

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 678/2001  
of 26 February 2001**

**concerning the conclusion of Agreements in the form of Exchanges of Letters between the European Community and the Republic of Bulgaria, the Republic of Hungary and Romania on reciprocal preferential trade concessions for certain wines and spirits, and amending Regulation (EC) No 933/95**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) An Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines <sup>(1)</sup> was signed on 29 November 1993 and extended by an Agreement in the form of an Exchange of Letters <sup>(2)</sup> signed on 8 February 2000.
- (2) An Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines <sup>(3)</sup> was signed on 29 November 1993 and extended by an Agreement in the form of an Exchange of Letters <sup>(4)</sup> signed on 3 February 2000.
- (3) 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 <sup>(5)</sup> was signed on 26 November 1993 and extended by an Agreement in the form of an Exchange of Letters <sup>(6)</sup> signed on 11 February 2000.
- (4) These three Agreements expired on 31 December 2000.
- (5) In accordance with the directives adopted by the Council, the Commission and the three associated countries concerned concluded negotiations on new reciprocal trade concessions for certain wines and spirits

and on the reciprocal protection and control of wine names and spirit designations. These results of the negotiations will have to be integrated in the framework of the Europe Agreements in the form of additional Protocols.

- (6) Pending the procedure for the adoption and the entering into force of the said additional Protocols and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, Agreements in the form of Exchanges of Letters between the European Community and the three associated countries concerned on reciprocal preferential trade concessions for certain wines and spirits should be adopted. The bilateral tariff concessions provided for by these three Agreements in the form of Exchanges of Letters should be identical to those of the envisaged additional Protocols to the Europe Agreements. These Agreements in the form of Exchanges of Letters should expire on the entry into force of the said additional Protocols.
- (7) Council Regulation (EC) No 933/95 of 10 April 1995 opening and providing for the administration of Community tariff quotas for certain wines originating in Bulgaria, Hungary and Romania <sup>(7)</sup> should be amended in accordance with the said transitional Agreements in the form of Exchanges of Letters.
- (8) In order to facilitate the implementation of certain provisions of the Agreements, the Commission should be authorised to adopt the necessary legislation for their implementation in accordance with the procedure laid down in Article 75 of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine <sup>(8)</sup>,

<sup>(1)</sup> OJ L 337, 31.12.1993, p. 3.

<sup>(2)</sup> OJ L 49, 22.2.2000, p. 7.

<sup>(3)</sup> OJ L 337, 31.12.1993, p. 83.

<sup>(4)</sup> OJ L 49, 22.2.2000, p. 11.

<sup>(5)</sup> OJ L 337, 31.12.1993, p. 173.

<sup>(6)</sup> OJ L 49, 22.2.2000, p. 15.

<sup>(7)</sup> OJ L 96, 28.4.1995, p. 1. Regulation as last amended by Regulation (EC) No 388/2000 (OJ L 49, 22.2.2000, p. 4).

<sup>(8)</sup> OJ L 179, 14.7.1999, p. 1.

HAS ADOPTED THIS REGULATION:

*Article 1*

The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on reciprocal preferential trade concessions for certain wines and spirits is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex II).

*Article 2*

The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on reciprocal preferential trade concessions for certain wines and spirits is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex III).

*Article 3*

The Agreement in the form of an Exchange of Letters between the European Community and Romania on reciprocal preferential trade concessions for certain wines and spirits is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex IV).

*Article 4*

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

*Article 5*

The Commission is hereby authorised to adopt the necessary acts for implementation of the Agreements, in accordance with the procedure laid down in Article 75 of Regulation (EC) No 1493/1999.

*Article 6*

Article 1 of Regulation (EC) No 933/95 is replaced by the following:

*'Article 1*

1. From 1 January 2001, and without prejudice to paragraph 2, the customs duties applicable on importation of the following products originating in Bulgaria, Hungary and Romania shall be suspended at levels and within the limits of tariff quotas as indicated with respect to each product:

(a) Wines originating in Bulgaria:

Order No	CN code <sup>(1)</sup>	Description <sup>(2)</sup>	Annual volume (hl)	Tariff quota duty
09.7001	ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	1 800	free
09.7003	ex 2204 21	Wine of fresh grapes	485 000	free
09.7005	ex 2204 29	Wine of fresh grapes	195 000	free

<sup>(1)</sup> See TARIC codes in Annex.

<sup>(2)</sup> Notwithstanding the rules for interpreting the combined nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

## (b) Wines originating in Hungary:

Order No	CN code (1)	Description (2)	Annual quantity from 1.1.2001 (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
09.7010	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	300 000	15 000	free
	ex 2204 21	Wine of fresh grapes			
09.7007	ex 2204 29	Wine of fresh grapes	115 000	0	free

(1) See TARIC codes in Annex.

(2) Notwithstanding the rules for interpreting the combined nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together

## (c) Wines originating in Romania:

Order No	CN code (1)	Description (2)	Annual volume (hl)	Tariff quota duty
09.7013	ex 2204 10	Wine of fresh grapes	300 000	free
	ex 2204 21			
	ex 2204 29			

(1) See TARIC codes in Annex.

(2) Notwithstanding the rules for interpreting the combined nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together

2. Admission under the tariff quotas referred to in paragraph 1 shall be confined to wines accompanied by a completed document VI 1 or an extract VI 2, in accordance with the provisions of Regulation (EEC) No 3590/85 (\*).

(\*) Commission Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must (OJ L 343, 20.12.1985, p. 20). Regulation as last amended by Regulation (EC) No 960/98 (OJ L 135, 8.5.1998, p. 4).'

*Article 7*

The Annex to Regulation (EC) No 933/95 is replaced by Annex I to this Regulation.

*Article 8*

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 2001.

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

Done at Brussels, 26 February 2001.

*For the Council*

*The President*

A. LINDH

## ANNEX I

## 'ANNEX

## TARIC codes

Order 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

Order Number	CN code	TARIC code
09.7010	ex 2204 10  ex 2204 21	2204 10 19 91 2204 10 99 91 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
09.7013	ex 2204 10  ex 2204 21   ex 2204 29	2204 10 19 91 2204 10 19 99 2204 10 99 91 2204 10 99 99 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 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

## ANNEX II

## AGREEMENT

**in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on reciprocal preferential trade concessions for certain wines and spirits***A. Letter from the Community*

Brussels, 20 March 2001

Sir,

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Bulgaria have agreed on the following:

- Imports into Bulgaria of the following products originating in the Community shall be subject to the concessions set out below.

Bulgarian customs tariff code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	73 100	free
ex 2204 21 ex 2204 29	Wine of fresh grapes		
ex 2208 20	Spirits obtained by distilling grape wine or grape marc, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,17 % EUR/ % vol/hl) + 1,05 EUR/hl
ex 2208 30	Whiskies, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 1,26 % EUR/ % vol/hl) + 3,45 EUR/hl
ex 2208 40	Rum and tafia, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,45 % EUR/ % vol/hl) + 1,6 EUR/hl
ex 2208 50	Gin, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,4 % EUR/% vol/hl) + 1,6 EUR/hl
	Geneva, in containers holding 2 litres or less		20 % <i>ad valorem</i> (min. 0,5 % EUR/% vol/hl) + 3,2 EUR/hl

Bulgarian customs tariff code	Description	Annual quantity (hl)	Applicable duty
ex 2208 60	Vodka, in containers holding 2 litres or less	1 620	free
ex 2208 60	Vodka, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 0,6 % EUR/% vol/hl) + 2,4 EUR/hl

2. Imports into the Community of the following products originating in Bulgaria shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	1 800	free
ex 2204 21	Wine of fresh grapes	485 000	free
ex 2204 29	Wine of fresh grapes	195 000	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Bulgaria:
- if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
  - if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Bulgaria.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

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

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

For the European Community



## B. Letter from Bulgaria

Brussels, 20 March 2001

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 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Bulgaria have agreed on the following:

1. Imports into Bulgaria of the following products originating in the Community shall be subject to the concessions set out below.

Bulgarian customs tariff code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	73 100	free
ex 2204 21 ex 2204 29	Wine of fresh grapes		
ex 2208 20	Spirits obtained by distilling grape wine or grape marc, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,17 % EUR/ % vol/hl) + 1,05 EUR/hl
ex 2208 30	Whiskies, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 1,26 % EUR/ % vol/hl) + 3,45 EUR/hl
ex 2208 40	Rum and tafia, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,45 % EUR/ % vol/hl) + 1,6 EUR/hl
ex 2208 50	Gin, in containers holding 2 litres or less  Geneva, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,4 % EUR/% vol/hl) + 1,6 EUR/hl  20 % <i>ad valorem</i> (min. 0,5 % EUR/% vol/hl) + 3,2 EUR/hl
ex 2208 60	Vodka, in containers holding 2 litres or less	1 620	free
ex 2208 60	Vodka, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 0,6 % EUR/% vol/hl) + 2,4 EUR/hl

2. Imports into the Community of the following products originating in Bulgaria shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	1 800	free
ex 2204 21	Wine of fresh grapes	485 000	free
ex 2204 29	Wine of fresh grapes	195 000	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Bulgaria :
- if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
  - if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Bulgaria.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

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

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

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

*For the Government of the Republic of Bulgaria*



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## ANNEX III

## AGREEMENT

**in the form of an Exchange of Letters between the European Community and the Republic of Hungary on reciprocal preferential trade concessions for certain wines and spirits**

## A. Letter from the Community

Brussels, 22 March 2001

Sir,

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Hungary with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Hungary have agreed on the following:

1. Imports into Hungary of the following products originating in the Community shall be subject to the concessions set out below.

Hungarian customs tariff code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	75 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	65 000	0	free
2208 20	Spirits obtained by distilling grape wine or grape marc	6 000	600	32 % <sup>(1)</sup>

<sup>(1)</sup> This concession replaces, for the products concerned, the concessions from Hungary provided for by Protocol 3 to the Europe Agreement. From 1 January 2002 and each successive year, applicable duty will be reduced by 4 % *ad valorem*.

2. Imports into the Community of the following products originating in Hungary shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	300 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	115 000	0	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Hungary:
  - (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Contracting Party in question, and
  - (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on the list drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Hungary.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

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

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

*For the European Community*



## B. Letter from the Republic of Hungary

Brussels, 22 March 2001

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 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Hungary with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Hungary have agreed on the following:

1. Imports into Hungary of the following products originating in the Community shall be subject to the concessions set out below.

Hungarian customs tariff code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	75 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	65 000	0	free
2208 20	Spirits obtained by distilling grape wine or grape marc	6 000	600	32 % <sup>(1)</sup>

<sup>(1)</sup> This concession replaces, for the products concerned, the concessions from Hungary provided for by Protocol 3 to the Europe Agreement. From 1 January 2002 and each successive year, applicable duty will be reduced by 4 % *ad valorem*.

2. Imports into the Community of the following products originating in Hungary shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	300 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	115 000	0	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Hungary:
  - (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
  - (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on the list drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Hungary.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

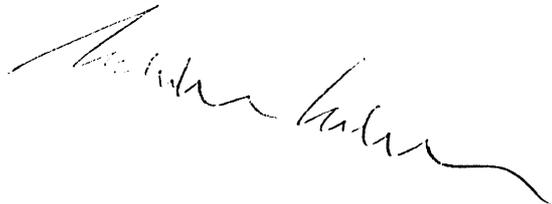
This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

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

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

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

*For the Government of the Republic of Hungary*



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## ANNEX IV

## AGREEMENT

**in the form of an Exchange of Letters between the European Community and Romania on reciprocal preferential trade concessions for certain wines and spirits**

*A. Letter from the Community*

Brussels, 22 March 2001

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 concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and Romania have agreed on the following:

1. Imports into Romania of the following products originating in the Community shall be subject to the concessions set out below.

Romanian customs tariff code	Description	Annual quantity (hl)	Applicable duty (% of MFN duty)
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	60 000	free
2208 20	Spirits obtained by distilling grape wine or grape marc	1 500	50 (max 45 % <i>ad valorem</i> )
2208 30	Whiskies	1 400	50 (max 45 % <i>ad valorem</i> )

2. Imports into the Community of the following products originating in Romania shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	300 000	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Romania:
- if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
  - if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.

4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of Romania.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

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

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

*For the European Community*

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the bottom, representing the signature of the European Community representative.

## B. Letter from Romania

Brussels, 22 March 2001

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 concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and Romania have agreed on the following:

1. Imports into Romania of the following products originating in the Community shall be subject to the concessions set out below.

Romanian customs tariff code	Description	Annual quantity (hl)	Applicable duty (% of MFN duty)
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	60 000	free
2208 20	Spirits obtained by distilling grape wine or grape marc	1 500	50 (max. 45 % <i>ad valorem</i> )
2208 30	Whiskies	1 400	50 (max. 45 % <i>ad valorem</i> )

2. Imports into the Community of the following products originating in Romania shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	300 000	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Romania:

- (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
- (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.

4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).

5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of Romania.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content 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*



A. Herlea

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