



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 08.12.1997  
COM(97) 695 final

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

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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

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(presented by the Commission)



Proposal for a  
**COUNCIL REGULATION (EC) No**  
of  
**amending Regulation (EEC) No 2390/89 laying down general rules for the import  
of wines, grape juice and grape must**

## 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 1997.

In addition, wine originating in non-member countries which has undergone oenological practices which are not authorised by Community regulations, because they do not correspond to the traditional concept of "good oenological practices", may not be offered for direct human consumption in the Community. In such cases, the Council may decide to grant a derogation. Such a derogation 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 1997.

The Commission considers that it is necessary to extend the derogation again and upto 31 December, 1998. Such a period should be sufficient so as to allow a continuation of the dialogue between the Community and the United States.

### Remark

The adoption by the Council of the Regulation entails no financial consequences for the Community budget.

Proposal for a  
**COUNCIL REGULATION (EC) No**

**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 wine<sup>1</sup>, as last amended by Regulation (EEC) No 2087/97<sup>2</sup>, 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 2390/89<sup>3</sup>, as last amended by Regulation (EEC) No 127/97<sup>4</sup>, 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 1997; whereas, taking into account the time necessary to examine the implementation of future arrangements, the abovementioned period should be extended until 31 December 1998,

**HAS ADOPTED THIS REGULATION:**

*Article 1*

In Article 3(2) of Regulation (EEC) No 2390/89, the date 31 December 1997 is hereby replaced by 31 December 1998.

*Article 2*

This Regulation shall enter into force on 1 January 1998.

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- <sup>1</sup> OJ N° L84, 27.03.1987, p.1,  
<sup>2</sup> OJ N° L 292, 25.10.1997, p.1,  
<sup>3</sup> OJ N° L 232, 9.8.1989, p.1  
<sup>4</sup> OJ N° L 24, 25.01.1997, p.1

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

Done at Brussels,

*For the Council*

# FINANCIAL STATEMENT

1. BUDGET HEADING: B1 - 16		APPROPRIATIONS: ECU 799 m (PB98)		
2. TITLE: Proposal for a 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) No 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 (98) (ECU million)	FOLLOWING FINANCIAL YEAR (99) (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	-	-	-	
	2000	2001	2002	2003
5.0.1. ESTIMATED EXPENDITURE	-	-	-	-
5.1.1. ESTIMATED REVENUE	-	-	-	-
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

6. OBSERVATIONS

Proposal for a  
**COUNCIL REGULATION (EC) No**

**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**



## **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 1997.

In addition, wine originating in non-member countries which has undergone oenological practices which are not authorised by Community regulations, because they do not correspond to the traditional concept of "good oenological practices", may not be offered for direct human consumption in the Community. In such cases, the Council may decide to grant a derogation. Such a derogation 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 1997.

The Commission considers that it is necessary to extend the derogation again and upto 31 December 1998. Such a period should be sufficient so as to allow a continuation of the dialogue between the Community and the United States.

### **Remark**

The adoption by the Council of this Regulation entails no financial consequences for the Community budget.

Proposal for a  
**COUNCIL REGULATION (EC) No**

**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<sup>1</sup>, as last amended by Regulation (EC) No 2087/97<sup>2</sup> 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 derogated from this principle by Regulation (EEC) No 1873/84<sup>3</sup>, as last amended by Regulation (EC) No 128/97<sup>4</sup>; whereas this derogation expires on 31 December 1997; 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 31 December 1998,

HAS ADOPTED THIS REGULATION:

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<sup>1</sup> JO n° L 84 du 27.03.1987, p.1.

<sup>2</sup> JO n° L292 du 25.10.97, p.1.

<sup>3</sup> JO n° L 176 of 3.07.1984, p.6.

<sup>4</sup> JO n° L 24 of 25.01.1997, p.2.

*Article 1*

In the second subparagraph of Article 1(1) of Regulation (EEC) No 1873/84, the date "31 December 1997" is hereby replaced by "31 December, 1998".

*Article 2*

This Regulation shall enter into force on 1 January 1998.

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

Done at Brussels,

*For the Council*

# FINANCIAL STATEMENT

1. BUDGET HEADING: B1 - 16 APPROPRIATIONS: ECU 799 m (PB98)

2. TITLE: Proposal for a 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) No 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 (98) (ECU million)	FOLLOWING FINANCIAL YEAR (99) (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	-	-	-	
	2000	2001	2002	2003
5.0.1. ESTIMATED EXPENDITURE	-	-	-	-
5.1.1. ESTIMATED REVENUE	-	-	-	-

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.



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# DOCUMENTS

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