REGULATION (EEC) No 3534/73 OF THE COMMISSION

of 27 December 1973

introducing subsidies for vinicultural products similar to the vinicultural product exported as 'Cyprus sherry' produced in the Community as originally constituted and shipped to Ireland and the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1253/73 [1] of 14 May 1973 on the importation of the vinicultural product exported as 'Cyprus sherry' originating in and coming from Cyprus and the introduction of subsidies for similar vinicultural products produced in the Community as originally constituted and shipped to Ireland and the United Kingdom, and in particular Article 5 thereof;

Whereas Article 4 (1) of Regulation (EEC) No 1253/73 provides for subsidies on Community vinicultural products similar to the vinicultural product exported as 'Cyprus sherry' shipped to Ireland and the United Kingdom; whereas the characteristics of this product can be regarded as comparable with those of liqueur wines, other than quality wines psr, produced in the Community;

Whereas the criteria laid down in Article 4 (2) of Regulation (EEC) No 1253/73, whereby the subsidy on Community products is calculated on the basis of the difference between the price of these Community products and the price of vinicultural products exported as 'Cyprus sherry' on the British and Irish markets, leads to the subsidy being fixed at 24 units of account per hectolitre;

Whereas, since the subsidy is limited to shipments to Ireland and the United Kingdom, a ban must be placed on the re-shipment to other Member States or the exportation to third countries of vinicultural products which have benefited from the subsidy unless an amount equal to the subsidy paid is refunded;

Whereas a condition for payment of the subsidy is that the consignor provides proof that the product has been released for home consumption; whereas this proof could be provided by the stamp of the customs authorities of the two countries concerned;

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 vinicultural products elegible for the subsidy provided for by Article 4 of Regulation (EEC) No 1253/73 shall be liqueur wines produced in the Community as originally constituted, with the exception of quality liqueur wines produced in specified regions.

Article 2

The subsidy provided for by Article 4 of Regulation (EEC) No 1253/72 is hereby fixed at 24 units of account per hectolitre.

Article 3

1. The subsidy shall be granted to consignors in the Member States of the Community as originally constituted, in the manner specified in Article 4.

2. The subsidy shall be granted for products in respect of which customs shipment formalities were completed between 1 February 1973 and 31 December 1973.

3. The day on which customs shipment formalities are completed shall be the day on which the declarant notified the customs authorities of his intention to ship a product of the kind specified in Article 1 to Ireland or the United Kingdom.

Article 4

To obtain payment of the subsidy, the consignor must present to the competent authorities of the Member States in which the consignment originates, within six months of this Regulation coming into force, an application for subsidy accompanied by:

— a copy of the accompanying document provided by Regulation (EEC) No 1769/72 or, if this is not available, a copy of the appropriate documents specified by the Member States concerned, and

— proof from the British or Irish customs authorities that the vinicultural products in question have been released for home consumption in the consignee Member State.

[1] OJ No L 133, 21. 5. 1973, p. 115.

Article 5

Vinicultural products which have benefited from the subsidy provided for in Article 4 of Regulation (EEC) No 1253/73 shall not be re-shipped to other Member States or exported to third countries unless an amount equal to the subsidy paid is refunded.

Ireland and the United Kingdom shall transfer to the EAGGF sums refunded in accordance with the first paragraph.

These two Member States shall adopt the measures necessary for the application of the provisions of this Article and shall notify them to the Commission.

Article 6

This Regulation shall enter into force on the third 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, 27 December 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission