

# **Export refunds: monitoring carried out at the time of export of agricultural products receiving refunds or other amounts**

2007/0178(CNS) - 31/08/2007 - Legislative proposal

**PURPOSE:** to amend Regulation (EEC) No 386/90 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts.

**PROPOSED ACT:** Council Regulation.

**CONTENT:** in the framework of control on export refunds, Article 3(2) of Regulation (EEC) No 386/90 requires Member States' authorities to execute physical checks on goods for a scrutiny rate of 5% per customs office, per calendar year and per product sector.

A first simplification was brought in by Council Regulation (EC) No 163/94: when a Member State applies risk analysis in accordance with (now Regulation (EC) No 3122/94), the minimum rate may be set on 2% per sector and 5% covering all sectors.

A second simplification is now proposed, by which a Member State applying risk analysis according to Regulation (EC) No 3122/94 covering all exporters may opt for applying the 5% average rate covering all sectors for the complete Member State instead of setting the rate per customs office.

Summarising the control rate per Member State as a whole is only justified when risk analysis in accordance with Regulation (EC) No 3122/94 is applied, and it is optional in order to allow Member States whose customs organisation is more complex to continue its decentralised control management.

The measure has been proposed by several Member States, in particular those who reorganised their customs services and processes by which centralised IT export declaration systems and a considerable reduction in the number of customs offices caused a need for better allocating the control efforts over their national territory.