

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (81) 264 final

Brussels, 14 May 1981

Proposal for a Council Regulation (EEC) opening, allocating and providing for the administration of a Community tariff quota for shery [sic] falling within heading No ex 22.05 of the Common Customs Tariff, originating in Spain (1980/81)

Proposal for a Council Regulation (EEC) opening, allocating and providing for the administration of a Community tariff quota for Malaga wines falling within heading [sic] No ex 22.0 of the Common Customs Tariff, originating in Spain (1980/81)

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 Valdepenas falling within heading No ex 22.05 of the Common Customs Tariff, originating in Spain (1980/81)

(Submitted to the Council by the Commission)

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. Just now, this engagement and the Regulation (EEC) No 3559/80 establishing the arrangements applicable to trade between Greece and Spain lead to the annual opening of the following four tariff quotas at reduced duty rates :

- sherry wines

-in containers holding two litres or less;

108 120 hl at CCT duty reduced by 60 %;

-in containers holding more than two litres

685 000 hl at CCT duty reduced by 50 %.

- Malaga wines

in containers holding two litres or less,

15 000 hl at CCT duty reduced by 50 %.

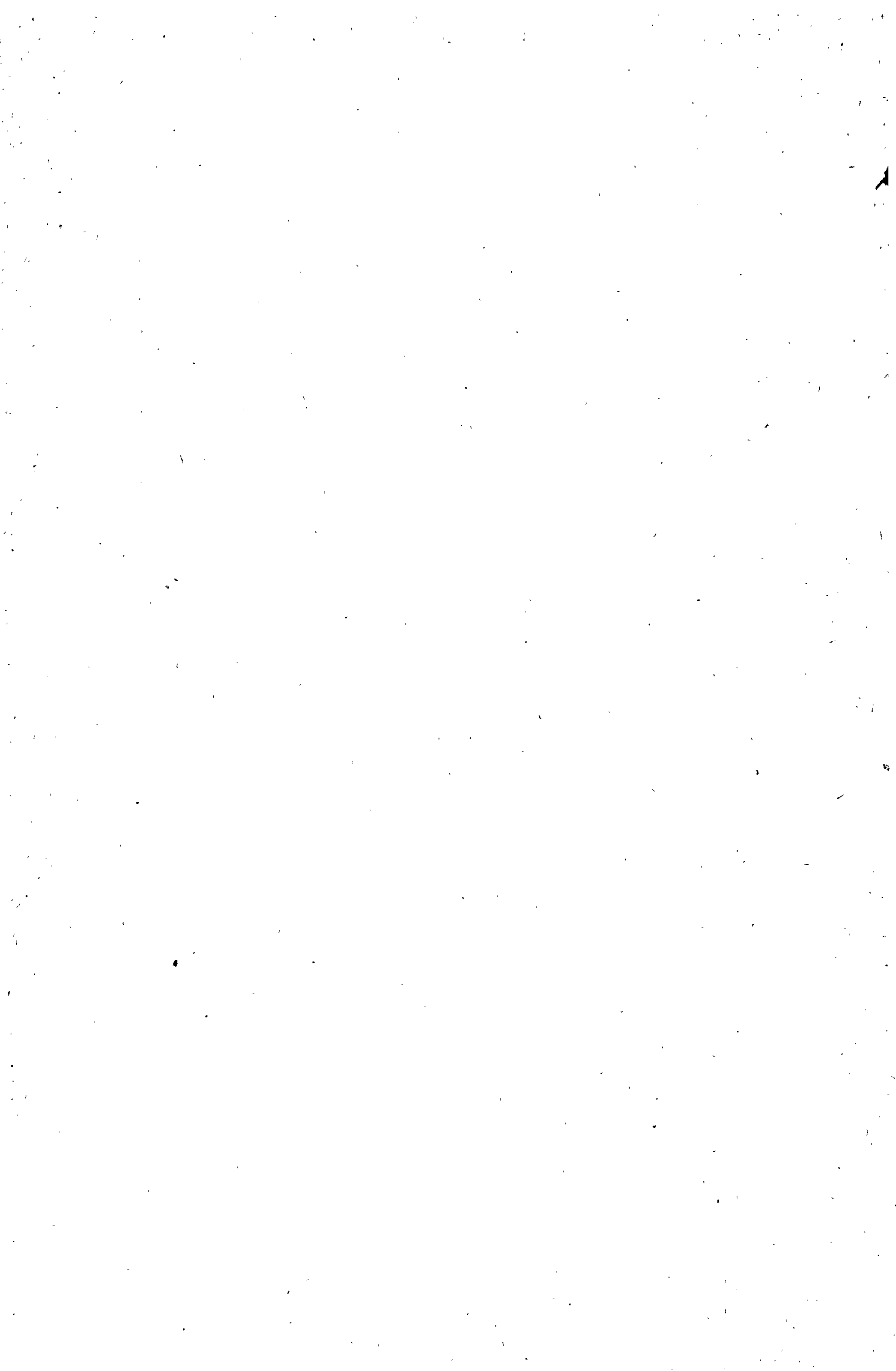
- Jumilla, Priorato and Valdepenas wines

in containers holding two litres or less,

22 008 hl at CCT duty reduced by 30 %.

It being understood that these wines would remain subject to the provisions governing the common organization of the market in wine and especially to the reference price which is applicable to these wines.

To fulfil the Community's engagement to Spain, from 1 July 1981, regulations on the opening, allocation and administration of these Community tariff quotas should be adopted.



2. These regulations provide

- in the normal way - 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 1978 to 1980, 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		
	1978	1979	1980	1978	1979	1980
Benelux	216 500	244 461	241 610	164 800	225 448	239 593
Denmark	14 800	14 670	13 080	32 090	27 700	25 970
Germany	86 730	97 404	118 850	21 760	33 770	14 660
Greece	80	140	100	-	-	-
France	1 310	1 224	1 300	220	207	110
Ireland	4 040	6 070	4 150	4 120	660	60
Italy	2 310	3 766	4 100	-	-	-
United Kingdom	104 200	96 187	98 480	542 010	627 920	519 250
E.E.C.	429 970	443 830	481 670	765 000	915 405	799 623

- Malaga wines

	1978	1979	1980
Benelux	420	630	488
Denmark	-	-	-
Germany	710	983	720
Greece	-	-	-
France	40	116	160
Ireland	-	-	-
Italy	220	196	230
United Kingdom	40	70	120
E.E.C.	1 430	1 195	1 718

- Rioja, Jumilla, Valdepeñas, Priorato wines

	1978	1979	1980
Benelux	14 890	20 233	20 743
Denmark	4 680	9 870	11 144
Germany	8 680	11 060	14 799
Greece	-	8	-
France	6 600	13 585	10 660
Ireland	380	848	912
Italy	1 630	1 003	420
United Kingdom	17 940	33 872	18 352
E.E.C.	54 800	90 480	77 030

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 (1981/82)

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, in conjunction with Council Regulation (EEC) No 3559/80 of 16 December 1980 establishing the arrangements applicable to trade between Greece and Spain (2), now relates to the opening each year of the following two tariff quotas:

- 108 120 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
- 685 000 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 inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and a certificate of designation of origin as provided for in Commission Regulation (EEC) No 1120/75(3);

(1) OJ No L 182, 16. 8. 1970, p. 2.

(2) OJ No L 382, 31.12.1980, p. 71

(3) OJ 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 matter 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 Council Regulation (EEC) No 337/79 (1), as last amended by Regulation (EEC) No 3456/80(2), 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 for imports of the said product from Spain over a representative reference period and also to the economic outlook for the quota period concerned;

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 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) OJ No L 54, 5. 3. 1979, p. 1.

(2) OJ No L 360, 22.12.1980, p. 18

	1978	1979	1980
Sherry:			
— in containers holding two litres or less:			
Benelux	50.36	52.69	50,1
Denmark	3.44	3.16	2,7
Germany	20.17	21.01	24,6
France Greece	0.00	0.03	0,0
Ireland	0.94	1.30	0,3
Italy	0.54	0.81	0,9
United Kingdom	24.24	20.74	20,5
— in containers holding more than two litres:			
Benelux	21.54	24.63	29,9
Denmark	4.20	3.03	3,2
Germany	2.84	3.69	1,8
France Greece	0.00	0.02	0,0
Ireland	0.54	0.04	0,1
Italy	0.00	0.00	0,0
United Kingdom	70.85	68.59	64,9

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	51.07	25.30
Denmark	3.10	3.46
Germany	22.02	2.82
France Greece	0.02	0.10
Ireland	0.28	0.10
Italy	1.03	0.20
United Kingdom	0.75	0.10
	21.73	67.92

Whereas, in order to take into account import trends for the products concerned in the various Member States, each of the quota volumes should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State 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 States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up one of its initial shares must draw an additional share from the 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 shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the Commission must be in a position to monitor the extent to which the quota volumes have been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a considerable quantity is left over in one or other Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of the Community quotas from remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united 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 1981 to 30 June 1982, 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	108 120
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	

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and Regulation (EEC) No 3559/80.

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. In order that the wines in question may benefit from these tariff quotas, Article 18 (3) and (4) of Regulation (EEC) No 337/79 must be observed.

4. The inclusion of sherry in these Community 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. A first instalment of each quota shall be shared among the Member States; the respective shares which, subject to Article 5, shall be valid until 30 June 1982, shall be as follows:

Member States	Sherry falling within subheading:	
	ex 22.05 C III a) I and ex 22.05 C IV a) I	ex 22.05 C III b) I and ex 22.05 C IV b) I
	(hectolitres)	
Benelux	49 700	155 960
Denmark	3 010	21 330
Germany	21 430	17 390
France	280	620
Greece	20	620
Ireland	1 000	1 240
Italy	730	640
United Kingdom	21 150	418 700
Total	97 320	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 of a Member State's initial shares as specified in Article 2 (2), or of that same share reduced by the portion returned to the corresponding reserve if Article 5 has been 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.

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 1982.

Article 5

The Member States shall return to the reserve, not later than 1 April 1982, the unused portion of their initial shares which, on 15 March 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall, not later than 1 April 1982, notify the Commission of the total quantities of the products in question imported up to 15 March 1982 inclusive and charged against the Community quotas, and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 April 1982, of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that the drawing which uses up one of the reserves is limited to the balance available and to this end shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The extent to which Member States have used up their shares shall be determined on the basis of the imports of the products in question entered for 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 1981.

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

Done at Brussels,

For the Council

The President

Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for Malaga wines falling within heading No ex 22.05 of the Common Customs Tariff and originating in Spain (1981/82)

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 in conjunction with Council Regulation (EEC) No 3559/80 of 16 December 1980 establishing the arrangements applicable to trade between Greece and Spain (2),

now relates to the opening each year 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 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 as provided for in Commission Regulation (EEC) No 1120/75 (3);

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 Council Regulation (EEC) No 337/79 (4) as last amended by Regulation (EEC)

(1) OJ No L 182, 16. 8. 1970, p. 2.

(2) OJ No L 382, 31.12.1980, p. 71

(3) OJ No L 111, 30.4.1975, p. 19

(4) OJ No L 54, 5.3.1979, p. 1

No 3456/80(1), are observed; 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 in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics of each State's imports of the said products from Spain over a representative reference period and also to the economic outlook for the quota period in question;

Whereas available Community statistics give no information on the situation of 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	1978	1979	1980
Benelux	29.37	31.58	28.4
Denmark	—	—	—
Germany	49.65	49.27	41.9
France	2.80	5.82	9.3
Greece	—	—	—
Ireland	—	—	—
Italy	15.38	9.82	13.4
United Kingdom	2.80	3.51	7.0

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

(1) OJ No L 360, 22.12.1980, p. 18.

may be fixed approximately at the following percentages:

Benelux	29.9
Denmark	0.1
Germany	46.7
France	0.1
Greece	6.1
Ireland	0.1
Italy	12.5
United Kingdom	4.5;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State 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 is left over 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 1981 to 30 June 1982, 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 15 000 hectolitres:

CCT heading No	Description	Rates (ECU/hl)
ex 22.05 C III a) 2	Wine from Malaga	10.30
ex 22.05 C IV a) 2	Wine from Malaga	11.50

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and Regulation (EEC) No 3559/80.

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 Community tariff quota shall be conditional upon production of a certificate of designation of origin corresponding to the specimen certificate of designation of origin corresponding to the specimen annexed hereto, endorsed by the Spanish customs authorities. This certificate must be in accordance with Article 2 (2) to (4) of Regulation (EEC) No 1120/75

4. In order that the wines in question may benefit from this tariff quota Article 18 (3) and (4) of Regulation (EEC) No 337/79 must be observed.

Article 2

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

2. A first instalment, amounting to 12 000 hectolitres shall be shared among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1982 shall be as follows:

	(hectolitres)
Benelux	3 590
Denmark	10
Germany	5 600
France	10
Greece	740
Ireland	10
Italy	1 500
United Kingdom	540

3. The second instalment of 3 000 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), 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

Additional shares drawn pursuant to Article 3 shall be valid until 30 June 1982.

Article 5

The Member States shall return to the reserve, not later than 1 April 1982 the unused portion of their initial share which, on 15 March 1982, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall, not later than 1 April 1982, notify the Commission of the total quantities of the said goods imported up to 15 March 1982 inclusive and

charged against the Community quota, and of any quantities of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 April 1982 of the amount in the reserve after quantities have been returned pursuant to Article 5.

The Commission shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State which makes the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3, are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the goods in question entered with the 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 1981.

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 — Eksporter — Ausführer — Exporter — Exportateur — Esportatore — Exporteur:</p>	<p>2. Número — Nummer — Number — 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 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 MALAGA 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>	
<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 „MÁLAGA“ (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. (*)

(*) Espacio reservado para otras indicaciones del país exportador.

(*) Rubrik forbeholdt eksportlandets andre angivelser.

(*) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.

(*) Space reserved for additional details given in the exporting country.

(*) Case réservée pour d'autres indications du pays exportateur.

(*) Spazio riservato per altre indicazioni del paese esportatore.

(*) Ruimte bestemd voor andere gegevens van het land van uitvoer.

Proposal for a
COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Prioratò, Rioja and Valdepeñas falling within heading No ex 22.05 of the Common Customs Tariff and originating in Spain (1981/82)

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 wines from Jumilla, Priorato, Rioja and Valdepeñas originating in Spain; whereas this undertaking, in conjunction with Council Regulation (EEC) No 3559/80 of 16 December 1980 establishing the arrangements applicable to trade between Greece and Spain now relates each year to the opening of a tariff

quota of 22 000 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 inclusion in the Community tariff quota should be subject to production of movement certificate A.E.1 and a certificate of designation of origin as provided for in Commission Regulation (EEC) No 1120/75 (3);

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 Council Regulation (EEC) No 337/79 (4), as last amended by Regulation (EEC) No 3456/80 (5), are observed; whereas those provisions apply to imports under that quota;

(1) OJ No L 182, 16. 8. 1970, p. 2.

(2) OJ No L 382, 31.12.1980, p. 71

(3) OJ No L 111, 30.4.1975, p. 19

(4) OJ No L 54, 5.3.1979, p. 1

(5) OJ No L 360, 22.12.1980, p. 18

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 development 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 imports of the said products from Spain over a representative reference period and also to the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of wines from Jumilla, Priorato, Rioja and Valdepeñas 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 represent the following percentages of the imports into the Community from Spain of the products concerned:

Member States	1978	1979	1980
Benelux	27.17	22.36	26.9
Denmark	8.54	10.91	14.4
Germany	15.84	12.22	19.2
Greece			
France	12.04	15.02	13.8
Ireland	0.70	0.94	1.3
Italy	2.97	1.11	0.6
United Kingdom	32.74	37.44	23.8

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	24.9
Denmark	11.5
Germany	15.4
France	0.5
Greece	13.8
Ireland	1.0
Italy	1.4
United Kingdom	31.5;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota volume should be divided into two instalments, the first being shared among the Member States and the second forming a reserve intended to cover at a later date the requirements of the 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 circumstances, be fixed at 80 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial share, must draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this

method of administration requires close cooperation between the Member States and the Commission, and the Commission must be in a position to monitor the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas if, at a given date in the quota period, a considerable quantity is left over in 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 the abovementioned economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1981 to 30 June 1982 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 hectolitres:

22 008

CCT heading No	Description	Rate (ECU/hl)
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

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act Of Accession and Regulation (EEC) No 3559/80.

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.

accordance with Article 2 (2) to (4) of Regulation (EEC) No 1120/75

4. In order that the wines in question may benefit from these tariff quotas Article 18 (3) and (4) of Regulation (EEC) No 337/79 must be observed.

Article 2

3. The inclusion of these wines in this tariff quota shall be conditional upon observance of the reference price applying to them and production of a certificate of designation of origin, corresponding to one of the specimens annexed hereto, endorsed by the Spanish customs authorities. This certificate must be in

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

2. The first instalment, amounting to 17 608 hectolitres, shall be shared among the Member States; the respective shares which, subject to Article 5, shall be valid until 30 June 1981 shall be as follows:

	<i>(hectolitres)</i>
Benelux	4 380
Denmark	2 030
Germany	2 710
France	2 430
Greece	88
Ireland	170
Italy	250
United Kingdom	5 550

3. The second instalment of 4 400 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 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

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1982.

Article 5

Member States shall return to the reserve, not later than 1 April 1982, the unused portion of their initial share which, on 15 March 1982, 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 1982, notify the Commission of the total quantities of the products concerned imported up to and including 15 March 1982, 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 1982, 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 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 1981

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 — Ausfuhrer — Exporter — Exportateur — Esportatore — Exporteur:</p>	<p>2. Número — Nummer — Nummer — Number — Numéro — Numero — Nummer</p>	<p>00000</p>	
<p>4. Destinatario — Modtager — Empfänger — Consignee — Destinataire — Destinatario — Geadresseerde:</p>	<p>3. Consejo Regulador de la Denominación de origen JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS</p>		
<p>6. Medio de transporte — Transportmiddel — Beförderungsmittel — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:</p>	<p>5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG</p>		
<p>8. Lugar de descarga — Lossingssted — 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>	
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 stämp — 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 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.

