to provide all necessary proof documents.

The legal basis is the EC regulation no. 1207/2001 (published in the official register of the EC no. L 165 of 21 June 2001. This regulation was corrected by the official register of EC no. L 170 of 29 June 2002) and the official register no. L 300 of 31 October 2006 (VO 1617/2006).

2. Wording of the supplier's declaration

Our enclosed declaration is already in accordance with this text. Therefore please use **our** form.

3. Preferential countries

= countries with which the European Community has concluded corresponding agreements which provide for mutual customs privileges. That means for deliveries of products of origin into or from a preferential country a customs reduction or exemption is granted.

Overview of preferential relations of the European Community:

http://www.zoll.de/b0_zoll_und_steuern/e0_praeferenzen/b0_praef/index.html

The so-called „unilateral“ agreements generally only permit preferential importation of preferentially qualified goods from the contracting countries (e.g. from developing countries APS). If deliveries to countries are scheduled with which the EC has concluded unilateral agreements, the issuing of preference certificates can become necessary under certain circumstances. This applies especially if it is scheduled to reimport the goods into the community after conditioning or processing activities in another country have been carried out.

4. Origin standards

To determine the preferential origin it must be checked if in-house manufactured goods are in accordance with the corresponding origin standards as per the European Community's agreement with the concerned country of destination. For this, certain percentage value limits must be adhered to, in-line with which, third country prematerials may be used.

Processing lists, legislation acts etc. can be found here: http://www.wup.zoll.de/wup_online/index.php

5. Country codes

The preferential countries which the supplier's declaration is valid for, must be mentioned individually. This can be done by name or by using the ISO-alpha-2 country codes

<http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Content/Klassifikationen/Aussenhandel/Laenderverzeichnis,property=file.pdf>

Important:

Country groups such as "EFTA", "MOEL" are not permissible and would therefore have to be rejected. The only exceptions are APS, AKP and ÜLG (according to VSF Z 42 14 instruction on supplier's declaration).

Valid are only those preferential countries mentioned on the first page of the supplier's declaration. Countries mentioned with a footer on the back page of a supplier's declaration must not be acknowledged.

Your supplier's declaration is also used for stamping of certificates of origin at the Chamber of Commerce. Certain countries demand exact countries of origin – the indication „European Community“ is often not sufficient. Therefore please always mention the **exact** country of origin.

In the past the codes „EU“, „EG“ and „EC“ were used frequently for „European Community“. From now, this can only be acknowledged if it is absolutely certain that the marking exclusively refers to the European Community (e.g. explanation in the footer). Particularly since misunderstandings can occur as part of the Pan-European-Mediterranean Cumulation (EG = country code Egypt, EC country code Ecuador). Generally, also the term „EU“ or „European Union“ must be avoided as the Free Trade Agreements were not concluded with the European Union, but with the European Community or the European Economic Community.

For this please also view: http://www.zoll.de/a0_aktuelles/wup_abkuerzung_eg/index.html

6. Customs Tariff Numbers

Customs tariff numbers are particularly required for statistical declarations and export declarations. Furthermore they help decide whether certain goods are subject to export approval. Especially upon determining the preferential origin the customs tariff numbers have a key role: The relevant origin rules comply with these numbers which must be observed when issuing a long term supplier's declaration. An important auxiliary resource to determine the statistical article numbers / customs tariff numbers is the yearly published commodity index for the foreign trade statistics: http://www.destatis.de/jetspeed/portal/cms/Sites/destatis/Internet/DE/Content/Klassifikationen/Aussenhandel/Content75/warenverzeichnis_downloads,templateId=renderPrint.psm

or the electronic customs tariff of the Federal Fiscal Authority: <http://auskunft.ezt-online.de/>

7. Accumulation remarks

In the course of the Pan-Euro-Mediterranean origin protocols it will be possible from now to issue a new preference certificate EUR-MED or a declaration of origin-MED when exporting to the relevant contracting countries. In order to enable the issuing of this new preference certificate, the supplier's declaration must mandatorily contain an accumulation note. Therefore please tick whether or not you have applied an accumulation as per the Pan-Euro-Mediterranean protocols with a contracting country when determining the origin (in this case the concerned country / countries must be stated by name).

For this purpose please also see the following links:

http://www.zoll.de/a0_aktuelles/wup_paneuropa_mittelmeer_kumulierung9/index.html

http://www.zoll.de/a0_aktuelles/wup_kumulierungsvermerk/index.html

Further information on this complex matter can be supplied by your local customs office.