

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 620 final

Brussels, 8 December 1989

Proposal for a

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must

Proposal for a

COUNCIL REGULATION (EEC)

amending for the third time Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 337/79

(presented by the Commission)

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EXPLANATORY MEMORANDUM

Imports into the Community of wine-sector products originating in non-member countries are in particular subject to the presentation of a certificate of origin and conformity and an analysis report to be drawn up by official bodies and laboratories in the non-member countries in question. In order to facilitate imports of such products, in 1985 the Council relaxed by way of a derogation the requirements regarding the drawing up of the certificate and the analysis report on condition that the non-member country in question provided special guarantees accepted by the Community. Those derogating rules expire on 31 December 1989 after having been extended twice. Since consultations to achieve greater protection for Community wines are still in progress with the United States, the term of validity of the derogating rules should be extended by seven months in order not to hinder the consultations.

In addition, save where a derogation is decided by the Council, wine originating in non-member countries which has undergone oenological practices not permitted by Community regulations may not be offered for direct human consumption in the Community. A derogation from that rule was granted until 26 July 1988 for wine originating in the United States as regards the application of certain oenological practices permitted in that non-member country but not allowed in the Community, and was subsequently extended twice until 31 December 1989, with a view to the abovementioned consultations.

Since the consultations with the United States are continuing on certain commercial aspects in the wine sector and more particularly on improved protection of geographical ascriptions used to designate Community wines on the American market and in order to facilitate those consultations, the Commission proposes that the final date in the two Regulations be extended to 31 July 1990.

Remark

The adoption by the Council of the two abovementioned Regulations entails no financial consequences for the Community budget.

COUNCIL REGULATION (EEC) No
of
amending Regulation (EEC) No 2390/89 laying down general
rules for the import of wines, grape juice and grape must

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine (1), as last amended by Regulation (EEC) No 1236/89 (2), and in particular Article 70(2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 1(2) and Article 2 of Council Regulation (EEC) No 2390/89 (3) set out the import facilities for wine products originating in third countries which offer specific guarantees through the provision of a certificate of origin and conformity and an analysis report; whereas Article 3(2) of that Regulation limits the said facilities to a trial period expiring on 31 December 1989; whereas, taking into account the time necessary to examine the implementation of future arrangements, the abovementioned period should be extended for seven months,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3(2) of Regulation (EEC) No 2390/89, the date "31 December 1989" is hereby replaced by "31 July 1990".

Article 2

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels,

For the Council

(1) OJ No L 84, 27.3.1987, p. 1.
(2) OJ No L 128, 11.5.1989, p. 31.
(3) OJ No L 232, 9.12.1989, p. 7.

COUNCIL REGULATION (EEC) No

of

amending for the third time Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 337/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine (1), as last amended by Regulation (EEC) No 1236/89 (3), and in particular Article 73(1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 70(1) of Regulation (EEC) No 822/87 provides that imported products covered by that Article must be accompanied by a certificate attesting that they satisfy the provisions on production, release for free circulation and, where appropriate, disposal for direct human consumption in the third country in which they originate;

Whereas Article 73(1) of that Regulation stipulates that if the imported products in question have undergone oenological practices not allowed by Community rules or not consonant with the provisions of that Regulation or of those adopted pursuant thereto, they may not, except by way of a derogation, be offered or disposed of for direct human consumption; whereas the Council derogated from this principle by Regulation (EEC) No 1873/84 (3), as last amended by Regulation (EEC) No 2245/89 (4); whereas this derogation expires on 31 December 1989; whereas, so that consultations can continue between the Community and the third country concerned with a view to an agreement on this matter, the term of validity of the derogation should be extended for seven months,

HAS ADOPTED THIS REGULATION:

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- (1) OJ No L 84, 27.3.1987, p. 1.
(2) OJ No L 128, 11.5.1989, p. 31.
(3) OJ No L 176, 3.7.1984, p. 6.
(4) OJ No L 216, 27.7.1989, p. 2.

Article 1

The title of Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 337/79 is hereby replaced by "Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 822/87."

Article 2

In the second subparagraph of Article 1(1) of Regulation (EEC) No 1873/84, the date "31 December 1989" is hereby replaced by "31 July 1990".

Article 3

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels,

For the Council

FINANCIAL STATEMENT

Date:

1. Budget heading: 1 000

Appropriations: -

2. Title: Amendment to Regulation (EEC) No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation (EEC) No 337/79

3. Legal basis: Regulation (EEC) No 822/87

4. Aims of project: To extend the term of validity of the Regulation in question

	period of 12 months	current financial year (1990)	following financial year (1991)
5. Financial implications			
5.0 Expenditure			
- charged to the EC budget (refunds/intervention)			
- national administration			
- other			
5.1 Receipts			
- own resources of the EC (levies/customs duties)	-	-	-
- national			

	1992	1993	1994	1995
5.0.1 Estimated expenditure				
5.1.1 Estimated receipts				

5.2 Method of calculation:

6.0 Can the project be financed from appropriations entered in the relevant chapter of the current budget ? yes/no

6.1 Can the project be financed by transfer between chapters of the current budget ? yes/no

6.2 Is a supplementary budget necessary ? yes/no

6.3 Will future budget appropriations be necessary ? yes/no

Observations:

Cette mesure n'a pas d'impact sur les PME et l'emploi.

Diese Massnahme hat weder Auswirkungen auf Klein-und Mittelbetriebe noch auf die Beschäftigungslage.

This measure has no impact on the small and medium-sized businesses and employment.



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DOCUMENTS

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