

Prohibition to import iron and steel products processed in a third country using Russian iron and steel inputs

Evidence of the country of origin of the inputs

Pursuant to Article 3g(1)(d) of Regulation (EU) No 833/2014, it shall be prohibited **from 30 September 2023** to import or purchase, directly or indirectly, the iron and steel products listed in Annex XVII to Regulation (EU) No 833/2014 into the Union if they have been processed in a third country using iron and steel products listed in Annex XVII to Regulation (EU) No 833/2014 originating in Russia.

What looks like another small step in the sanctions package against Russia turns out, on closer inspection, to be a huge task for the machinery and plant engineering industry. This ban will be

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introduced step by step, depending on the CN codes of the steel products¹.

In particular, it is significant that according to Article 3g (1) (d) of Regulation (EU) No. 833/2014, **proof of the country of origin** of the iron and steel pre-products used for the processing of the product in a third country must be kept available for the customs authorities at the time of import. The proof shall be provided if the customs office so requires in an individual case.

¹ As of 30 September 2023 for products of Annex XVII containing products other than those of CN codes 7207 11, 7207 12 10 or 7224 90; as of 1 April 2024 for products of Annex XVII containing products of CN code 7207 11; as of 1 October 2024 for products of Annex XVII containing products of CN codes 7207 12 10 or 7224 90.

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RECHTSANWÄLTE

According to the European Commission, the following documents may be considered as sufficient evidence of the country of origin of the iron or steel used as inputs²:

a) In the case of semifinished products

The mill test certificate (MTC):

establishing the name of the facility where the production is taking place, the name of the country corresponding to the heat number (country of the ladle of melting) together with the classification at subheading level (six digit code) of the product.

b) In the case of finished products

The mill test certificate (MTC) or mill test certificates (MTCs) - if all relevant information can't be summarized in one single MTC:

- establishing the name of the country and the name of the facility corresponding to the heat number (country of the ladle of melting) together with the classification at subheading level (six digit code), and

- the name of the country and the name of the facility where the following processing operations are carried out, as relevant:

- Hot-rolling
- Cold-rolling
- Hot-dipped metallic coating
- Electrolytic metal coating
- Organic coating
- Welding

- Piercing/extruding
- Drawing/Pilgering
- ERW/SAW/HFI/Laser welding

The importer is responsible for the information provided in the MTC or MTCs and submitted to the customs of the MS of importation as evidence of the country of origin of the iron and steel inputs used.

The customs authorities may, in the event of reasonable doubt, **require any additional evidence** such as supplementary separate mill test certificates for the different transformation steps which the product has undergone. All MTCs should be coherent with one another. The importer should apply due diligence to ensure the accuracy of the information provided.

² https://finance.ec.europa.eu/system/files/2023-09/faqs-sanctions-russia-listed-goods_en_0.pdf