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COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a
COUNCIL REGULATION (EEC)
on certain quality wines originating in
the Republic of Austria

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

The object of this proposal for a Council Regulation is to extend to Austria eligibility for the provisions of the second subparagraph of Article 50(2) of Council Regulation (EEC) No 337/79 on the common organization of the market in wine.

Hitherto, the release for direct human consumption of wines imported from third countries with a total alcoholic strength by volume exceeding 15° has been prohibited; however, the rules provide for an exemption in the case of certain wines bearing an indication of origin.

The Community and Austria are shortly to conclude an agreement relating to the checking and reciprocal protection of wines bearing a geographical ascription. It appears advisable for all wines which are the subject of this agreement, whatever their alcoholic strength, to be marketed in each of the contracting countries, hence this proposal for a Regulation.

However, the adoption of this proposal is subject to the formal conclusion of the above-mentioned agreement, although both are due to take place at the same time.

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Proposal for
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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine (1), as last amended by Regulation (EEC) No (2), and in particular Article 50(2)(a) thereof,

Having regard to the proposal from the Commission (3),

Whereas, under Article 50(1)(b) of Regulation (EEC) No 337/79, wines intended for direct human consumption other than liqueur wines and sparkling wines may not be imported if their total alcoholic strength by volume exceeds 15 %; whereas it is, however, laid down in paragraph 2 of the same Article that the Council may derogate from this rule in order to allow the release for direct human consumption of certain wines originating in non-member countries and bearing a geographical ascription;

Whereas the Community and the Republic of Austria have signed an Agreement on the control and reciprocal protection of wines bearing a geographical ascription, which means that each of the wines mentioned in the said Agreement is eligible, on the territory of the other contracting party, for the same protection as indigenous wines of the same kind; whereas it is therefore necessary that all the wines covered by the said Agreement should be able to move and be supplied for direct human consumption, including wines of more than 15°;

(1) OJ No L 54, 5.3.1979, p. 1
(2)
(3)

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HAS ADOPTED THIS REGULATION :

Article 1

Wines originating in the Republic of Austria whose total alcoholic strength by volume exceeds, without any enrichment, 15° may be supplied for direct human consumption in the European Economic Community, provided that they bear :

- the name of a wine-growing sub-region and, where appropriate, in addition, the name of a geographical unit more restricted than a sub-region appearing in the Agreement between the EEC and the Republic of Austria on the control and reciprocal protection of wines bearing a geographical ascription, and
- one of the following descriptions : "Beerenauslese" or "Beerenauslesewein", "Ausbruch" or "Ausbruchwein", "Troockenbeerenauslese", "Auslese" or "Auslesewein".

Article 2

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

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

Done at Brussels,

For the Council
The President

