

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(95) 45 final
Brussels, 24.02.1995

95/0034 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

opening and providing for the administration of
Community tariff quotas for certain wines
originating in Bulgaria, Hungary and Romania

(presented by the Commission)

EXPLANATORY MEMORANDUM

Under agreements concluded with Bulgaria, Hungary and Romania, approved by Council Decisions 93/721/EC, 93/723/EC, and 93/725/EEC, of 31.12.1993, the Community undertook to open annual Community tariff quotas for imports of the following products originating in:

(a) Bulgaria:

Order No	CN Code	Description	Volume of quota (hl)	Quota duty (% basic)
09.7001	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 200 (1.1.-31.12.95)	40
			1 300 (1.1.-31.12.96)	40
			1 400 (1.1.-31.12.97)	40
09.7003	ex 2204 21	Quality wine, including quality wine with a designation of origin	280 400 (1.1.-31.12.95)	40
			313 600 (1.1.-31.12.96)	40
			346 800 (1.1.-31.12.97)	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"	118 000 (1.1.-31.12.95)	40
			118 000 (1.1.-31.12.96)	40
			118 000 (1.1.-31.12.97)	40

(b) Hungary:

Order No	CN Code	Description	Volume of quota (hl)	Quota duty (% basic)
09.7007	ex 2204 29	Wine of fresh grapes	70 000 (1.1.-31.12.95)	40
			70 000 (1.1.-31.12.96)	40
			70 000 (1.1.-31.12.97)	40
			70 000 (1.1.-31.12.98)	40
09.7009	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	2 900 (1.1.-31.12.95)	40
			3 100 (1.1.-31.12.96)	40
			3 300 (1.1.-31.12.97)	40
			3 500 (1.1.-31.12.98)	40
09.7011	ex 2204 21	Quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tajbor"	145 000 (1.1.-31.12.95)	40
			160 000 (1.1.-31.12.96)	40
			175 000 (1.1.-31.12.97)	40
			190 000 (1.1.-31.12.98)	40

(c) Romania:

Order No	CN Code	Description	Volume of quota (hl)	Quota duty (% basic)
09.7013	ex 2204 10	Wine of fresh grapes, including sparkling wine and liqueur wine	130 000 (1.1.-31.12.95)	40
	ex 2204 21		140 000 (1.1.-31.12.96)	40
	ex 2204 29		150 000 (1.1.-31.12.97)	40

This is the aim of this proposal.

**Proposal for a
Council Regulation (EC) No./94**

**opening and providing for the administration of Community tariff quotas for certain wines
originating in Bulgaria, Hungary and Romania**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas, in accordance with the agreements in the form of exchanges of letters concluded between the European Community, of the one part, and the Republic of Bulgaria, the Republic of Hungary, and Romania, of the other part, approved by Council Decisions 93/721/EC, 93/723/EC and 93/725/EC of 31.12.1993⁽¹⁾, the Community is to open tariff quotas subject to reduced customs duties for certain wines originating in the said countries; whereas access to those quotas shall be confined to the wines in question accompanied by a document issued by a mutually recognized official body certifying that the wines are those covered by the agreement and originating in the countries concerned;

Whereas those tariff quotas should be opened on an annual basis running from 1 January to 31 December;

Whereas it is necessary, in particular, to ensure for all the parties concerned equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rate laid down for the quotas to all imports or re-imports into all Member States of the products meeting the conditions specified until the quotas have been used up;

Whereas the decision to open the tariff quotas should be taken by the Community in compliance with its international obligations; whereas, to ensure the efficiency of a common administration of these quotas, there is no obstacle to authorizing Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission, and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member states accordingly;

Whereas the rules for the management and adoption of tariff quotas applicable for the countries concerned are set out in Regulation (EC) N° 1798/94 of 18 July 1994⁽²⁾ opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia and establishing the detailed provisions for adapting these quotas(1994-1997).

(1) OJ N° L 337 of 31.12.1993, pp. 3, 84, 173

(2) OJ N° L 189 of 23.7.1994, p. 1

(4)

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1995 to 31 December 1997 for Bulgaria and Romania, and from 1 January 1995 to 31 December 1998 for Hungary, and without prejudice to paragraph 2, the customs duties applicable on importation of the following products originating in Bulgaria, Hungary and Romania shall be suspended at levels and within the limits of tariff quotas as indicated with respect to each product:

(a) Wines originating in Bulgaria:

Order No	CN Code (1)	Description (2)	Volume of quota (hl)	Quota duty (% basic)
09.7001	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 200 (1.1.-31.12.95)	40
			1 300 (1.1.-31.12.96)	40
			1 400 (1.1.-31.12.97)	40
09.7003	ex 2204 21	Quality wine, including quality wine with a designation of origin	280 400 (1.1.-31.12.95)	40
			313 600 (1.1.-31.12.96)	40
			346 800 (1.1.-31.12.97)	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"	118 000 (1.1.-31.12.95)	40
			118 000 (1.1.-31.12.96)	40
			118 000 (1.1.-31.12.97)	40

(b) Wines originating in Hungary:

Order No	CN Code (1)	Description (2)	Volume of quota (hl)	Quota duty (% basic)
09.7007	ex 2204 29	Wine of fresh grapes	70 000 (1.1.-31.12.95)	40
			70 000 (1.1.-31.12.96)	40
			70 000 (1.1.-31.12.97)	40
			70 000 (1.1.-31.12.98)	40
09.7009	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	2 900 (1.1.-31.12.95)	40
			3 100 (1.1.-31.12.96)	40
			3 300 (1.1.-31.12.97)	40
			3 500 (1.1.-31.12.98)	40
09.7011	ex 2204 21	Quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tajbor"	145 000 (1.1.-31.12.95)	40
			160 000 (1.1.-31.12.96)	40
			175 000 (1.1.-31.12.97)	40
			190 000 (1.1.-31.12.98)	40

(1) See TARIC codes in the Annex

(2) Despite the rules for interpreting the Combined Nomenclature, the description of the products should be taken as a guide only, as the applicability of the preferential arrangements is determined, in the context of the Annex, by the scope of the CN codes. Where ex CN codes are mentioned, the applicability of the preferential arrangements is determined on the basis of the CN code and the corresponding description, taken together

(5)

(c) Wines originating in Romania:

Order No	CN Code (1)	Description (2)	Volume of quota (hl)	Quota duty (% basic)
09.7013	ex 2204 10	Wine of fresh grapes, including sparkling wine and liqueur wine	130 000 (1.1.-31.12.95)	40
	ex 2204 21		140 000 (1.1.-31.12.96)	40
	ex 2204 29		150 000 (1.1.-31.12.97)	40

2. Admission under the tariff quotas referred to in paragraph 1 shall be confined to wines accompanied by a document VI 1 or an extract VI 2, completed in accordance with the provisions of Commission Regulation (EEC) No 3590/85⁽³⁾. Document VI 1 must include in Box 15 one of the following endorsements, certified by the appropriate Bulgarian, Hungarian or Romanian body:

(a) quota No 09.7001:

"This is to certify that the wine referred to in this document is a quality sparkling wine in accordance with Bulgarian legislation on wine-growing".

(b) quota No 09.7003:

"This is to certify that the wine referred to in this document is a quality wine with a designation of origin in accordance with Bulgarian legislation on wine-growing".

(c) quota No 09.7005:

"This is to certify that the wine referred to in this document is a quality wine with a designation of origin, in accordance with Bulgarian legislation on wine-growing, or a wine obtained from grapes of the "Gamza" vine variety designated and presented under that name or under the synonym "Kadarka".

(d) quota No 09.7009:

"This is to certify that the wine referred to in this document is a quality sparkling wine in accordance with Hungarian Law No 36/1970 on wine-growing and Implementing Regulation No 40/1977 (MEM), as amended by Regulations Nos 7/1990 (FM) and No 23/1992 (FM)".

(e) quota No 09.7011:

"This is to certify that the wine referred to in this document is a quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tajbor" in accordance with Hungarian Law No 36/1970 on wine-growing and Implementing Regulation No 40/1977 (MEM), as amended by Regulations No 7/1990 (FM) and No 23/1992 (FM)".

(1) See TARIC codes in the Annex

(2) Despite the rules for interpreting the Combined Nomenclature, the description of the products should be taken as a guide only, as the applicability of the preferential arrangements is determined, in the context of the Annex, by the scope of the CN codes. Where ex CN codes are mentioned, the applicability of the preferential arrangements is determined on the basis of the CN code and the corresponding description, taken together

(3) OJ No L 343 of 20.12.1985, p. 20

6

Furthermore, the wines in question shall remain subject to observance of the free-at-frontier reference prices. In order for these wines to benefit from the tariff quotas, Article 54 of Regulation (EEC) No 822/87 ⁽¹⁾, as last amended by Regulation (EEC) No 1566/93 ⁽²⁾, must be complied with.

Article 2

Articles 2 to 7 of Regulation (EC) N° 1798/94 apply.

Article 3

This Regulation shall enter into force on 1 January 1995.

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

Done at Brussels,

For the Council
The President

(1) OJ No L 84 of 27.3.1987, p.1, as last amended by Regulation (EEC) No 3577/90 (OJ No L 353 of 17.12.1990, p. 23)

(2) OJ No L 154, 25.6.1993, p.39.

ANNEX

Taric codes

Order number	CN codes	Taric Code
09.7001	ex 2204 10	2204 10 19 *91 2204 10 99 *91
09.7003	ex 2204 21	2204 21 79*79 2204 21 79*80 2204 21 80*79 2204 21 80*80 2204 21 83*10 2204 21 83*79 2204 21 83*80 2204 21 84*10 2204 21 84*79 2204 21 84*80 2204 21 94*10 2204 21 94*80 2204 21 98*10 2204 21 98*80 2204 21 99*80
09.7005	ex 2204 29	2204 29 65*00 2204 29 75*80 2204 29 83*10 2204 29 83*80 2204 29 84*10 2204 29 84*80 2204 29 94*10 2204 29 94*80 2204 29 98*10 2204 29 98*80 2204 29 99*80
09.7007	ex 2204 29	2204 29 65*00 2204 29 75*80 2204 29 83*10 2204 29 83*80 2204 29 84*10 2204 29 84*80 2204 29 94*10 2204 29 94*80 2204 29 98*10 2204 29 98*80 2204 29 99*80
09.7009	ex 2204 10	2204 10 19*91 2204 10 99*91

⑧

Order number	CN codes	Taric Code
09.7011	ex 2204 21	2204 21 79*79 2204 21 79*80 2204 21 80*79 2204 21 80*80 2204 21 83*10 2204 21 83*79 2204 21 83*80 2204 21 84*10 2204 21 84*79 2204 21 84*80 2204 21 94*10 2204 21 94*80 2204 21 98*10 2204 21 98*80 2204 21 99*80
09.7013	ex 2204 10 ex 2204 21 ex 2204 29	2204 10 19 *91 2204 10 19 *99 2204 10 99 *91 2204 10 99 *99 2204 21 79*79 2204 21 79*80 2204 21 80*79 2204 21 80*80 2204 21 83*10 2204 21 83*79 2204 21 83*80 2204 21 84*10 2204 21 84*79 2204 21 84*80 2204 21 94*10 2204 21 94*80 2204 21 98*10 2204 21 98*80 2204 21 99*80 2204 29 65*00 2204 29 75*80 2204 29 83*10 2204 29 83*80 2204 29 84*10 2204 29 84*80 2204 29 94*10 2204 29 94*80 2204 29 98*10 2204 29 98*80 2204 29 99*80

5

FINANCIAL STATEMENT

1. Budget heading concerned: Chapter 12, Article 120
2. Legal basis: Article 113 of the Treaty
3. Title of the tariff measure: Proposal for a Council Regulation (EC) opening and providing for the administration of Community tariff quotas for certain wines originating in Bulgaria, Hungary and Romania (1994-98)
4. Aim: Compliance with commitments entered into by the Community
5. Loss of revenue: The financial implications of the measure were calculated when the Council approved the legal basis for the quotas (see doc. COM (93) 358, proposal for a Council Decision concerning the conclusion and signature of agreements in the form of exchanges of letters with the countries concerned).

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DOCUMENTS

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11