

COMMISSION OF THE ~~EUROPEAN~~ ~~COMMUNITIES~~

COM (80) 810 final

Brussels, 5 December 1980

Proposal for a
COUNCIL REGULATION (EEC)

establishing a ceiling and Community surveillance in respect of imports of wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece (1981)

(submitted to the Council by the Commission)

COM (80) 810 final



EXPLANATORY MEMORANDUM

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1. In compliance with Articles 25 and 64 of the Act of Accession⁽¹⁾, customs duties on imports between the Community as at present constituted and the Hellenic Republic shall be progressively abolished in accordance with a timetable which provides for a first reduction of 10 % on 1 January 1981 to be made on the basic duty, as defined in Article 24, namely, on the duty actually imposed on 1 July 1980.

The basic duty in respect of wines originating entirely in Greece is equivalent :

- to 15 % of the duties included in the Common Customs Tariff up to a maximum quantity of 430 000 hectolitres as provided for in Regulation (EEC) N° 2634/79 of 20 November 1979⁽²⁾ on the Community tariff quota opened for 1980 ;
- to the Common Customs Tariff duties in respect of additional quantities.

Therefore as from 1 January 1981, the duties to be imposed in the Community as at present constituted on imports of wines originating entirely in Greece must be equivalent to 90 % of the abovementioned basic duties, namely, to 13,5 % of the Common Customs Tariff duty up to the maximum quantity of 430 000 hectolitres and to 90 % of the Common Customs Tariff duty for the surplus quantities.

2. As regards the surveillance to be carried out in order to determine the duty applicable on imports of such wines, the Commission is of the opinion that strict measures should not be taken to prevent the possibility of this quantity of 430 000 hectolitres being exceeded. It therefore proposes that a more flexible system be introduced, namely a ceiling, fixed at this level of 430 000 hectolitres, above which the normal residual customs duties would be reimposed until the end of the calendar year.

(1) OJ N° L 291, 19.11.1979, P. 17

(2) OJ N° L 306, 3.12.1979, P. 6

Putting such a system into practice and the option of reimposing certain customs duties would involve the adoption of common and precise rules to be applied by the Member States concerned in a uniform manner. These requirements could be met by establishing a system of Community surveillance in respect of imports actually carried out and originating in Greece. To this end, the Member States would have to take adequate steps to ensure the rapid gathering of statistical statements at Community level. In this connection, a record should be kept only of imports of the products in question, as and when these products are entered with customs authorities for free circulation.

Such statements would be compiled by the Member States at the end of each month and would be transmitted before the fifteenth day of the following month to the Commission so that it could be in a position to transmit by telex to the Member States an overall statement, in respect of each product, of the imports in question carried out during the previous month. The system of surveillance would require an effort of promptitude and close cooperation between the services concerned of the Member States and those of the Commission.

As regards the implementation of the mechanism of reimposing customs duties, the following system would be adopted : as soon as one of these monthly overall statements prepared by the Commission showed that the ceiling had been reached to the amount of 75 %, the Commission would inform the Member States accordingly.

Imports of the products in question would continue to be the subject of a monthly statement or, if so requested by the Commission, of a telex statement in respect of each ten-day period. This latter statement should be forwarded within five days of the end of that period.

In these circumstances, the Commission could adopt measures as soon as possible, with regard to Greece, leading to the reimposition by means of a Regulation of the residual customs duties until the end of the calendar year. Naturally, in such circumstances, the reimposition of the customs duties in respect of the product in question would be carried out within the time limit laid down in the Regulation bringing to an end the relief from customs duties.

As regards the reimposition of customs duties, the attached proposal makes provision for the Council to confer powers on the Commission. The proposal for a Regulation restricts itself to giving a general outline for exercising those powers in order to be able to adapt the mechanisms to be implemented flexibly and rapidly. Moreover, it is with a view to efficiency and maximum rapidity that the proposal for a Regulation lays down that it would be incumbent on the Commission, with regard to Greece, to reimpose the customs duties applicable.

Annex : Proposal for a Council Regulation.

Proposal for
COUNCIL REGULATION
(EEC)

establishing a ceiling and Community surveillance in respect of imports of wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading N° 22.05 of the Common Customs Tariff and originating entirely in Greece (1981)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, in compliance with Articles 25 and 64 of the Act of Accession, customs duties on imports between the Community of Nine and Greece are to be progressively abolished in accordance with a timetable which provides for a first reduction of 10 % on 1 January 1981 to be made on the basic duty, as defined in Article 24 of the said Act ; whereas, for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece, the customs duties applicable in the Community of Nine will, with effect from 1 January 1981, be equivalent to 13.5 % of the Common Customs Tariff duty up to a maximum quantity of 430 000 hectolitres and equivalent to 90 % of this duty for the surplus quantities ; whereas it is therefore necessary, in order to determine the duty applicable on imports of such wines, to introduce a sufficiently flexible system of an annual ceiling, fixed at the level of 430 000 hectolitres above which the normal residual customs duties would be reimposed until the end of the calendar year ;

whereas in this situation the Commission must also be regularly informed of the trend of imports of the goods in question and, in consequence, it is necessary to subject these imports to surveillance ;

Whereas this objective may be achieved by means of an administrative procedure based on setting off imports of the products in question against the ceiling at Community level, as and when these products are entered with customs authorities for free circulation ; whereas this administrative procedure must make provision for the reintroduction of normal residual duties as soon as the ceiling has been reached at Community level ;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission ; whereas the latter must, in particular, be able to follow the progress of amounts set off against the ceiling and keep the Member States informed ; whereas this cooperation must be all the closer since the Commission must be able to take adequate measures to reimpose the residual customs duties applicable whenever the ceiling has been reached,

HAS ADOPTED THIS REGULATION :

Article 1

1. With effect from 1 January and until 31 December 1981, imports of wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff and originating entirely in Greece, shall be subject to Community surveillance.

Within the limits of a ceiling of 430 000 hectolitres, the duties applicable shall be those indicated in the table below, opposite the description of the wines, their tariff headings and their statistical numbers.

CCT heading No	Description	NIMEXE code	Rate of duty
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol :		
	A. Sparkling wine.....	22.05-01,09	5.4 EUA per hl
	B. Wine in bottles with "mushroom" stoppers held in place by ties or fastenings, and wine otherwise put up with an excess pressure of not less than one bar but less than three bar, measured at a temperature of 20°C.....	22.05-15	5.4 EUA per hl
	C. Other :		
	I. Of an actual alcoholic strength by volume not exceeding 13 % vol, in containers holding :		
	a) Two litres or less...	22.05-21	1.8 ECU per hl ⁽¹⁾
	b) More than two litres.	22.05-25	1.4 ECU per hl ⁽¹⁾
	II. Of an actual alcoholic strength by volume exceeding 13 % but not exceeding 15 % vol, in containers holding :		
	a) Two litres or less...	22.05-31	2.2 ECU per hl ⁽¹⁾
	b) More than two litres.	22.05-35	1.7 ECU per hl ⁽¹⁾
	III. Of an actual alcoholic strength by volume exceeding 15 % vol but not exceeding 18 % vol, in containers holding :		
	a) Two litres or less :		
	2. Other.....	22.05-39	2.7 ECU per hl ⁽¹⁾
	b) More than two litres :		
	3. Other.....	22.05-49	2.2 ECU per hl ⁽¹⁾
	IV. Of an actual alcoholic strength by volume exceeding 18 % vol but not exceeding 22 % vol, in containers holding :		
	a) Two litres or less :		
	2. Other.....	22.05-54	3 ECU per hl ⁽¹⁾
	b) More than two litres :		
	3. Other.....	22.05-68	3 ECU per hl ⁽¹⁾

CCT heading No	Description	NIMEXE code	Rate of duty
	V. Of an actual alcoholic strength by volume exceeding 22 % vol, in containers holding : a) Two litres or less.... b) More than two litres..	22.05-91 22.05-98	0.1 ECU per hl ⁽¹⁾ per % vol of alcohol + 1.6 ECU per hl ⁽¹⁾ 0.1 ECU per hl per % vol of alcohol ⁽¹⁾

(1) The exchange rate to be applied in converting into national currencies the EUA in which the customs duty is expressed shall be the representative rate applicable to wine, if such a rate is fixed for the purposes of the common agricultural policy.

2. Quantities shall be set off against the ceiling as and when products are entered with customs authorities for free circulation.
3. The reaching of a ceiling shall be determined at Community level on the basis of the imports set off against it in the manner defined in paragraph 2.
4. The Member States concerned shall inform the Commission at the intervals and within the time limits specified in Article 3 of imports effected in accordance with the abovementioned procedures.

Article 2

As soon as the ceiling mentioned in Article 1(1) has been reached at Community level, the Commission shall adopt a Regulation reimposing until the end of the calendar year the normal residual customs duties.

Article 3

The Member States concerned shall forward to the Commission not later than the fifteenth day of each month a statement of the quantities charged during the preceding month. If the Commission so requests, they shall provide such a statement in respect of periods of ten days and forward it within five clear days of the end of each ten-day period.

Article 4

The Commission shall take all appropriate measures, in close cooperation with the Member States, for the purposes of applying this Regulation.

Article 5

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

