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REGULATION (EEC) No 1770/72 OF THE COMMISSION

of 3 August 1972

on detailed rules of application relating to the additional conditions with which imported wines for direct human consumption have to comply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community;

Having regard to Council Regulation (EEC) No 816/70[1] of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 2504/71,[2] and in particular Articles 28 (5) and 35 thereof;

Whereas Council Regulation (EEC) No 1599/71[3] of 20 July 1971 laying down additional conditions with which imported wines for direct human consumption have to comply, as amended by Regulation (EEC) No 2830/71,[4] provides, *inter alia,* that except for liqueur wines and sparkling wines, wines imported into the Community may be released for direct human consumption only if:

— a certificate is issued by an agency in the third country in which the wine originates, furnishing proof that the wine complies with the provisions governing production and release for direct human consumption in that country;

— the wine in question is accompanied by an analysis report;

Whereas, so that control by the competent authorities of the Member States may be simplified, the form and, where necessary, the content of the prescribed certificate and analysis report and also the conditions for their use must be specified;

Whereas, to prevent fraud, it should be verified that the certificate and the analysis report do in fact relate to each consignment of wine imported for direct human consumption; whereas, to this end, it is essential that these documents accompany each consignment until it is placed under the Community control system;

Whereas, to take account of trade practices, where a consignment is divided up, the competent authorities should be given the power to have drawn up under their supervision an extract of the certificate and the analysis report to accompany each new consignment resulting from the division;

Whereas, as regards production conditions, it must be decided which wine growing zones of the Community may be used for comparison with the countries producing the imported wines;

Whereas, for the purposes of applying Article 2 (4) of Regulation (EEC) No 1599/71, dry white wine and sweet white wine must be defined;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Wine;

HAS ADOPTED THIS REGULATION:

Article 1

The certificate attesting that imported wines, except for liqueur wines and sparkling wines, intended for direct human consumption fulfil the conditions laid down in Article 2 of Regulation (EEC) No 1599/71, and the analysis report which should accompany imported wine under the same provision, must meet the requirements laid down in this Regulation.

Article 2

1. (a) For each consignment of wine, the certificate and the analysis report shall be combined in a single document entitled 'document for the

[1] OJ No L 99, 5.5.1970, p. 1.
[2] OJ No L 261, 26.11.1971, p. 1.
[3] OJ No L 168, 27.7.1971, p. 3.
[4] OJ No L 285, 29.12.1971, p. 66.

importation of wines for direct human consumption', hereinafter called 'the document', to be drawn up on a form V.I.1, a model of which appears in Annex I;

(b) when, before being put into free circulation, a consignment of wine which is the subject of a document is redispatched after being divided up, an extract of that document shall be drawn up for each new consignment resulting from the division. Such extract, entitled 'extract from a document for the importation of wines for direct human consumption' hereinafter called 'the extract', shall be drawn up by the party concerned on a form V.I.2, a model of which appears in Annex II;

(c) when the consignment is redispatched complete before being put into free circulation the extract shall be drawn up only if the party concerned so requests;

(d) the provisions of subparagraphs (b) and, where appropriate, (c) shall also apply when a consignment of wine which is the subject of an extract is redispatched whether complete or divided up.

2. Forms V.I.1 and V.I.2 shall consist of a typed or hand-written original and a copy obtained simultaneously in that order.

3. The size of the forms shall be approximately 210 × 300 mm.

The paper used shall weigh not less than 40 g/m² and shall be:

— red for the original document;

— white for the copy of the document;

— blue for the original extract;

— yellow for the copy of the extract.

4. The document and the extract shall be completed either in type or by hand; in the latter case they must be printed legibly in ink. The document shall be drawn up in one of the official Community languages. It may, in addition, be drawn up in the official language or one of the official languages of the exporting country. The extract shall be drawn up in one of the official Community languages specified by the competent authorities of the Member States in which it is countersigned.

5. The document and the extract shall bear a serial number allocated by the official agency issuing the certificate, in the case of the document, and by the countersigning customs office, in the case of the extract.

Article 3

1. The document and the extract shall be valid only if they are drawn up in accordance with this Regulation.

2. The signature of the person or persons empowered to sign the document provided for in Article 2 (1) (a) may not be obtained by tracing or carbon copying. Specimen signatures of persons empowered to sign the document and an example of the official seals to be used when it is issued shall first be sent to the Commission, which shall forward them to the Member States.

Article 4

1. The agencies and laboratories referred to in Article 2 (1 to 5) of Regulation (EEC) No 1599/71 shall appear on the lists to be drawn up only if:

(a) they are approved and appointed by the competent authorities of the exporting third country;

(b) they undertake to provide the Commission and the Member States on request with all facts relevant to the assessment of the information given on the document.

2. The lists shall be kept up to date, in particular to take account of amendments resulting from changes of address and/or of names of agencies or laboratories.

They shall be revised:

(a) if the conditions laid down in paragraph 1 (a) are no longer fulfilled or if an agency or laboratory does not fulfil one of the obligations incumbent upon it;

(b) if it proves necessary to add or withdraw the name of an official agency or laboratory.

Article 5

For the purposes of this Regulation, 'consignment' means the quantity of wine dispatched by one consignor to one consignee and for which a single document has been issued or a single extract has been countersigned.

Article 6

1. The document or extract shall, when the customs formalities required for putting the consignment to which it relates into free circulation are completed, be handed over to the competent authorities of the Member State in which such formalities are completed.

These authorities shall, where necessary, endorse the document or the extract accordingly. They shall return the original to the party concerned and keep the copy for at least two years.

2. When a consignment of wine is redispatched complete before put into free circulation, the new consignor shall give the customs authorities controlling the consignment the document or the extract relating to that consignment and also, where appropriate, a form V.I.2 of which he has completed part A.

After verifying that the information given on the document or the previous extract corresponds to that given on form V.I.2, the authorities shall countersign that form, which shall then be equivalent to an extract, and endorse the document or previous extract accordingly. They shall return the extract and the original of the document or of the previous extract to the new consignor and keep the copy of the document or of the previous extract for at least two years.

However, a form V.I.2 need not be completed when a consignment of wine is exported to a third country.

3. When a consignment of wine is divided up before being put into free circulation, the party concerned shall hand over to the customs authorities supervising the consignment to be divided up the document or the extract relating to that consignment and, for each new consignment, a form V.I.2 of which he has completed part A.

After verifying that the information given on the document or on the extract corresponds to that given on the form V.I.2 for each new consignment, the authorities shall countersign that form, which shall then be equivalent to an extract, and endorse accordingly the document or the extract on which the new extract was based.

They shall return the extract and the original document or extract to the party concerned and keep the copy of the document or of the original extract for at least two years.

Article 7

For each third country exporting to the Community, the wine growing zone referred to in Article 2 (2) (b) of Regulation (EEC) No 1599/71 is given in Annex III to this Regulation.

Article 8

For the purposes of Article 2 (4) of Regulation (EEC) No 1599/71 and pending the adoption of provisions for Community wines:

(a) 'dry white wine' means white wine containing, per litre, less than 5 g of residual sugars, expressed as invert sugar;

(b) 'sweet white wine' means wine containing, per litre, 5 g or more of residual sugars, expressed as invert sugar.

Article 9

The provisions of this Regulation shall not:

— apply to quantities of wine of fifteen litres or less contained in travellers' baggage or sent in small consignments to private individuals when such quantities are obviously intended for the personal or family consumption of those persons,

— prevent the operation of the system applicable to persons living in frontier zones.

Article 10

1. The information and the characteristics given in the certificate and in the analysis report shall be assessed according to the methods of analysis laid down by Commission Regulation (EEC) No 1539/71[1] of 19 July 1971 determining Community methods of analysis of wine.

2. In cases where that Regulation does not lay down any method of analysis, the methods officially used in each of the Member States shall continue to apply.

Article 11

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

It shall apply from 1 November 1972.

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

Done at Brussels, 3 August 1972.

For the Commission
The President
S. L. MANSHOLT

[1] OJ No L 163, 21.7.1971, p. 41.

ANNEX I

V.I.1	**Country of origin**	No A 000000
	DOCUMENT FOR THE IMPORTATION OF WINES FOR DIRECT HUMAN CONSUMPTION	**ORIGINAL Copy for the party concerned**

A. CERTIFICATE

I, the undersigned[1] .....

guarantee that the consignment of wine described below:

Number, nature, marks and reference No of the consignment	Description and colour of the wine	Number of bottles	Volume[2]

consigned by[3] .....

to[4] .....

complies with the provisions governing production and release of wines intended for direct human consumption in[5] ..... and that this wine:

(a) has not been subjected to oenological processes which are not admitted under Community provisions relating to the production and release for direct human consumption of comparable Community wines,

(b) has been produced according to oenological processes in force in the Community for the wine growing zone: .....

or the wine growing zones: ..... and ..... in the case of coupage

Done at ....., on .....

Name and address of the official agency	(Signature and stamp)

B. ANALYSIS REPORT

I, the undersigned[6] .....

certify that the consignment of wine described in the above certificate shows the following analytical characteristics:

(a) density: .....

(b) total alcohol strength: .....

(c) acquired alcohol strength: .....

(d) total dry extract: .....

(e) total acidity: .....

(f) volatile acidity: .....

(g) citric acidity: .....

(h) total sulphur dioxide: .....

(i) presence of hybrids[7]: .....

Done at ....., on .....

Name and address of laboratory	(Signature and stamp)

[1] Name and title of the person in charge of the official agency.
[2] In hl or litres and in figures.
[3] Full name and address of consignor.
[4] Full name and address of consignee.
[5] Name of the country of origin of the wine.
[6] Name and title of the person in charge of the laboratory.
[7] Answer 'yes' or 'no'.

(Space reserved for the Community customs authorities)

ATTRIBUTIONS				
1	2	3	4	5
Volume A. Available B. Attributed	Reference number and date of the extracts	Reference number and date of accompanying documents[1] or customs documents	Full name and address of the consignee named on the extract or on the accompanying document	Endorsement of the responsible authority
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				

[1] Where required by Community rules.

V.I.1	Country of origin	No A 000 000
	DOCUMENT FOR THE IMPORTATION OF WINES FOR DIRECT HUMAN CONSUMPTION	COPY Copy for the competent agency

A. CERTIFICATE

I, the undersigned[1] .....

guarantee that the consignment of wine described below:

Number, nature, marks and reference No of the consignment	Description and colour of the wine	Number of bottles	Volume[2]

consigned by[3] .....

to[4] .....

complies with the provisions governing production and release of wines intended for direct human consumption in[5] ..... and that this wine:

(a) has not been subjected to oenological processes which are not admitted under Community provisions relating to the production and release for direct human consumption of comparable Community wines,

(b) has been produced according to oenological processes in force in the Community for the wine growing zone: .....

or the wine growing zones: ..... and ..... in the case of coupage

Done at ....., on .....

Name and address of the official agency

(Signature and stamp)

B. ANALYSIS REPORT

I, the undersigned[6] .....

certify that the consignment of wine described in the above certificate shows the following analytical characteristics:

(a) density: .....

(b) total alcohol strength: .....

(c) acquired alcohol strength: .....

(d) total dry extract: .....

(e) total acidity: .....

(f) volatile acidity: .....

(g) citric acidity: .....

(h) total sulphur dioxide: .....

(i) presence of hybrids[7]: .....

Done at ....., on .....

Name and address of laboratory

(Signature and stamp)

[1] Name and title of the person in charge of the official agency.
[2] In hl or litres and in figures.
[3] Full name and address of consignor.
[4] Full name and address of consignee.
[5] Name of the country of origin of the wine.
[6] Name and title of the person in charge of the laboratory.
[7] Answer 'yes' or 'no'.

(Space reserved for the Community customs authorities)

ATTRIBUTIONS				
1	2	3	4	5
Volume A. Available B. Attributed	Reference number and date of the extracts	Reference number and date of accompanying documents[1] or customs documents	Full name and address of the consignee named on the extract or on the accompanying document	Endorsement of the responsible authority
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				

[1] Where required by Community rules.

ANNEX II

V.I.2	**EXTRACT FROM** **A DOCUMENT FOR THE IMPORTATION OF WINES FOR DIRECT HUMAN CONSUMPTION**	No A 000 000 **ORIGINAL** **Copy for the party concerned**

A. CONSIGNORS DECLARATION

I, the undersigned[1] .....
declare that the consignment of wine described below:

Number, nature, mark and reference No of the consignments	Description and colour of the wine	Number of bottles	Country of origin	Volume[2]

consigned to[3] .....

has the subject[4]

of document V.I.1 No ....., issued by[5] .....

....., on .....

of extract V.I.2 No ....., countersigned by the customs office of[6] .....

....., on .....

and

A. of a CERTIFICATE guaranteeing that this wine:

— complies with the provisions governing production and release of wines intended for direct human consumption in[5] .....

— has not been subjected to oenological processes which are not admitted under Community provisions relating to the production and release for direct human consumption of comparable Community wines

— has been produced according to oenological processes in force in the Community for the wine growing zone .....

or the wine growing zones ..... and ..... in the case of coupage

B. of an ANALYSIS REPORT certifying that this wine shows the following analytical characteristics:

(a) density: .....
(b) total alcohol strength: .....
(c) acquired alcohol strength: .....
(d) total dry extract: .....
(e) total acidity: .....
(f) volatile acidity: .....
(g) citric acidity: .....
(h) total sulphur dioxide: .....
(i) presence of hybrids[7]: .....

Done at ....., on .....

(Signature of consignor)

B. CUSTOMS ENDORSEMENT

Declaration certified true.

at ....., on .....

Name and address of customs office

(Signature and stamp)

[1] Full name and address of consignor.
[2] In hl or litres and in figures.
[3] Full name and address of consignee.
[4] Delete where inappropriate.
[5] Name of country which issued document V.I.1.
[6] Name of the customs office which endorsed extract V.I.2.
[7] Answer 'yes' or 'no'.

(Space reserved for the Community customs authorities)

ATTRIBUTIONS				
1	2	3	4	5
Volume A. Available B. Attributed	Reference number and date of the extracts	Reference number and date of accompanying documents[1] or customs documents	Full name and address of the consignee named on the extract or on the accompanying document	Endorsement of the responsible authority
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				

[1] Where required by Community rules.

V.I.2

EXTRACT FROM

A DOCUMENT FOR THE IMPORTATION OF WINES FOR DIRECT HUMAN CONSUMPTION

No A 000 000

COPY
Copy for the competent agency

A. CONSIGNORS DECLARATION

I, the undersigned[1] .....
declare that the consignment of wine described below:

Number, nature, mark and reference No of the consignments	Description and colour of the wine	Number of bottles	Country of origin	Volume[2]

consigned to[3] .....

has the subject[4]

of document V.I.1 No ....., issued by[5] .....;

....., on .....

of extract V.I.2 No ....., countersigned by the customs office of[6] .....

....., on .....

and

A. of a CERTIFICATE guaranteeing that this wine:

— complies with the provisions governing production and release of wines intended for direct human consumption in[5] .....

— has not been subjected to oenological processes which are not admitted under Community provisions relating to the production and release for direct human consumption of comparable Community wines

— has been produced according to oenological processes in force in the Community for the wine growing zone .....

or the wine growing zones ..... and ..... in the case of coupage

B. of an ANALYSIS REPORT certifying that this wine shows the following analytical characteristics:

(a) density: .....
(b) total alcohol strength: .....
(c) acquired alcohol strength: .....
(d) total dry extract: .....
(e) total acidity: .....
(f) volatile acidity: .....
(g) citric acidity: .....
(h) total sulphur dioxide: .....
(i) presence of hybrids[7]: .....

Done at ....., on .....

(Signature of consignor)

B. CUSTOMS ENDORSEMENT

Declaration certified true.

at ....., on .....

Name and address of customs office

(Signature and stamp)

[1] Full name and address of consignor.
[2] In hl or litres and in figures.
[3] Full name and address of consignee.
[4] Delete where inappropriate.
[5] Name of country which issued document V.I.1.
[6] Name of the customs office which endorsed extract V.I.2.
[7] Answer 'yes' or 'no'.

(Space reserved for the Community customs authorities)

ATTRIBUTIONS				
1	2	3	4	5
Volume A. Available B. Attributed	Reference number and date of the extracts	Reference number and date of accompanying documents[1] or customs documents	Full name and address of the consignee named on the extract or on the accompanying document	Endorsement of the responsible authority
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				
A.				
B.				

[1] Where required by Community rules.

ANNEX III

Distribution of the production zones of third countries comparable to those of the Community specified in Annex III to Regulation (EEC) No 816/70

Zone A:

Zone B: Austria, German speaking Switzerland

Zone C I: French and Italian speaking Switzerland

Zone C II: Portugal (Vinhos verdes region), Romania, Yugoslavia (Republics of Slovenia, Croatia, Bosnia-Herzegovinia, Serbia)

Zone C III: All other production regions in third countries.