COMMISSION REGULATION (EEC) No 53/88

of 5 January 1988

laying down certain detailed rules for the application of the supplementary trade mechanism to wine sector products and repealing Regulation (EEC) No 647/86

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 83 (1) thereof,

Having regard to Council Regulation (EEC) No 569/86 of 25 February 1986 laying down general rules for the application of the supplementary mechanism applicable to trade [1], as last amended by Regulation (EEC) No 2297/86 [2], and in particular Article 7 (1) thereof,

Whereas Commission Regulation (EEC) No 574/86 [3], as last amended by Regulation (EEC) No 2159/87 [4], laid down detailed rules for the application of the supplementary trade mechanism (STM); whereas certain rules specific to the wine sector should be laid down for the application of the mechanism;

Whereas at the beginning of each marketing year an estimate is drawn up on the basis of forecast production and consumption of the products in question in Spain and in the Community as constituted on 31 December 1985;

Whereas Commission Regulation (EEC) No 52/88 [5] removed certain wine sector products from the list of those covered by the supplementary trade mechanism applicable to trade;

Whereas on the basis of the application of the abovementioned rules, and of the estimate in particular, indicative import ceilings as shown in this Regulation should be set and Commission Regulation (EEC) No 647/86 of 28 February 1986 laying down certain detailed rules for the application of the supplementary trade mechanism to viticultural products [6] repealed;

Whereas the Community established, with effect from 1 January 1988, a combined nomenclature to meet the requirements of the Common Customs Tariff and of the external trade statistics of the Community; whereas it is necessary to identify the goods by reference to the combined nomenclature;

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 wine sector products the indicative import ceilings as referred to in Article 83 (1) of the Act of Accession shall be:

(a) Indicative import ceilings for the Community as constituted on 31 December 1985:

(hectolitres)

CN code	Description	Indicative ceilings (1987/88)
2009 60	Grape juice (including grape must)	200 500
2204 30	Other grape must	
ex 2204	Wine of fresh grapes, including fortified wines, with the exception of: — products of subheading 2204 30, — wines, including sparkling and liqueur wines, classed as quality wines produced in specified regions	500 000

[1] OJ No L 55, 1. 3. 1986, p. 106.
[2] OJ No L 201, 24. 7. 1986, p. 3.
[3] OJ No L 57, 1. 3. 1986, p. 1.
[4] OJ No L 202, 23. 7. 1987, p. 1.
[5] See page 11 of this Official Journal.
[6] OJ No L 60, 1. 3. 1986, p. 50.

(b) Indicative Spanish import ceilings :

(hectolitres)

CN code	Description	Indicative ceilings (1987/88)
2009 60	Grape juice (including grape must)	50
2204 30	Other grape must	
ex 2204	Wine of fresh grapes, including fortified wines, with the exception of :	
	--- products of subheading 2204 30,	
	- - wines, including sparkling and liqueur wines, classed as quality wines psr	27 000

Article 2

1. Where the combined nomenclature subheading specifies an alcoholic strength a 0,4 % vol tolerance shall be allowed for the purposes of validity of the supplementary trade mechanism (STM) licence.

Licences for these products shall show one of the following in box 20 :
— Tolerancia del 0,4 % vol,
— Tolerance 0,4 % vol,
— Toleranz 0,4 % vol,
— Ανοχή 0,4 % κατ' όγκο,
— Tolerance of 0,4 % vol,
— Tolérance de 0,4 % vol,
— Tolleranza de 0,4 % vol,
— Tolerantie van 0,4 % vol,
— Tolerância del 0,4 % vol.

2. Applications for STM licences shall show the colour of the wine or must in box 7.

Applications may be made for a licence covering several subheadings, by completion of boxes 7 and 8 in one of the following ways :

(a) Box 7 : Grape juice (including grape must), concentrated, of a density of not less than 1,240 grammes per cubic centimetre at 20 °C

Box 8 ex 2009 60, ex 2204 30 91 and ex 2204 30 99.

(b) Box 7 : Grape juice (including grape must), not concentrated

Box 8 : 2009 60 59, 2009 60 79, ex 2009 60 90 and ex 2204 30 91.

(c) Box 7 : Wine of fresh grapes

Box 8 : ex 2204 10, ex 2204 21 and ex 2204 29.

The product description and subheadings shown in the application shall be carried over to the STM licence.

Article 3

1. The period of validity of the STM licences referred to in Article 2 of Regulation (EEC) No 574/85 shall be four months from the date on which the application is made.

2. Article 5 of Commission Regulation (EEC) No 3388/81 (1) shall be applicable in the case of STM licences.

(1) OJ No L 341, 28. 11 1981, p. 19.

Article 4

The security to be lodged against STM licences shall be :

CN code	Description	Amount (by net weight or volume)
2009 60	Grape juice (including grape must)	2 ECU/100 kg
2204 30	Other grape must	1 ECU/hl
ex 2204	Wine of fresh grapes, including fortified wines, except products of subheading 2204 30	1 ECU/hl

Article 5

1. The provisions of paragraph 1, the first subparagraph of paragraph 2, paragraphs 3 and 4 of Article 2 and of Articles 3, 4 and 5 of Regulation (EEC) No 3388/81 shall be applicable in respect of STM import licences.

2. In the case of products specified at points (c) and (e) of Article 1 (2) of Council Regulation (EEC) No 822/87 [1], as last amended by Commission Regulation (EEC) No 3992/87 [2], the period of validity of STM import licences and the security rate shall, except for fresh grapes other than table grapes, be the same as those specified in Articles 3 and 4.

Article 6

Regulation (EEC) No 647/86 is repealed.

Article 7

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

It shall be applicable with effect from 1 January 1988.

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

Done at Brussels, 5 January 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

(1) OJ No L 84, 27. 3. 1987, p. 1.
(2) OJ No L 377, 31. 12. 1987.