



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels,
COM(95) 673 final

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EEC) No 1873/84 authorizing the offer
or disposal for direct human consumption of certain imported
wines which may have undergone oenological processes
not provided for in Regulation (EEC) No 822/87

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EEC) No 2390/89 laying down general rules
for the import of wines, grape juice and grape must

(presented by the Commission)

EXPLANATORY MEMORANDUM

Imports into the Community of wine products originating in non-member countries are, in particular, subject to the presentation of a certificate of origin and conformity and an analysis report to be drawn up by official bodies and laboratories in the non-member countries in question. In order to facilitate imports of such products, in 1984 the Council relaxed by way of a derogation the requirements regarding the drawing up of the certificate and the analysis report on condition that the non-member country in question provided special guarantees accepted by the Community. Those derogating rules expire on 31 December 1995 after having been extended twelve times.

In addition, save where a derogation is decided by the Council, wine originating in non-member countries which has undergone oenological practices not permitted by Community regulations may not be offered for direct human consumption in the Community. A derogation from that rule was granted for wine originating in the United States as regards the application of certain oenological practices permitted in that country but not allowed in the Community. This derogation also expires on 31 December 1995 after having been extended twelve times.

The Commission considers that it is necessary to extend the derogation again and until the end of 1996. Such a period should be sufficient to allow the Community and the United States to conclude their negotiations for the conclusion of an arrangement on the wine sector.

Remark

The adoption by the Council of the two abovementioned Regulations entails no financial consequences for the Community budget.

Proposal for a
COUNCIL REGULATION (EC) No
of

amending Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EC) No 1544/95⁽²⁾, and in particular Article 73(1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 70(1) of Regulation (EEC) No 822/87 provides that the products referred to in Article 1(2)(a) and (b) of that Regulation may only be imported if accompanied by a certificate attesting that they comply with the provisions on production, release for free circulation and, where appropriate, disposal for direct human consumption applying in the third country in which they originate;

Whereas Article 73(1) of that Regulation stipulates that if the imported products in question have undergone oenological practices not allowed by Community rules or do not comply with the provisions of that Regulation or of those adopted pursuant thereto, they may not, except by way of a derogation, be offered or disposed of for direct human consumption; whereas the Council

OJ No L 84, 27. 3.1987, p. 1.

⁽²⁾ OJ No L 148, 30. 6.1995, p. 31.

derogated from this principle by Regulation (EEC) No 1873/84⁽³⁾, as last amended by Regulation (EC) No 264/95⁽⁴⁾; whereas this derogation expires on 31 December 1995; whereas, so that consultations can continue between the Community and the third country concerned with a view to an agreement on this matter, the term of validity of the derogation should be extended until the end of 1996,

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 1(1) of Regulation (EEC) No 1873/84, the date "31 December 1995" is hereby replaced by "31 December 1996".

Article 2

This Regulation shall enter into force on 1 January 1996.

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

Done at

For the Council

⁽³⁾ OJ No L 176, 3. 7.1984, p. 6.

⁽⁴⁾ OJ No L 31, 10. 2.1995, p. 1

FINANCIAL STATEMENT

1. BUDGET HEADING: 16 APPROPRIATIONS: ECU 1.113 m

2. TITLE: Council Regulation amending Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87.

3. LEGAL BASIS: Council Regulation (EEC) n. 822/87

4. AIMS: To extend by one year the import facilities granted to certain third countries pending establishment of the new arrangements.

5. FINANCIAL IMPLICATIONS:	PERIOD OF 12 MONTHS (ECU million)	CURRENT FINANCIAL YEAR (96) (ECU million)	FOLLOWING FINANCIAL YEAR (97) (ECU million)
5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL AUTHORITIES - OTHER	-	-	
5.1. REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL			
	1998	1999	2000
5.0.1. ESTIMATED EXPENDITURE			
5.1.1. ESTIMATED REVENUE			
	2001		

5.2. METHOD OF CALCULATION:

6.0. CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES

6.1. CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES

6.2. WILL A SUPPLEMENTARY BUDGET BE NECESSARY? NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? NO

OBSERVATIONS Entails negligible financial consequences.

amending Regulation (EEC) No 2390/89 laying down general rules
for the import of wines, grape juice and grape must

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of

amending Regulation (EEC) No 2390/89 laying down general rules
for the import of wines, grape juice and grape must

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of
16 March 1987 on the common organization of the market in wine¹,
as last amended by Regulation (EEC) No 1544/95², and in particular
Article 70(2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 1(2) and Article 2 of Council Regulation (EEC)
No 2390/89³, as last amended by Regulation (EEC) No 265/95⁴,
provides for import facilities for wine products originating in
third countries which offer specific guarantees through the
provision of a certificate of origin and conformity and an analysis
report; whereas Article 3(2) of that Regulation limits those
facilities to a trial period expiring on 31 December 1995; whereas,
taking into account the time necessary to examine the
implementation of future arrangements, the abovementioned period
should be extended until the end of 1996,

HAS ADOPTED THIS REGULATION:

¹ OJ No L 84, 27. 3.1987, p. 1.

² OJ No L 148, 30. 6.1995, p. 31.

³ OJ No L 232, 9. 8.1989, p. 1.

⁴ OJ No L 31, 10. 2.1995, p. 2.

Article 1

In Article 3(2) of Regulation (EEC) No 2390/89, the date 31 December 1995 is hereby replaced by 31 December 1996.

Article 2

This Regulation shall enter into force on 1 January 1996.

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

Done at

For the Council

FINANCIAL STATEMENT

1. BUDGET HEADING: 16 APPROPRIATIONS: ECU 1.113 m

2. TITLE: Council Regulation amending Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must.

3. LEGAL BASIS: Council Regulation (EEC) n. 822/87

4. AIMS: To extend by one year the import facilities granted to certain pending establishment of the new arrangements.

5. FINANCIAL IMPLICATIONS:	PERIOD OF 12 MONTHS (ECU million)	CURRENT FINANCIAL YEAR (96) (ECU million)	FOLLOWING FINANCIAL YEAR (97) (ECU million)
5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL AUTHORITIES - OTHER			
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5.0.1. ESTIMATED EXPENDITURE			
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5.2. METHOD OF CALCULATION:

6.0. CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES

6.1. CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES

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6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? NO

OBSERVATIONS Entails negligible financial consequences.

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