

**Question for oral answer O-000003/2012
to the Commission**

Rule 115

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on behalf of the ALDE Group

Subject: Modernisation of the Customs Code and introduction of a list of non-preferential rules of origin

Currently the origin of goods is determined by the principle enshrined in Article 24 of the Community Customs Code (Council Regulation (EEC) No 2913/92), according to which goods whose production involved more than one country are deemed to originate in the country where they underwent their last substantial, economically justified processing or working in an undertaking equipped for that purpose and resulting in the manufacture of a new product or representing an important stage of manufacture.

The WTO is undertaking efforts to harmonise the non-preferential origin of goods. On the basis of the WTO draft, and as part of efforts to modernise the Customs Code, the Commission has developed different binding rules of origin for non-preferential origin. According to the Commission, this list of rules will lead to more legal clarity regarding imports and serve as a clear legal basis, especially in anti-dumping cases. For companies, however, their introduction would make the procedure much more complex and complicated. Whereas previously the exporting country identified the origin of goods, according to the Commission proposal the EU itself would determine the origin of goods from third countries.

1. How will this monitoring take place? If anti-dumping cases involve only 0.7% of all imports into the EU, is the argument about establishing legal certainty for European importers still valid?
2. Depending on the groups of products or on the products which have been used to produce them, various cases may arise where a product is no longer of EU origin. What is the Commission's assessment of the risk of a decline in EU production?
3. On the export side, the Commission proposes that importing nations should be entitled to apply their own rules of origin. How should this be implemented? What resources will the Commission make available to operators to assist them in implementing the rules of origin for more than 190 countries? Will this not mean even more bureaucracy?
4. For imports, the EU rules of origin are required; for exports, on the other hand, there are more options. Has the Commission clarified whether different rules of origin for exports and imports are compatible with EU law and whether they are WTO-compliant?
5. Is the introduction of the list in line with the objectives of the Small Business Act and the EU strategy for internationalisation of SMEs?

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