



COMMISSION OF THE EUROPEAN COMMUNITIES

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CORRIGENDUM

Nouvelle page de couverture
(acronyme). Concerne les onze
versions linguistiques.

Proposal for a

COUNCIL REGULATION (EC)

concerning the conclusion of an Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and Bulgaria on the reciprocal establishment of tariff quotas for certain wines, and amending Regulation (EC) No 933/95 opening and providing for the administration of Community tariff quotas for certain wines

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. In 1993, the European Community concluded an Agreement with Bulgaria on the reciprocal establishment of tariff quotas for certain wines. This Agreement, which was to run initially until 31 December 1997, was extended until 31 December 1998. In 1993 the European Community also concluded an Agreement with Bulgaria on the reciprocal protection and control of wine names, of unlimited duration.
2. The Council has authorised the Commission to commence negotiations with Bulgaria with a view to concluding a new agreement in the form of an additional protocol to the Europe Agreement, to replace the two above Agreements with a scope extended to include spirits. Pending the conclusion of these negotiations, the Council has also authorised the Commission to commence negotiations with Bulgaria with a view to extending the Agreement on the reciprocal establishment of tariff quotas for certain wines for a further year so as to preserve reciprocal preferential treatment after 31 December 1998.
3. The negotiations with Bulgaria to extend the Agreement concerning tariff quotas for certain wines have resulted in the draft exchange of letters to which this proposal relates. This draft provides for the Agreement to be extended provisionally for a further year from 1 January 1999, pending the conclusion of the negotiations for an additional protocol to the Europe Agreement.
4. The purpose of this proposal is to ask the Council to adopt the results of the negotiation with Bulgaria as set out in the attached draft exchange of letters and the measures needed to implement them, including the amendment of Council Regulation (EC) No 933/95.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with the first sentence of Article 228(2) thereof,

Having regard to the proposal from the Commission,

Whereas an Agreement in the form of an Exchange of Letters between the European Community and Bulgaria on the reciprocal establishment of tariff quotas for certain wines was signed on 29 November 1993¹ and extended by an Agreement in the form of an Exchange of Letters signed on 19 March 1998²;

Whereas that Agreement expires on 31 December 1998;

Whereas in order to preserve reciprocal preferential treatment and to continue to promote the development of trade in wine the Agreement should be extended until 31 December 1999;

Whereas Council Regulation (EC) No 933/95 of 10 April 1995 opening and providing for the administration of Community tariff quotas for certain wines originating in Bulgaria, Hungary and Romania³ opened tariff quotas for certain wines in accordance with the Agreement in the form of an Exchange of Letters between the European Community and Bulgaria; whereas, following the new Agreement in the form of an Exchange of Letters, Regulation (EC) No 933/95 has to be amended accordingly;

¹ OJ L 337, 31.12.1993, p. 1.

² OJ L 96, 28.3.1998, p. 1.

³ OJ L 96, 28.4.1995, p. 1. Regulation last amended by Regulation (EC) No 813/98 (OJ L 116, 18.4.1998, p. 1).

Whereas, in order to facilitate the implementation of certain provisions of the Agreement, the Commission should be authorised to adopt the necessary legislation for implementation of the Agreement in accordance with the procedure laid down in Article 83 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine⁴,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and Bulgaria on the reciprocal establishment of tariff quotas for certain wines is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

The Commission is hereby authorised to adopt the necessary acts for implementation of the Agreement, in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87.

⁴ OJ L 84, 27.3.1987, p. 1. Regulation last amended by Regulation (EC) No 1627/98 (OJ L 210, 28.7.1998, p. 8).

Article 4

In Article 1(1) of Regulation (EC) No 933/95 the table under (a) “Wines originating in Bulgaria” is replaced by the following table:

“Order No	CN code (1)	Description (2)	Volume of quota (hectolitres)	Rate of duty applicable (% of basic)
09.7001	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 700 (1.1 - 31.12.1999)	40
09.7003	ex 2204 21	Quality wine, including quality wine with a designation of origin	434 430 (1.1 - 31.12.1999)	40
09.7005	ex 2204 29	Quality wine, including quality wine with a designation of origin, and wine obtained from grapes of the ‘Gamza’ vine variety designated and presented under that name or under the synonym ‘Kadarka’	128 000 (1.1 - 31.12.1999)	40”

Article 5

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1999.

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

Done at Brussels,

*For the Council
The President*

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

amending the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines

A. Letter from the Community

Brussels,.....

Sir,

I have the honour to refer to the Agreement of 29 November 1993 between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to extending the Agreement beyond 31 December 1998.

I hereby confirm that the European Community and the Republic of Bulgaria have agreed on the following:

I. TABLE 1 IN THE ANNEX TO THE SAID AGREEMENT IS REPLACED BY THE FOLLOWING TABLE:

“Quantities of wine originating in the Community and qualifying for tariff reductions

Bulgarian customs tariff code	Description	1993 hl	1994 hl	1995 hl	1996 hl	1997 hl	1998 hl	1999 hl
ex 2204 21 ex 2204 29	Wine of fresh grapes	42 000	46 200	50 400	54 600	58 800	63 000	67 200
ex 2204 10	Quality sparkling wine whether or not produced in specified regions, in containers holding not more than two litres	1 000	1 100	1 200	1 300	1 400	1 500	1 600”

II. TABLE 2 IN THE ANNEX TO THE SAID AGREEMENT IS REPLACED BY THE FOLLOWING TABLE:

“Quantities of wine originating in Bulgaria and qualifying for tariff reductions

CN code	Description	1993 hl	1994 hl	1995 hl	1996 hl	1997 hl	1998 hl	1999 hl
ex 2204 21	Quality wine, including quality wine with a designation of origin	214 000	247 000	280 400	313 600	346 800	401 230	434 430
ex 2204 29	Quality wine, including quality wine with a designation of origin, and wine obtained from grapes of the ‘Gamza’ vine variety designated and presented under that name or under the synonym ‘Kadarka’	118 000	118 000	118 000	118 000	118 000	128 000	128 000
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 000	1 100	1 200	1 300	1 400	1 600	1 700”

III. POINT 3(A) OF THE SAID AGREEMENT IS REPLACED BY THE FOLLOWING:

“ in the case of duties applied by Bulgaria to imports of wine originating in the Community:

- in 1993: 90% of the basic duty,
- in 1994: 80% of the basic duty,
- in 1995 and subsequent years: 70% of the basic duty but not exceeding 28% *ad valorem*;
- in 1999, 15 EUR per hectolitre.”

This exchange of letters shall be approved by the contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 1999. It shall expire on 31 December 1999. During the first half of 1999 negotiations will take place with a view to concluding an additional protocol to the Europe Agreement covering both wines and spirits. Moreover, the additional Protocol to the Europe Agreement will define the modalities of a co-operation between Bulgaria and the European Community to support the implementation of a programme for progressive adoption by Bulgaria of the “*acquis communautaire*” in the field of wine and spirits, particularly as regards reinforcing the supply management and control instruments in the wine sector (including the establishment of a wine register).

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from Bulgaria

Brussels,.....

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

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I hereby confirm that the European Community and the Republic of Bulgaria have agreed on the following:

I. TABLE 1 IN THE ANNEX TO THE SAID AGREEMENT IS REPLACED BY THE FOLLOWING TABLE:

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I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.”

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For the Government of the Republic of Bulgaria