

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a

COUNCIL REGULATION (EEC)

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

Proposal for a

COUNCIL REGULATION (EEC)

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 (1983/84)

Proposal for a

COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Rioja and Valdepenas falling within heading No ex 22.05 of the Common Customs Tariff originating in Spain (1983/84)

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

1. When the Agreement between the EEC and Spain has been signed in 1970, the original Community bound itself to grant a preferential tariff, regime to the importations into the Community of certain wines originating in Spain. Just now, this engagement and the Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community lead to the annual opening of the following four tariff quotas at reduced duty rates :

- sherry wines :

- in containers holding two litres or less, 108 120 hl at CCT duty reduced by 60 %
- in containers holding more than two litres 685 000 hl at CCT duty reduced by 50 %

- Malaga-wines :

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

- Jumilla, Priorato and Valdepenas wines :

- in containers holding two litres or less, 22 008 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 and especially to the reference price which is applicable to these wines.

To fulfil the Community's engagement to Spain, from 1 July 1983 regulations on the opening, allocation and administration of these Community tariff quotas should be adopted.

2. These regulations provide - in the normal way - the splitting up of the quota volumes into two parts, the first of which will be allocated among the Member States as quota shares, with the second forming a reserve.

Sherry :

The allocation of the volume of the first instalment of the quota is to be based on the rules generally applied. These involve calculating each Member State's total imports for the last three years as a proportion of total Community imports during the same period, and applying for each Member State the percentage thus obtained to the volume of the first instalment.

Other wines :

In the absence of Community statistics, the initial quota shares have been calculated on the basis of the most recent statistics on Spanish exports for the years 1979 to 1981, and Member States' forecasts. The Spanish statistics can be considered to give a rough picture of Community imports of the relevant products.

3. Owing to the special characteristics of the trade in these wines, which also differ between Member States, the regulation, exceptionnaly, does not establish a uniform method of administration.

Annexes : 3 proposals for Council regulations.

IMPORTS OF WINES ORIGINATING IN SPAIN

European Community Statistics - SOEL

<u>- Sherry-wines</u>	in containers \leq 2 litres			in containers $>$ 2 litres		
	1979	1980	1981	1979	1980	1981
Benelux	225 392	208 381	208 284	183 155	179 439	188 858
Denmark	8 766	7 596	7 764	28 194	25 645	21 208
Germany	107 764	118 081	133 904	20 005	3 797	3 972
Greece	140	100	18	-	-	5
France	1 623	6 653	1 094	485	641	324
Ireland	7 276	6 930	7 119	6 101	5 618	3 992
Italy	4 209	3 284	2 047	2	-	-
United Kingdom	102 315	107 234	105 507	512 993	399 235	333 235
E.E.C.	475 485	458 259	465 787	750 935	614 375	551 594

- Malaga-wines (Spanish statistics)

	1979	1980	1981
Benelux	630	488	548
Denmark	-	-	-
Germany	983	720	787
Greece	-	-	-
France	116	160	149
Ireland	-	-	-
Italy	196	230	226
United Kingdom	70	120	110
E.E.C.	1 995	1 718	1 820

- Rioja, Jumilla, Valdepenas, Priorato wines (Spanish statistics)

	1979	1980	1981
Benelux	20 233	29 743	17 608
Denmark	9 870	11 144	8 945
Germany	11 060	14 799	13 701
Greece	8	-	45
France	13 585	10 660	7 600
Ireland	848	912	523
Italy	1 003	420	290
United Kingdom	33 872	18 352	15 918
E.E.C.	90 479	77 030	64 630

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Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff
quota for sherry falling with heading No ex 22.05 of the Common Customs
Tariff and originating in Spain (1983/84)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas on the signing of the Agreement between the
European Economic Community and Spain (1) on 29
June 1970, the Community undertook to grant preferential
tariff arrangements for imports into the
Community of sherry originating in Spain; whereas
this undertaking, in conjunction with Protocol to the
Agreement between the European Economic Community
and Spain consequent on the accession of the
Hellenic Republic to the Community (2),
now relates to the opening each
year of the following two tariff quotas:

- 108 120 hectolitres at a duty rate of 40 % of the
Common Customs Tariff duties, for sherry in
containers holding two litres or less, falling within
subheadings ex 22.05 C III a) 1 and ex 22.05 C IV
a) 1 of the Common Customs Tariff and originating
in Spain, and
- 685 000 hectolitres at a duty rate of 50 % of the
Common Customs Tariff duties for sherry in
containers holding more than two litres, falling
within subheadings ex 22.05 C III b) 1 and ex
22.05 C IV b) 1 of the Common Customs Tariff
and originating in Spain;

Whereas inclusion in the Community tariff quota
should be subject to production of movement certificate
A.E.I and a certificate of designation of origin as
provided for in Commission Regulation (EEC) No
1120/75 (3);

Whereas Spain has given an assurance that the price
for wines originating in its territory will not be lower

than the reference price less the customs duties actually
charged; whereas, as a result thereof, the wines
covered by those tariff quotas should be treated in the
same manner as wines granted preferential tariff
concessions, provided the free-at-frontier reference
price is observed; whereas such wines benefit from the
tariff concessions only if the provisions of Article 18 of
Council Regulation (EEC) No 337/79 (4), as last
amended by Regulation (EEC) No 3082/82 (5), are
respected; whereas those provisions apply to imports
under those quotas;

Whereas it is in particular necessary to ensure for 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 above principles, the Community
nature of the quotas can be respected by allocating the
Community tariff quotas among the Member States;
whereas in order to reflect as accurately as possible the
actual trend of the market in the products concerned,
such allocation should be in proportion to the requirements
of the Member States, calculated by reference to the
statistics for imports of the said products from
Spain over a representative reference period and also
to the economic outlook for the quota period
concerned;

Whereas, during the last three years
for which statistics are available,
the corresponding imports into each
of the Member States represent the
following percentages of the imports
into the Community from Spain of
the products concerned:

(1) OJ No L 182, 16. 8. 1970, p. 2.
(2) OJ No L 326, 13. 11. 1981, p. 2.
(3) OJ No L 111, 30. 4. 1975, p. 19.

(4) OJ No L 54, 5. 3. 1979, p. 1.
(5) OJ No L 326, 23. 12. 1982, p. 1.

	1979	1980	1981
Sherry :			
— in containers holding two litres or less :			
Benelux	4.26	45.47	44.43
Denmark	1.92	1.67	2.00
Germany	23.57	25.76	28.56
Greece	0.03	0.02	0.01
France	0.35	1.45	0.23
Ireland	1.59	1.51	1.82
Italy	0.92	0.72	0.44
United Kingdom	22.36	23.40	22.51
— in containers holding more than two litres :			
Benelux	24.39	29.20	34.23
Denmark	3.75	4.17	3.84
Germany	2.66	0.64	3.72
Greece	-	-	-
France	0.06	0.10	0.09
Ireland	0.81	0.91	0.72
Italy	-	-	-
United Kingdom	68.33	64.98	60.40

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 :

Member States	Sherry in containers holding :	
	two litres or less	more than two litres
Benelux	50.87	28.16
Denmark	3.08	3.44
Germany	21.94	3.23
Greece	0.02	0.02
France	0.29	0.02
Ireland	1.43	0.50
Italy	0.72	0.10
United Kingdom	21.65	64.53

Whereas, in order to take into account import trends for the products concerned in the various Member States, each of the quota volumes should be divided into two instalments the first being shared among the

CCT heading No	Description	Rate (ECU/hl)	Quota volume (hectolitres)
ex 22.05 C III a) 1	Sherry	6.5	108 120
ex 22.05 C IV a) 1	Sherry	7.0	
ex 22.05 C III b) 1	Sherry	6.6	685 000
ex 22.05 C IV b) 1	Sherry	7.2	

Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares ; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quotas should, under the present circumstances, be fixed at 90 % of each of the quota volumes ;

Whereas the Member States' initial shares may be used up at different times ; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up one of its initial shares must draw an additional share from the corresponding reserve ; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows ; whereas the initial and additional shares must be valid until the end of the quota period ; whereas this method of administration requires close cooperation between the Member States and the Commission, and the Commission must be in a position to monitor the extent to which the quota volumes have been used up and inform the Member States thereof ;

Whereas if, at a given date in the quota period, a considerable quantity is left over in one or other Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of the Community quotas from 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 within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 July 1983 to 30 June 1984, the Common Customs Tariff duties in respect of the sheries mentioned below originating in Spain shall be partially suspended at the levels and within the limits of the Community tariff quotas indicated for each of them :

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the provisions of the 1979 Act of Accession.

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. In order that the wines in question may benefit from these tariff quotas, Article 18 (3) and (4) of Regulation (EEC) No 337/79 must be observed.

4. The inclusion of sherry in these Community quotas shall be conditional upon 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 customs authorities.

Article 2

1. Each of the tariff quotas referred to in Article 1 shall be divided into two instalments.

2. A first instalment of each quota shall be shared among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1984 shall be as follows:

(hectolitres)

Member States	Sherry falling within subheading:	
	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
Benelux	49 680	174 590
Denmark	3 010	21 330
Germany	21 430	20 000
Greece	20	100
France	280	150
Ireland	1 400	3 100
Italy	700	640
United Kingdom	21 150	400 010
Total	97 670	620 000

3. Second instalment of each quota, namely 10 450 and 65 000 hectolitres respectively, shall constitute the corresponding reserve.

Article 3

1. If 90 % or more of one of a Member State's initial shares as specified in Article 2 (2), or of that same share reduced by the portion returned to the corresponding reserve if Article 5 has been applied,

has been used up, that Member State shall without delay by notifying the Commission draw a second share equal to 10 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after one or other of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up to the next unit.

3. If, after one or other of its second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

The process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 30 June 1983.

Article 5

The Member States shall return to the reserve, not later than 1 April 1984, the unused portion of their initial shares which, on 15 March 1984, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall, not later than 1 April 1984, notify the Commission of the total quantities of the products in question imported up to 15 March 1984 inclusive and charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 April 1984, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that the drawing which uses up one of the reserves is limited to the balance available and to this end shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member State shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.
2. The Member States shall ensure that importers of the said products have free access to the shares allocated to them.
3. The extent to which Member States have used up their shares shall be determined on the basis of the

imports of the products in question entered for free circulation.

Article 8

At the request of 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 complied with.

Article 10

This Regulation shall enter into force on 1 July 1983.

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

Done at Brussels,

For the Council
The President

Proposal for a
COUNCIL REGULATION (EEC)

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 and originating in Spain (1983/84)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas on the signing of the Agreement between the European Economic Community and Spain⁽¹⁾ on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of Malaga wines originating in Spain; whereas this undertaking, in conjunction with Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community⁽²⁾, now relates to the

opening each year of a tariff quota of 15 000 hectolitres, at a duty rate of 50 % of the Common Customs Tariff duties for Malaga wines in containers holding two litres or less, falling within subheadings ex 22.05 C III a) 2 and ex 22.05 C IV a) 2 of the Common Customs Tariff and originating in Spain;

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 as provided for in Commission Regulation (EEC) No 1120/75⁽³⁾;

Whereas Spain has given an assurance that the price for wines originating in its territory will not be lower than the reference price less the customs duties actually charged; whereas, as a result thereof, the wines covered by that tariff quota should be treated in the same manner as wines granted preferential tariff concessions, provided the free-at-frontier reference price is observed; whereas such wines benefit from the tariff concessions only if the provisions of Article 18 of Council Regulation (EEC) No 337/79⁽⁴⁾, as last amended by Regulation (EEC) No 3082/82⁽⁵⁾, are observed; whereas those provisions apply to imports under that quota;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted appli-

cation of the rates 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 above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics of each State's imports of the said products from Spain over a representative reference period and also to the economic outlook for the quota period in question;

Whereas available Community statistics give no information on the situation of Malaga wines on the market; 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:

Member States	1979	1980	1981
Benelux	31.58	28.4	30.1
Denmark	—	—	—
Germany	49.27	41.9	43.2
Greece	—	—	—
France	5.82	9.3	8.2
Ireland	—	—	—
Italy	9.82	13.4	12.4
United Kingdom	3.51	7.0	6.1

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:

— Benelux:	29.9
— Denmark:	0.1
— Germany:	46.7
— Greece:	0.1
— France:	6.1

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

(2) OJ No L 326, 13. 11. 1981, p. 2.

(3) OJ No L 111, 30. 4. 1975, p. 19.

(4) OJ No L 54, 5. 3. 1979, p. 1.

(5) OJ No L 326, 23. 12. 1982, p. 1.

— Ireland :	0.1
— Italy :	12.5
— United Kingdom :	4.5

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under the present circumstances, be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share must draw an additional share from the reserve; whereas this must be done by each State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the Commission must be in a position to monitor the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a considerable quantity is left over in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of the Community quota from 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 within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 July 1983 to 30 June 1984 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 :

(ECU/hl)		
CCT heading No	Description	Rates
ex 22.05 C III a) 2	Wine from Malaga	10.30
ex 22.05 C IV a) 2	Wine from Malaga	11.50

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the provisions of the 1979 Act of Accession.

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 this Community tariff quota shall be conditional upon production of a certificate of designation of origin corresponding to the specimen certificate of designation of origin corresponding to the specimen annexed hereto, endorsed by the Spanish customs authorities. This certificate must be in accordance with Article 2 (2) to (4) of Regulation (EEC) No 1120/75.

4. In order that the wines in question may benefit from this tariff quota Article 18 (3) and (4) of Regulation (EEC) No 337/79 must be observed.

Article 2

1. The Community tariff quota referred to 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 respective shares, which subject to Article 5 shall be valid until 30 June 1984 shall be as follows :

— Benelux :	3 590 hectolitres
— Denmark :	10 hectolitres
— Germany :	5 600 hectolitres
— Greece :	10 hectolitres
— France :	740 hectolitres
— Ireland :	10 hectolitres
— Italy :	1 500 hectolitres
— United Kingdom :	540 hectolitres

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

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or of that share minus the portion returned to the reserve, where Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up where necessary to the next unit.

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

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 30 June 1984.

Article 5

The Member States shall return to the reserve, not later than 1 April 1984, the unused portion of their initial share which, on 15 March 1984 is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall, not later than 1 April 1984 notify the Commission of the total quantities of the said goods imported up to 15 March 1984 inclusive and charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

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

Done at Brussels,

It shall inform the Member States, not later than 5 April 1984 of the amount in the reserve after quantities have been returned pursuant to Article 5.

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said products have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the goods in question entered with the customs authorities for free circulation.

Article 8

At the request of 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 complied with.

Article 10

This Regulation shall enter into force on 1 July 1983.

For the Council

The President

BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

1. Exportador — Eksportør — Ausführer — Έξαγωγέας — Exporter — Exportateur — Esportatore — Exporteur;	2. Número — Nummer — Nummer — Αριθμός — Number — Numéro — Numero — Nummer	00000	
	3. Consejo regulador de la denominación de origen MÁLAGA		
4. Destinatario — Modtager — Empfänger — Παραλήπτης — Consignee — Destinataire — Destinatarío — Geadresseerde:	5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΟΝΟΜΑΣΙΑΣ ΠΡΟΕΛΕΥΣΕΩΣ CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG		
6. Medio de transporte — Transportmiddel — Beförderungsmittel — Μεταφορικό μέσο — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:	7. VINO DE MÁLAGA VIN FRA MALAGA MALAGA-WEIN ΟΙΝΟΣ ΜΑΛΑΓΑ WINE FROM MALAGA VIN DE MÁLAGA VINO DI MALAGA MALAGÁWIJN		
8. Lugar de descarga — Losningssted — Entladungsort — Τόπος έκφορτώσεως — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:			
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 Σήματα και αριθμοί, αριθμός και είδος δεμάτων Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e número, quantità e natura dei colli Merken en nummers, aantal en soort der colli	10. Peso bruto Bruttovægt Rohgewicht Μικτό βάρος Gross weight Poids brut Peso lordo Brutogewicht	11. Litros Liter Liter Λίτρα Litres Litres Litri Liter	
12. Litros (en letra) — Liter (i bogstaver) — Liter (in Buchstaben) — Λίτρα (όλογράφως) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (voluit):			
13. Visado del organismo emisor — Påtegning fra udstedende organ — Bescheinigung der erteilenden Stelle — Θεώρηση εκδίδοντος οργανισμού — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:			
14. Visado de la aduana — Toldstedets attest — Sichtvermerk der Zollstelle — Θεώρηση τελωνείου — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane	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» (vease traducción del nº 15 -- oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — Βλ. μετάφραση αριθ. 15 - see the translation under No 15 — Voir traduction au n° 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15)		

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.

Πιστοποιούμε ότι ο οίνος ό περιγραφόμενος στο πιστοποιητικό αυτό παράχθη στην όριοθετημένη περιφέρεια του οίνου Málaga και άναγνωρίζεται σύμφωνα με την νομοθεσία της Ισπανίας ότι δικαιούται της όνομασίας προελεύσεως «MÁLAGA»

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 Málaga 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. (1)

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

13

Proposal for a
COUNCIL REGULATION (EEC)

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 and originating in Spain (1983/84)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas on the signing of the Agreement between the European Economic Community and Spain⁽¹⁾ on 29 June 1970, the Community undertook to grant preferential tariff arrangements for imports into the Community of wines from Jumilla, Priorato, Rioja and Valdepeñas originating in Spain; whereas this undertaking, in conjunction with Protocol to the Agreement between the European Economic Community and Spain consequent on the accession of the Hellenic Republic to the Community⁽²⁾,

now relates each year to the opening of a tariff quota for 22 008 hectolitres, at a duty rate of 70 % of the Common Customs Tariff duties, for Jumilla, Priorato, Rioja and Valdepeñas wines in containers holding two litres or less, falling within sub-headings ex 22.05 C I a), ex 22.05 C II a) and ex 22.05 C III a) 2 of the Common Customs Tariff and originating in Spain;

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 Commission Regulation (EEC) No 1120/75⁽³⁾;

Whereas Spain has given an assurance that the price for wines originating in its territory will not be lower than the reference price less the customs duties actually charged; whereas, as a result thereof, the wines covered by that tariff quota should be treated in the same manner as wines granted preferential tariff concessions, provided the free-at-frontier reference price is observed; whereas such wines benefit from the tariff concessions only if the provisions of Article 18 of Regulation (EEC) No 337/79⁽⁴⁾, as last amended by Regulation (EEC) No 3982/82⁽⁵⁾; are observed;

⁽¹⁾ OJ No L 182, 16. 8. 1970, p. 2.

⁽²⁾ OJ No L 326, 13. 11. 1981, p. 2

⁽³⁾ OJ No L 111, 30. 4. 1975, p. 19.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 326, 23. 12. 1982, p. 1.

whereas those provisions apply to imports under that quota;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates 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 above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the actual development of the market in the products concerned, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics of imports of the said products from Spain over a representative reference period and also to 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:

Member States	1979	1980	1981
Benelux	22.36	26.9	27.2
Denmark	10.91	14.4	13.8
Germany	12.22	19.2	21.2
Greece	—	—	0.1
France	15.02	13.8	11.8
Ireland	0.94	1.3	0.8
Italy	1.11	0.6	0.4
United Kingdom	37.44	23.8	24.7

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:

— Benelux :	25.05
— Denmark :	11.52
— Germany :	20.77
— Greece :	0.06
— France :	8.52
— Ireland :	1.14
— Italy :	1.25
— United Kingdom :	31.69

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States, and the second forming a reserve intended to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should, under the circumstances, be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share, must draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period;

whereas this method of administration requires close cooperation between the Member States and the Commission, and the Commission must be in a position to monitor the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas, if, at a given date in the quota period, a considerable quantity is left over in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of the Community quota from 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 within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to the abovementioned economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1983 to 30 June 1984, 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 22 008 hectolitres:

<i>(ECU/hl)</i>		
CCT heading No	Description	Rate
ex 22.05 C I a)	Wines from Jumilla, Priorato, Rioja and Valdepeñas	10.1
ex 22.05 C II a)	Wines from Jumilla, Priorato, Rioja and Valdepeñas	11.8
ex 22.05 C III a) 2	Wines from Jumilla, Priorato, Rioja and Valdepeñas	14.4

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the provisions of the 1979 Act of Accession.

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 this tariff quota shall be conditional upon observance of the price applying to them and production of a certificate of

designation of origin, corresponding to one of the specimens annexed hereto, endorsed by the Spanish customs authorities. This certificate must be in accordance with Article 2 (2) to (4) of Regulation (EEC) No 1120/75.

4. In order that the wines in question may benefit from these tariff quotas Article 18 (3) and (4) of Regulation (EEC) No 337/79 must be observed.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. The first instalment, amounting to 17 608 hectolitres, shall be shared among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1984, shall be as follows:

— Benelux :	4 410 hectolitres
— Denmark :	2 030 hectolitres
— Germany :	3 658 hectolitres
— Greece :	10 hectolitres
— France :	1 500 hectolitres
— Ireland :	200 hectolitres
— Italy :	220 hectolitres
— United Kingdom :	5 580 hectolitres

3. The second instalment of 4 400 hectolitres shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

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

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1984.

Article 5

Member States shall return to the reserve, not later than 1 April 1984, the unused portion of their initial share which, on 15 March 1984, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

Each Member State shall, not later than 1 April 1984, notify the Commission of the total quantities of the products concerned imported up to and including 15 March 1984, and charged against the Community quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 April 1984, inform the Member States of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said products have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the goods in question entered with customs authorities for free circulation.

Article 8

At the request of 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 complied with.

Article 10

This Regulation shall enter into force on 1 July 1983.

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 — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

1. Exportador — Eksportør — Ausführer — Έξαγωγέας — Exporter — Exportateur — Esportatore — Exporteur:	2. Número — Nummer — Nummer — Αριθμός — Number — Numéro — Numero — Nummer	00000
4. Destinatario — Modtager — Empfänger — Παραλήπτης — Consignee — Destinataire — Destinatario — Geadresseerde:	3. Consejo regulador de la denominación de origen JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS	
6. Medio de transporte — Transportmiddel — Beförderungsmittel — Μεταφορικό μέσο — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:	5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΟΝΟΜΑΣΙΑΣ ΠΡΟΕΛΕΥΣΕΩΣ CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG	
8. Lugar de descarga — Losningssted — Entladungsort — Τόπος εκφορτώσεως — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:	7. VINO DE JUMILLA PRIORATO/RIOJA/VALDEPEÑAS VIN FRA JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA-, VALDEPEÑAS-WEIN OINOS JUMILLA, PRIORATO, RIOJA, VALDEPEÑAS WINE FROM JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS VIN DE JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS VINO DI JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA-, VALDEPEÑASWIJN	
9. Marcas y números, número y naturaleza de los bultos Mærker og numre, kolloienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Σήματα και αριθμοί, αριθμός και είδος δεμάτων 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	10. Peso bruto Bruttovægt Rohgewicht Μικτό βάρος Gross weight Poids brut Peso lordo Brutogewicht	11. Litros Liter Liter Λίτρα Litres Litres Litri Liter
12. Litros (en letra) — Liter (i bogstaver) — Liter (in Buchstaben) Λίτρα (όλογράφως) — Litres (in words) Litres (en lettres) — Litri (in lettere) — Liter (volut):		
13. Visado del organismo emisor — Påtegning fra udstedende organ — Bescheinigung der erteilenden Stelle — Θεώρηση εκδίδοντος οργανισμού — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:		
14. Visado de la aduana — Toldstedets attest — Sichtvermerk der Zollstelle — Θεώρηση τελωνείου — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane	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 (vease traducción del nº 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — Βλ. μετάφραση αριθ. 15 — see the translation under No 15 — Voir traduction au n° 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15)	

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

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

Πιστοποιούμε ότι ο οίνος ό περιγραφόμενος στό πιστοποιητικό αυτό παράχθη στην όριοθετημένη περιφέρεια του οίνου «.....» και άναγνωρίζεται σύμφωνα μέ την νομοθεσία της Ισπανίας ότι δικαιούται της όνομασίας προελεύσεως «.....»

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. (1)

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

(1) Rubrik forbeholdt eksportlandets andre angivelser.

(1) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.

(1) Χώρος προοριζόμενος για άλλες ένδείξεις της χώρας εξαγωγής.

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

(1) Case réservée pour d'autres indications du pays exportateur.

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

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