

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 25 October 1974

Proposal for a
COUNCIL REGULATION

amending Annex IV of Regulation (EEC) No 816/70 of the
Council laying down additional provisions for the common
organisation of the market in wine

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

The nomenclature for the products under Regulation (EEC) 816/70 laying down additional provisions for the common organisation of the market in wine figures in Annex IV of that Regulation.

The additional note 5 to Chapter 22 in the Common Customs Tariff concerning wine with a registered designation of origin which only concerns five products is formulated in such a way that it leads to requirement of two documents at import of the same product.

The present proposal which is made under the efforts for simplification undertaken by the Commission has the effect to amend the provisions in question and as a consequence the nomenclature in the Common Customs Tariff applicable for the products concerned in order to bring that situation to an end.

The present proposal for a Regulation, based on Article 43 of the Treaty, requires the Opinion of the European Parliament. It concerns a technical amendment without financial affect.

PROPOSAL FOR A
COUNCIL REGULATION

amending Annex IV to Council Regulation (EEC)
No 816/70 laying down additional provisions
for the common organization of the market in wine.

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Article 12(1) of Council Regulation (EEC) No 816/70¹ of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation No 1532², provides that the tariff nomenclature resulting from the application of that Regulation shall be incorporated in the Common Customs Tariff; whereas that nomenclature is set out in Annex IV to that Regulation;

Whereas the wording of the Additional Note 5 to Chapter 22 of the Common Customs Tariff causes problems in practice in that it results in two documents being required for the importation of the same product; whereas it is appropriate in order to avoid such a situation to modify the provisions in question and to adjust accordingly the Common Customs Tariff nomenclature applicable to the products concerned by amending Annex IV to the above-mentioned Regulation;

HAS ADOPTED THIS REGULATION:

¹OJ No L 99, 5.5.1970, p.1

²OJ No L 166, 21.6.1974, p.1

Article 2

In Annex IV to Regulation (EEC) No. 816/70 :

Additional Note 3 C (b) to Chapter 22 is replaced by the following :

"(b) The above rules do not apply to products falling within subheading 22.05 C III a) 1, b) 1 or b) 2 as within subheading 22.05 C. VI. a) 1, b) 1 or b) 2";

Additional Note 5 is deleted and Additional Notes 6, 7 and 8 become respectively Notes 5, 6 and 7 :

The text relating to subheadings 22.05 C. III. and IV is replaced by the following text :

| Heading number | Description | Rate of Duty | |
|----------------|--|---|---|
| | | autonomous % or levy (2) | conventional % |
| | <p>III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding:</p> <p>a) 2 litres or less:</p> <p>1. Port, Madeira, sherry, Tokay (Aszu and Szamorodni) and Setubal muscatel (a)</p> <p>2. Other</p> <p>b) More than 2 litres:</p> <p>1. Port, Madeira, sherry and Setubal muscatel (a)</p> <p>2. Tokay (Aszu and Szamorodni) (a)</p> <p>3. Other</p> | <p>15 UA per hl</p> <p>17 UA per hl (b)</p> <p>12 UA per hl</p> <p>12 UA per hl</p> <p>14 UA per hl (b)</p> | <p>13.5 UA per hl</p> <p>-</p> <p>11. UA per hl</p> <p>-</p> <p>-</p> |
| | <p>IV. Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding:</p> | | <p>.../...</p> |

| Heading number | Description | Rate of Duty | |
|----------------|--|--------------------------|----------------|
| | | autonomous % or Levy (2) | conventional % |
| | a) 2 litres or less: | | |
| | 1. Port, Madeira, sherry, Tokay (Aszu and Szamorodni) and Setubal Muscatel (a) | 16 UA per hl | 14.5 UA per hl |
| | 2. Other | 19 UA per hl (b) | 19 UA per hl |
| | B) More than 2 litres: | | |
| | 1. Port, Madeira, sherry and Setubal muscatel (a) | 13 UA per hl | 12 UA per hl |
| | 2. Tokay (Aszu and Szamorodni) | 13 UA per hl | - |
| | 3. Other | 19 UA per hl (b) | 19 UA per hl |

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) In certain circumstances a countervailing charge is payable in respect of certain products in addition to the customs duty.

Article 2

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