

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

opening, allocating and providing for the administration of a
Community tariff quota for Jerez wines falling within
subheading ex 22.05 of the Common Customs Tariff, originating
in Spain (1977)

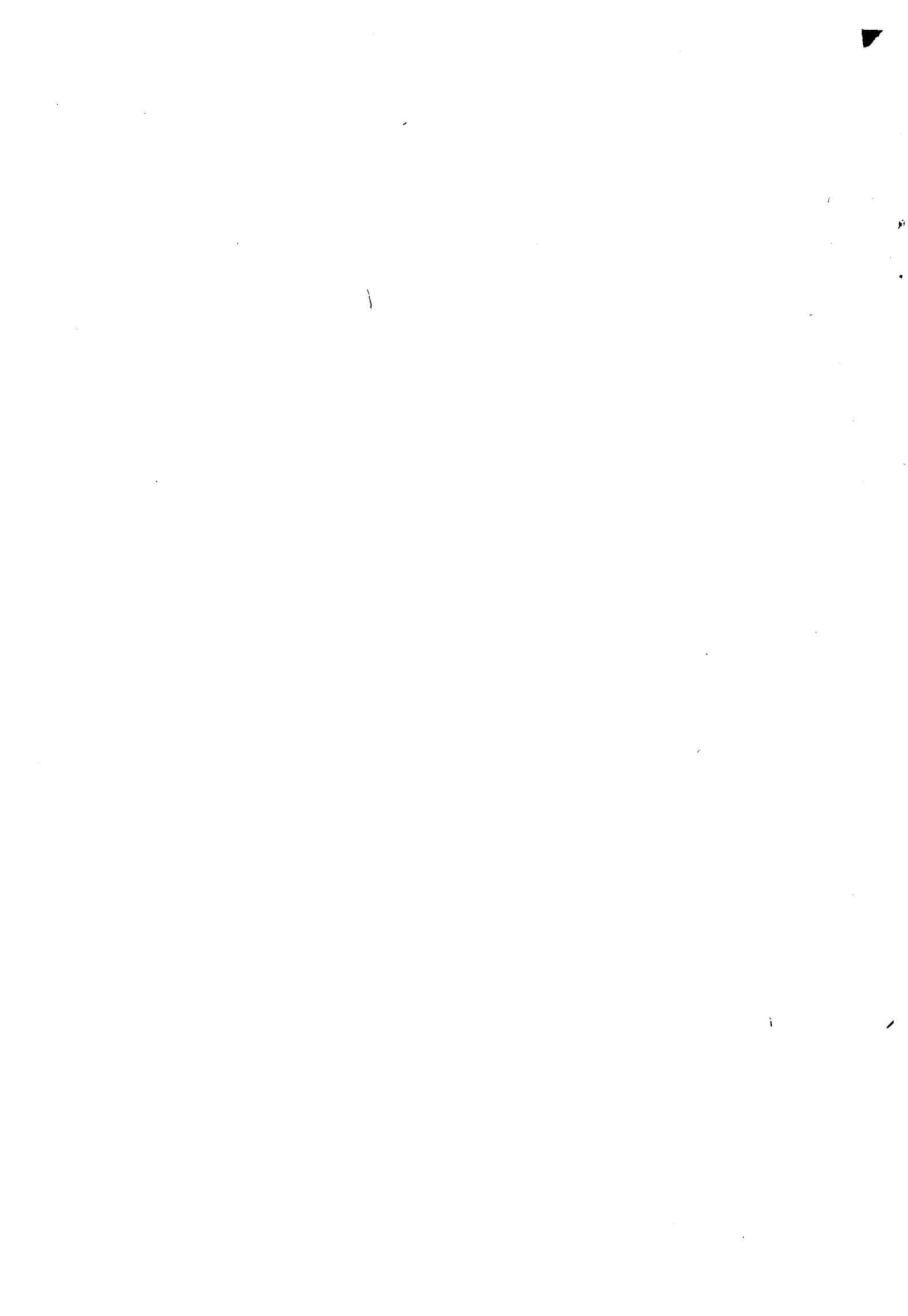
PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

opening, allocating and providing for the administration of a
Community tariff quota for Malaga wines falling within
subheading ex 22.05 of the Common Customs Tariff, originating
in Spain (1977)

PROPOSAL FOR A
REGULATION (EEC) OF THE COUNCIL

opening, allocating and providing for the administration of a
Community tariff quota for wines from Jumilla, Priorato, Rioja
and Valdepenas falling within subheading ex 22.05 of the Common
Customs Tariff, originating in Spain (1977)

(submitted to Council by the Commission)



EXPLANATORY MEMORANDUM

1. In the Final Act to the Agreement at present in force between the European Economic Community and Spain, there is a Declaration by the Community delegation concerning certain wines. The Declaration provides for the grant of preferential treatment for certain wines, taking the form of a reduction of the CCT duties up to certain quantities. The arrangement is, however, to be reconsidered following the entry into force of the rules governing the common organization of the market in wine.

This preferential arrangement consists in the annual opening of four low-duty tariff quotas:

(a) Sherry wines

- (i) in containers of two litres or less,
40 000 hl at CCT duty reduced by 60%;
- (ii) in containers of more than two litres
210 000 hl at CCT duty reduced by 50%;

(b) Malaga wines

in containers of two litres or less,
15 000 hl at CCT duty reduced by 50%;

(c) Juilla, Priorato, Rioja and Valdepenas wines

in containers of two litres or less,
15 000 hl at CCT duty reduced by 30%;

it being understood that these wines would remain subject to the provisions governing the common organization of the market in wine.

The Community opened negotiations with Spain with a view to concluding an additional Protocol to the Agreement of 1970.

However, in view of the present state of these negotiations, it is by no means certain that this Protocol could enter into force on 1 January 1977, but rather on a later date which might well be within the first half of 1977.

2/00 7

3. In view of the foregoing, the Commission believes that the possible necessity should be provided for of opening tariff quotas, for 1977, for certain wines in favour of Spain. Consequently the tariff quotas for these products should be opened by 1 January 1977 and therefore approved by the Council before 1 November 1976. It is therefore necessary to initiate immediately the procedure for opening the relevant tariff quotas. However, in view of the possible entry into force of the abovementioned Protocol it is proposed to confine the period of validity of these tariff quotas for the year 1977 to the period not covered by this Protocol.

Moreover, as regards agricultural products, the Regulations opening the relevant Community tariff quotas must be based on Article 43 of the EEC Treaty, which means that the European Parliament must be consulted. The time which the procedure for approving these Regulations will take must therefore be borne in mind.

In conclusion, the Commission proposes that Community tariff quotas for 1977 should be opened for the relevant wines on the same terms as these for 1972 to 1976.

This is the object of the proposals annexed hereto.

4. These Regulations provide for the splitting up of the tariff volumes into two parts, of which the first will be allocated among the Member States as quota share and the second will be kept as a reserve. In the absence of Community statistics, the initial quotas have been calculated on the basis of the most recent statistics on Spanish exports over a representative period and of Member States' forecasts.

Spanish statistics can be considered to give a rough picture of Community imports of the relevant products.

5. The proposed Regulations on these wines provide for a single method of administration, to be applied by all the Member States for these quotas, namely the "as and when" method.

6. The Member States' experts who participated in the consultative meeting of the "Economic Tariff Problems" Group (26/27 April 1976) expressed agreement in principle to the scheme for allocation of shares proposed by the Commission in the framework of the regulations annexed.

If the case should arise that the negotiations with Spain result in a new arrangement coming into effect on 1 January 1976, the Commission would present new proposals.

Annexes :

- 3 proposals of regulations of the Council.

Proposal for a
REGULATION (EEC) No OF THE COUNCIL
of

opening, allocating and providing for the administration of a Community tariff quota for Jerez wines, falling within heading No ex 22.05 of the Common Customs Tariff, originating in Spain (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽¹⁾;

Whereas on the signing of the Agreement⁽²⁾ between the European Economic Community and Spain at Luxembourg on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of certain wines, originating in Spain, in particular Jerez wines; whereas:

- a 60% reduction in the Common Customs Tariff duties applicable to Jerez wines, originating in Spain and imported in containers holding two litres or less should be granted for 1977 up to a Community tariff quota of 40 000 hectolitres; and
- a 50% reduction in the Common Customs Tariff duties applicable to Jerez wines, originating in Spain and imported in containers holding more than two litres should be granted for 1977 up to a Community tariff quota of 210 000 hectolitres;

Whereas the Community tariff quotas in question should be opened for the year 1977, and whereas, however, because of the possibility of implementing other preferential arrangements,

it is necessary to confine the

period of validity of these tariff quotas to such period as is not covered by a new arrangement;

Whereas these wines remain subject to the provisions governing the common organization of the market in vine products; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and a certificate of designation of origin as provided for in Regulation (EEC) No 1120/75⁽³⁾ endorsed by the Spanish customs authorities;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the principles mentioned above, the Community nature of the quotas can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of Jerez wines on the markets; whereas, however, Spanish statistics for exports of these products to the Community during the past few years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Spain of the products concerned:

⁽¹⁾ OJ No

⁽²⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽³⁾ OJ No L 111, 30. 4. 1975, p. 19.

	1973	1974	1975
Jerez wines:			
— in containers holding two litres or less:			
— Germany	14.6	19.3	19.0
— Benelux	77.3	72.3	78.3
— France	0.9	0.6	0.5
— Italy	7.2	7.8	2.2
— in containers holding more than two litres:			
— Germany	9.2	8.7	6.8
— Benelux	90.6	91.1	93.0
— France	0.1	0.2	0.1
— Italy	0.1	0.0	0.1

Whereas, in view of these factors and of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

	Jerez wines in containers holding:	
	two litres or less	more than two litres
Germany	17.2	7.8
Benelux	74.0	92.0
France	0.9	0.1
Italy	7.9	0.1

Whereas, in order to take account import trends for products in question in the Member States concerned, the quota amounts should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas in order to ensure a certain degree of security to importers in each Member State, the first instalment of the quotas should be fixed in this case at approximately 80% of each of the quota amounts;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of one or other of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1977 until the date of entry into force of a new arrangement, but not later than 31 December 1977, the Common Customs Tariff duties in respect of the following Jerez wines, originating in Spain, shall be partially suspended at the levels or within the limits of the Community tariff quotas indicated for each of them:

CCT heading No	Description	Rate (u.s./hl)	Quota volume (hl)
ex 22.05 C III a) 1	Wines from Jerez	5.4	} 40 000
ex 22.05 C IV a) 1	Wines from Jerez	5.8	
ex 22.05 C III b) 1	Wines from Jerez	5.5	} 210 000
ex 22.05 C IV b) 1	Wines from Jerez	6.0	

2. The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation, annexed to the Agreement between the European Economic Community and Spain, shall be applicable.

3. The inclusion of these wines in the Community tariff quota referred to in paragraph 1 shall be conditional upon observance of the reference price applying to them and production of a movement certificate A.E.1 and a certificate of designation of origin as provided for in Regulation (EEC) No 1120/75, endorsed by the Spanish authorities.

Article 2

1. The quotas laid down in Article 1 shall be divided into two instalments.

2. A first instalment shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until the end of the period specified in Article 1, shall be as follows:

	Jerez wines under subheadings:	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Germany	5 500	13 000
Benelux	23 700	154 560
France	300	170
Italy	2 500	170
Total	32 000	168 000

3. The second instalment of each quota, that is 8 000 hectolitres and 42 000 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after one or other of its initial shares have been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after one or other of its second shares have been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

REGULATION

4. Notwithstanding the provisions of paragraphs 1, 2 and 3 a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

The Member States shall return to the reserve, not later than 1 October 1977 the unused portion of their initial share which, on 15 September 1977 is in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1977 notify the Commission of the total imports of the products concerned effected up to and including 15 September 1977 and charged against the Community quotas and, where appropriate, the proportion of their initial shares that is being returned to each reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each State of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in each reserve after the return of shares pursuant to Article 5.

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

Done at Brussels,

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 3 it is possible for charges to be made without interruption against their accumulated shares of the Community quotas.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, the Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

For the Council
The President

Proposal for a
REGULATION (EEC) No OF THE COUNCIL

of

opening, allocating and providing for the administration of a Community tariff quota
for Malaga wines, falling within heading No ex 22.05 of the Common Customs Tariff,
originating in Spain (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 and 113 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament (1);

Whereas on the signing of the Agreement (2) between the European Economic Community and Spain at Luxembourg on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of certain wines, originating in Spain, in particular Malaga wines; whereas a 50% reduction in the Common Customs Tariff duties applicable to Malaga wines, originating in Spain and imported in containers holding two litres or less should be granted for 1977 up to a Community tariff quota of 15 000 hectolitres;

Whereas the Community tariff quota in question should be opened for the year 1977 and whereas, however, because of the possibility of the entry into force of a new preferential

treatment, it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new arrangement

Whereas these wines remain subject to the provisions governing the common organization of the market in vine products, especially as regards observance of the reference price; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and of a certificate of designation of origin;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries (3), introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access

to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of Malaga wines on the markets; whereas, however, Spanish statistics for exports of these products to the Community during the past few years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States during the past three years represent the following percentages of the imports into the Community from Spain of the products concerned:

	1973	1974	1975
Germany	64.4	42.0	71.6
Benelux	21.6	35.1	22.4
France	4.0	1.2	3.0
Italy	10.0	21.7	3.0

Whereas, in view of these factors and of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Germany	53.3
Benelux	29.2
France	3.3
Italy	14.2

(1) OJ No

(2) OJ No L 182, 16. 8. 1970, p. 2.

(3) OJ No L 256, 2.10.1975, p. 2

Whereas, in order to take account of import trends for the products in question in the Member States concerned, the quota amount should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas in order to ensure a certain degree of security to importers in each Member State, the first instalment of the quota should be fixed in this case at approximately 80%;

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States, and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a considerable balance of the initial share remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1977 until the date of entry into force of a new preferential arrangement, but not later than 31 December 1977, the Common Customs Tariff duties in respect of Malaga wines, originating in Spain, shall be partially suspended at the levels shown below within the limits of a total Community tariff quota of 15 000 hectolitres:

CCT heading No	Description of goods	Rate (u.a./hl)
ex 22.05 C III a) 2	Wine from Malaga	8.50
ex 22.05 C IV a) 2	Wine from Malaga	9.50

2. The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation, annexed to the Agreement between the European Economic Community and Spain, shall be applicable.

3. The inclusion of Malaga wines in the Community tariff quota referred to in paragraph 1 shall be conditional upon observance of the reference price applying to them and to production of a certificate of designation of origin corresponding to the specimen annexed hereto, endorsed by the Spanish customs authorities. This certificate must be in accordance with the provisions of Article 2, par. 2-4 of Regulation (EEC) No 1120/75.

4. The wines in question shall benefit from these tariff quotas on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 and subsequent texts which apply to such prices.

Article 2

1. The tariff quota laid down in Article 1 shall be divided into two instalments.

2. A first instalment, amounting to 12 000 hectolitres, shall be shared among the Member States; the shares, which subject to Article 5 shall be valid until the end of the period specified in Article 1, shall be as follows:

Germany	6 400 hl,
Benelux	3 500 hl,
France	400 hl,
Italy	1 700 hl.

3. The second instalment of 3 000 hectolitres shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90% of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20% of their initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected up to and including 15 September 1977, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the share opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

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

Done at Brussels,

The Commission shall, not later than 5 October 1977, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 3 it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

This Regulation shall enter into force on 1 January 1977.

For the Council
The President

BILAG - ANHANG - ANNEX - ANNEXE - ALLEGATO - BILAGE

<p>1. Exportador — Eksporter — Ausführer — Exporter — Exportateur — Esportatore — Exporteur:</p>	<p>2. Número — Nummer — Nummer — Number — Numéro — Numero — Nummer</p>	<p>00000</p>
<p>4. Destinatario — Modtager — Empfänger — Consignee — Destinataire — Destinatario — Geadresseerde:</p>	<p>3. Consejo Regulador de la Denominación de origen MÁLAGA</p>	
<p>6. Medio de transporte — Transportmiddel — Beförderungsmittel — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:</p>	<p>5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG</p>	
<p>8. Lugar de descarga — Losningssted — Entladungsort — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:</p>	<p>7. VINO DE MÁLAGA VIN FRA MALAGA MALAGA-WEIN WINE FROM MALAGA VIN DE MALAGA VINO DI MALAGA MALAGAWIJN</p>	
<p>9. Marcas y números, número y naturaleza de los bultos Mærker og numre, kolloenes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura del colli Merksh en nummers, aantal en soort der colli</p>	<p>10. Peso bruto Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht</p>	<p>11. Litros Liter Liter Litres Litri Litri Liter</p>
Empty space for data entry		
<p>12. Litros (en letra) — Liter (i bogstaver) — Liter (in Buchstaben) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (volut):</p>		
<p>13. Visado del organismo emisor — Påtegning fra udstedende organ — Bescheinigung der erteilenden Stelle — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:</p>		
<p>14. Visado de la aduana — Toldstedets attest — Sichtvermerk der Zollstelle — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane</p>	<p>Certifico que el vino cuya descripción antecede es un producto genuino de la zona de Málaga y con derecho a la denominación de origen „MALAGA”</p> <p>(vease traducción del nº 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — see the translation under No 15 — Voir traduction au nº 15 — Vedasi traduzione al n. 15 — Zie voor vertaling nr. 15)</p>	

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i Malagaområdet og ifølge spansk lovgivning er berettiget til oprindelsesbetegnelsen: »MALAGA«.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk Malaga gewonnen wurde und ihm nach spanischem Gesetz die Ursprungsbezeichnung „MALAGA“ zuerkannt wird.

We hereby certify that the wine described in this certificate is wine produced within the wine district of Malaga and is considered by Spanish legislation as entitled to the designation of origin 'MALAGA'.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de Malaga et est reconnu, suivant la loi espagnole, comme ayant droit à la dénomination d'origine «MALAGA».

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di Malaga ed è riconosciuto, secondo la legge spagnola, come avente diritto alla denominazione di origine «MALAGA».

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van Malaga en dat volgens de Spaanse wetgeving de benaming van oorsprong „MALAGA“ erkend wordt.

16. (*)

(*) Espacio reservado para otras indicaciones del país exportador.

(*) Rubrik forbeholdt eksportlandets andre angivelser.

(*) Diese Nummer ist weiteren Angaben des Ausführenden vorbehalten.

(*) Space reserved for additional details given in the exporting country.

(*) Caza réservée pour d'autres indications du pays exportateur.

(*) Spazio riservato per altre indicazioni del paese esportatore.

(*) Ruimte bestemd voor andere gegevens van het land van uitvoer.

Proposal for a
REGULATION (EEC) No . . . OF THE COUNCIL

ANNEX C

of

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Priorato, Rioja and Valdepeñas, falling within heading No ex 22.05 of the Common Customs Tariff, originating in Spain (1977)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof;

Having regard to the proposal from the Commission ;

Having regard to the Opinion of the European Parliament ⁽¹⁾;

Whereas on the signing of the Agreement ⁽²⁾ between the European Economic Community and Spain at Luxembourg on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of certain wines, originating in Spain, in particular wines from Jumilla, Priorato, Rioja and Valdepeñas; whereas a 30% reduction in the Common Customs Tariff duties applicable to wines from Jumilla, Priorato, Rioja and Valdepeñas, originating in Spain and imported in containers holding two litres or less should be granted for 1977 up to a Community tariff quota of 15 000 hectolitres;

Whereas the Community tariff quota in question should be opened for the year 1977, and whereas, however, because of the possibility of the entry into force during 1976 of a new preferential arrangement,

it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new arrangement;

Whereas Council Regulation (EEC) No 2506/75 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries ⁽³⁾, introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied;

Whereas these wines remain subject to the provisions governing the common organization of the market in vine products, especially as regards observance of the reference price; whereas inclusion in the Community tariff quota should be subject to

production of movement certificate A.E.1 and of a certificate of designation of origin;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up;

Whereas, having regard to the principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual development of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of wines from Jumilla, Priorato, Rioja and Valdepeñas wines on the markets; whereas, however, Spanish statistics for exports of these products to the Community during the past few years can be considered to reflect approximately the situation of Community imports; whereas on this basis the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Spain of the products concerned:

	1973	1974	1975
Germany	21.0	16.4	55.7
Benelux	33.9	31.3	28.4
France	10.4	7.4	11.1
Italy	34.7	44.9	4.8

Whereas, in view of these factors and of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

⁽¹⁾ OJ No
⁽²⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽³⁾ OJ No L 256, 2.10.1975, p. 2.

Germany	18.3
Benelux	32.0
France	3.7
Italy	46.0

-12-

ANNEX C

Whereas if, at a specified date in the quota period, a considerable balance remains in one or other Member State, it is essential that that Member State pays a large amount of it back into the reserve, in order to avoid a part of the Community quotas remaining unused in one Member State when it could be used in others;

Whereas, in order to take account of import trends for the products in question in the Member States concerned, the quota amount should be divided into two instalments, the first instalment being allocated among the same Member States, the second instalment constituting a reserve intended to cover the later requirements of Member States which have used up their initial quota shares; whereas in order to ensure a certain degree of security to importers in each Member State, the first instalment of the quota should be fixed in this case at approximately 80%;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any measure concerning the administration of the quota shares allocated to that economic union may be carried out by any of its members,

Whereas the initial quota shares of the Member States may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1977 until the date of entry into force of a new Agreement between the European Economic Community and Spain, but not later than 31 December 1977, the Common Customs Tariff duties in respect of the following products, originating in Spain, shall be partially suspended at the levels shown below within the limits of a Community tariff quota of 15 000 hectolitres:

CCT heading No	Description	Rate (u.a./hl)
ex 22.05 C I a)	Wines from Jumilla, Priorato, Rioja and Valdepeñas	8.4
ex 22.05 C II a)	Wines from Jumilla, Priorato, Rioja and Valdepeñas	9.8
ex 22.05 C III a) 2	Wines from Jumilla, Priorato, Rioja and Valdepeñas	11.9

2. The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation, annexed to the Agreement between the European Economic Community and Spain, shall be applicable.

4. The wines in question shall benefit from these tariff quotas on condition that the prices on import into the Community are not at any time less than the free-at-frontier reference prices referred to in Regulation (EEC) No 2506/75 and subsequent texts which apply to such prices.

3. The inclusion of these wines in this Community tariff quota shall be conditional upon observance of the reference price applying to them and to production of a certificate of designation of origin corresponding to one of the specimens annexed hereto, endorsed by the Spanish customs authorities.

Article 2

1. The quota laid down in Article 1 shall be divided into two instalments.

This certificate must be in accordance with the provisions of Article 2, par. 2 - 4 of Regulation (EEC) No 1120/75.

2. A first instalment, amounting to 12 000 hectolitres, shall be shared among the Member States; the shares, which subject to Article 5 shall be

valid until the end of the period specified in Article 1, shall be as follows:

Germany	2 190 hl,
Benelux	3 840 hl,
France	450 hl,
Italy	5 520 hl.

3. The second instalment of 3 000 hectolitres shall constitute the reserve.

Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the reserve is sufficient.

3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3 a Member State may proceed to draw shares smaller than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until the end of the period stipulated in Article 1.

Article 5

The Member States shall return to the reserve, not later than 1 October 1977, the unused portion of their initial share which, on 15 September 1977, is in excess of 20% of the initial amount. They may return a larger portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 October 1977, notify the Commission of the total imports of the products concerned effected up to and including 15 September 1977, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each State of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 October 1977, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and for this purpose shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that when additional shares are drawn pursuant to Article 3 it is possible for charges to be made without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 8

On receipt of a request from the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

This Regulation shall enter into force on 1 January 1977.

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

Done at Brussels,

*For the Council,
The President*

BILAG - ANHANG - ANNEX - ANNEXE - ALLEGATO - BIJLAGE

<p>1. Exportador — Eksporter — Ausführer — Exporter — Exportateur — Esportatore — Exporteur:</p>	<p>2. Número — Nummer — Nummer — Number — Numéro — Numero — Nummer</p>	<p>00000</p>
<p>4. Destinatario — Modtager — Empfänger — Consignee — Destinataire — Destinatario — Geadresseerde:</p>	<p>3. Consejo Regulador de la Denominación de origen JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS</p>	
<p>6. Medio de transporte — Transportmiddel — Beförderungsmittel — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:</p>	<p>5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG</p>	
<p>8. Lugar de descarga — Losningssted — Entladungsort — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:</p>	<p>7. VINO DE JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS VIN FRA JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA-, VALDEPEÑAS-WEIN WINE FROM JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS VIN DE JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS VINO DI JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS</p>	
<p>9. Marcas y números, número y naturaleza de los bultos Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura dei colli Merken en nummers, aantal en soort der colli</p>	<p>10. Peso bruto Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht</p>	<p>11. Litros Liter Liter Litres Litres Litri Liter</p>
Empty space for data entry		
<p>12. Litros (en letra) — Liter (i bogstaver) — Liter (in Buchstaben) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (voluit):</p>		
<p>13. Visado del organismo emisor — Påtegning fra udstedende organ — Bescheinigung der erteilenden Stelle — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:</p>		
<p>14. Visado de la aduana — Toldstedets attest — Sichtvermerk der Zollstelle — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane</p>	<p>Certifico que el vino cuya descripción antecede es un producto genuino de la zona de „JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS“ y con derecho a la denominación de origen „.....“</p> <p>(vease traducción del nº 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — see the translation under No 15 — Voir traduction au nº 15 — Vedesi traduzione al n. 15 — Zie voor vertaling nr. 15)</p>	

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i ».....«området og ifølge spansk lovgivning er berettiget til oprindelsesbetegnelsen: ».....«.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk „.....“ gewonnen wurde und ihm nach spanischem Gesetz die Ursprungsbezeichnung „.....“ zuerkannt wird.

We hereby certify that the wine described in this certificate is wine produced within the wine district of '.....' and is considered by Spanish legislation as entitled to the designation of origin '.....'.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de «.....» et est reconnu, suivant la loi espagnole, comme ayant droit à la dénomination d'origine «.....».

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella zona di «.....» ed è riconosciuto, secondo la legge spagnola, come avente diritto alla denominazione di origine «.....».

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het wijndistrict van „.....“ en dat volgens de Spaanse wetgeving de benaming van oorsprong „.....“ erkend wordt.

16. (*)

(*) Espacio reservado para otras indicaciones del país exportador.
 (*) Rubrik forbeholdt eksportlandets andre angivelser.
 (*) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.
 (*) Space reserved for additional details given in the exporting country.
 (*) Case réservée pour d'autres indications du pays exportateur.
 (*) Spazio riservato per altre indicazioni del paese esportatore.
 (*) Ruimte bestemd voor andere gegevens van het land van uitvoer.