

This text is meant purely as a documentation tool and has no legal effect. The Union's institutions do not assume any liability for its contents. The authentic versions of the relevant acts, including their preambles, are those published in the Official Journal of the European Union and available in EUR-Lex. Those official texts are directly accessible through the links embedded in this document

► **B**

**COUNCIL DECISION No 189/2014/EU**

**of 20 February 2014**

**authorising France to apply a reduced rate of certain indirect taxes on ‘traditional’ rum produced in Guadeloupe, French Guiana, Martinique and Réunion and repealing Decision 2007/659/EC**

(OJ L 59, 28.2.2014, p. 1)

Amended by:

► **M1**

Council Decision (EU) 2017/2152 of 15 November 2017

Official Journal

No	page	date
L 304	1	21.11.2017

**▼B****COUNCIL DECISION No 189/2014/EU****of 20 February 2014****authorising France to apply a reduced rate of certain indirect taxes on ‘traditional’ rum produced in Guadeloupe, French Guiana, Martinique and Réunion and repealing Decision 2007/659/EC***Article 1*

By way of derogation from Article 110 TFEU, France is authorised to extend the application on the French mainland, to ‘traditional’ rum produced in Guadeloupe, French Guiana, Martinique and Réunion, of a rate of excise duty lower than the full rate for alcohol set by Article 3 of Directive 92/84/EEC and to apply a rate of the levy called ‘*cotisation sur les boissons alcooliques*’ (VSS) lower than the full rate applicable according to the French national legislation.

*Article 2*

The derogation set out in Article 1 shall be limited to rum as defined in point 1(f) of Annex II to Regulation (EC) No 110/2008 of the European Parliament and of the Council<sup>(1)</sup> produced in Guadeloupe, French Guiana, Martinique and Réunion from sugar cane harvested at the place of manufacture, having a content of volatile substances other than ethyl and methyl alcohol equal to or exceeding 225 grams per hectolitre of pure alcohol and an alcoholic strength by volume of 40° or more.

*Article 3***▼M1**

1. The reduced rates of excise duty and the reduced rates of VSS referred to in Article 1 that are applicable to the rum referred to in Article 2 shall be limited to:

- (a) an annual quota of 120 000 hectolitres of pure alcohol for the period from 1 January 2014 until 31 December 2015; and
- (b) an annual quota of 144 000 hectolitres of pure alcohol for the period from 1 January 2016 until 31 December 2020.

**▼B**

2. The reduced rates of excise duty and of VSS referred to in Article 1 of this Decision may each be lower than the minimum rate of excise duty on alcohol set by Directive 92/84/EEC, but shall not be more than 50 % lower than the full rate for alcohol set in accordance with Article 3 of Directive 92/84/EEC or the full rate for alcohol for the VSS.

<sup>(1)</sup> Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

**▼B**

3. The cumulative fiscal advantage authorised in accordance with paragraph 2 of this Article shall not be more than 50 % of the full rate for alcohol set in accordance with Article 3 of Directive 92/84/EEC.

*Article 4*

By 31 July 2017, France shall submit a report to the Commission to enable it to assess whether the reasons justifying the derogation still exist and whether the fiscal advantage granted by France has remained and is expected to remain proportionate and sufficient to support a competitive cane-sugar-rum value chain in Guadeloupe, French Guiana, Martinique and Réunion.

**▼M1***Article 5*

This Decision shall apply from 1 January 2014 until 31 December 2020, except for:

- (a) Article 1, point (a) of Article 3(1) and Article 3(2), which shall apply from 1 January 2012; and
- (b) point (b) of Article 3(1), which shall apply from 1 January 2016.

**▼B***Article 6*

- 1. Decision 2007/659/EC is hereby repealed.
- 2. References to that repealed Decision shall be construed as references to this Decision.

*Article 7*

This Decision is addressed to the French Republic.