COMMISSION REGULATION (EEC) No 1433/88

of 26 May 1988

fixing the regulatory amounts for 1987/88 for imports of certain wine-sector products from Spain into the Community as constituted at 31 December 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 123 (2) thereof,

Having regard to Council Regulation (EEC) No 480/86 of 25 February 1986 laying down general rules of application of the regulatory amounts applicable to trade in certain wine sector products between the Community as constituted on 31 December 1985 and Spain (1), and in particular Article 11 thereof,

Whereas, in the light of the rules laid down in Regulation (EEC) No 480/86, the regulatory amounts should be fixed by reference to the prices recorded on the Spanish market and on the market of the Community as constituted at 31 December 1985;

Whereas Article 123 (2) (a) of the Act of Accession stipulates that a regulatory amount is to be levied on table wine; whereas, for the purposes of applying that common measure, the table wine considered to be in a close economic relationship with each type of table wine should be determined;

Whereas the conditions laid down in Article 123 (2) (b) of the Act of Accession are not met; whereas the fixing of regulatory amounts applicable to wine-sector products other than table wine is therefore not warranted;

Whereas, by judgment of 20 October 1987 in Case 128/86, the Court of Justice annulled Commission Regulations (EEC) No 648/86 (2) and (EEC) No 969/86 (3) fixing the regulatory amounts for 1985/86 in so far as they fix amounts for wine-sector products other than table wine;

Whereas it appears fair to provide for the reimbursement, on application, of regulatory amounts already collected on products other than table wine pursuant to the abovementioned Regulations and to Commission Regulations (EEC) No 2715/86 (4), (EEC) No 3424/86 (5) and (EEC) No 2387/87 (6);

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (7), as last amended by Commission Regulation (EEC) No 1315/88 (8), introduces, from 1 January 1988, a new combined nomenclature which meets the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and which replaces the existing nomenclature; whereas the combined nomenclature codes should accordingly be introduced for the regulatory amounts;

Whereas it should be made clear that the codes used are those of the combined nomenclature as defined in Regulation (EEC) No 2658/87; whereas the additional codes are defined in the tables in the Appendix to the Annex hereto and whereas the table numbers relate to the chapter indicated in the first two figures of the combined nomenclature codes;

Whereas, following the amendment to Regulation (EEC) No 2387/87 by Regulation (EEC) No 3612/87 (9) and the introduction of the combined nomenclature codes for the regulatory amounts, Regulation (EEC) No 2387/87 should be replaced for the sake of clarity with effect from 1 January 1988;

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

For the 1987/88 wine year, the regulatory amounts provided for in Article 2 of Regulation (EEC) No 480/86 shall be for the products mentioned in the Annex hereto.

Article 2

For the purposes of this Regulation, the following shall be considered to be in a close economic relationship with table wines of type:

— A I: white table wines which are not of type A I, A II or A III,

(1) OJ No L 54, 1. 3. 1986, p. 2.
(2) OJ No L 60, 1. 3. 1986, p. 54.
(3) OJ No L 89, 4. 4. 1986, p. 22.
(4) OJ No L 249, 1. 9. 1986, p. 27.
(5) OJ No L 316, 11. 11. 1986, p. 5.
(6) OJ No L 218, 7. 8. 1987, p. 16.
(7) OJ No L 256, 7. 9. 1987, p. 1.
(8) OJ No L 123, 17. 5. 1988, p. 2.
(9) OJ No L 340, 2. 12. 1987, p. 18.

— R I : red table wines with an actual alcoholic strength of less than 12,5 % vol which are not of type R I or R III,

— R II : red table wines with an actual alcoholic strength of not less than 12,5 % vol which are not of type R II or R III.

The regulatory amounts applicable thereto shall be those laid down for the particular type of table wine with which they are in a close economic relationship.

Article 3

On application by the parties concerned, regulatory amounts applicable to wine-sector products other than table wine collected pursuant to Regulation (EEC) No 648/86, as amended by Regulation (EEC) No 969/86, and Regulation (EEC) No 2715/86, (EEC) No 3424/86 and (EEC) No 2387/87 shall be reimbursed within a period of six months from submission of the applications.

Applications, with supporting documents, must be submitted to the competent authority of the Member State in question by 2 March 1988 at the latest.

Article 4

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 26 May 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

CN code	Table	Additional code	Notes	Regulatory amount
2204 21 25	5	7431	(1)	0,37
		7432	(1)	0,37
		7433	(1)	0,37
		7434	(1)	0,37
2204 21 29	6	7438	(1)	0,25
		7439	(1)	0,25
		7440	(1)	0,25
		7441	(1)	0,25
2204 21 35	8	7449	(1)	0,37
		7450	(1)	0,37
		7451	(1)	0,37
2204 21 39	9	7455	(1)	0,25
		7456	(1)	0,25
		7457	(1)	0,25
2204 29 25	11	7478	(2)	22,28
		7479	(2)	22,28
		7480	(2)	25,44
		7481	(2)	25,44
		7482	(1)	1,00
		7483	(1)	1,00
2204 29 29	12	7487	(2)	16,68
		7488	(2)	16,68
		7489	(1)	0,50
		7490	(1)	0,50
2204 29 35	14	7498	(2)	22,28
		7499	(2)	25,44
		7514	(1)	1,00
		7518	(1)	1,00
2204 29 39	15	7524	(2)	16,68
		7525	(1)	0,50
		7526	(1)	0,50

(1) ECU per % vol per hectolitre.
(2) ECU per hectolitre of product.

Appendix

ADDITIONAL CODES

TABLE 7

CN code	Description			
2009 60 11 2009 60 19 2009 60 51 2009 60 71		– Concentrated grape must and concentrated grape juice, as specified in points 6 and 9 respectively of Annex I to Regulation (EEC) No 822/87 :	– Rectified concentrated grape must, as specified in point 7 under b) of Annex I to Regulation (EEC) No 822/87 :	– Other :
	– White :	7391	7393	7395
	– Other :	7393	7394	7396

TABLE 8

CN code	Description		
2009 60 59 2009 60 79 2009 60 90		– Grape juice (including grape must) :	– Other :
	– White :	7397	7399
	– Other :	7398	7414

TABLE 4

CN code	Description		
2204 21 21 2204 21 23	– Of an actual alcoholic strength :	– Qualifying as 'Denominación de origen' or 'Denominación de origen calificada' wine in accordance with Regulation (EEC) No 823/87 :	– Other :
	– – Of 9 % vol or more but not exceeding 13 % vol :	7428	7430
	– – Other :	7429	

TABLE 5

CN code	Description								
2204 21 25	– Of an actual alcoholic strength :	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :			– Wine from third countries :		– Other :		
		– – Of the type A II and A III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Riesling or Sylvaner :	– – Other :	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	– – Of 9 % vol or more but not exceeding 13 % vol :	7431	7433	7434	7587	7588	7435	7436	7437
	– – Other :	7432							

TABLE 6

CN code	Description								
2204 21 29	– Of an actual alcoholic strength :	– Table wine as defined under No 13 Annex I to Regulation (EEC) No 822/87 :			– Wine from third countries :		– Other :		
		– – Of the type R III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Portugieser :	– – Other	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	– – Of 9 % vol or more but not exceeding 13 % vol :	7438	7440	7441	7589	7590	7442	7443	7444
	– – Other :	7439							

TABLE 7

CN code	Description		
2204 21 31 2204 21 33	– Qualifying as 'Denominación de origen' or 'Denominación de origen calificada' wine in accordance with Regulation (EEC) No 823/87 :	– Quality liqueur wine produced in specified regions as specified in point 14 of Annex I to Regulation (EEC) No 822/87 :	– Other :
	7445	7446	7448

TABLE 8

CN code	Description								
2204 21 35	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :			– Wine from third countries :		– Other :			
	– – Of the type A II and A III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Riesling or Sylvaner :	– – Other :	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Liqueur wine as specified in point 14 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	7449	7450	7451	7591	7592	7452	7447	7453	7454

TABLE 9

CN code	Description								
2204 21 39	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :			– Wine from third countries :		– Other :			
	– – Of the type R III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Portugieser :	– – Other :	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Liqueur wine as specicied in point 14 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	7455	7456	7457	7593	7594	7458	7496	7459	7469

TABLE 10

CN code	Description		
2204 29 21 2204 29 23	– Of an actual alcoholic strength :	– Qualifying as 'Denominación de origen' or 'Denominación de origen calificada' wine in accordance with Regulation (EEC) No 823/87 :	– Other :
	– – Of 9 % vol or more but not exceeding 13 % vol :	7473	7477
	– – Other :	7474	

TABLE 11

CN code	Description								
2204 29 25	– Of an actual alcoholic strength :	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :				– Wine from third countries :		– Other :		
		– – Of the type A II as defined in Annex III to Regulation (EEC) No 822/87 :	– – Of the type A III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Riesling or Sylvaner :	– – Other :	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	– – Of 9 % vol or more but not exceeding 13 % vol :	7478	7480	7482	7483	7595	7596	7484	7485	7486
	– – Other :	7479	7481							

TABLE 12

CN code	Description								
2204 29 29	– – Of an actual alcoholic strength :	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :			– – Wine from third countries :		– Other :		
		– – Of the type R III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Portugieser :	– – Other	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	– – Of 9 % vol or more but not exceeding 13 % vol :	7487	7489	7490	7597	7598	7491	7492	7493
	– – Other :	7488							

TABLE 13

CN code	Description		
2204 29 31 2204 29 33	– Qualifying as 'Denominación de origen' or 'Denominación de origen calificada' wine in accordance with Regulation (EEC) No 823/87 :	– Quality liqueur wine produced in specified regions as specified in point 14 of Annex I to Regulation (EEC) No 822/87 :	– Other :
	7494	7495	7497

TABLE 14

CN code	Description									
2204 29 35	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :				– Wine from third countries :		– Other :			
	– – Of the type A II as defined in Annex III to Regulation (EEC) No 822/87 :	– – Of the type A III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Riesling or Sylvaner :	– – Other :	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Liqueur wine as specified in point 14 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	7498	7499	7514	7518	7599	7614	7519	7643	7522	7523

TABLE 15

CN code	Description								
2204 29 39	– Table wine as defined under No 13 of Annex I to Regulation (EEC) No 822/87 :			– Wine from third countries :		– Other :			
	– – Of the type R III as defined in Annex III to Regulation (EEC) No 822/87 :	– – Retsina :	– – Other :	– – Presented in the document V.I. or V.A under the name Portugieser :	– – Other :	– – New wine still in fermentation, as specified in point 11 of Annex I to Regulation (EEC) No 822/87 :	– – Liqueur wine as specified in point 14 of Annex I to Regulation (EEC) No 822/87 :	– – Fresh grape must with fermentation arrested by the addition of alcohol, within the meaning of additional note 4 a) to Chapter 22 in the combined nomenclature :	– – Other :
	7524	7525	7526	7618	7619	7527	7644	7528	7529

TABLE 16

CN code	Description		
2204 21 41 2204 21 49 2204 21 51 2204 21 59 2204 29 41 2204 29 45 2204 29 49 2204 29 51 2204 29 55 2204 29 59	– Quality liqueur wine produced in specified regions as specified in point 14 of Annex I to Regulation (EEC) No 822/87 :	– Other :	
		– – White :	– – Other :
	7530	7531	7532

TABLE 17

CN code	Description		
2204 30 10		– Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol, within the meaning of additional note 2 to Chapter 22 of the combined nomenclature :	– Other :
	– White :	7533	7535
	– Other :	7534	

TABLE 18

CN code	Description				
2204 30 91 2204 30 99		– Concentrated grape must and concentrated grape juice, as specified in points 6 and 9 respectively of Annex I to Regulation (EEC) No 822/87 :	– Rectified concentrated grape must, as specified in point 7 under b) of Annex I to Regulation (EEC) No 822/87 :	– Grape juice (including grape must) :	– Other :
	– White :	7536	7538	7638	7640
	– Other :	7537	7539	7639	7641