

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 856 final

Brussels, 9 December 1980

Proposal for a

COUNCIL REGULATION (EEC)

laying down general rules for the system of accession compensatory
amounts in the wine sector

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

Accession compensatory amounts

Article 61(1) of the Act of Accession requires the difference between Greek prices and Community prices to be compensated by compensatory amounts in trade between the Community of Nine and Greece and between Greece and non-member countries.

In the wine sector, this provision applies to the guide price for table wines of types R I and R II, and to certain red basic products. The compensatory amount and detailed rules for fixing the amount in respect of liqueur wines are directly laid down by Article 107 of the Act of Accession.

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the the Act of Accession of Greece , and in particular Article 72
(1) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 58 and 59 of the said Act lay down that prices may be fixed
in Greece at a different level from the common prices; whereas, pursuant to
Article 61 of the Act, such differences in price levels are to be compensated
by a system of accession compensatory amounts;

Whereas the provisions of the said Articles 58, 59 and 61 apply in the wine
sector to the guide prices for table wines; whereas the only types of table
wine for which a price difference has been recorded are types R I and R II;

Whereas Article 107 of the said Act provides for the fixing of the compensatory
amounts in respect of other products for which a reference price is laid down and
the criteria for determining their amount; whereas the said Article itself fixes the
level of the compensatory amount for liqueur wines;

Whereas the compensatory amounts are intended to avoid disturbance in trade
caused by different price levels; whereas, accordingly, compensatory amounts
are only required in cases where such disturbance is likely;

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- "Community of Nine" means the Community as constituted before the accession of Greece,

- "accession compensatory amount" means the compensatory amounts applicable in trade between the Community of Nine and Greece and between Greece and non-member countries.

Article 2

For table wines of types R I and R II, the accession compensatory amounts shall, for each marketing year, be equal to the difference between the guide price and the corresponding price fixed for Greece.

Article 3

1. The accession compensatory amount for new red wine still in fermentation shall be equal to that fixed for table wines of types R I and R II.
2. For the products listed in the Annex, the accession compensatory amount applicable shall be equal to the prevailing market price of each of the said products in the Community multiplied by the difference, expressed as a percentage, between the guide price of RI-type table wines and the corresponding price fixed for Greece.
3. For liqueur wines, the accession compensatory amount shall be equal to the amount of the countervailing charge applicable vis-à-vis non-member countries as at 1 January 1981.

Article 4

In intra Community trade, the accession compensatory amounts shall be levied or granted by that one of the two Member States in question whose price level used in determining the accession compensatory amounts is the higher.

Article 5

The accession compensatory amount applicable shall be that ruling on the day of import or export.

Article 6

Where, for a given product, an accession compensatory amount is fixed which must be deducted from the refund on exports to non-member countries and where the refund is lower than the said accession compensatory amount or is not fixed, provision may be made for levying, on export of the product in question from Greece to a non-member country, an amount not exceeding the difference between the accession compensatory amount and the refund or the accession compensatory amount itself, depending on the circumstances.

Moreover, if for exports to one or more non-member countries, the refund is lower than the accession compensatory amount or is not fixed, provision may be made at the time of export from Greece for the necessary measures that the amount referred to in the above subparagraph is levied.

Article 7

The following shall be adopted in accordance with the procedure laid down in Article 67 of Regulation (EEC) No 337/79:

- a) detailed rules for granting and levying accession compensatory amounts in such a way as to avoid any deflection of trade and distortion of competition.
- b) detailed rules for the application of this Regulation, and in particular:
 - fixing of accession compensatory amounts,
 - cases where Article 6 is to apply.

The measures to avoid deflection of trade and distortion of competition may apply after abolition of accession compensatory amounts, for the period considered necessary.

Article 8

This Regulation shall enter into force on 1 January 1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

The President

ANNEX

List of products referred to in Article 3(2):

1. red wine fortified for distillation, within the meaning of additional note 4 (b) to chapter 22 of the Common Customs Tariff.
2. fresh red grape must with fermentation arrested by addition of alcohol within the meaning of additional note 4 (a) to chapter 22 of the Common Customs Tariff.
3. red grape juice, (including grape must), whether or not concentrated, with an added sugar content not exceeding 30% by weight, within subheadings 20.07 A I and B I of the Common Customs Tariff.
4. red grape juice, (including grape must), whether or not concentrated, with an added sugar content exceeding 30% by weight within subheadings 20.07 A I and B I of the Common Customs Tariff.