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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2050/81

of 13 July 1981

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 of the Common Customs Tariff 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) No 3456/80 ⁽⁵⁾, 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;

⁽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 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
Greece	—	—	—
France	2.80	5.82	9.3
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 may be fixed approximately at the following percentages:

— Benelux:	29.9
— Denmark:	0.1
— Germany:	46.7
— Greece:	0.1
— France:	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:

(ECU/hl)

CCT heading No	Description	Rates
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 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:

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

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), 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.

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 the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

1. Exportador — Eksportør — Ausführer — Εξαγωγέας — Exporter — Exportateur — Esportatore — Exporteur:	2. Número — Nummer — Nummer — Αριθμός — Number — Numéro — Numero — Nummer	00000	
4. Destinatario — Modtager — Empfänger — Παραλήπτης — Consignee — Destinataire — Destinatario — Geadresseerde:	3. Consejo regulador de la denominación de origen MÁLAGA		
6. Medio de transporte — Transportmiddel — Beförderungsmittel — Μεταφορικό μέσο — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:	5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSSEBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΟΝΟΜΑΣΙΑΣ ΠΡΟΕΛΕΥΣΕΩΣ CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG		
8. Lugar de descarga — Losningssted — Entladungsort — Τόπος εκφορτώσεως — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:	7. VINO DE MÁLAGA VIN FRA MALAGA MALAGA-WEIN OINOS MÁLAGA WINE FROM MALAGA VIN DE MÁLAGA VINO DI MALAGA MALAGAWIJN		
9. Marcas y números, número y naturaleza de los bultos Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Σήματα και αριθμοί, αριθμός και είδος δεμάτων 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	10. Peso bruto Bruttovægt Rohgewicht Μικτό βάρος Gross weight Poids brut Peso lordo Brutogewicht	11. Litros Liter Liter Λίτρα Litres Litres Litri Liter	
12. Litros (en letra) — Liter (i bogstaver) — Liter (in Buchstaben) — Λίτρα (όλογράφως) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (voluit):			
13. Visado del organismo emisor — Påtegning fra udstedende organ — Bescheinigung der erteilenden Stelle — Θεώρηση εκδίδοντος οργανισμού — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:			
14. Visado de la aduana — Toldstedets attest — Sichtvermerk der Zollstelle — Θεώρηση τελωνείου — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane	Certifico que el vino cuya descripción antecede es un producto genuino de la zona de Málaga y con derecho a la denominación de origen «MALAGA» (vease traducción del n° 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — Βλ. μετάφραση αριθ. 15 — see the translation under No 15 — Voir traduction au n° 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15)		

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.

Πιστοποιούμε ότι ο οίνος ό περιγραφόμενος στο πιστοποιητικό αυτό παρήχθη στην όριοθετημένη περιφέρεια του οίνου Málaga και άναγνωρίζεται σύμφωνα με την νομοθεσία της Ισπανίας ότι δικαιούται της όνομασίας προελεύσεως «MALAGA»

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 Málaga 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. (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) Χώρος προοριζόμενος για άλλες ένδείξεις της χώρας εξαγωγής.

(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.

COUNCIL REGULATION (EEC) No 2051/81

of 13 July 1981

opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Priorato, 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 ⁽²⁾, now relates each year to the opening of a tariff quota for 22 008 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 of the Common Customs Tariff 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 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;

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

⁽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, 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:	25.05
— Denmark:	11.52
— Germany:	20.77
— Greece:	0.06
— France:	8.52
— Ireland:	0.97
— Italy:	1.42
— United Kingdom:	31.69

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 22 008 hectolitres:

(ECU/hl)

CCT heading No	Description	Rate
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 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 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 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

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 1982, shall be as follows:

— Benelux:	4 410 hectolitres
— Denmark:	2 030 hectolitres
— Germany:	3 658 hectolitres
— Greece:	10 hectolitres
— France:	1 500 hectolitres
— Ireland:	170 hectolitres
— Italy:	250 hectolitres
— United Kingdom:	5 580 hectolitres

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 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 10

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

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

1. Exportador — Eksportør — Ausführer — Έξαγωγέας — Exporter — Exportateur — Esportatore — Exporteur:	2. Número — Nummer — Nummer — Αριθμός — Number — Numéro — Numero — Nummer	00000	
4. Destinatario — Modtager — Empfänger — Παραλήπτης — Consignee — Destinataire — Destinatario — Geadresseerde:	3. Consejo regulador de la denominación de origen JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS		
6. Medio de transporte — Transportmiddel — Beförderungsmittel — Μεταφορικό μέσο — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:	5. CERTIFICADO DE DENOMINACIÓN DE ORIGEN CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΟΝΟΜΑΣΙΑΣ ΠΡΟΕΛΕΥΣΕΩΣ CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG		
8. Lugar de descarga — Losningssted — Entladungsort — Τόπος έκφορτώσεως — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:	7. VINO DE JUMILLA PRIORATO/RIOJA/VALDEPEÑAS VIN FRA JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA-, VALDEPEÑAS-WEIN ΟΙΝΟΣ JUMILLA, PRIORATO, RIOJA, VALDEPEÑAS WINE FROM JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS VIN DE JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS VINO DI JUMILLA/PRIORATO/RIOJA/VALDEPEÑAS JUMILLA-, PRIORATO-, RIOJA-, VALDEPEÑASWIJN		
9. Marcas y números, número y naturaleza de los bultos Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Σήματα και αριθμοί, αριθμός και είδος δεμάτων 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	10. Peso bruto Bruttovægt Rohgewicht Μικτό βάρος Gross weight Poids brut Peso lordo Brutogewicht	11. Litros Liter Liter Λίτρα Litres Litres Litri Liter	
12. Litros (en letra) — Liter (i bogstaver) — Liter (in Buchstaben) Λίτρα (όλογράφως) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (voluit):			
13. Visado del organismo emisor — Påtegning fra udstedende organ — Bescheinigung der erteilenden Stelle — Θεώρηση εκδίδοντος οργανισμού — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:			
14. Visado de la aduana — Toldstedets attest — Sichtvermerk der Zollstelle — Θεώρηση τελωνείου — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane	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 n° 15 — oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — Βλ. μετάφραση αριθ. 15 — see the translation under No 15 — Voir traduction au n° 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15)		

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i ».....« området og ifølge spansk lovgivning er berettiget til oprindelsesbetegnelse: ».....«

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im Bezirk „.....“ gewonnen wurde und ihm nach spanischem Gesetz die Ursprungsbezeichnung „.....“ zuerkannt wird.

Πιστοποιούμε ότι ο οίνος ό περιγραφόμενος στό πιστοποιητικό αυτό παρήχθη στην όριοθετημένη περιφέρεια του οίνου «.....» και άναγνωρίζεται σύμφωνα μέ την νομοθεσία της Ισπανίας ότι δικαιούται της όνομασίας προελεύσεως «.....»

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) Espacio reservado para otras indicaciones del país exportador.

(1) Rubrik forbeholdt eksportlandets andre angivelser.

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

(1) Χώρος προοριζόμενος για άλλες ένδειξεις της χώρας εξαγωγής.

(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.

COUNCIL REGULATION (EEC) No 2052/81

of 13 July 1981

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 of the Common Customs Tariff 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 of the Common Customs Tariff 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 those tariff quotas 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 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 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.

	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
Greece	0.00	0.031	0.0
France	0.31	0.26	0.3
Ireland	0.94	1.30	0.9
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
Greece	0.00	0.00	0.0
France	0.03	0.02	0.1
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	50.89	25.16
Denmark	3.08	3.44
Germany	21.94	3.23
Greece	0.02	0.02
France	0.29	0.02
Ireland	1.38	0.50
Italy	0.75	0.10
United Kingdom	21.65	67.53

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 sherries 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 (hectolitres)
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 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:

(hectolitres)

Member States	Sherry falling within subheading:	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Benelux	49 700	155 960
Denmark	3 010	21 330
Germany	21 430	20 000
Greece	20	100
France	280	150
Ireland	1 350	3 120
Italy	730	640
United Kingdom	21 150	418 700
Total	97 670	620 000

3. The second instalment of each quota, namely 10 450 and 65 000 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 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 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 the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

COUNCIL REGULATION (EEC) No 2053/81

of 13 July 1981

opening, allocating and providing for the administration of Community tariff quotas for Madeira wines, falling within heading No ex 22.05 of the Common Customs Tariff and originating in Portugal (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 Article 9 of the Supplementary Protocol ⁽¹⁾ to the Agreement between the European Economic Community and the Portuguese Republic ⁽²⁾ provides that customs duties on imports into the Community of certain wines originating in Portugal shall be reduced:

- by 60 % in the case of the duties applicable to Madeira wines falling within subheadings ex 22.05 C III a) 1 and ex 22.05 C IV a) 1 of the Common Customs Tariff, up to a total annual tariff quota of 4 000 hectolitres,
- by 50 % in the case of the duties applicable to Madeira wines falling within subheadings ex 22.05 C III b) 1 and ex 22.05 C IV b) 1 of the Common Customs Tariff, up to a total annual tariff quota of 14 500 hectolitres;

Whereas the Community adopted, in accordance with Article 119 of the 1979 Act of Accession, Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽³⁾; whereas therefore this Regulation applies to the Community of Nine;

Whereas Portugal 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 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 respected; whereas those provisions apply to imports under these 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 quota among the Member States; whereas, in order to reflect as accurately as possible the true 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 of each State's imports from Portugal 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 Madeira wines on the markets; whereas, however, Portuguese statistics for exports of these products to the Community during the past three 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 for the past three years represent the following percentages of the imports into the Community from Portugal of the products concerned:

⁽¹⁾ OJ No L 348, 31. 12. 1979, p. 44.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 360, 22. 12. 1980, p. 18.

	1978	1979	1980
Madeira wines:			
— in containers holding two litres or less:			
Benelux	27.6	37.5	45.9
Denmark	14.4	12.2	5.7
Germany	20.9	6.2	10.0
France	7.0	8.5	7.3
Ireland	0.0	1.7	0.1
Italy	19.9	17.7	9.2
United Kingdom	10.2	16.2	21.3
— in containers holding more than two litres:			
Benelux	13.0	13.4	11.2
Denmark	9.3	9.0	10.4
Germany	18.8	17.0	23.2
France	49.1	50.8	44.2
Ireland	—	0.1	—
Italy	—	—	—
United Kingdom	9.8	9.7	11.0

Whereas, in view of these data and the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Member States	Madeira wines in containers holding:	
	two litres or less	more than two litres
Benelux	36.5	12.7
Denmark	10.9	10.7
Germany	12.5	19.3
France	7.5	47.0
Ireland	1.1	0.1
Italy	15.9	0.1
United Kingdom	15.6	10.1

Whereas, in order to take into account import trends for the products concerned in the various Member States, 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 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 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 its initial share should 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 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 Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of an initial share remains unused in any Member State it is essential that that Member State should return a significant proportion to the reserve, to prevent a part of any 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 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, Community tariff quotas shall be opened in the Community of Nine for products originating in Portugal within the limits set out below:

(hectolitres)		
CCT heading No	Description	Quota amount
ex 22.05 C III a) 1	} Madeira wines	4 000
ex 22.05 C IV a) 1		
ex 22.05 C III b) 1	} Madeira wines	14 500
ex 22.05 C IV b) 1		

2. The Common Customs Tariff duties on wines imported within these tariff quotas shall be suspended at the rates set out below:

(ECU/hl)	
CCT heading No	Rate of duty
ex 22.05 C III a) 1	6.5
ex 22.05 C IV a) 1	7.0
ex 22.05 C III b) 1	6.6
ex 22.05 C IV b) 1	7.2

3. The wines shall benefit from these tariff quotas only if Article 18 (3) and (4) of Regulation (EEC) No 337/79 is respected.

Article 2

1. 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	(hectolitres)	
	Madeira wines under subheadings:	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Benelux	1 310	1 660
Denmark	390	1 400
Germany	450	2 520
France	270	6 140
Ireland	40	20
Italy	570	20
United Kingdom	560	1 320
Total	3 590	13 080

3. The second instalment of each quota, 410 and 1 420 hectolitres respectively, shall constitute the 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 share minus the portion returned to the reserve where Article 5 is applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, 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 one 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 conditions laid down in paragraph 1, 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

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, such unused portion of their initial share as, 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 it might not be used.

The Member States shall, not later than 1 April 1982, notify the Commission of the total quantities of the products concerned imported up to 15 March 1982 and charged against the Community quotas and of any quantities 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 is notified, inform each State of the extent to which the reserves have been used up.

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

The Commission shall ensure that any drawing which uses up any reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State which makes the final 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 changed without interruption, against their accumulated shares of the Community tariff quotas.

2. The Member States shall ensure that importers of the products concerned 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 shares shall be determined on the basis of the

imports of the products concerned originating in Portugal and entered with customs authorities for free circulation.

Article 8

At the Commission's request Member States shall inform it of imports of the products concerned 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 the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

COUNCIL REGULATION (EEC) No 2054/81

of 13 July 1981

opening, allocating and providing for the administration of Community tariff quotas for Setubal muscatel wines, falling within heading No ex 22.05 of the Common Customs Tariff and originating in Portugal (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 Article 9 of the Supplementary Protocol ⁽¹⁾ to the Agreement between the European Economic Community and the Portuguese Republic ⁽²⁾ provides that customs duties on imports into the Community of certain wines originating in Portugal shall be reduced:

- by 60 % in the case of the duties applicable to Setubal muscatel wines falling within subheadings ex 22.05 C III a) 1 and ex 22.05 C IV a) 1 of the Common Customs Tariff, up to a total annual tariff quota of 2 000 hectolitres,
- by 50 % in the case of the duties applicable to Setubal muscatel wines falling within subheadings ex 22.05 C III b) 1 and ex 22.05 C IV b) 1 of the Common Customs Tariff, up to a total annual tariff quota of 1 000 hectolitres;

Whereas the Community adopted, in accordance with Article 119 of the 1979 Act of Accession, Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽³⁾; whereas, therefore, this Regulation applies to the Community of Nine;

Whereas Portugal 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 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 (EEC) No 3456/80 ⁽⁵⁾, 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 quota among the Member States; whereas, in order to reflect as accurately as possible the true 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 of each State's imports from Portugal 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 Setubal muscatel wines on the markets; whereas, however, Portuguese statistics for exports of these products to the Community during the past three 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 for the past three years represent the following percentages of the imports into the Community from Portugal of the products concerned:

⁽¹⁾ OJ No L 348, 31. 12. 1979, p. 44.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 360, 22. 12. 1980, p. 18.

	1978	1979	1980
Setubal muscatel wines:			
— in containers holding two litres or less:			
Benelux	13	26	43
Denmark	—	6	4
Germany	37	20	—
France	13	8	8
Ireland	—	—	—
Italy	—	—	—
United Kingdom	37	40	45
— in containers holding more than two litres:			
Benelux	—	—	—
Denmark	—	—	—
Germany	—	—	—
France	—	—	—
Ireland	—	—	—
Italy	—	—	—
United Kingdom	—	—	—

Whereas, in view of these factors and the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Member States	Setubal muscatel wines in containers holding:	
	two litres or less	more than two litres
Benelux	32.3	20
Denmark	3.1	5.3
Germany	12.1	20
France	9.1	20
Ireland	1	5.3
Italy	1	9.4
United Kingdom	41.4	20

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 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 50 % 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 its initial quota shares should 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 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 Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of an initial share remains unused in any Member State it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any 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, Community tariff quotas shall be opened in the Community of Nine for products originating in Portugal and within the limits set out below:

(hectolitres)		
CCT heading No	Description	Quota amount
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	Setubal muscatel wines	} 2 000
ex 22.05 C III b) 1 ex 22.05 C IV b) 1	Setubal muscatel wines	
		} 1 000

2. The Common Customs Tariff duties on wines imported within these tariff quotas shall be suspended at the rates set out below:

(ECU/hl)

CCT heading No	Rate of duty
ex 22.05 C III a) 1	6.5
ex 22.05 C IV a) 1	7.0
ex 22.05 C III b) 1	6.6
ex 22.05 C IV b) 1	7.2

3. The wines shall benefit from these tariff quotas only if Article 18 (3) and (4) of Regulation (EEC) No 337/79 is respected.

Article 2

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

2. A first instalment of each quota shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1982, shall be as follows:

(hectolitres)

Member States	Setubal muscatel wines under subheadings:	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Benelux	320	95
Denmark	30	25
Germany	120	95
France	90	95
Ireland	10	25
Italy	10	45
United Kingdom	410	95
Total	990	475

3. The second instalment of each quota, 1 010 and 525 hectolitres respectively, shall constitute the reserve.

Article 3

1. If 90 % or more of the 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, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, 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 one 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 conditions laid down in paragraph 1, 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 these 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, such unused portion of their initial share as, 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 it 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 and charged against the Community quotas and of any quantities of the initial shares returned to each 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 is notified, inform each Member 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 of each reserve after quantities have been returned pursuant to Article 5.

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

2. The Member States shall ensure that importers of the products in question 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 shares shall be determined on the basis of

imports of the products in question originating in Portugal and entered with the customs authorities for free circulation.

Article 8

At the request of the Commission the Member States shall inform it of imports of the products concerned 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 the seventh day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 1981.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

COUNCIL REGULATION (EEC) No 2055/81

of 13 July 1981

opening, allocating and providing for the administration of a Community tariff quota for Dão wines, falling within heading No ex 22.05 of the Common Customs Tariff and originating in Portugal (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 Article 9 of the Supplementary Protocol ⁽¹⁾, to the Agreement between the European Economic Community and the Portuguese Republic ⁽²⁾ provides that, within the limits of an annual Community tariff quota of 2 000 hectolitres, customs duties on imports into the Community of Dão wines, falling within subheadings ex 22.05 C I a) and ex 22.05 C II a) of the Common Customs Tariff and originating in Portugal shall be reduced by 30 %; whereas these wines must be accompanied by a certificate of designation of origin;

Whereas the Community adopted, in accordance with Article 119 of the 1979 Act of Accession, Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽³⁾; whereas therefore this Regulation applies to the Community of Nine;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas the wines in question shall benefit from these tariff quotas on condition that Article 18 of Council Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 3456/80 ⁽⁵⁾, be complied with;

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 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 concerned, 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 Portugal 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 Dão wines on the markets; whereas, however, Portuguese 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 Portugal of the products concerned:

Member States	1978	1979	1980
Benelux	41	31	37
Denmark	12	12	13
Germany	17	20	14
France	7	11	12
Ireland	1	3	2
Italy	1	—	1
United Kingdom	21	23	21

⁽¹⁾ OJ No L 348, 31. 12. 1979, p. 44.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 360, 22. 12. 1980, p. 18.

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:	36.4
— Denmark:	12.1
— Germany:	17.2
— France:	10.1
— Ireland:	2
— Italy:	1
— United Kingdom:	21.2

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 allocated 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 75 % 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 remains unused 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 on Dão wines presented, in the Community, in containers holding two litres or less, falling within subheadings ex 22.05 C I a) and ex 22.05 C II a) and originating in Portugal, shall be reduced to 10.1 ECU/hl and 11.8 ECU/hl respectively, within the limits of a Community tariff quota of 2 000 hectolitres.

2. The admission of Dão wines under the Community tariff quota referred to in paragraph 1 shall be conditional on production of a certificate of designation of origin corresponding to the specimen annexed hereto, endorsed by the Portuguese customs authorities. This certificate must be in accordance with Article 2 (2) to (4) of Regulation (EEC) No 1120/75 ⁽¹⁾.

3. The wines in question are subject to compliance with the free-at-frontier reference price.

The wines in question shall benefit from this tariff quota on condition that the provisions of Article 18 of Regulation (EEC) No 337/79 are complied with.

Article 2

1. The tariff quota laid down in Article 1 shall be divided into two instalments.

2. A first instalment of the quota shall be allocated among the Member States; the shares, which subject to Article 5 shall be valid up to 30 June 1982, shall be as follows:

— Benelux:	540 hectolitres
— Denmark:	180 hectolitres
— Germany:	255 hectolitres
— France:	150 hectolitres
— Ireland:	30 hectolitres
— Italy:	15 hectolitres
— United Kingdom:	315 hectolitres

3. The second instalment of the quota, amounting to 515 hectolitres, shall constitute the reserve.

⁽¹⁾ OJ No L 111, 30. 4. 1975, p. 19.

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.

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

Each of 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 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 Article 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 the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

1. Exportador — Eksportør — Ausführer — Exporter — Exportateur — Esportatore — Exporteur:	2. Número — Nummer — Nummer — Number — Numéro — Numero — Nummer	00000	
4. Destinatario — Modtager — Empfänger — Consignee — Destinataire — Destinatario — Geadresseerde:	3. Federação dos vinicultores do Dão VISEU		
6. Meio de transporte — Transportmiddel — Beförderungsmittel — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:	5. CERTIFICADO DE DENOMINAÇÃO DE ORIGEM 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		
8. Local de desembarque — Losningssted — Entladungsort — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:	7. VINHO DÃO DÃO-VIN DÃO-WEIN DÃO-WINE VIN DÃO VINO DÃO DÃOWIJN		
9. Marcas e números, quantidade e qualidade das vasilhas Mærker og numre, kollienes 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	10. Peso bruto Bruttovægt Rohgewicht Gross weight Poids brut Peso lordo Brutogewicht	11. Litros Liter Liter Litres Litres Litri Liter	
12. Litros (por extenso) — Liter (i bogstaver) — Liter (in Buchstaben) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (voluit):			
13. Visto do organismo emissor — 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:			
14. Visto da alfândega — Toldstedets attest — Sichtvermerk der Zollstelle — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane	Certificamos que o vinho descrito neste certificado é vinho produzido na região demarcada do vinho Dão e considerado pela legislação portuguesa autêntico VINHO DÃO (Vd. tradução no n.º 15 — Oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — See the translation under No 15 — Voir traduction au n.º 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15)		

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i et afgrænset dyrkningsområde af Dão-vin området og ifølge portugisisk lovgivning er berettiget til oprindelsesbetegnelsen: „DÃO“.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im abgegrenzten Anbaugebiet von Dão-Wein gewonnen wurde und ihm nach portugiesischem Gesetz die Ursprungsbezeichnung „DÃO“ zuerkannt wird.

We hereby certify that the wine described in this certificate is wine produced within the demarcated region of Dão wine and is considered by Portuguese legislation as entitled to the designation of origin 'DÃO'.

Nous certifions que le vin décrit dans ce certificat a été produit dans la région délimitée du vin Dão et est reconnu, suivant la loi portugaise, comme ayant droit à la dénomination d'origine «DÃO».

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella regione delimitata del vino Dão ed è riconosciuto, secondo la legge portoghese come avente diritto alla denominazione di origine «DÃO».

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het afgebakend gebied van Dãowijn en dat volgens de Portugese wetgeving de benaming van oorsprong „DÃO“ erkend wordt.

16. (')

(1) Espaço reservado para outras especificações do 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.

COUNCIL REGULATION (EEC) No 2056/81

of 13 July 1981

opening, allocating and providing for the administration of a Community tariff quota for Verde wines, falling within heading No ex 22.05 of the Common Customs Tariff and originating in Portugal (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 Article 9 of the Supplementary Protocol ⁽¹⁾ to the Agreement between the European Economic Community and the Portuguese Republic ⁽²⁾ provides that, within the limits of an annual Community tariff quota of 5 000 hectolitres, customs duties on imports into the Community of Verde wines, falling within subheading ex 22.05 C I a) of the Common Customs Tariff and originating in Portugal, shall be reduced by 30 %; whereas these wines must be accompanied by a certificate of designation of origin;

Whereas the Community adopted, in accordance with Article 119 of the 1979 Act of Accession, Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽³⁾; whereas therefore this Regulation applies to the Community of Nine;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas the wines in question shall benefit from this tariff quota on condition that Article 18 of Council Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 3456/80 ⁽⁵⁾, be complied with;

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 concerned, 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 Portugal 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 Verde wines on the markets; whereas, however, Portuguese 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 Portugal of the products concerned:

Member States	1978	1979	1980
Benelux	15	17	20
Denmark	1	3	4
Germany	12	16	14
France	20	23	20
Ireland	1	1	1
Italy	39	29	25
United Kingdom	12	11	16

⁽¹⁾ OJ No L 348, 31. 12. 1979, p. 44.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 360, 22. 12. 1980, p. 18.

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:	17.4
— Denmark:	3.2
— Germany:	14.2
— France:	21.2
— Ireland:	0.8
— Italy:	30.0
— United Kingdom:	13.2

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 allocated 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 75 % 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 remains unused 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 duty on Verde wines presented, in the Community of Nine, in containers holding two litres or less, falling within subheading ex 22.05 C I a) of the Common Customs Tariff and originating in Portugal, shall be reduced to 10.1 ECU/hl, within the limits of a Community tariff quota of 5 000 hectolitres.

2. The admission of Verde wines under the Community tariff quota referred to in paragraph 1 shall be conditional on production of a certificate of designation of origin corresponding to the specimen annexed hereto, endorsed by the Portuguese customs authorities. This certificate must be in accordance with Article 2 (2) to (4) of Regulation (EEC) No 1120/75 ⁽¹⁾.

3. The wines in question are subject to compliance with the free-at-frontier reference price.

The wines in question shall benefit from this tariff quota on condition that Article 18 of Regulation (EEC) No 337/79 is complied with.

Article 2

1. The tariff quota laid down in Article 1 shall be divided into two instalments.

2. A first instalment of the quota shall be allocated among the Member States; the shares, which, subject to Article 5, shall be valid up to 30 June 1982, shall be as follows:

— Benelux:	650 hectolitres
— Denmark:	120 hectolitres
— Germany:	530 hectolitres
— France:	790 hectolitres
— Ireland:	30 hectolitres
— Italy:	1 120 hectolitres
— United Kingdom:	490 hectolitres

3. The second instalment of the quota, amounting to 1 270 hectolitres, shall constitute the reserve.

⁽¹⁾ OJ No L 111, 30. 4. 1975, p. 19.

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.

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

Each of 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 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, 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 used 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 the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

1. Exportador — Eksportør — Ausführer — Έξαγωγέας — Exporter — Exportateur — Esportatore — Exporteur:	2. Número — Nummer — Nummer — Αριθμός — Number — Numéro — Numero — Nummer		00000
4. Destinatario — Modtager — Empfänger — Παραλήπτης — Consignee — Destinataire — Destinatario — Geadresseerde:	3. Comissão do viticultura da região dos vinhos Verdes PORTO		
6. Meio de transporte — Transportmiddel — Beförderungsmittel — Μεταφορικό μέσο — Means of transport — Moyen de transport — Mezzo di trasporto — Vervoermiddel:	5. CERTIFICADO DE DENOMINAÇÃO DE ORIGEM CERTIFIKAT FOR OPRINDELSESBETEGNELSE BESCHEINIGUNG DER URSPRUNGSBEZEICHNUNG ΠΙΣΤΟΠΟΙΗΤΙΚΟ ΟΝΟΜΑΣΙΑΣ ΠΡΟΕΛΕΥΣΕΩΣ CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE CERTIFICATO DI DENOMINAZIONE DI ORIGINE CERTIFICAAT VAN BENAMING VAN OORSPRONG		
8. Local de desembarque — Losningssted — Entladungsort — Τόπος έκφορτώσεως — Place of unloading — Lieu de déchargement — Luogo di sbarco — Plaats van lossing:	7. VINHO VERDE VERDE-VIN VERDE-WEIN ΟΙΝΟΣ VERDE VERDE WINE VIN VERDE VINO VERDE VERDEWIJN		
9. Marcas e números, quantidade e qualidade des vasilhas Mærker og numre, kollienes antal og art Zeichen und Nummern, Anzahl und Art der Packstücke Σημεία και αριθμοί, αριθμοί και είδος κόλλων 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	10. Peso bruto Bruttovægt Rohgewicht Μικτό βάρος Gross weight Poids brut Peso lordo Brutogewicht	11. Litros Liter Liter Λίτρα Litres Litres Litri Liter	
12. Litros (por extenso) — Liter (i bogstaver) — Liter (in Buchstaben) — Λίτρα (όλογράφως) — Litres (in words) — Litres (en lettres) — Litri (in lettere) — Liter (voluit):			
13. Visto do organismo emissor — Påtegning fra udstedende organ — Bescheinigung der erteilten Stelle — Θεώρηση εκδίδουσας αρχής — Certificate of the issuing authority — Visa de l'organisme émetteur — Visto dell'organismo emittente — Visum van de instantie van afgifte:			
14. Visto da alfândega — Toldstedets attest — Sichtvermerk der Zollstelle — Θεώρηση τελωνείου — Customs stamp — Visa de la douane — Visto della dogana — Visum van de douane	Certificamos que o vinho descrito neste certificado é vinho produzido na região demarcada do vinho Verde e considerado pela legislação portuguesa autêntico VINHO VERDE (Vd. tradução no nº 15 — Oversættelse se nr. 15 — Übersetzung siehe Nr. 15 — 8λ. μετάφραση αριθ. 15 — See the translation under No 15 — Voir traduction au nº 15 — Vedi traduzione al n. 15 — Zie voor vertaling nr. 15)		

15. Det bekræftes, at vinen, der er nævnt i dette certifikat, er fremstillet i et afgrænset dyrkningsområde af Verde-vin området og ifølge portugisisk lovgivning er berettiget til oprindelsesbetegnelsen: »VERDE«.

Wir bestätigen, daß der in dieser Bescheinigung bezeichnete Wein im abgegrenzten Anbaugebiet von Verde-Wein gewonnen wurde und ihm nach portugiesischem Gesetz die Ursprungsbezeichnung „VERDE“ zuerkannt wird.

Πιστοποιείται ότι ο οίνος που περιγράφεται στο παρόν πιστοποιητικό είναι οίνος που παρήχθη στην καθορισμένη περιοχή του οίνου VERDE και αναγνωρίζεται σύμφωνα με την πορτογαλική νομοθεσία ως έχων δικαίωμα όνομασίας προελεύσεως.

We hereby certify that the wine described in this certificate is wine produced within the demarcated region of Verde wine and is considered by Portuguese legislation as entitled to the designation of origin 'VERDE'.

Nous certifions que le vin décrit dans ce certificat a été produit dans la région délimitée du vin Verde et est reconnu, suivant la loi portugaise, comme ayant droit à la dénomination d'origine «VERDE».

Si certifica che il vino descritto nel presente certificato è un vino prodotto nella regione delimitata del vino Verde ed è riconosciuto, secondo la legge portoghese come avente diritto alla denominazione di origine «VERDE».

Wij verklaren dat de in dit certificaat omschreven wijn is vervaardigd in het afgebakend gebied van Verdewijn en dat volgens de Portugese wetgeving de benaming van oorsprong „VERDE“ erkend wordt.

16. (¹)

- (¹) Espaço reservado para outras especificações do país exportador.
- (¹) Rubrik forbeholdt eksportlandets andre angivelser.
- (¹) Diese Nummer ist weiteren Angaben des Ausfuhrlandes vorbehalten.
- (¹) Χώρος προοριζόμενος για άλλες ένδειξεις της χώρας εξαγωγής.
- (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.

COUNCIL REGULATION (EEC) No 2057/81

of 13 July 1981

opening, allocating and providing for the administration of Community tariff quotas for port wines, falling within heading No ex 22.05 of the Common Customs Tariff and originating in Portugal (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 Article 9 of the Supplementary Protocol ⁽¹⁾ to the Agreement between the European Economic Community and the Portuguese Republic ⁽²⁾ provides that customs duties on imports into the Community of certain wines originating in Portugal shall be reduced:

- by 60 % in the case of the duties applicable to port wines falling within subheadings ex 22.05 C III a) 1 and ex 22.05 C IV a) 1 of the Common Customs Tariff, up to a total annual tariff quota of 100 000 hectolitres, and
- by 50 % in the case of the duties applicable to port wines falling within subheadings ex 22.05 C III b) 1 and ex 22.05 C IV b) 1 of the Common Customs Tariff, up to a total annual tariff quota of 260 000 hectolitres;

Whereas the Community adopted, in accordance with Article 119 of the 1979 Act of Accession, Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece, originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey ⁽³⁾; whereas therefore this Regulation applies to the Community of Nine;

Whereas the Declaration by the European Economic Community on Article 9 of the Supplementary Protocol ⁽⁴⁾ reserves the right to the Community to increase, as from 1 July 1981, the volume of the tariff quota referred to under (a) in so far as the tariff quota referred to under (b) has not been exhausted

completely during the preceding period, the total volume remaining at 360 000 hectolitres; whereas during recent years an average quantity of 20 000 hectolitres of port wines referred to under (b) has not been exhausted; whereas, on the basis of the development of the importations of the wines in question during the two last quota periods, it is necessary to fix the tariff quotas for these wines at respectively 120 000 hectolitres and 240 000 hectolitres for the period 1 July 1981 to 30 June 1982;

Whereas Portugal 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 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 3456/80 ⁽⁶⁾, 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 quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products concerned, such allocation should be in proportion to the requirements of the Member States, assessed by reference to the statistics of each State's imports from Portugal over a representative reference

⁽¹⁾ OJ No L 348, 31. 12. 1979, p. 44.

⁽²⁾ OJ No L 301, 31. 12. 1972, p. 165.

⁽³⁾ OJ No L 382, 31. 12. 1980, p. 1.

⁽⁴⁾ OJ No L 348, 31. 12. 1979, p. 61.

⁽⁵⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁶⁾ OJ No L 360, 22. 12. 1980, p. 18.

period and also to the economic outlook for the quota period concerned;

Whereas available Community statistics give no information on the situation of port wines on the markets; whereas, however, Portuguese statistics for exports of these products to the Community during the past three 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 for the past three years represent the following percentages of the imports into the Community from Portugal of the products concerned:

	1978	1979	1980
Port wines:			
— in containers holding two litres or less:			
Benelux	17.0	15.4	18.7
Denmark	4.8	3.5	3.7
Germany	9.5	8.6	6.1
France	42.3	49.7	51.8
Ireland	0.4	0.2	0.3
Italy	14.1	12.5	10.6
United Kingdom	11.9	10.1	8.7
— in containers holding more than two litres:			
Benelux	18.9	21.3	25.5
Denmark	5.3	6.2	6.3
Germany	6.7	6.9	6.2
France	44.6	38.7	38.0
Ireland	0.1	—	—
Italy	—	—	—
United Kingdom	24.4	26.7	24.0

Whereas, in view of these data and the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Member States	Port wines in containers holding:	
	two litres or less	more than two litres
Benelux	17.21	21.64
Denmark	4.11	5.89
Germany	7.93	6.59
France	48.64	40.20
Ireland	0.48	0.08
Italy	12.24	0.11
United Kingdom	9.39	25.49

Whereas, in order to take into account import trends for the products concerned in the various Member States, each of the quota amounts should be divided into two instalments, the first instalment being allocated among the Member States and the second forming a reserve 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 quotas should, under the present circumstances, be fixed at around 80 % of each of the quota amounts;

Whereas the initial quota shares of the Member States 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 quota share should draw an additional quota share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up and repeated as many times as the reserve allows; whereas the initial and additional quota shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between Member States and the Commission and the latter must, in particular, be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of one of the initial shares remains unused 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 any 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, Community tariff quotas shall be opened, in the Community of Nine for products originating in Portugal within the limits set out below:

(hectolitres)

CCT heading No	Description	Quota amount
ex 22.05 C III a) 1 ex 22.05 C IV a) 1	} Port wines	120 000
ex 22.05 C III b) 1 ex 22.05 C IV b) 1		
	} Port wines	240 000

2. The Common Customs Tariff duties on wines imported within these tariff quotas shall be suspended at the rates set out below:

(ECU/hl)

CCT heading No	Rate of duty
ex 22.05 C III a) 1	6.5
ex 22.05 C IV a) 1	7.0
ex 22.05 C III b) 1	6.6
ex 22.05 C IV b) 1	7.2

3. The wines shall benefit from these tariff quotas only if Article 18 (3) and (4) of Regulation (EEC) No 337/79 are respected.

Article 2

- Each of the tariff quotas referred to in Article 1 shall be divided into two parts.
- (a) The first instalment of each quota shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1982, shall be as follows:

(hectolitres)

Member States	Port wines under subheadings:	
	ex 22.05 C III a) 1 and ex 22.05 C IV a) 1	ex 22.05 C III b) 1 and ex 22.05 C IV b) 1
Benelux	16 500	41 600
Denmark	3 940	11 330
Germany	7 600	12 670
France	46 640	77 270
Ireland	460	150
Italy	11 740	200
United Kingdom	9 000	49 000
Total	95 880	192 220

- The second instalment of each quota, namely 24 120 and 47 780 hectolitres respectively, shall constitute the corresponding reserve.

Article 3

1. If 90 % or more of one of the Member State's initial shares 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, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, 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 one 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 conditions laid down in paragraph 1, 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 these 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 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 it might not be used.

The Member States shall, not later than 1 April 1982, notify the Commission of the total quantities of the products concerned imported up to 15 March 1982 and charged against the Community quotas and of any quantities of the initial shares returned to each 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 is notified, inform each State of the extent to which the reserves have been used up.

The Commission shall, not later than 5 April 1982 notify Member States of the amount in each reserve after quantities have been returned thereto pursuant to Article 5.

The Commission shall ensure that any drawing which uses up any 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 quotas.

2. The Member States shall ensure that importers of the products concerned 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 shares shall be determined on the basis of the imports of the products concerned originating in Portugal as and when the goods are entered with customs authorities for free circulation.

Article 8

At the Commission's request Member States shall inform it of imports of the products concerned 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 the day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

COUNCIL REGULATION (EEC) No 2058/81

of 13 July 1981

amending Regulation (EEC) No 562/81 on the reduction of customs duties on imports into the Community of certain agricultural products originating in Turkey

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 the EEC-Turkey Association Council by its Decision No 1/80 decided to abolish in stages the customs duties still applicable to imports into the Community of agricultural products originating in Turkey which may not yet be imported into the Community free of customs duty;

Whereas Council Regulation (EEC) No 562/81 ⁽¹⁾ established rates of duty applicable for the period 1 January 1981 to 31 December 1982; whereas, in accordance with Decision No 1/80, the said rates were calculated on the basis of the customs duties applicable in the Community;

Whereas by Council Regulation (EEC) No 1680/81 of 11 June 1981 temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products ⁽²⁾, certain duties applicable in respect of the following products were partially suspended:

(a) suspensions valid 1 July to 31 October 1981:

CCT heading No	Description	Rate of autonomous duty (%)
ex 03.01 B II a) and B II b) 7	Fillets of herring, fresh, chilled or frozen, for processing	3
03.02 A I a)	Herring, dried, salted or in brine, whole, headless or in pieces	8
ex 03.02 A II d)	Fillets of herring, dried, salted or in brine	8
ex 16.04 C II	Spiced and salted herrings, in immediate packings of a net capacity of 10 kg or more	8

CCT heading No	Description	Rate of autonomous duty (%)
ex 16.04 C II	'Herring-flaps', prepared or preserved in vinegar, in immediate packings of a net capacity of 10 kg or more	8

(b) Suspensions valid 1 July to 31 December 1981:

CCT heading No	Description	Rate of autonomous duty (%)
ex 03.01 B I q)	Sardinops sagax or ocellata, fresh, chilled or frozen: a) whole, of a length of 20 cm or more b) headless, of a length of 15 cm or more intended for processing	4
ex 03.02 A I f)	Coalfish (Pollachius virens or Gadus virens), salted or in brine, whole, headless or in pieces, intended for processing	8
ex 03.02 A II d)	Fillets of coalfish (Pollachius virens or Gadus virens), salted or in brine, intended for processing	9
ex 03.03 B I b)	Oysters, fresh (live), weighing no more than 12 g each	9
ex 07.04 B	Sweet red or green peppers, dried, dehydrated or evaporated, whole, cut or sliced, but not further prepared	10
ex 16.05 B	Shrimps and prawns of the species 'Pandalus borealis' boiled in water and shelled, whether or not frozen or dried, for the industrial manufacture of products falling within heading No 16.05	12

⁽¹⁾ OJ No L 65, 11. 3. 1981, p. 1.

⁽²⁾ OJ No L 169, 26. 6. 1981, p. 1.

(c) Suspensions valid 1 July 1981 to 30 June 1982:

CCT heading No	Description	Rate of autonomous duty (%)
03.02 A I e)	Salmon, salted or in brine, whole headless or in pieces	4
07.01 G III	Horse-radish (<i>Cochlearia armoracia</i>) fresh or chilled	11
ex 15.07 D I b) 2	Purified soya-bean oil in glass bottles. Each bottle holds 10 litres of purified soya-bean oil containing by weight: — a minimum of 8.5 % and a maximum of 12 % of palmitic acid esters — a minimum of 2.5 % and a maximum of 4.7 % of stearic acid esters — a minimum of 22.4 % and a maximum of 29 % of oleic acid esters — a minimum of 46.6 % and a maximum of 53.7 % of linoleic acid esters — a minimum of 7.4 % and a maximum of 11 % of linolenic acid esters and containing: — not more than 5 millimoles of free fatty acid per kg of oil — phosphalipides corresponding to a nitrogen content not exceeding 0.04 mg per gram of oil. The soya-bean oil covered by this description is intended for the preparation of emulsions for injections.	8 with a maximum duty of 50 ECU per 100 kg net weight, plus a compensatory amount in certain conditions

Whereas the rates of duty applicable in the Community of Nine have therefore been altered in respect of these products; whereas this must be taken into account in establishing the customs duties to be applied to imports of such products originating in Turkey;

Whereas, in accordance with Article 119 of the 1979 Act of Accession, the Community adopted Council Regulation (EEC) No 3555/80 of 16 December 1980 determining the arrangements to be applied with regard to imports into Greece originating in Algeria, Israel, Malta, Morocco, Portugal, Syria, Tunisia or Turkey (⁽¹⁾); whereas this Regulation applies to the Community with the exception of Greece;

Whereas it is accordingly necessary to amend Regulation (EEC) No 562/81,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 562/81 is hereby amended as follows:

- (1) In footnote (b) to the 2.1 % rate of duty in respect of subheading 03.01 B I q): Other, '30 June 1981' shall be replaced by '31 December 1981'; and the term '(pilchards)' shall be deleted.
- (2) In footnote (a) to the 12.6 % rate of duty in respect of subheading 03.01 B II a): Fresh or chilled, and in footnote (a) to the 10.5 % rate of duty in respect of subheading 03.01 B II b) 7: Other, '30 June 1981' shall be replaced by '31 October 1981'.
- (3) In footnote (d) to the 3.3 % rate of duty in respect of subheading 03.02 A I a): Herring, '30 June 1981' shall be replaced by '31 October 1981'.
- (4) In footnote (e) to the 3 % rate of duty in respect of subheading 03.02 A I e): Salmon, salted or in brine, '30 June 1981' shall be replaced by '30 June 1982'.
- (5) In footnote (a) to the 3.3 % rate of duty in respect of subheading 03.02 A I f): Other, the words 'suspended up to and including 30 June 1981' shall be replaced by 'reduced to 2.2 % (suspension) up to and including 31 December 1981'.
- (6) In footnote (b) to the 4.4 % rate of duty in respect of subheading 03.02 A II d): Other, '30 June 1981' shall be replaced by '31 October 1981'.
- (7) In footnote (c) to the 4.4 % rate of duty in respect of subheading 03.02 A II d): Other, the words 'suspended up to and including 30 June 1981' shall be replaced by 'reduced to 2.5 % (suspension) up to and including 31 December 1981'.

(⁽¹⁾) OJ No L 382, 31. 12. 1980, p. 1.

- (8) With respect to the 12.6 % rate of duty in respect of subheading 03.03 B I b): Other, the following footnote reference '(f)' shall be added and the corresponding footnote shall read as follows:
- '(f) Duty rate reduced to 6.3 % (suspension) up to and including 31 December 1981 in respect of fresh oysters (live) weighing no more than 12 grams each.'
- (9) In footnote (a) to the 10.5 % rate of duty in respect of subheading 07.01 G III: Horse-radish (*Cochlearia armoracia*), '30 June 1981' shall be replaced by '30 June 1982'.
- (10) With respect to the 11.2 % rate of duty in respect of subheading 07.04 ex B: Other, the following footnote reference '(b)' shall be added and the corresponding footnote shall read as follows:
- '(b) Duty rate reduced to 7 % (suspension) up to and including 31 December 1981 in respect of sweet red or green peppers.'
- (11) With respect to the 5.6 % rate of duty in respect of subheading 15.07 D I b) 2: Other, the following footnote reference '(a)' shall be added and the corresponding footnote shall read as follows:
- '(a) Rate of duty is 5.6 % subject to a maximum of 35 ECU per 100 kg net weight (suspension) up to and including 30 June 1982 in respect of purified soya-bean oil in glass bottles. Each bottle holds 10 litres of purified soya-bean oil containing by weight:
- a minimum of 8.5 % and a maximum of 12 % of palmitic acid esters,
 - a minimum of 2.5 % and a maximum of 4.7 % of stearic acid esters,
 - a minimum of 22.4 % and a maximum of 29 % of oleic acid esters,
- a minimum of 46.6 % and a maximum of 53.7 % of linoleic acid esters,
- a minimum of 7.4 % and a maximum of 11 % of linolenic acid esters,
- and containing:
- not more than 5 millimoles of free fatty acid per kilogram of oil,
 - phosphalipides corresponding to a nitrogen content not exceeding 0.04 mg per gram of oil.
- The soya-bean oil covered by this description is intended for the preparation of emulsions for injections (b).
- (b) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.'
- (12) In footnote (a) to the 14 % rate of duty in respect of subheading 16.04 C II: Other, '30 June 1981' shall be replaced by '31 October 1981'.
- (13) In footnote (a) to the 5.6 % rate of duty in respect of subheading 16.05 B: Other, the words 'reduced to 2.8 % (suspension) up to and including 30 June 1981 in respect of shrimps and prawns other than those of the "Crangon" variety' shall be replaced by 'reduced to 3.3 % (suspension) up to and including 31 December 1981 in respect of shrimps and prawns of the species "Pandalus borealis" '.

Article 2

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

It shall apply from 1 July 1981.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON

COUNCIL REGULATION (EEC) No 2059/81

of 13 July 1981

opening, allocating and providing for the administration of a Community tariff quota for
apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs
Tariff and originating in Turkey

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 the Annex to Council Regulation (EEC)
No 562/81 of 20 January 1981 on the reduction of
customs duties on imports into the Community of
certain agricultural products originating in Turkey ⁽¹⁾,
as amended by Regulation (EEC) No 2058/81 ⁽²⁾,
provides for the opening by the Community, with
effect from 1 January 1981, of an annual Community
tariff quota of 90 tonnes at a rate of 8.3 % for
apricot pulp falling within subheading ex 20.06 B II c)
1 aa) of the Common Customs Tariff, originating in
Turkey; whereas such a quota has been opened for
the period up to 30 June 1981 by Regulation (EEC)
No 1639/80 ⁽³⁾, as amended by Regulation (EEC)
No 564/81 ⁽⁴⁾; whereas the tariff quota in question
should therefore be opened for the abovementioned
volume for the period 1 July 1981 to 30 June 1982;

Whereas, since a Protocol as provided for in Article
118 (1) of the 1979 Act of Accession does not exist,
the Community adopted the measures envisaged in
Article 119 of that Act in Regulation (EEC)
No 3555/80 ⁽⁵⁾ determining the arrangements to be
applied to imports into Greece originating, in
particular, in Turkey; whereas the tariff measure
concerned will, therefore, apply to the Community of
Nine;

Whereas it is in particular necessary to guarantee all
importers of the Community equal and uninterrupted
access to the quota and uninterrupted application of
the rates laid down for that quota to all imports of
the product in question into the 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 tariff quota
among the Member States; whereas, to reflect most
accurately the actual development of the market in
the products in question, such allocation should be in
proportion to the requirements of the Member States,
assessed by reference both to the statistics relating to
imports from Turkey over a representative reference
period and to the economic outlook for the quota
period concerned;

Whereas, during the last three years for which
statistics are available, the corresponding imports of
each Member State from Turkey have been negligible
or non-existent; whereas those data cannot therefore
be considered as representative to serve as a basis for
allocation of the quota volume among the Member
States; whereas it is difficult to estimate imports by
Member States because of the absence of truly
representative figures for previous years; whereas,
consequently, the only solution seems to be to
allocate part of the quota volume to the Community
reserve and to allocate one seventh of the balance to
the Benelux countries, Denmark, Germany, France,
Ireland, Italy and the United Kingdom;

Whereas the initial shares may be used up fairly
quickly; whereas, therefore, to avoid disruption of
supplies, any Member State which has almost used up
its initial share shall draw a supplementary share from
the Community reserve; whereas this must be done by
each Member State as each one of its supplementary
shares is almost used up, and as many times as the
reserve allows; whereas the initial and supplementary
shares must be valid until the end of the quota
period; whereas this form of administration requires
close collaboration between the Member States and
the Commission, and the Commission must be in a
position to follow the extent to which the tariff quota
has been used up and inform the Member States
thereof;

⁽¹⁾ OJ No L 65, 11. 3. 1981, p. 1.

⁽²⁾ See page 41 of this Official Journal.

⁽³⁾ OJ No L 163, 28. 6. 1980, p. 7.

⁽⁴⁾ OJ No L 65, 11. 3. 1981, p. 46.

⁽⁵⁾ OJ No L 382, 31. 12. 1980, p. 1.

Whereas if, at a given date in the quota period, a considerable quantity of a share remains in any Member State, it is essential that that State should return a significant proportion to the reserve in order to avoid part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the 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 a Community tariff quota of 90 tonnes shall be opened in the Community of Nine for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Turkey.

2. Within the limits of this tariff quota the Common Customs Tariff duty applicable to these products shall be partially suspended at a rate of 8.3 %.

Article 2

1. A first instalment of 70 tonnes shall be allocated among the Member States; the respective shares of the Member States, which subject to Article 5 shall be valid from 1 July 1981 to 30 June 1982, shall be as follows:

— Benelux:	10 tonnes
— Denmark:	10 tonnes
— Germany:	10 tonnes
— France:	10 tonnes
— Ireland:	10 tonnes
— Italy:	10 tonnes
— United Kingdom:	10 tonnes

2. The second instalment of 20 tonnes shall be held as the Community reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), 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 imposed by 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 to apply until the reserve is used up.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares smaller than those fixed in those paragraphs if there are grounds for believing that those fixed may not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Supplementary 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 amount. They may return a larger quantity if there are reasons to believe that such quantity might not be used.

Member States shall, not later than 1 April 1982, notify the Commission of the total quantities of the said goods imported up to and including 15 March 1982 and charged against the Community tariff quota and any quantities of the initial share 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 still in reserve after amounts have been returned thereto pursuant to Article 5.

It 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 making the last drawing.

Article 7

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

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

3. Member States shall charge imports of the said goods against their shares as and when such goods are entered for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

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

It shall apply from 1 July 1981.

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

Done at Brussels, 13 July 1981.

For the Council

The President

Lord CARRINGTON
