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COMMISSION REGULATION (EC) No 2805/95
of 5 December 1995
fixing the export refunds in the wine sector and repealing Regulation (EEC) No 2137/93

(OJ L 291, 6.12.1995, p. 10)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Commission Regulation (EC) No 2083/96 of 30 October 1996	L 279	23	31.10.1996
►**M2**	Commission Regulation (EC) No 68/97 of 16 January 1997	L 14	51	17.1.1997
►**M3**	Commission Regulation (EC) No 95/97 of 21 January 1997	L 19	10	22.1.1997
►**M4**	Commission Regulation (EC) No 1937/98 of 11 September 1998	L 252	3	12.9.1998
►**M5**	Commission Regulation (EC) No 2131/1999 of 6 October 1999	L 261	31	7.10.1999
►**M6**	Commission Regulation (EC) No 569/2000 of 16 March 2000	L 69	4	17.3.2000
►**M7**	Commission Regulation (EC) No 1941/2000 of 13 September 2000	L 232	22	14.9.2000
►**M8**	Commission Regulation (EC) No 2440/2000 of 3 November 2000	L 280	39	4.11.2000
►**M9**	Commission Regulation (EC) No 1574/2002 of 2 September 2002	L 235	10	3.9.2002
►**M10**	Commission Regulation (EC) No 715/2003 of 24 April 2003	L 104	13	25.4.2003
►**M11**	Commission Regulation (EC) No 1175/2003 of 1 July 2003	L 164	8	2.7.2003

Corrected by:

►**C1** Corrigendum, OJ L 2, 4.1.1996, p. 30 (2805/95)

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

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Commission Regulation (EC) No 2805/95

of 5 December 1995

fixing the export refunds in the wine sector and repealing Regulation (EEC) No 2137/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine [1], as last amended by Regulation (EC) No 1544/95 [2], and in particular Article 55 (8) thereof,

Whereas, pursuant to Article 55 of Regulation (EEC) No 822/87, to the extent necessary to enable the products listed in Article 1 (2) (a), (b) and (c) of that Regulation to be exported on the basis of the prices for those products on the world market and within the limits of the agreements concluded in accordance with Article 228 of the Treaty, the difference between those prices and the prices in the Community may be covered by an export refund;

Whereas account must also be taken of the costs of these products, of the economic aspects of the proposed exports, and of the need to avoid disturbances on the Community market; whereas, however, when fixing the amount of the refunds applicable to liqueur wines, account should be taken of the difference between Community prices and world market prices in respect only of wine and musts used in the manufacture of liqueur wines, since no such difference is recorded in respect of the products used in the manufacture of the wines in question;

Whereas the international trade situation or the specific requirements of certain markets may make it necessary to vary the refund according to the use or distinction of a specific product;

Whereas the agreement on agriculture concluded under the Uruguay Round of multilateral trade negotiations provides for annual commitments with regard to expenditure on export refunds; whereas Article 55 (7) of Regulation (EEC) No 822/87 lays down that those commitments should be complied with on the basis of the export licences issued; whereas Article 3 (4) of Commission Regulation (EC) No 1685/95 of 11 July 1995 on arrangements for issuing export licences for wine sector products and amending Regulation (EEC) No 3388/81 laying down special detailed rules in respect of import and export licences in the wine sector [3] lays down precise rules regarding those measures;

Whereas Commission Regulation (EEC) No 2137/93 of 28 July 1993 fixing export refunds in the wine sector and repealing Regulation (EEC) No 646/86 [4], as last amended by Regulation (EC) No 582/95 [5], fixes the amount of the refund for certain products per hectolitre and per degree of alcohol; whereas it is only possible to determine that degree of alcohol at the time of export, in the analysis certificate referred to in Article 3 (1) of Commission Regulation (EEC) No 3389/81 of 27 November 1981 laying down detailed rules for export refunds in the wine sector [6], as last amended by Regulation (EC) No 2730/95 [7]; whereas, as a result, it is not possible to evaluate expenditure on export on the basis of licences issued and take the measures provided for in Article 3 (4) of Regulation (EC) No 1685/95;

Whereas it is therefore necessary to fix the amount of the export refunds per hectolitre for the various types of products in the sector,

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[1] OJ No L 84, 27. 3. 1987, p. 1.
[2] OJ No L 148, 30. 6. 1995, p. 31.
[3] OJ No L 161, 12. 7. 1995, p. 2.
[4] OJ No L 191, 31. 7. 1993, p. 91.
[5] OJ No L 59, 17. 3. 1995, p. 4.
[6] OJ No L 341, 28. 11. 1981, p. 24.
[7] OJ No L 284, 28. 11. 1995, p. 6.

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regardless of their degree of alcohol; whereas, with a view to clarity, Regulation (EEC) No 2137/93 should be repealed and certain countries should be removed from the list of third countries in respect of which refunds apply;

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

1. The export refunds provided for in Article 55 of Regulation (EEC) No 822/87 are fixed in the Annex hereto.

2. Regulation (EEC) No 2137/93 is hereby repealed.

Article 2

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.

▼**M11**

ANNEX

Product code	Destination	Unit of measurement	Amount of refund
2009 69 11 9100	W01	EUR/hl	39,023
2009 69 19 9100	W01	EUR/hl	39,023
2009 69 51 9100	W01	EUR/hl	39,023
2009 69 71 9100	W01	EUR/hl	39,023
2204 30 92 9100	W01	EUR/hl	39,023
2204 30 94 9100	W01	EUR/hl	10,339
2204 30 96 9100	W01	EUR/hl	39,023
2204 30 98 9100	W01	EUR/hl	10,339
2204 21 79 9100	W02	EUR/hl	5,358
2204 21 79 9100	W03	EUR/hl	5,358
2204 21 80 9100	W02	EUR/hl	6,473
2204 21 80 9100	W03	EUR/hl	6,473
2204 21 83 9100	W02	EUR/hl	7,317
2204 21 83 9100	W03	EUR/hl	7,317
2204 21 84 9100	W02	EUR/hl	8,842
2204 21 84 9100	W03	EUR/hl	8,842
2204 21 79 9200	W02	EUR/hl	6,271
2204 21 79 9200	W03	EUR/hl	6,271
2204 21 80 9200	W02	EUR/hl	7,578
2204 21 80 9200	W03	EUR/hl	7,578
2204 21 79 9910	W02 and W03	EUR/hl	3,771
2204 21 94 9910	W02 and W03	EUR/hl	14,250
2204 21 98 9910	W02 and W03	EUR/hl	14,250
2204 29 62 9100	W02	EUR/hl	5,358
2204 29 62 9100	W03	EUR/hl	5,358
2204 29 64 9100	W02	EUR/hl	5,358
2204 29 64 9100	W03	EUR/hl	5,358
2204 29 65 9100	W02	EUR/hl	5,358
2204 29 65 9100	W03	EUR/hl	5,358
2204 29 71 9100	W02	EUR/hl	6,473
2204 29 71 9100	W03	EUR/hl	6,473

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Product code	Destination	Unit of measurement	Amount of refund
2204 29 72 9100	W02	EUR/hl	6,473
2204 29 72 9100	W03	EUR/hl	6,473
2204 29 75 9100	W02	EUR/hl	6,473
2204 29 75 9100	W03	EUR/hl	6,473
2204 29 62 9200	W02	EUR/hl	6,271
2204 29 62 9200	W03	EUR/hl	6,271
2204 29 64 9200	W02	EUR/hl	6,271
2204 29 64 9200	W03	EUR/hl	6,271
2204 29 65 9200	W02	EUR/hl	6,271
2204 29 65 9200	W03	EUR/hl	6,271
2204 29 71 9200	W02	EUR/hl	7,578
2204 29 71 9200	W03	EUR/hl	7,578
2204 29 72 9200	W02	EUR/hl	7,578
2204 29 72 9200	W03	EUR/hl	7,578
2204 29 75 9200	W02	EUR/hl	7,578
2204 29 75 9200	W03	EUR/hl	7,578
2204 29 83 9100	W02	EUR/hl	7,317
2204 29 83 9100	W03	EUR/hl	7,317
2204 29 84 9100	W02	EUR/hl	8,842
2204 29 84 9100	W03	EUR/hl	8,842
2204 29 62 9910	W02 and W03	EUR/hl	3,771
2204 29 64 9910	W02 and W03	EUR/hl	3,771
2204 29 65 9910	W02 and W03	EUR/hl	3,771
2204 29 94 9910	W02 and W03	EUR/hl	14,250
2204 29 98 9910	W02 and W03	EUR/hl	14,250

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

The other destinations are defined as follows:

W01: Libya, Nigeria, Cameroon, Gabon, Saudi Arabia, United Arab Emirates, India, Thailand, Vietnam, Indonesia, Malaysia, Brunei, Singapore, Philippines, China, Hong Kong SAR, South Korea, Japan, Taiwan, Equatorial Guinea,

W02: all countries of the African continent with the exception of: Algeria, Morocco, Tunisia, South Africa,

W03: all destinations, with the exception of: Africa, America, Australia, Bosnia-Herzegovina, Croatia, Cyprus, Israel, the Republic of Serbia and Montenegro, Slovenia, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Hungary, Bulgaria, Romania, Estonia, Lithuania, Poland, the Czech Republic and the Slovak Republic.