

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 137 final

Brussels, 27 March 1980

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 (1980/81)

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 (1980/81)

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 Valdepeñas falling within heading ex 22.05 of the Common Customs Tariff, originating in Spain (1980/81)

(submitted by the Commission to the Council)

COM(80) 137 final

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. This engagement leads to the annual opening of the following four tariff quotas at reduced duty rates :

- sherry wines

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

- Malaga wines

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

- Jumilla, Priorato and Valdepeñas wines

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

However, this regime has been provided only for the importation of these products into the six original Member States.

Owing to the enlargement of the Community the volumes of these quotas have been increased to :

- 108 000 hectolitres and 685 000 hectolitres for Sherry-wines and
- 22 000 hectolitres for Jumilla-, Priorato-, Rioja- and Valdepeñas-wines, respectively, whereas the volume for Malaga-wines should be maintained on its level.

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 1980, regulations on the opening, allocation and administration of these Community tariff quotas should be adopted.

2. 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 for the years 1976 to 1978, 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, exceptionally, does not establish a uniform method of administration.

Annexes : 3 proposals for Council regulations.

IMPORTS OF WINES ORIGINATING IN SPAIN

(based on Spanish statistics)

- Sherry wines	in containers \leq 2 litres			in containers $>$ 2 litres		
	1976	1977	1978	1976	1977	1978
Benelux	189,840	212,010	216,500	291,790	161,767	164,800
Denmark	17,380	11,160	14,800	42,010	29,260	32,090
Germany	40,690	74,390	86,730	28,440	29,580	21,760
France	1,030	770	1,310	280	320	220
Ireland	2,920	4,130	4,040	7,730	3,990	4,120
Italy	3,830	3,530	2,310	40	-	-
United Kingdom	48,080	97,090	104,200	456,685	562,530	542,010
E.E.C.	303,770	403,080	429,890	826,975	787,447	765,000

- Malaga wines

Benelux	630	910	420
Denmark	-	-	-
Germany	920	1,260	710
France	120	590	40
Ireland	-	-	-
Italy	160	120	220
United Kingdom	20	40	40
E.E.C.	1,850	2,920	1,430

- Rioja, Jumilla, Valdepeñas, Priorato wines

	1976	1977	1978
Benelux	12,330	12,870	14,890
Denmark	2,020	3,500	4,680
Germany	6,840	6,660	8,680
France	4,810	6,992	6,600
Ireland	30	120	380
Italy	3,440	2,360	1,630
United Kingdom	4,450	7,550	17,940
E.E.C.	33,920	40,052	54,800

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 and originating in Spain (1980/81)

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 leads to the annual opening of the following two tariff quotas :

- 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 and 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 and 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 owing to the enlargement of the Community the volumes of those quotas have been increased to 108 000 hl and 685 000 hl, respectively;

Whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.F.1 and a certificate of designation of origin as provided for in Regulation (EEC) No 1120/75 (2),

(1) O.J. No L 182, 16.8.1970, p. 2,
(2) O.J. No L 111, 30.4.1975, p. 19,

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 Regulation (EEC) No 337/79 (1) 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 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 sherry on the markets; whereas, however, Spanish statistics for exports of these products to the Community during the past few years

(1) O.J. No. L 54, 5.3.1979, p. 1.

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:

	1976	1977	1978
Sherry:			
— in containers holding two litres or less:			
— Benelux	62.5	52.5	50.4
— Denmark	5.7	2.8	3.4
— Germany	13.4	18.5	20.2
— France	0.3	0.2	0.3
— Ireland	1.0	1.0	0.9
— Italy	1.2	0.9	0.6
— United Kingdom	15.8	24.1	24.2
— in containers holding more than two litres:			
— Benelux	35.3	20.5	21.5
— Denmark	5.1	3.7	4.2
— Germany	3.4	3.8	2.8
— France	0.1	0.1	0.1
— Ireland	0.9	0.5	0.5
— Italy	0.0	0.0	0.0
— United Kingdom	55.2	71.4	70.9

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 allocated 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 quotas should, under the present circumstances, be fixed at 90 % of each of the quota volumes;

Whereas the Member State's 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 quota shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between 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 1980 to 30 June 1981 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:

CCT heading No	Description	Rate (ECU/hl)	Quota volume (hl)
ex 22.05 C III a) 1	Sherry	6.5	108 000
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	

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 wines shall benefit from these tariff quotas only if the provisions of Article 18 (3) and (4) of Regulation (EEC) No 337/79 are respected.

4. The inclusion of sherry in these tariff 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. The first instalment of each quota shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid to 30 June 1981, shall be as indicated below;

(b)

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	52 100	206 280
Denmark	4 920	23 610
Germany:	12 830	18 440
France	300	190
Ireland	2 000	4 810
Italy	2 050	60
United Kingdom	23 000	363 110
Total	97 200	616 500

3. The second instalment of each quota, namely 10 800 and 68 500 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), 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 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.

ANNEX A

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 1981.

Article 5

Member States shall return to the reserve, not later than 1 April 1981, the unused portion of their initial shares which, on 15 March 1981, 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 1981, notify the Commission of the total quantities of the products in question imported up to 15 March 1981 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 reserves have been used up.

It shall, not later than 5 April 1981, inform the Member States of the amount in each reserve after quantities have been returned thereto pursuant to Article 5.

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

Done at Brussels,

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and, 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 quotas.

2. The Member States shall ensure that importers of the products concerned 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 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 of the products 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 1980.

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 (1980/81)

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 leads to the annual opening 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 and 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 after the enlargement of the Community the volume of this quota has been fixed to the same level;

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;

(1) O.J. No.L 182, 16.8.1970, p. 2.

ANNEX B

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 (1) are respected; 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 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 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;

(1) O.J. No L 54, 5.3.1979, p. 1.

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

Member States	1976	1977	1978
Benelux	34.0	31.1	29.4
Denmark	—	—	—
Germany	49.7	43.2	49.6
France	6.6	20.2	2.8
Ireland	—	—	—
Italy	8.6	4.1	15.4
United Kingdom	1.1	1.4	2.8

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

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 allocated 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 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 remains unused 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 1980 to 30 June 1981, 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 15000 hectolitres:

(ECU/hl)

CCT heading No	Description	Rate of duty
ex 22.05 C III a) 2	Wine from Malaga	10.3
ex 22.05 C IV a) 2	Wine from Malaga	11.5

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 tariff quota shall be conditional upon 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

ANNEX B

Article 2 (2) to (4) of Regulation (EEC) No 1120/75 (1).

4. The wines shall benefit from this tariff quota only if the provisions of Article 18 (3) and (4) of Regulation (EEC) No 337/79 are respected.

Article 2

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

2. A first instalment amounting to 1 2000 hectolitres shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1981, shall be as follows:

(hectolitres)

Benelux	3 560
Denmark	20
Germany	6 510
France	400
Ireland	40
Italy	1 350
United Kingdom	120

3. The second instalment of 3000 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, 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 1981.

Article 5

Member States shall return to the reserve, not later than 1 April 1981 the unused portion of their initial share which, on 15 March 1981 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 1981, notify the Commission of the total quantities of the said goods imported up to 15 March 1981 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, not later than 5 April 1981, 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

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

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 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 1980.

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 — Destinatario — Gedresseerde:</p>	<p>3. Consejo Regulador de la Denominación de origen MÁLAGA</p>		
<p>6. Medio de transporte — Transportmiddel — Beförderungsmittel — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:</p>	<p>5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG</p>		
<p>8. Lugar de descarga — Losningssted — Entladungsort — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:</p>	<p>7. VINO DE MÁLAGA VIN FRA MÁLAGA MALAGA-WEIN WINE FROM MALAGA VIN DE MALAGA VINO DI MALAGA MALAGAWIJN</p>		
<p>9. Marcas y números, número y naturaleza de los bultos Mærker og numre, kolloenes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Marks and numbers, number and kind of packages Marques et numéros, nombre et nature des colis Marca e numero, quantità e natura 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 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 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) 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 and originating in Spain (1980/81)

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 Jumilla, Priorato, Rioja and Valdepeñas, originating in Spain; whereas this undertaking leads to the annual opening of a tariff quota of 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 and 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 owing to the enlargement of the Community the volume of the quota has been increased to 22 000 hl;

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;

(1) O.J. No. L 182, 16.8.1970, p. 2.

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 (1) are respected; 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 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 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 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:

(1) O.J. No. L 54, 5.3.1979, p. 1.

Member States	1976	1977	1978
Benelux	36.3	32.2	27.2
Denmark	6.0	8.7	8.5
Germany	20.2	16.6	15.8
France	14.2	17.5	12.0
Ireland	0.1	0.3	0.7
Italy	10.1	5.9	3.0
United Kingdom	13.1	18.8	32.8

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

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 allocated 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 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 remains unused 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 1980 to 30 June 1981, 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 total Community tariff quota of 22 000 hectolitres:

CC I heading No	Description	Rate of duty
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

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

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 (1).

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

4. The wines shall benefit from this tariff quota only if the provisions of Article 18 (3) and (4) of Regulation (EEC) No 337/79 are respected.

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 2

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

2. A first instalment amounting to 17600 hectolitres shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1980, shall be as follows:

	<i>(hectolitres)</i>
Benelux	6 080
Denmark	1 140
Germany	3 940
France	480
Ireland	40
Italy	2 220
United Kingdom	3 700

3. The second instalment of 4400 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, 2 and 3, a Member State may draw shares smaller than those fixed

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 30 June 1981.

Article 5

Member States shall return to the reserve, not later than 1 April 1981 the unused portion of their initial share which, on 15 March 1981, 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 1981, notify the Commission of the total quantities of the products concerned imported up to and including 15 March 1981 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 1981, 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 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

ANNEX C

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 1980.

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 — Destinataro — Geadresseerde:</p>	<p>3. Consejo Regulador de la Denominación de origen JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS</p>		
<p>6. Medio de transporte — Transportmiddel — Beförderungsmittel — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:</p>	<p>5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG</p>		
<p>8. Lugar de descarga — Losningssted — Entladungsort — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:</p>	<p>7. VINO DE JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS VIN FRA JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA-, VALDEPEÑAS-WEIN WINE FROM JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS VIN DE JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS VINO DI JUMILLA / PRIORATO / RIOJA / VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA- EN VALDEPEÑASWIJN</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>	
<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 oprindelsesbetegnelsen: »...«.

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

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

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

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

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

16. (1)

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



1. Ligne budgétaire concernée : Chap. 12 art. 120

2. Base juridique : Article 113

3. Intitulé de la mesure tarifaire :

Propositions de règlements (CEE) du Conseil portant ouverture, répartition et mode de gestion de contingents tarifaires communautaires de certains vins, originaires d'Espagne ((1980/81)

4. Objectif :

Exécution d'une obligation contractuelle (Accord CEE/Espagne)

	ex 22.05 c			
5. Mode de calcul :	III a) 1	III b) 1	III a) 2	C I a)
	IV a) 1	IV b) 1	IV a) 2	C II a)
				C III a) 2
- N° du T.D.C.	:	:	:	:
- Volume du des contingent(s)	: 108 000 hl	685 000 hl	15 000 hl	22 000 hl
- Droits à appliquer (ECU/hl)	: 6,5 + 7	6,6 + 7,2	10,3+11,5	10,1 à 14,4
- Droits du T.D.C. (ECU/hl)	: 16,3+17,5	13,3+14,5	20,6+23	14,5 à 20,6
- Différence (ECU/hl)	: 10,15	7	10	10,5

6. Perte de recettes :

Pertes pour II	semestre 1980	=	3 236 000
I	semestre 1981	=	3 236 000

Des mesures analogues sont déjà en vigueur et des pertes ont été inscrites pour ^{2^{ème}} semestre 1979 = 3 236 000
^{1^{er}} semestre 1980 = 3 236 000

Donc pas de nouvelles pertes à inscrire.

