



Notification Number: 2003/442/F

Draft Order of applying the Decree on authorisation agreements between the administration for customs and indirect taxes and on the approval of approved inspection bodies for testing and marking articles of precious metal.

Date received : 02/12/2003

End of Standstill : 03/03/2004

Issue of comments by : Commission

Message

Message 002

Communication from the Commission - SG(2003) D/52304

Directive 98/34/EC

Translation of the message 001

Notification: 2003/0442/F

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200302304.EN)

1. Structured Information Line

MSG 002 IND 2003 0442 F EN 03-03-2004 02-12-2003 F NOTIF 03-03-2004

2. Member State

France

3. Department Responsible

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3. Originating Department

Ministère de l'Economie, des Finances et de l'Industrie

Direction générale des douanes et droits indirects

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4. Notification Number

2003/0442/F - X10M

5. Title

Draft Order of applying the Decree on authorisation agreements between the administration for customs and indirect taxes and on the approval of approved inspection bodies for testing and marking articles of precious metal.

6. Products Concerned

Articles of precious metal with recognised fineness standards marketed on French territory.

7. Notification Under Another Act

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8. Main Content

The draft Order to which this notification relates introduces a specification sheet with a view to approval in the capacity of an inspection body.

Inspection bodies, before approval, must be accredited beforehand in accordance with Standard NF EN ISO 17025 or an equivalent standard by the French accreditation committee (COFRAC) or by any other accreditation body signatory to the multilateral European agreement laid down within the framework of European cooperation for accreditation (EA) for inspecting articles of precious metal.

Considering the sensitivity of the products and the specific nature of national legislation in the area, approved inspection bodies must be approved by the administration. This approval will be largely based on accreditation but will also take account of a specification sheet which is the subject of a simultaneous notification.

The request for approval, accompanied by the specification sheet, must be submitted to the Directorate-General for Customs and Indirect Taxes. Approval will be issued by joint order of the Minister responsible for the Budget and the Minister responsible for Industry.

Approved inspection bodies will be approved for testing and marking all types of articles of precious metal, regardless of the nature and fineness of the metal. They may also assay articles on behalf of professionals. Approved inspection bodies established in another Member State of the European Union may only be approved by the French administration for determining the fineness of articles. As is the case in other Member States, the national guarantee hallmark may not be given to a body located outside national territory.

Within the framework of modernising the guarantee and reorganising the guarantee offices (public testing and marking offices for articles of precious metal), the approval of the approved inspection bodies is decisive. Approved inspection bodies must be accredited and approved by 1 July 2004. Before they can affix their guarantee hallmark, professionals who do not have their own laboratory must have their articles tested by these bodies in accordance with a sampling plan cited in the specification sheet.

9. Brief Statement of Grounds

Extending the scope of intervention of the approved inspection bodies to all fineness standards for precious



metals and developing the delegation of hallmarks to the professionals are an essential element in reforming the guarantee.

10. Reference Documents - Basic Texts

a) General Tax Code - collecting indirect contributions: Article 56 J(k) of Annex IV to the General Tax Code.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspects

a) No

b)

iii) ? The draft does not have any notable impact on international trade.

SPS Aspect

a) No

i) ? The draft is not a sanitary or phytosanitary measure pursuant to Annex A of the SPS Agreement.

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European Commission

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