# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 1488 final.

Bruxelles, 23 september 1974

# Proposal

**REGULATION (EEC)** 

OF THE COUNCIL

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

# Proposal

REGULATION (EEC)

OF THE COUNCIL

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

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**REGULATION (EEC)** 

OF THE COUNCIL

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Priorato, Rioja and Valdepenas, falling within subheading No ex 22.05 of the Common Customs Tariff, originating in Spain

(submitted to the Council by the Commission)

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(submitted to the Council by the Commission)



# EXPLANATORY MEMORANDUM

1. In the Final Act to the Agreement at present in force between the European Economic Community and Spain, there is a Declaration by the Community delegation concerning cortain wines. The Declaration provides for the grant of preferential treatment for certain wines, taking the form of a reduction of the CCT duties up to certain quantities. The arrangement is, however, to be reconsidered following the entry into force of the rules governing the common organization of the market in wine.

For 1972 the Council decided to open four low-duty tariff quotas:

# (a) sherry wines

- (i) in containers of two litres 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) Ralega minos

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

(c) Junilla, Priorato, Rioja and Valdenenas winos 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.

2. For 1973 the Council did not amend that Decision, and identical tariff quotas were opened, for the benefit only of the six original Member States, since the "Protocol fixing certain provisions relating to the Agreement between the European Economic Community and Spain in consequence of the accession of the new Member States to the European Economic Community" of 29 January 1973 (OJ No L 66, 13 March 1973) provides that as regards the new Member States the situation shall remain as before. The Protocol

also provides that the contrating parties are to lay down before the l January 1974 the transitional measures and adjustments which may appear necessary following the accession of the new Member States.

In July 1973, the Community opened negotiations with Spain with a view to concluding by 1 January 1974, a new Agreement to replace the 1970 Agreement. However, in view of the present state of these negotiations, it is by no means certain that the Agreement could enter into force on 1 January 1975, but rather on a later date which might well be within the first half of 1975.

3. In view of the foregoing, the Commission believes that the possible necessity should be provided for of opening tariff quotas, for 1975, for certain wines in favour of Spain. Consequently the tariff quotas for these products should be opened by 1 January 1975 and therefore approved by the Council before 1 November 1974. It is therefore necessary to initiate immediately the procedure for opening the relevant tariff quotas. However, in view of the possible entry into force of a new Agreement it is proposed to confine the period of validity of these tariff quotas for the year 1975 to the period not covered by the new Agreement.

Moreover, as regards agricultural products, the Regulations opening the relevant Community tariff quotas must be based on Article 43 of the EEC Treaty, which means that the European Parliament must be consulted. The time which the procedure for approving these Regulations will take must therefore be borne in mind.

In conclusion, the Commission proposes that Community tariff quotas for 1975 should be opened for the relevant wines on the same terms as these for 1972 to 1974. This is the object of the proposals annexed hereto.

4. These Regulations provide for the splitting up of the tariff volumes into two parts, of which the first will be allocated among the Member States as quota share and the second will be kept as 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 or memoer States\* forecasts.

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

- 5. The proposed Regulations on these wines provide for a single method of administration, to be applied by all the Member States for these quotas, namely the "ac and when" method.
- 6. Finally, where tariff subheadings are mentioned, amendments to the Common Customs Tariff nomenclature due to take effect on 1 January 1975 have been taken into account.

#### ~0000563

# REGULATION (EEC) No .... OF THE COUNCIL

of

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

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;

Whereas on the signing of the Agreement (1) between the European Economic Community and Spain, 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 Jerez wines; whereas:

- a 60% reduction in the Common Customs Tariff duties applicable to Jerez wines originating in Spain and imported in containers holding 2 litres or less should be granted for 1975 up to a Community tariff quota of 40 000 hectolitres; and
- a 50% reduction in the Common Customs Tariff duties applicable to Jerez wines, originating in Spain, and imported in containers holding more than 2 litres should be granted for 1975 up to a Community tariff quota of 210 000 hectolitres;

<sup>(1)</sup> OJ No L 182, 16. 8. 1970, p. 2.

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of the entry into force during 1975 of a new Agreement in this regard between the European Economic Community and Spain, it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new Agreement;

Whereas these wines remain subject to the provisions governing the common organization of the market in whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and of a certificate, issued by the recognized Spanish authorities and endorsed by the Spanish customs, stating the recognized designation of origin of these wines, within the framework of the methods of administrative cooperation existing between the Community and Spain;

Whereas it is in particular necessary to ensure to 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 principles mentioned above, the Community nature of the quotas can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect most accurately the actual trend market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the market situation as regards Jerez wines; 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 rrpresent the following percentages of the imports into the Community from Spain of the products concerned:

	1971	1972	1973
Jerez wines:			
<ul> <li>In containers holding two litres or less:</li> </ul>			
Germany	18.5	14.8	14.6
Benelux	67.9	76∙ა	77.3
France	1.6	1.0	0.9
Italy	12.0	7.4	7.2
— In containers holding more than two litres:			
Germany	7.0	5.5	9.2
Benelux	92.7	94.3	90.6
France	0.2	0.1	0.1
Italy	0.1	0.1	0 . 1.

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

	Jerez wines in o	Jerez wines in containers holding:			
	2 litres or less	more than 2 litres			
Germany	17.0	7.8			
Benelux	74.0	92.0			
France	1.0	0.1			
Italy	8.0	0.1			

Whereas, in order to take into account import trends for the products concerned in the different Member States, each of the quota amounts should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial a shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quotas should be fixed at a level which, under present

circumstances, may be 80% of each of the quota amounts;

Whereas the initial quota shares of the Member States may be used up at different rateswhereas, in order to take this fact into account and to avoid any break in continuity, it is important that any Member State having used up almost the whole of its initial quota share should draw an additional quota share from the reserve; whereas this must be done by each Member State as and when each of its additional quota shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be available for use until the end of the quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must in particular be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date in the quota period, a substantial proportion of a Member State's initial share remains unused it is essential that that Member State return a significant percentage thereof to the reserve, in order to avoid a part of one or other of the Community quotas 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, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members •

#### HAS ADOPTED THIS REGULATION:

#### Article 1

1. From 1 January 1975 until 33 December 1975
the Common Customs
lamit duties in respect of the following Jerez wines
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	Quot2 volume in hl	
ex 22.05 C III a) 1	Wines from Jerez	5·4	40 000	
ex 22.05 C IV a) 1	Wines from Jerez	5⋅8	J 40 000	
ex 22.05 C III ` 1	Wines from Jerez	5.5	}	
ex 22.05 C IV b \ ]	Wines from Jerez	6.0	210 000	

- 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 the Community tariff quota referred to in paragraph 1 shall be conditional upon the observance of the reference price applying to them and to production of a certificate corresponding to one of the specimens annexed hereto, issued by the recognized Spanish authorities, stating the recognized designation of these wines; this certificate shall be endorsed by the Spanish customs authorities under the same conditions as movement certificate A.E.1.

#### Article 2

- 1. The quotas laid down in Article 1 shall be divided into two tranches.
- 2. The first tranche shall be shared among the Member States. The respective individual shares, which subject to Article 5 shall be valid until the end of the period specified in Article 1(1) shall be as follows:

			(in hectolitres	;)		
		Jerez wines under subheading Nos				
		ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	l and \	- 1		
Germany Benelux France Italy		5 440 23 680 320 2 560	13 100 154 560 170 170			
	Total	32 000	168 000	_		

3. The second tranche of each quota, that is 8 000 hectolitres and 42 000 hectolitres respectively, shall constitute the reserve.

# Article 3

1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

- 2. If, after one or other of its initial shares have been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1 to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
- 3. If, after one or other of its second shares have been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed in the manner specified in paragraph 1, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member State may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

#### Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until the end of the period specified **im** Article 1(1).

### Article 5

If, by 15 September 1975, a Member State has not used up its initial shares, it shall, not later than 10 October 1975, return to the reserve the unused portion of these shares in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975 notify the Commission of the total imports of the products concerned effected up to 15 September 1975 inclusive, and charged against the Community quotas and, where appropriate, the proportion of their initial shares that is being returned to each reserve.

#### Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in each reserve after the return of shares pursuant to Article 5.

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

#### Article 7

- 1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made, without interruption against their accumulated shares of the Community quotas.
- 2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.
- 3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

#### Article 8

Member States shall inform the Commission at regular intervals of imports of the products concerned 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

In the event that the preferential tariff arrangement for imports into the Community of products as specified in Article 1(1)

, is made the subject of a new Agreement between the European Economic Community and Spain and that the said Agreement enters into force before 31 December 1974 this Regulation shall cease to have effect as on such date of entry into force.

#### Article 11

This Reculation shall enter into force on 1 January 1975.

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

Done at Brussels,

For the Council

The President

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### **ANNEXE**

CONSEJO REGULADOR					
DE LA					
DENOMINACIÓN DE ORIGEN					
e-granda de Maldo					
/3.5.1 /7 /7.3.1 - /					

N°
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(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

# CERTIFICAT DE L'APPELLATION D'ORIGINE

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du	Consejo Regul	ador de l'appe	llation d'origine	***************************************	***************************************					
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				Pour le Consejo Regulador						
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### **ANHANG**

# CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

Nr. .....

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# ALLEGATO

# CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

#### N. .....

# CERTIFICATO DI DENOMINAZIONE DI ORIGINE

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# **BIJLAGE**

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN
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(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

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# ANNEX

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

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# CERTIFICATE OF DESIGNATION OF ORIGIN

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CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

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# ANNEXE

# CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN -----

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

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(Selos)

#### Proposal

#### REGULATION (EEC) No .... OF THE COUNCIL

of ......

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

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;

Whereas on the signing of the Agreement (1) between the European Economic Community and Spain 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 a 50% reduction in the Common Customs Tariff duties applicable to Malaga wines originating in Spain and imported in containers holding 2 litres or less should be granted for 1975 up to a Community tariff quota of 15 000 hectolitres;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of the entry into force during 1975 of a new Agreement in this regard between the European Economic Community and Spain, it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new Agreement;

<sup>(1)</sup> OJ No L 182, 16. 8. 1970, p. 2.

Whereas these wines remain subject to the provisions governing the common organization of the market in wine especially as regards observance of the rererence price; whereas inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and of a certificate, issued by the recognized Spanish authorities and endorsed by the Spanish customs, stating the recognized designation of origin of these wines, within the framework of the methods of administrative cooperation existing between the Community and Spain;

Whereas it is in particular necessary to ensure to 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 principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect more accurately the actual trend of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the market situation as regards Malaga wines; 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.

	1971	1972	1973
Germany	16.7	54·1	64 •4
Benelux	25.9	30.6	21.6
France	21.3	4·1	4.0
Italy	36·1	11.2	10.0

Whereas, in view of these figures and of the estimates submitted by certain Member States, initial quota

shares may be fixed approximately at the following percentages:

Germany	58
Benelux	21
France	4
Italy	17;

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States, and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be fixed at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial shares of the Member States may be used up at different rates whereas, in order to take this fact into account and to avoid any break incontinuity, it is important that any Member State having used up almost the whole of its initial share should 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 available for use until the end of the

quota period; whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular be able to observe the extent to which the quota amount is used and inform Member States thereof:

Whereas if, at a specified date in the quota period, a substantial proportion of a Member State's initial share remains unused it is essential that that Member State return a significant percentage thereof to the reserves, in order to avoid a part of the Community quota's remaining unused in one Member State when it could be used in others:

of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members :

HAS ADOPTED THIS REGULATION:

tariff quota of 15 000 hectolitres:

#### Article 1

1. From 1 January 1975 until 31 December 1975 the Common Customs
Laritt 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

CCT heading No	Description of goods	Rates in u.a./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 refered to in paragraph 1 shall be conditional upon observance of the reference price applying to them and to production of a certificate corresponding to one of the specimens annexed hereto, issued by the recognized Spanish authorities,

stating the recognized designation of origin of these wines; this certificate shall be endorsed by the Spanish customs authorities under the same conditions as movement certificate A.E.1.

#### Article 2

- 1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.
- 2. A first tranche, amounting to 12 000 hectolitres, shall be shared among the Member States; The

respective individual shares, which subject to Article 5 shall be valid until the end of the period specified in Article 1(1) shall be as follows;

Germany		960
Benelux	2	520
France		480
Italy	2	040

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

#### Article 3

- 1. If 90 % or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
- 2. If, after its initial share has been exhausted, 90% of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
- 3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that those shares might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

#### Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period specified in Article 1(1)

# Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10

October 1975, return the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

The Member States shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of their initial share that is being returned to the reserve

#### Article 6

The Commission shall keep account of the share opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

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

#### Article 7

- 1. The Member States shall take all measures necessary to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.
- 2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.
- 3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.
- 4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

#### Article 8

Member States shall inform the Commission at

regular intervals 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

In the event that the preferential tariff arrangement for imports into the Community of products as specified in Article 1(1)

is made the subject of a new Agreement between the European Economic Community and Spain and that the said Agreement enters into force before 31 December 1974 this Regulation shall cease to have effect as on such date of entry into force.

### Article 11

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels,

For the Council
The President

### ANNEXE

# CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

BT	٥
N	o

# CERTIFICAT DE L'APPELLATION D'ORIGINE

du Consejo Regulador de l'appellation d'origine  certifie:			
1			
1. que			
déclare sous sa responsabilité qu'il exporte les vins ci-après:			
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Marques Désignation des marchandises Litres brut	net		
	I		
Lieu de départ expédié par expédié par	***************************************		
à la destination de à à	***************************************		
2. qu'au vu des documents présentés et de ceux en possession de ce Conseil, les vins susr			
été produits dans la région de «» et ont le droit d'utiliser l'appella d'origine «».	ation contrôlée		
Visa du bureau de douane (Lieu) (Da	19 ate)		
d'exportation :	Pour le Consejo Regulador		
	*******		
(Sceau)			

# ANHANG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN
/3.6.1 /T GT.11 ~ /

Nr.	***************************************
INT.	***************************************

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

# BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG

Der Unterzeichnete									
vo	vom Consejo Regulador für Ursprungsbezeichnung								
be	stätigt:								
1.	l. daß								
	in eigener Verantwortung erklärt, daß er die nachstehenden Weine ausführt:								
	Packst	ücke		· <del>W</del>		Gev	vicht		
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	Weine im Gebi	et "	***************************************	" erzeugt					
	bezeichnung "	***************************************		aben.					
						den	19		
	Sichtvermerk d	es Ausfuhrzol	lamtes:		Prt)		Datum)		
			Für den Consejo Regulador						
					**************				
<u> </u>				(Siegel)					

# ALLEGATO

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

'Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

N.	***************************************
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# CERTIFICATO DI DENOMINAZIONE DI ORIGINE

Il	Il sottoscritto,						
de	del Consejo Regulador della denominazione di origine						
aı	uesta:						
1.	che	***************************************	***************************************	***************************************	***************************************	*********************	***************************************
	dichiara sotto l	a sua responsa	bilità che esp	orta i vini qui appresso	indicati:		
	Co	llo				Pes	ю
	Marche e numeri	Numero	Design	nazione delle merci	Litri	lordo	netto
	Luogo di parte	enza	************************	spedi	to da		
	a destinazione	di		a	*******************************	***************************************	***************************************
2.	2. che, secondo i documenti presentati e quelli in possesso di questo consiglio, i vini di cui sopra sono stati prodotti nella regione di «» e hanno il diritto di utilizzare la denominazione controllata di origine «».						
			•	(Luc		ldì (D	19
Visto dell'ufficio di dogana di esportazione:			ıdi			ejo Regulador	***********
	(Timbro)						

# BIJLAGE

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Nr.	2470010024444444444444444444444444444444

# CERFIFICAAT VAN BENAMING VAN OORSPRONG

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va	n de Consejo R	egulador voor	de benaming v	an oorsprong	***************************************	***************************************	************************		
be	vestigt:								
1.	l. dat								
	onder eigen verantwoordelijkheid verklaart dat hij de hierna volgende wijnen uitvoert:								
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	Merken en nummers	Aantal				bruto	netto		
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	bestemd voor.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			in	***************************************	***************************************		
2.					cumenten de voorr				
	-				gerechtigd zijn d	le benaming v	an oorsprong		
	_								
	Visum van h	et douanekan	toor	***************************************	(plaats)	•	datum)		
	van uitvoer:		our		Voor de Consejo Regulador				
				***	***************************************	***************************************	*,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
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<u> </u>				(zegel)					

# ANNEX

# CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

No	

# CERTIFICATE OF DESIGNATION OF ORIGIN

Ι, 1	the undersigned	,	***************************************			***************************************	••••••		
of	the Consejo Re	gulador of the	designation of	origin	······	***************************************			
cei	rtify:								
1.	that	•••••							
	declares on his own responsibility that he is exporting the following wines:								
	Pack	ages				Weig	ght		
	Marks and numbers	Number	Descri	ption of goods	Litres	gross	net		
						ļ			
		į							
	Place of depart	ure		shi	pped by	•••••	***************************************		
	to	**************************		at		***************************************			
2.	that according	to the docume	ents produced :	and those in the	possession of this o	council, the abo	vementione		
	wines were pro	duced in the re	gion of '		a				
	registered desi	guation or crit	,III		••••••••••••				
				••••	(Place)	(Date			
Endorsement of the C. 'ans office of export:					For the Cons	ejo Regulador			
				•••			••••••		
				(Seal)					
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# BILAG

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

Nr.	

# CERTIFIKAT FOR OPRINDELSESBETEGNELSE

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be	kræfter:								
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	Eksporttoldk	contorets ster	npel:		, C (Sted)		19 Dato)		
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#### ANNEXE

### CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

N°	
1.0	

#### CERTIFICADO DE LA DENOMINACIÓN DE ORIGEN

El	que suscribe,	***************************************	**************	***************************************	*******************************	******************************	***************************************
de	l Consejo Regu	lador de la De	nominació	n de Origen	***************************************		************************
ce	rtifica:						
1.	Que	***************************************		***************************************	***************************************		
	declaran ante é	el y bajo su re:	sponsabilid	ad que expiden la sign	uiente partida de v	inos:	
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	con destino a			***************************************	de	1411-11-17418-17-17-17-17-17-17-17-17-17-17-17-17-17-	***************************************
2.				que me exhiben y ant			
	•			producidos en la Zona ominación de origen			
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Γ	<del></del>			************		(Fech	19
	Visado de la	Aduana de s	alida:			•	<del>-</del> )
					Por el Conse	ejo Regul <mark>ad</mark> or	
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L				(Selos)			
			_				

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#### Proposal

#### REGULATION (EEC) No .... OF THE COUNCIL

of .....

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Priorato, Rioja and Valdepenas falling within subheading No ex 22.05 of the Common Customs Tariff originating in Spain

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;

Whereas on the signing of the Agreement (1) between the European Economic Community and Spain 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 wines from Jumilla, Priorato, Rioja and Valdepenas; whereas a 30% reduction in the Common Customs Tariff duties applicable to wines from Jumilla, Priorato, Rioja and Valdepenas, originating in Spain and imported in containers holding 2 litres or less, should be granted for 1975 up to a Community tariff quota of 15 000 hectolitres;

Whereas the Community tariff quota in question should be opened for the year 1975; and whereas, however, because of the possibility of the entry into force during 1975 of a new Agreement in this regard between the European Economic Community and Spain, it is necessary to confine the period of validity of this tariff quota to such period as is not covered by the new Agreement;

Whereas these wines remain subject to the provisions governing the common organization of the market in wine , 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, issued by the recognized Spanish authorities and endorsed by the Spanish customs, stating the recognized designation of origin of these wines, within the framework of the methods of administrative cooperation existing between the Community and Spain;

Whereas it is in particular necessary to ensure to 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 principles mentioned above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States;

Whereas, in order to reflect more accurately the actual **trend** of the market in the products concerned, such allocation should be in proportion to the needs of the Member States, assessed by reference to both the statistics of each State's imports of the said products from Spain over a representative period and the economic outlook for the quota period concerned;

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

	1971	1972	1973
Germany	8·4	6.4	21.0
Benelux	24.0	24.0	33.9
France	3.0	4.2	10.4
Italy	64.6	65.5	34•7

Whereas, in view of these figures and of the estimates submitted by certain Member States, initial quota

shares may be fixed approximately at the following percentages:

Germany	16
Benelux	32
France	6
Italy	46

Whereas, in order to take into account import trends for the products concerned in the different Member States, the quota amount should be divided into two tranches, the first tranche being allocated among the Member States and the second forming a reserve intended ultimately to cover the requirements of the Member States which have used up their initial

shares; whereas, in order to ensure a certain degree of security to importers in each Member State, the first tranche of the Community quota should be fixed at a level which, under present circumstances, may be 80% of the quota amount;

Whereas the initial shares of the Member States may be used up at different ates; whereas, in order to take this fact into account and to avoid any break in conti nuity, it is important that any Member State having used up almost the whole of its initial shares should 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 available for use until the end of the quota period;

whereas this method of administration calls for close cooperation between Member States and the Commission, which must, in particular, be able to observe the extent to which the quota amount is used and inform Member States thereof;

Whereas, if at a specified date in the quota period, a substantial proportion of a Member State's initial share remains unused it is essential that that Member State return a significant percentage thereof to the reserve, in order to avoid a part of the Community quota's 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, all transactions concerning the administration of shares granted to the abovementioned Economic Union may be carried out by any of its members.

HAS ADOPTED THIS REGULATION:

#### Article 1

1. From the 1 January 1975 until 31 December 1975 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 15 000 hectolitres:

CCT heading No	CCT heading No Description		
ex 22.05 C I a)	Wines from Jumilla, Priorato, Rioja and Valde- penas	8.4	
ex 22.05 C II a)	Wines from Jumilla, Priorato, Rioja and Valde- penas	9.8	
ex 22.05 C IIIa) 2	Wines from Jumilla, Priorato, Rioja and Valdepenas	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 corresponding to one of the specimens annexed hereto, issued by the recognized Spanish authorities and stating the recognized designation of

origin of these wines; this certificate shall be endorsed by the Spanish customs authorities under the same conditions as movement certificate A.E.1.

#### Article 2

- 1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.
- 2. The first tranche, amounting to 12 000 hectolitres, shall be shared among the Member States.

The respective individual shares, which subject to Article 5 shall be valid until the end of the period specified in Article 1(1) shall be as follows:

#### (in hectolitres)

Germany	1	920
Benelux	3	840
France		720
Italy	5	520

3. The second tranche, amounting to 3 000 hectolitres, shall constitute the reserve.

#### Article 3

- 1. If 90% or more of the initial share of a Member State, as laid down in Article 2 (2), or 90% of that share less the amount returned into the reserve, where the provisions of Article 5 have been applied, has been exhausted, that Member State shall proceed without delay, by notifying the Commission, to draw a second share equal to 15% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
- 2. If, after its initial share has been exhausted, 90% or more of the second share drawn by a Member State has been used, that Member State shall proceed, in the manner specified in paragraph 1, to draw a third share equal to 7.5% of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.
- 3. If, after its second share has been exhausted, 90% or more of the third share drawn by a Member State has been used, that Member State shall proceed, in the same way, to draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. Notwithstanding the provisions of paragraphs 1, 2 and 3, the Member States may proceed to draw shares smaller than those fixed in those paragraphs, if there is reason to believe that they might not be used up. They shall inform the Commission of the reasons which led them to apply this paragraph.

#### Article 4

The additional shares drawn pursuant to Article 3 shall be valid until the end of the period specified in Article 1(1)

#### Article 5

If, by 15 September 1975, a Member State has not used up its initial share, it shall, not later than 10 Oc-

tober 1975, return to the reserve the unused portion of this share in excess of 20% of the initial amount. It may return a larger quantity if there is reason to believe that such quantity might not be used.

Each Member State shall, not later than 10 October 1975, notify the Commission of the total imports of the products concerned effected up to 15 September 1975 inclusive, and charged against the Community quota and, where appropriate, the proportion of its initial share that is being returned to the reserve.

#### Article 6

The Commission shall keep account of the shares opened by Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 15 October 1975, notify Member States of the amount in the reserve after the return of shares pursuant to Article 5.

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

#### Article 7

- 1. The Member States shall take all appropriate measures to ensure that, when additional shares are drawn pursuant to Article 3, it is possible for charges to be made without interruption against their accumulated shares of the Community quota.
- 2. The Member States shall ensure that importers of the said goods established in their territory have free access to the shares allocated to them.
- 3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered for home use.
- 4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

#### Article 8

Member States shall inform the Commission at regular intervals 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

In the event that the preferential tariff arrangement for imports into the Community of products as specified in Article 1(1)

is made the subject of a new Agreement between the European Economic Community and Spain and that the said Agreement enters into force before 31 December 1974 this Regulation shall cease to have effect as on such date of entry into force.

Article 11

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels,

For the Council
The President

#### ANNEXE

#### CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

#### $N^{\circ}$ .....

#### JERTIFICAT DE L'APPELLATION D'ORIGINE

Le	soussigné,	************			••••••	••••••	••••••		
du	Consejo Regul	ador de l'appe	ellation d'or	rigine				***************************************	
cei	tifie:								
1.	que	720110000000000000000000000000000000000		************************	••••••	***************************************	***************************************	*************************	
	déclare sous sa	responsabilité	qu'il expo	rte les vins ci-	après:				
	Co				<del></del>		Poi	Poids	
	Marques et numéros	Nombre	Désig	gnation des march	andises	Litres	brut	net	
	ļ		]						
			ļ						
			1			İ	! !		
	Lieu de départ	***************************************			expédié	par	••••••••••••••••••••••••••••••	***************************************	
	à la destination	ı de	***************		à	******************************	******************************	***************************************	
2.							les vins susm		
	d'origine «			••••••	» et ont	le droit d'ui	iliser l'appellat	ion controlee	
_		··	<u></u>			1	_	10	
	Visa du bure	eau de douane				eu)	e(Dat		
	d'exportation	1:				Pour le Cons	sejo Regulador		
					*******	••••••		•••••	
L				(	(Sceau)				

#### ANHANG

## CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN -----

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

#### BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG

Nr. .....

Der Unterzeichnete	e			***************************************	
vom Consejo Regu	ılador für Urspru	ngsbezeichnung		******************************	********************************
oestätigt:					
1. daß				•••••••	
in eigener Vera	ntwortung erklär	, daβ er die nachstehenden W	eine ausführt:		
Packst	ücke			Gew	richt
Zeichen und Nummern	Anzahl	Warenbezeichnung	Liter	brutto	netto
Verladeort		Verl	aden auf	******************************	
heetimmt für		i	1		
		den dem Rat schon vorlieger			
		" haben.	.8	<b>-</b>	<b>--------------------------------</b>
			***************************************	den	19
Sichtvermerk d	es Ausfuhrzollam	l	(Ort)		Oatum)
			Für den Con	sėjo Regulador	
			***************************************	***************************************	***********
		(Siegel)			

#### ALLEGATO

# CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN -----

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

N.	
----	--

	CERTI	FICATO DI DENOMINAZIO	NE DI ORIGIN	ΙE	
Il sottoscritto,	······································			***************************************	*******************************
del Consejo Regu	ılador della deno	minazione di origine			••••••
attesta:					
1. che	***************************************			••••••	
dichiara sotto	la sua responsab	lità che esporta i vini qui appress	so indicati:		
C	ollo			Pe	eso .
Marche e numeri	Numero	Designazione delle merci	Litri	lordo	netto
Luoro di part	en72	spec	lito da	'	'
•		-			
		entati e quelli in possesso di qu » e han			
controllata di	origine «	»,			
			, ad	ldì	19
Visto dell'ui esportazione	fficio di dogana (	di (L	uogo)	(1	Data)
000000000000000000000000000000000000000	•		Per il Conse	ejo Regulador	
				***************************************	•••••
	- <del></del> -	(Timbro)			

#### BIJLAGE

CONSEJO REGULADOR
DE LA
DENOMINACIÓN DE ORIGEN
(Málaga/Terez/Valdepeñas/

BT	
INT.	************************************

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

#### CERFIFICAAT VAN BENAMING VAN OORSPRONG

Oı	ndergetekende, .	***************************************	***************************************	***************************************		***************************************	·····
va	n de Consejo Re	egulador vooi	de benaming v	an oorsprong			***************************************
be	vestigt:						
1.	1. dat						************************
	onder eigen ver	rantwoordelijl	theid verklaart o	lat hij de hierna vo	lgende wijnen ui	tvoert:	
	Col	lis		1		Gew	icht
	Merken en nummers	Aantal	0	mschrijving	Liter	bruto	netto
	Plaats van inlac	ling		verzon	den door	ł I	
		•					
	bestema voor	***************************************	***************************************	in	***************************************		***************************************
2.				voorgelegde docu			
	zijn in de streek			en ge en.	erechtigd zijn o	le benaming v	an oorsprong
	<b>"</b>						
	Visum van h	et donanekar	toor	•••••••••••••••••••••••••••••••••••••••	(plaats)	,	datum)
	van uitvoer:				Voor de Con	sejo Reguladoi	
				······			
<u> </u>				(zegel)			

#### ANNEX

#### CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

#### No .....

#### CERTIFICATE OF DESIGNATION OF ORIGIN

I, t	he undersigned	,	***************************************	······	********************************	*******************************	******************************
of	the Consejo Re	gulador of the d	lesignation of or	igin	,	*********************	**************************************
cer	tify:						
		own responsibil				***************************************	***************************************
	Pack	ages				We	ight
	Marks and numbers	Number	Descripti	on of goods	Litres	gross	net
	;						
	Place of depart	ure		shi	pped by		***********************
	to		***************************************	at		***************************************	
	wines were pro		gion of '	***************************************	possession of this a		
				***************************************	(Place)	(Dat	19 e)
	Endorsement of the Customs office of export:				For the Cons	ejo Regulador	
				****		***************************************	************
				(Seal)			

#### **BILAG**

### CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN -----

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

### CERTIFIKAT FOR OPRINDELSESBETEGNELSE

••	1 . 1								
U	ndertegnede	*************************	*****************	•••••••••••••••••••••••••••••••••••••••		*******	***************************************	***************************************	
af	Consejo Regula	dor for oprine	delsesbeteg	nelse		***************************************	***************************************	***************************************	
be	kræfter:								
1.	at		••••••			***************************************	***************************************		
	erklærer under ansvar at han eksporterer følgende vine:								
	Antal 1	pakker	<u> </u>				Væ	gt	
	Mærker og numre	Antal		Varebetegnelse		Liter	brutto	netto	
	ļ								
					İ				
	Afskibningsstee	d b	***************************************	••••••	afskibet a	f		***********************	
	bestemmelsesst	ted			i	***************************************		••••	
9	at ifalge de fo	reviste og de	allerede i	Rådets besiddels	se værend	e dokumente	r er de ovenfor	nævnte vine	
۷.									
	navnet »	•••••••		<b>«.</b>					
Г				*****		(	den	19	
	Eksporttold	kontorets ster	npel:		(Ste	d)	(I	Oato)	
						For Consej	jo Regulador		
					************	***************************************	***************************************	**********	
L				(Se	gl)				

#### ANNEXE

## CONSEJO REGULADOR DE LA DENOMINACIÓN DE ORIGEN -----

(Málaga/Jerez/Valdepeñas/ Priorata/Rioja/Jumilla)

#### CERTIFICADO DE LA DENOMINACIÓN DE ORIGEN

N° .....

Consejo Regu	lador de la Denom	inación de Origen	***************************************	********************************	
tifica:					
Que				***************************************	******************
declaran ante	él y bajo su respons	sabilidad que expiden la sigu	iente partida de v	inos:	
Bu	ltos	Minute and the state of the sta		Pes	08
Marcás y numeros	Numeros	Denominación	Litros	bruto	neto
			ł		
ugas de salid	a	envi	ado por	***************************************	******************
on destino a .	***************************************		le	******************************	***************************************
		entos que me exhiben y ante eron producidos en la Zona			
		a denominación de origen «			
			, (Lugar)	(Fech	
Visado de la	Aduana de salida	:		•	.a.)
			Tor er Cons	ejo Regulador	

,		