



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.02.1999

COM(1999) 79 final

99/0055 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

concerning the conclusion of an Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines, and amending Regulation (EC) No 933/95 opening and providing for the administration of Community tariff quotas for certain wines

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. In 1993, the European Community concluded an Agreement with Romania on the reciprocal establishment of tariff quotas for certain wines. This Agreement, which was to run initially until 31 December 1997, was extended until 31 December 1998. In 1993 the European Community also concluded an Agreement with Romania on the reciprocal protection and control of wine names, of unlimited duration.
2. The Council has authorised the Commission to commence negotiations with Romania with a view to concluding a new agreement in the form of an additional protocol to the Europe Agreement, to replace the two above Agreements with a scope extended to include spirits. Pending the conclusion of these negotiations, the Council has also authorised the Commission to commence negotiations with Romania with a view to extending the Agreement on the reciprocal establishment of tariff quotas for certain wines for a further year so as to preserve reciprocal preferential treatment after 31 December 1998.
3. The negotiations with Romania to extend the Agreement concerning tariff quotas for certain wines have resulted in the draft exchange of letters to which this proposal relates. This draft provides for the Agreement to be extended provisionally for a further year from 1 January 1999, pending the conclusion of the negotiations for an additional protocol to the Europe Agreement.
4. The purpose of this proposal is to ask the Council to adopt the results of the negotiation with Romania as set out in the attached draft exchange of letters and the measures needed to implement them, including the amendment of Council Regulation (EC) No 933/95.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with the first sentence of Article 228(2) thereof,

Having regard to the proposal from the Commission,

Whereas an Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines was signed on 26 November 1993¹ and extended by an Agreement in the form of an Exchange of Letters signed on 7 April 1998²;

Whereas that Agreement is due to expire on 31 December 1998;

Whereas in order to preserve reciprocal preferential treatment and to continue to promote the development of trade in wine the Agreement should be extended;

Whereas Council Regulation (EC) No 933/95 opening and providing for the administration of Community tariff quotas for certain wines originating in Bulgaria, Hungary and Romania³ opened tariff quotas for certain wines in accordance with the Agreement in the form of an Exchange of Letters between the European Community and Romania; whereas, following the new Agreement in the form of an Exchange of Letters, Regulation (EC) No 933/95 has to be amended accordingly;

Whereas, in order to facilitate the implementation of certain provisions of the Agreement, the Commission should be authorised to adopt the necessary legislation for implementation of the Agreement in accordance with the procedure laid down in Article 83 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine⁴,

¹ OJ L 337, 31.12.1993, p. 172.

² OJ L 116, 18.4.1998, p. 1.

³ OJ L 96, 28.4.1995, p. 1. Regulation last amended by Regulation (EC) No 813/98 (OJ L 116, 18.4.1998, p. 1).

⁴ OJ L 84, 27.3.1987, p. 1. Regulation last amended by Regulation (EC) No 536/97 (OJ L 83, 25.3.1997, p. 5).

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

The Commission is hereby authorised to adopt the necessary acts for implementation of the Agreement, in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87.

Article 4

1. In Article 1(1) of Regulation (EC) No 933/95 the words "to 31 December 1998" are replaced by "to 31 December 1999".
2. The Annex on Taric codes to Regulation (EC) No 933/95 is replaced by the following Annex:

«ANNEX
Taric Codes

Number	CN code	Taric code
09.7001	ex 2204 10	2204 10 19 91 2204 10 99 91
09.7003	ex 2204 21	2204 21 79 79 2204 21 79 80 2204 21 80 79 2204 21 80 80 2204 21 83 10 2204 21 83 79 2204 21 83 80 2204 21 84 10 2204 21 84 79 2204 21 84 80 2204 21 94 10 2204 21 94 30 2204 21 98 10 2204 21 98 30 2204 21 99 10
09.7005	ex 2204 29	2204 29 65 00 2204 29 75 10 2204 29 83 10 2204 29 83 80 2204 29 84 10 2204 29 84 30 2204 29 94 10 2204 29 94 30 2204 29 98 10 2204 29 98 30 2204 29 99 10
09.7007	ex 2204 29	2204 29 65 00 2204 29 75 10 2204 29 83 10 2204 29 83 80 2204 29 84 10 2204 29 84 30 2204 29 94 10 2204 29 94 30 2204 29 98 10 2204 29 98 30 2204 29 99 10
09.7009	ex 2204 10	2204 10 19 91 2204 10 99 91

Article 5

In Article 1(1) of Regulation (EC) No 933/95 the table under (c) 'Wines originating in Romania' is replaced by the following table:

Number	CN code (1)	Description (2)	Quota volume for 1999 (hl)	in-quota-rate (% of basic duty)
09.7013	ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes, including sparkling wine and liqueur wine	178 880	40

Article 6

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 January 1999.

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

Done at Brussels,

For the Council
The President

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

amending the Agreement in the form of an exchange of letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines

A. Letter from the Community

Brussels,.....

Sir,

I have the honour to refer to the Agreement of 26 November 1993 in the form of an exchange of letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and Romania with a view to extending the Agreement beyond 31 December 1998.

I hereby confirm that as a result of the negotiations the European Community and Romania have agreed on the following:

I. THE TABLE BELOW IS ADDED TO THE ANNEX TO THE SAID AGREEMENT:

"Quantities of wine originating in Romania and qualifying for tariff reductions in 1999

CN code	Description	Quantity in hectolitres
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes, including sparkling wine and liqueur wine	178 880"

II. THE FOLLOWING IS ADDED AT THE END OF POINT 3(A) OF THE SAID AGREEMENT:

"- in 1999: 75% of the basic duty but not exceeding 18.75% ad valorem;

In addition, in order to ensure optimal utilisation of the tariff quota opened by Romania for certain wines originating in the Community, the detailed provisions for management of the tariff quota by the Romanian authorities are to be amended by increasing the individual limit."

This exchange of letters shall be approved by the contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 1999. It shall expire on 31 December 1999. During the first half of 1999 negotiations will take place with a view to concluding an additional protocol to the Europe Agreement covering both wines and spirits. In addition, the additional protocol to the Europe Agreement will lay down detailed rules for cooperation between Romania and the European Community to support the implementation of a programme under which Romania will adopt the 'acquis communautaire' relating to wine and spirits, particularly as regards reinforcing inspection structures and controlling production in the winegrowing sector (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union

B. Letter from Romania

Brussels,.....

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

«I have the honour to refer to the Agreement of 26 November 1993 in the form of an exchange of letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and Romania with a view to extending the Agreement beyond 31 December 1998.

I hereby confirm that as a result of the negotiations the European Community and Romania have agreed on the following:

I. THE TABLE BELOW IS ADDED TO THE ANNEX TO THE SAID AGREEMENT:

”Quantities of wine originating in Romania and qualifying for tariff reductions in 1999

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In addition, in order to ensure optimal utilisation of the tariff quota opened by Romania for certain wines originating in the Community, the detailed provisions for management of the tariff quota by the Romanian authorities are to be amended by increasing the individual limit.”

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I should be obliged if you would confirm that your Government is in agreement with the contents of this letter.»

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Romania