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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

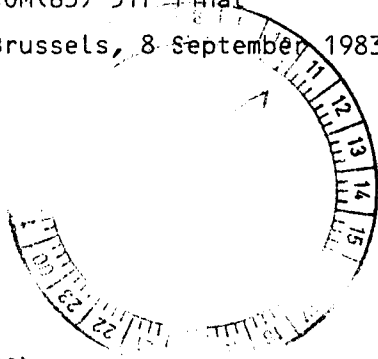
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 517 final

Brussels, 8 September 1983



Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a
Community tariff quota for certain wines having a registered designation
of origin, falling within subheading ex 22.05 C of the Common
Customs Tariff and originating in Yugoslavia (1983)

(submitted to the Council by the Commission)

COM(83) 517 final

EXPLANATORY MEMORANDUM

1. The Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia provides in Article 22 for the opening of an annual Community tariff quota of 12 000 hl to be imported into the Community of certain wines having a registered designation of origin, of tariff headings ex 22.05 C I a) and C II a) of the CCT, originating in Yugoslavia at customs duties of respectively 10.1 ECU/hl and 11.8 ECU/hl.

However, because this Agreement has entered into force on 1 April 1983 the tariff quota has to be opened prorata temporis, i.e. with a volume of 9 000 hl.

The names of the wines having a registered designation of origin admitted in the limit of the tariff quota and the Model of the certificate of designation of origin to be established by the Yugoslavian authorities are specified in the exchange of letters of 1983.

2. The proposal for the regulation opening this tariff quota provides - as is customary - for the division of the quota volume into two instalments, the first being allocated among the Member States as quota shares, the second being held as a reserve.

The allocation of the volume of the first instalment of the quota should be based on the rules generally applied. These involve calculating each Member State's total imports over the last three years as a proportion of total Community imports during the same period and applying, for each Member State, the percentages thus obtained to the volume of the first instalment.

Because there exist no statistics for these wines the import figures from Yugoslavia for the wines of subheadings 22.05 C I a) and 22.05 C II a) are taken as a basis.

3. It is proposed that the proposal for a Council Regulation opening the Community tariff quota described above would be approved.

ANNEX: 1 proposal for a Regulation (EEC) of the Council.

Proposal for a
Council Regulation (EEC) No .../83
of

opening, allocating and providing for the administration of a
Community tariff quota for certain wines having a registered
designation of origin, falling within subheading ex 22.05 C
of the Common Customs Tariff and originating in Yugoslavia
(1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas Article 22 of the Cooperation Agreement between the European
Economic Community and the Socialist Federal Republic of Yugoslavia (1)
stipulates that certain wines having a registered designation of
origin falling within subheading ex 22.05 C of the Common Customs
Tariff, originating in Yugoslavia, specified in an Agreement in the
form of an exchange of letters of 1983 (2), shall
be imported into the Community at customs duties equal to 70 %
of the duties of the Common Customs Tariff within the limits of
an annual Community tariff quota of 12 000 hectolitres; whereas
these wines must be put in containers holding two litres or less
and must be accompanied by a certificate of designation of
origin in accordance with the model given in the annex of the
present regulation; whereas, however, a declaration annexed to the
Final Act of the Cooperation Agreement provides for that this
measure has to be applied pro rata temporis from the date of
entering into force; whereas a tariff quota of 9 000 hl should
therefore be opened for the period up to 31 December 1983;

Whereas the wines in question are subject to compliance with the
free-at-frontier reference price; whereas, in order that such
wines may benefit from this tariff quota, Article 18 of Regulation
(EEC) Nr. 337/79 (3), as last amended by Regulation (EEC) Nr.
1595/83 (4), must be complied with;

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- (1) OJ Nr. L 41 of 14.2.1983, p. 2.
 - (2) OJ Nr. L
 - (3) OJ Nr. L 54 of 5.3.1979, p. 1.
 - (4) OJ Nr. L 163 of 22.6.1983, p. 48

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quota, and uninterrupted application of the rates laid down for this quota to all imports of the products concerned into the Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by

reference to both the statistics relating to imports of the said products from Yugoslavia, with a representative reference period and the economic outlook for the quota period concerned;

Whereas, in respect of the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Yugoslavia of the products concerned:

Member State	1980	1981	1982
Benelux	42,5	7,6	8,8
Denmark	18,7	20,1	29,1
Germany	6,5	50,0	42,4
Greece	0,0	0,0	0,0
France	3,0	3,8	3,5
Ireland	1,6	0,5	0,4
Italy	0,7	1,7	1,5
United Kingdom	27,0	16,3	4,3

Whereas, in view of these factors, and of market forecasts for the products concerned and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	15,6
Denmark	26,3
Germany	36,4
Greece	1,4
France	3,5
Ireland	1,4
Italy	1,4
United Kingdom	14,0

Whereas, to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share ; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quota should be fixed at a level which could, in the present circumstances, be 80 % of the quota volume ;

Whereas the initial shares of the Member States may be used up at different rates ; whereas, in order to take this into account and to avoid a break in continuity, any Member State which has used up almost all of its initial share should draw an additional share from the reserve ; whereas this should be done by each Member State each time one of its additional shares is almost used up, and so on as many times as the reserve allows ; whereas the initial and additional shares must be valid until the end of the quota period ; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof ;

Whereas, if at a given date in the quota period a substantial quantity of its initial share remains unused in any Member State, it is essential that it should return a significant proportion thereof to the reserve, to prevent part of the Community quota remaining unused in one Member State when it could be used in others ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. Until 31 December 1983 the Common Customs Tariff duties in respect of the following products originating in Yugoslavia shall be suspended at the levels shown below within the limits of a Community tariff quota of 9 000 hectolitres :

CCT heading No	Description	Rate of duty
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>C. Other:</p> <p>1. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding :</p> <p>ex a) Two litres or less :</p> <ul style="list-style-type: none">- wines entitled to one of the following designations of origin :- Ljutomersko - Ormoško gorice, Laški Rizling- Ohrid, Merlot- Herzégovina - Mostar,<ul style="list-style-type: none">= Žilavka= Blatina- Fruška Gora, Talijanski Rizling- Oplenac, Lipovac- Istra, Merlot- Tikves<ul style="list-style-type: none">= Krater= Kratošija- Srednja i južna dalmacija<ul style="list-style-type: none">= Dingač= Kaštelet- Crna Gora, Vranac	10.1 ECU/hl

- II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol in containers holding :
- ex a) Two litres or less :
- wines entitled to one of the following designation of origin
 - Ljutomersko - Ormoško gorice, **Laški Rizling**
 - Ohrid, Merlot
 - Herzégovina - Mostar,
 - = Žilavka
 - = Blatina
 - Fruška Gora, Talijanski Rizling
 - Oplenac, Lipovac
 - Istra, Merlot
 - Tikves
 - = Krater
 - = Kratošija
 - Srednja i južna dalmacija
 - = Dingač
 - = Kaštelet
 - Crna Gora, Vranac

11.8 ECU/hl

2. Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the Act of Accession and the Regulation (EEC) No 287/82 (1).
3. The wines in question shall be subject to compliance with the free-at-frontier reference price. In order that such wines may benefit from this tariff quota Article 18 of Regulation (EEC) Nr. 337/79, as last amended by Regulation (EEC) Nr. 1595/83, must be complied with.
4. Each of these wines, when imported, shall be accompanied by a certificate of designation of origin, issued by the relevant Yugoslavian authority, in accordance with the model annexed to this Regulation.

(1) OJ No L 30 of 6.2.1983, p. 1.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.
2. The first instalment, amounting to 7 200 hectolitres shall be allocated among the Member States; the shares which subject to Article 5 shall be valid until 31 December 1983 shall be as follows :

	(hectolitres)
Benelux	1 120
Denmark	1 890
Germany	2 630
Greece	100
France	250
Ireland	100
Italy	100
United Kingdom	1 010

The second instalment, amounting to 1 800 hectolitres, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share, as specified in Article 2 (2), or of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7.5 % of its initial share.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in these paragraphs if there is reason to believe that those fixed might not be used up. They shall inform the Commission of their grounds for applying this paragraph.

Article 4

The additional share drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

Member States shall return to the reserve, not later than 15 November 1983 unused portion of their initial shares, on 1 November 1983 is in excess of 20 % of the initial amount. They may return a greater quantity if there are grounds for believing that this quantity might not be used in full.

Member States shall notify the Commission, not later than 15 November 1983, of the total imports of the products concerned effected under the Community quotas up to and including 1 November 1983, and where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

The Commission shall keep an account of the shares opened by Member States pursuant to Articles 2 and 3 and, as soon as it has been notified, shall inform each State of the extent to which the reserve has been used up.

It shall notify the Member States, not later than 20 November 1983, of the state of the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the final drawing.

Article 7

1. Member States shall take all measures necessary to ensure that additional shares drawn pursuant to

Article 3 are opened in such a way that imports may be charged without interruption against their aggregate shares in the Community quota.

2. Member States shall ensure that importers of the products have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on the third day following 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 Luxembourg,

For the Council
The President

1 Exporter - Exportateur	<p style="text-align: center;"> CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE YUGOSLAVIAN WINES VINS YUGOSLAVES No 0 0 0 0 0 </p>		
2 Consignee - Destinataire	3 ISSUING AUTHORITY - ORGANISME EMETTEUR		
	4 Designation of origin - appellation d'origine		
5 Marks and numbers - Number and kind of packages Marques et numéros - Nombre et nature des colis	6 Gross mass(kg) Masse brute(kg)	7 Litres Litres	
8 Litres(in words) - Litres(en lettres)			
<p>9 CERTIFICATION BY THE ISSUING AUTHORITY - VISA DE L'ORGANISME EMETTEUR</p> <p>The wine described in this certificate is wine produced within the wine district of and is considered by Yugoslavian legislation as entitled to the designation of origin ".....".</p> <p>Le vin décrit dans le présent certificat a été produit dans la zone viticole de et est reconnu, suivant la loi yougoslave, comme ayant droit à la dénomination d'origine ".....".</p> <p style="text-align: right;">Place - Lieu :</p> <p style="text-align: right;">Date - Date :</p> <p style="text-align: right;">Signature and stamp - Signature et cachet :</p>			