

COMMISSION REGULATION (EC) No 1533/2000**of 13 July 2000****amending Regulation (EC) No 1485/96 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/109/EEC of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances ⁽¹⁾, as amended by Commission Directive 93/46/EEC ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1485/96 of 26 July 1996 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances ⁽³⁾ provides for model declarations of use for individual and multiple transactions.
- (2) In view of the difficulties caused by the use, by operators, of non-harmonised models and the use of all the official languages of the Community, it is necessary to draw up a uniform model for all operators to facilitate monitoring of the declarations by the Member State authorities.
- (3) Although most competent authorities issue approvals of limited duration, this limit is not indicated in the model set out in the Annex to the Regulation, with the result that an undertaking, acting in good faith, could supply category 1 or category 2 substances to an undertaking for which authorisation has expired. It is therefore necessary to indicate any expiry date on the model declarations.

- (4) The provisions of this Regulation are in accordance with the opinion of the Committee set up under Article 10 of Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances ⁽⁴⁾, as last amended by Commission Regulation (EEC) No 3769/92 of 21 December 1992 ⁽⁵⁾ and as referred to in Directive 92/109/EEC,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1485/96 is hereby amended as follows:

1. The second paragraph of Article 1 is replaced by the following text:
'2. The declaration shall conform to the model set out in point 1 of the Annex to this Regulation. In the case of legal persons, the declaration shall be made on headed note-paper.'
2. The second paragraph of Article 2 is replaced by the following text:
'2. The declaration shall conform to the model set out in point 2 of the Annex to this Regulation. In the case of legal persons, the declaration shall be made on headed note-paper.'
3. The Annex is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on the twentieth day following that of 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, 13 July 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 370, 19.12.1992, p. 76.

⁽²⁾ OJ L 159, 1.7.1993, p. 134.

⁽³⁾ OJ L 188, 27.7.1996, p. 28.

⁽⁴⁾ OJ L 357, 20.12.1990, p. 1.

⁽⁵⁾ OJ L 383, 29.12.1992, p. 17.

ANNEX

1. Model declaration relating to individual transactions (category 1 or 2)

CUSTOMER DECLARATION OF SPECIFIC USE(S) OF THE SCHEDULED CATEGORY 1 OR 2 SUBSTANCE
(INDIVIDUAL TRANSACTIONS)

I/We,

Name

Address

Authorisation/Licence/Registration No or reference ⁽¹⁾

issued on by
(name and address of the authority)

and valid until/without time limit (complete as appropriate)

have ordered from:

Name

Address

the following substance: (name and CN code) ⁽²⁾

(quantity)

the substance will be used solely for

We confirm that the substance referred to above will only be re-sold or otherwise supplied to a customer on the condition that the customer will furnish a declaration of use in accordance with this model or, for category 2 substances, a declaration relating to multiple transactions.

Signature Name
(in block capitals)

Position Date

⁽¹⁾ Complete as appropriate.⁽²⁾ Combined Nomenclature code.

2. Model declaration relating to multiple transactions (category 2)

CUSTOMER DECLARATION OF SPECIFIC USE(S) OF THE SCHEDULED CATEGORY 2 SUBSTANCE
(MULTIPLE TRANSACTIONS)

I/We,

Name

Address

Registration No or reference

Registered on by
(name and address of the authority)

and valid until/without time limit (complete as appropriate)

intend to order from:

Name

Address

the following substance: (name and CN code) ⁽¹⁾

(quantity)

the substance will be used solely for

and represents a supply which on best estimate will be sufficient for months (maximum of 12 months).

We confirm that the substance referred to above will only be re-sold or otherwise supplied to a customer on the condition that the customer will furnish a declaration of use in accordance with this model or a declaration relating to individual transactions.

Signature Name
(in block capitals)

Position Date

⁽¹⁾ Combined Nomenclature code.