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(Acts whose publication is obligatory)

REGULATION (EEC) No 3166/74 OF THE COUNCIL

of 10 December 1974

amending Annex IV to Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Article 12(1) of 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 1532/74 [2], provides that the tariff nomenclature resulting from the appliacation of that Regulation shall be incorporated in the Common Customs Tariff; whereas that nomenclature is set out in Annex IV of Regulation (EEC) No 816/70;

Whereas the wording of the Additional Note 5 to Chapter 22 of the Common Customs Tariff causes problems in practice in that it results in two documents being required for the importation of the same product; whereas it is appropriate, in order to avoid such a situation, to amend the provisions in question and to adjust accordingly the Common Customs Tariff nomenclature applicable to the products concerned by amending Annex IV to the above Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IV to Regulation (EEC) No 816/70 is amended as follows:

1. Additional Note 3 C (b) to Chapter 22 of the Common Customs Tariff is replaced by the following:

   '(b) The above rules do not apply to products falling within subheadings 22.05 C III a) 1, b) 1, b) 2 and 22.05 C IV a) 1, b) 1 or b) 2.'

2. Additional Note 5. to Chapter 22 of the Common Customs Tariff is deleted and Additional Notes 6, 7 and 8 become respectively Notes 5, 6 and 7;

3. The text relating to subheadings 22.05 C III and IV of the Common Customs Tariff is replaced by the following text:

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 166, 21. 6. 1974, p. 1.

CCT heading No	Description	Rate of duty	
		autonomous % or levy (L)	conventional %
1	2	3	4
	III. Of an actual alcoholic strength exceeding 15° but not exceeding 18°, in containers holding :		
	a) Two litres or less :		
	1. Port, Madeira, sherry, Tokay (Aszu and Szamorodni) and Setubal muscatel (a)	15 u.a./hl	13·5 u.a./hl
	2. Other	17 u.a./hl (b)	—
	b) More than two litres :		
	1. Port, Madeira, sherry and Setubal muscatel (a)	12 u.a./hl	11 u.a./hl
	2. Tokay (Aszu and Szamorodni) (a)	12 u.a./hl	—
	3. Other	14 u.a./hl (b)	—
	IV. Of an actual alcoholic strength exceeding 18° but not exceeding 22°, in containers holding :		
	a) Two litres or less :		
	1. Port, Madeira, sherry, Tokay (Aszu and Szamorodni) and Setubal muscatel (a)	16 u.a./hl	14·5 u.a./hl
	2. Other	19 u.a./hl (b)	19 u.a./hl
	b) More than two litres :		
	1. Port, Madeira, sherry and Setubal muscatel (a)	13 u.a./hl	12 u.a./hl
	2. Tokay (Aszu and Szamorodni) (a)	13 u.a./hl	—
	3. Other	19 u.a./hl (b)	19 u.a./hl

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.
(b) In certain circumstances a countervailing charge is payable in respect of certain products in addition to the customs duty.

Article 2

This Regulation shall enter into force on 1 January 1975.

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

Done at Brussels, 10 December 1975.

For the Council

The President

Ch. BONNET