

COMMISSION OF THE EUROPEAN COMMUNITIES

A

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Brussels, 20 July 1978

Proposal for a
COUNCIL REGULATION (EEC)

on the opening, allocating and providing for the administration
of a Community tariff quota for sherry falling within heading
ex 22.05 of the Common Customs Tariff, originating in Spain
(1979/80)

Proposal for a
COUNCIL REGULATION (EEC)

on the opening, allocating and providing for the administration
of a Community tariff quota for Malaga wines falling within heading
ex 22.05 of the Common Customs Tariff, originating in Spain (1979/80)

Proposal for a
COUNCIL REGULATION (EEC)

on the opening, allocating and providing for the administration
of a Community tariff quota for wines from Jumilla, Priorato,
Rioja and Valdepenas falling within heading ex 22.05 of the Common
Customs Tariff, originating in Spain (1979/80)

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

1. When the Agreement between the EEC and Spain has been signed in 1970, the Community bound itself to grant a preferential tariff regime to the importations into the Community of certain wines originating in Spain. So to satisfy to this engagement the Community has opened each year four tariff quotas at reduced duty rates :

(a) sherry wines

- (i) in containers of two liters 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) Jumilla, 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 and especially to the reference price which is applicable to these wines.

2. However, this regime has been provided only for the importation of these products into the six original Member States, whereas the three new Member States have applied different regimes. According to the Act of Accession the importation of these products into the three new Member States are subject to the rates of duty of the Common Customs Tariff from 1 July 1977.

In this situation, a uniform regime of importation should be established. Hence the forementioned quota volumes should be increased in such a manner as to take account of the traditional quantities imported in the new Member States.

This leads to an increase to

- 108.000 hectolitres and 685.000 hectolitres for Sherry-wines and
 - 22.000 hectolitres for Jumilla-, Priorato-, Rioja- and Valdepenas-wines
- whereas the volume for Malaga-wines should be maintained on its level.

To fulfil the Community's obligation to Spain, from 1 January 1979, regulations on the opening, allocation and administration of these Community tariff quotas should be adopted.

Up to and including 1978, these tariff quotas opened by the Community have been valid for a period of one calendar year. Owing to certain characteristic features inherent in the production and marketing of these wines, however, the bulk of the Community's imports occur from October to February, and setting the expiry date at 31 December has made it extremely difficult to utilize the quotas properly. In order to resolve this problem it is proposed that the expiry date now be set at 30 June of each year from 30 June 1980, and thereafter. The next quota will therefore run for 18 months, and the quota volumes will be 150% of the quantities indicated above.

The opinion of the competent Spanish authorities was sought, and they also favour an 18 month transitional period.

This is subject of the annexed proposals.

3. These regulations provide for 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. In the absence of Community statistics, the initial quota shares have been calculated on the basis of the most recent statistics on Spanish exports over a representative period, and Member States' forecasts.

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

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

Annexes : 3 proposals for Council regulations.

PROPOSAL FOR A
COUNCIL REGULATION (EEC)

on the 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 (1979/80)

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 between the European Economic Community and Spain⁽²⁾ 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 sherry; whereas in order to satisfy this undertaking, the Community has opened each year two tariff quotas, namely:

- 40 000 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, originating in Spain and
- 210 000 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, originating in Spain;

Whereas these preferential tariff arrangements were laid down only for imports of these products into the Member States of the Community as originally constituted; whereas, under the Act of Accession, importation of these products into the three new Member States are subject to Common Customs Tariff duties with effect from 1 July 1977; whereas the import arrangements for these products should be uniform throughout the Community;

Whereas, owing to certain characteristic features inherent in the production and marketing of the products in question, the expiry date for the validity of the tariff quota should hence forward be fixed at 30 June; whereas the tariff quotas should therefore be opened for a period from 1 January 1979 to 30 June 1980, and the volumes increased respectively to 162.000 hectolitres and 1.027.000 hectolitres;

(1) OJ N°

(2) OJ N° L 182 of 16.8.1970, p. 2.

Whereas these wines remain subject to the provisions governing the common organization of the wine market ; whereas from 1 May 1978 sherry entering the geographical territory of the Community is subject to the system of reference prices applicable to such wines;

Whereas Council Regulation (EEC) N° 2506/76 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries (1) introduced the idea of a free-at-frontier reference price, being the reference price less customs duties actually levied ;

Whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.I and a certificate of designation or origin as provided for in Regulation (EEC) N° 1120/75 (2) ;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the ^{above-mentioned} 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 in question, 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 in question.

Whereas available Community statistics give no information on the situation of sherry on the markets ; whereas, however, Spanish statistics for exports of these products to the Community during the last 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 last three years represent the following percentages of the imports into the Community from Spain of the products concerned :

(1) OJ No L 256, 2.10.1975, P.2.

(2) OJ NO L 111, 30.4.1975, p. 19.

	1975	1976	1977
Sherry :			
— in containers holding two litres or less :			
Benelux	49,5	62,5	52,5
Denmark	5,2	5,7	2,8
Germany	12,0	13,4	18,5
France	0,3	0,3	0,2
Ireland	1,3	1,0	1,0
Italy	1,4	1,2	0,9
United Kingdom	30,3	15,8	24,1
— in containers holding more than two litres :			
Benelux	39,9	35,3	20,5
Denmark	2,9	5,1	3,7
Germany	2,9	3,4	3,8
France	0,1	0,1	0,1
Ireland	0,7	0,9	0,5
Italy	0,0	0,0	0,0
United Kingdom	53,5	55,2	71,4

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	53,6	33,5
Denmark	5,1	3,8
Germany	13,2	3,0
France	0,3	0,1
Ireland	2,1	0,8
Italy	2,1	0,1
United Kingdom	23,6	58,7

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 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 some 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 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 in and 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 of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 January 1979 until 30 June 1980, the Common Customs Tariff duties in respect of the sherries mentioned below 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 (in u.a./hl)	Quota volume (in hl)
ex 22.05 C III a) 1	sherry	5.4	} 162.000
ex 22.05 C IV a) 1	sherry	5.8	
ex 22.05 C III b) 1	sherry	5.5	} 1:027.000
ex 22.05 C IV b) 1	sherry	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. Sherry entering the geographical territory of the Community on or after 1 May 1978 under these tariff quotas shall be subject to the system of reference prices.
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) N° 2506/75 and subsequent texts which apply to such prices.

The inclusion of sherry in the Community tariff quotas referred to in paragraph 1 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 and endorsed by the Spanish customs authorities.

Article 2

1. The quotas referred to in Article 1 shall be divided into two instalments.
2. A first instalment of each quota shall be allocated among the Member States; the respective shares, which shall be valid until 30 June 1980, shall be as follows:

Member States	Sherry falling within 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
Benelux	78.140	309.640
Denmark	7.440	35.120
Germany	19.250	27.730
France	440	930
Ireland	3.060	7.400
Italy	3.060	930
United Kingdom	34.410	542.250
Total	145.800	924.300

3. The second instalment of each quota, that is 16.200 and 102.700 hectolitres respectively, shall constitute the corresponding reserve.

Article 3

1. If 90% or more of one or other of a Member State's initial shares as specified in Article 2 (2), 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 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.

The process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1 to 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.

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Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 30 June 1980.

Article 5

The Member States shall return to the reserve, not later than 1 April 1980, the unused portion of their initial shares which, on 15 March 1980, is in excess of 20% of the initial volumes. 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 1980, notify the Commission of the total quantities of the said goods imported up to 15 March 1980 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 1980, 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 established in their territory 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 home use.

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 observed.

Article 10

This Regulation shall enter into force on 1 January 1979.

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, originating in Spain (1979/80)

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 between the European Economic Community and Spain⁽²⁾ 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, in order to satisfy this undertaking, the Community each year has opened a tariff quota for 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 originating in Spain; whereas these preferential tariff arrangements were laid down only for imports of these products into the Member States of the Community as originally constituted; whereas, under the Act of Accession, imports of these products into the three new Member States are subject to Common Customs Tariff duties with effect from 1 July 1977; whereas the import arrangements for these products should be uniform throughout the Community;

Whereas, owing to certain characteristic features inherent in the production and marketing of the products in question, the expiry date for the validity of the tariff quota should henceforward be fixed at 30 June; whereas the tariff quota should therefore be opened for a period from 1 January 1979 to 30 June 1980, and the volume increased to 22.500 hectolitres;

(1) OJ

(2) OJ N° L 182 of 16.8.1970, p. 2

Whereas these wines remain subject to the provisions governing the common organization of the market in wine 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 2506/76 of 29 September 1975 laying down special rules for the importation of products in the wine-growing sector originating in certain third countries⁽¹⁾, 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 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 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 States' 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 markets; whereas, however, Spanish statistics for exports of these products to the Community during the last 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	1975	1976	1977
Benelux	22,3	34,0	31,1
Denmark	-	-	-
Germany	71,1	49,7	43,2
France	2,9	6,6	20,2
Ireland	-	-	-
Italy	2,9	8,6	4,1
United Kingdom	0,8	1,1	1,4

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	29,7
Denmark	0,1
Germany	54,3
France	3,3
Ireland	0,3
Italy	11,3
United Kingdom	1,0

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 some 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 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 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 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 in and 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 of its members.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1979 until 30 June 1980 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 22.500 hectolitres:

CCT heading No	Description	Rates (in u.s./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 Article 2 (2) to (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 Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. A first instalment, amounting to 18.000 hectolitres shall be shared among the Member States; the respective shares which, subject to Article 5, shall be valid until 30 June 1980 shall be as follows:

Benelux	5.350 hl
Denmark	70 hl
Germany	9.770 hl
France	590 hl
Ireland	60 hl
Italy	2.030 hl
United Kingdom	180 hl

3. The second instalment of 4.500 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 15% 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 7,5% 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 to 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 1980.

Article 5

The Member States shall return to the reserve, not later than 1 April 1980, the unused portion of their initial share which, on 15 March 1980, 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 1980, notify the Commission of the total quantities of the said goods imported up to 15 March 1980 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 1980, 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 established in their territory 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 at customs for home use.

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 observed.

Article 10

This Regulation shall enter into force on 1 January 1979.

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 — Eksportør — Ausführer — Exporter — Exporteur — Esportatore — Exporteur:</p>	<p>2. Número — Nummer — Nummer — Number — Numéro — Numero — Nummer</p>	<p>00000</p>	
<p>4. Destinatario — Modtager — Empfänger — Consignee — Destinataire — Destinatarie — 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 DI MÁLAGA VIN FRA MALAGA MALAGA-WEIN WINE FROM MALAGA VIN DE MALAGA VINO DI MÁLAGA 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 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>	
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<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 — Pâtegning 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“ (vease traducción del nº 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — see the translation under No 15 — Voir traduction au nº 15 — Vedi 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 Málaga 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) 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.

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, originating in Spain (1979/80)

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 between the European Economic Community and Spain⁽²⁾ 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 in order to satisfy this undertaking, the Community each year has opened a tariff quota for 15 000 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 subheadings ex 22.05 C I a), ex 22.05 C II a) and ex 22.05 C III a) 2, originating in Spain; whereas these preferential tariff arrangements were laid down only for imports of these products into the Member States of the Community as originally constituted; whereas, under the Act of Accession imports of these products into the three new Member States are subject to Common Customs Tariff duties with effect from 1 July 1977; whereas the import arrangements for these products should be uniform throughout the Community;

Whereas, owing to certain characteristic features inherent in the production and marketing of the products in question, the expiry date for the validity of the tariff quota should henceforward be fixed at 30 June; whereas the tariff quota should therefore be opened for a period from 1 January 1979 to 30 June 1980, and the volume increased to 33.000 hectolitres;

(1) OJ

(2) OJ N° L 182 of 16.8.1970, p. 2

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 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⁽¹⁾, 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 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 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 wines from Jumilla, Priorato, Rioja and Valdepeñas on the markets ; whereas, however, Spanish statistics for exports of these products to the Community during the last 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	1975	1976	1977
Benelux	23,0	36,3	32,2
Denmark	2,6	6,0	8,7
Germany	45,0	20,2	16,6
France	9,0	14,2	17,5
Ireland	0,1	0,1	0,3
Italy	3,8	10,1	5,9
United Kingdom	16,5	13,1	18,8

(1) OJ N° L 256, 2.10.1975, p. 2

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	34,5
Denmark	6,5
Germany	22,4
France	2,7
Ireland	0,3
Italy	12,6
United Kingdom	21,0

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 some 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 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 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 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 in and 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 of its members.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1st January 1979 until 30 June 1980, 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 33.000 hectolitres:

CCT heading No	Description	Rate (in u.s./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.

3. The inclusion of these wines in this Community tariff quota shall be conditional upon observance of the reference 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. 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.

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

2. A first instalment, amounting to 26.400 hectolitres shall be shared among the Member States ; the respective shares, which subject to Article 5 shall be valid until 30 June 1980, as follows :

Benelux	9.100 hl
Denmark	7.700 hl
Germany	5.920 hl
France	710 hl
Ireland	80 hl
Italy	3.330 hl
United Kingdom	5.550 hl

3. The second instalment of 6.600 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 15% 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 7,5% 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 to 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 1980.

Article 5

The Member States shall return to the reserve, not later than 1 April 1980, the unused portion of their initial share which, on 15 March 1980, 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 1980, notify the Commission of the total quantities of the said goods imported up to 15 March 1980 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 1980, 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 established in their territory 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 at customs for home use.

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 observed.

Article 10

This Regulation shall enter into force on 1 January 1979.

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 — Eksportør — 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 DI 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 JUMILLA-, PRIORATO-, RIOJA- EN VALDEPEÑASWIJN</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 „.....” (vease traducción del nº 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — see the translation under No 15 — Voir traduction au nº 15 — Vedi 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 oprindelesbetegnelsen: ».....«.

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.