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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 388/2000

of 24 January 2000

concerning the conclusion of Agreements in the form of Exchanges of Letters amending the Agreements in the form of Exchanges of Letters between the European Community and the Republic of Bulgaria, the Republic of Hungary and Romania on the reciprocal establishment of tariff quotas for certain wines, and amending Regulation (EC) No 933/95 opening and providing for the administration of Community tariff quotas for certain wines

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) An Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines [1] was signed on 29 November 1993 and extended by an Agreement in the form of an Exchange of Letters [2] signed on 18 June 1999.

(2) An Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines [3] was signed on 29 November 1993 and extended by an Agreement in the form of an Exchange of Letters [4] signed on 29 July 1999.

(3) An Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines [5] was signed on 26 November 1993 and extended by an Agreement in the form of an Exchange of Letters [6] signed on 17 June 1999.

(4) These three Agreements are due to expire on 31 December 1999.

(5) In order to preserve reciprocal preferential treatment and to continue to promote the development of trade in wine, the three Agreements should be extended until 31 December 2000.

(6) Council Regulation (EC) No 933/95 of 10 April 1995 opening and providing for the administration of Community tariff quotas for certain wines originating in Bulgaria, Hungary and Romania [7] opened tariff quotas for certain wines in accordnce with the Agreements in the form of Exchange of Letters between the European Community and the Republic of Bulgaria, the Republic of Hungary and Romania; Regulation (EC) No 933/95 should now be amended to take account of the new Agreements in the form of Exchanges of Letters.

(7) In order to facilitate the implementation of certain provisions of the Agreements, the Commission should be authorised to adopt the necessary legislation for their implementation in accordance with the procedure laid down in Article 83 of Council Regulation (EC) No 822/87 of 16 March 1987 on the common organisation of the market in wine [8],

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex 1).

Article 2

The Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines is hereby approved on behalf of the Community.

[1] OJ L 337, 31.12.1993, p. 3.
[2] OJ L 172, 8.7.1999, p. 3.
[3] OJ L 337, 31.12.1993, p. 83.
[4] OJ L 212, 12.8.1999, p. 3.
[5] OJ L 337, 31.12.1993, p. 173.
[6] OJ L 172, 8.7.1999, p. 10.
[7] OJ L 96, 28.4.1995, p. 1. Regulation as last amended by Regulation (EC) No 1774/1999 (OJ L 212, 12.8.1999, p. 1).
[8] OJ L 84, 27.3.1987, p. 1. Regulation as last amended by Regulation (EC) No 1677/1999 (OJ L 199, 30.7.1999, p. 8).

The text of the Agreement is attached to this Regulation (Annex 2).

Article 3

The Agreement in the form of an Exchange of Letters amending the Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex 3).

Article 4

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to bind the Community.

Article 5

The Commission is hereby authorised to adopt the necessary acts for implementation of the Agreements, in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87.

Article 6

Article 1(1) of Regulation (EC) No 933/95 shall be replaced by the following:

'From 1 January 2000 to 31 December 2000, and without prejudice to paragraph 2, the customs duties applicable on importation of the following products originating in Bulgaria, Hungary and Romania shall be suspended at levels and within the limits of tariff quotas as indicated with respect to each product:

(a) **Wines originating in Bulgaria:**

Serial No	CN code (1)	Description (2)	Quota volume (1.1 to 31.12.2000) (hl)	Quota duty (% of basic duty)
09.7001	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 800	40
09.7003	ex 2204 21	Quality wine, including quality wine with a designation of origin	467 630	40
09.7005	ex 2204 29	Quality wine, including quality wine with a designation of origin, and wine obtained from grapes of the "Gamza" vine varity designated and presented under that name or under the synonym "Kadarka"	128 000	40

(1) See attached TARIC codes.

(2) Notwithstanding the rules for interpreting the Combined Nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(b) **Wines originating in Hungary:**

Serial No	CN code (1)	Description (2)	Quota volume (1.1 to 31.12.2000) (hl)	Quota duty (% of basic duty)
09.7007	ex 2204 29	Wine of fresh grapes	113 460	exemption
09.7009	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	3 900	exemption
09.7011	ex 2204 21	Quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tájbor"	231 930	exemption

(1) See attached TARIC codes.

(2) Notwithstanding the rules for interpreting the Combined Nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(c) **Wines originating in Romania:**

Serial No	CN code (1)	Description (2)	Quota volume (1.1 to 31.12.2000) (hl)	Quota duty (% of basic duty)
09.7013	ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes, including sparkling wine and liqueur wine	188 880	40

(1) See attached TARIC codes.

(2) Notwithstanding the rules for interpreting the Combined Nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.'

Article 7

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

It shall apply from 1 January 2000.

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

Done at Brussels, 24 January 2000.

For the Council

The President

J. GAMA

ANNEX 1

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

amending the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines

A. *Letter from the Community*

Brussels, 8 February 2000

Sir,

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to extending the Agreement beyond 31 December 1999.

I hereby confirm that, following the negotiations, the European Community and the Republic of Bulgaria have agreed on the following:

I. The tables below shall be added to the Annex to the said Agreement:

'Quantities of wine originating in the Community and qualifying for tariff reductions in 2000

Bulgarian customs tariff code	Description	Quantity in hectolitres
ex 2204 21 ex 2204 29	Wine of fresh grapes	71 400
ex 2204 10	Quality sparkling wine whether or not produced in specified regions, in containers holding not more than 2 litres	1 700

Quantities of wine originating in Bulgaria and qualifying for tariff reductions in 2000

CN code	Description	Quantity in hectolitres
ex 2204 21	Quality wine, including quality wine with a designation of origin	467 630
ex 2204 29	Quality wine, including quality wine with a designation of origin, and wine obtained from grapes of the "Gamza" vine variety designated and presented under that name or under the synonym "Kadarka"	128 000
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 800'

II. The following shall be added at the end of point 3(a) of the said Agreement:

'— in 2000, EUR 15 per hectolitre.'

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2000. It shall expire on 31 December 2000. During the first half of 2000, negotiations will take place with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits. The additional Protocol to the Europe Agreement will also lay down detailed rules for cooperation between Bulgaria and the European Community to support the implementation of a programme under which Bulgaria will progressively adopt the *acquis communautaire* relating to wine and spirits, particularly as regards reinforcing inspection structures and controlling wine production (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union



B. *Letter from Bulgaria*

Brussels, 8 February 2000

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to extending the Agreement beyond 31 December 1999.

I hereby confirm that, following the negotiations, the European Community and the Republic of Bulgaria have agreed on the following:

I. The tables below shall be added to the Annex to the said Agreement:

"Quantity of wine originating in the Community and qualifying for tariff reductions in 2000

Bulgarian customs tariff code	Description	Quantity in hectolitres
ex 2204 21 ex 2204 29	Wine of fresh grapes	71 400
ex 2204 10	Quality sparkling wine whether or not produced in specified regions, in containers holding not more than 2 litres	1 700

Quantities of wine originating in Bulgaria and qualifying for tariff reductions in 2000

CN code	Description	Quantity in hectolitres
ex 2204 21	Quality wine, including quality wine with a designation or origin	467 630
ex 2204 29	Quality wine, including quality wine with a designation of origin, and wine obtained from grapes of the "Gamza" vine variety designated and presented under that name or under the synonym "Kadarka"	128 000
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	1 800"

II. The following shall be added at the end of point 3(a) of the said Agreement:

"— in 2000, EUR 15 per hectolitre."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2000. It shall expire on 31 December 2000. During the first half of 2000, negotiations will take place with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits. The additional Protocol to the Europe Agreement will also lay down detailed rules for cooperation between Bulgaria and the European will progressively adopt the *acquis communautaire* relating to wine and spirits, particularly as regards reinforcing inspection structures and controlling wine production (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the content of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Republic of Bulgaria



ANNEX 2

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

amending the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines

A. *Letter from the Community*

Brussels, 3 February 2000

Sir,

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Hungary with a view to extending the Agreement beyond 31 December 1999.

I hereby confirm that, following the negotiations, the European Community and the Republic of Hungary have agreed on the following:

I. Table 1 in the Annex to the said Agreement shall be replaced by the following:

'Quantities of wine originating in the Community and qualifying for tariff reductions in 2000

Hungarian customs tariff code	Description	Quantity in hectolitres
ex 2204 21	Wine of fresh grapes	55 670
ex 2204 29		63 500
ex 2204 10	Quality sparkling wine whether or not produced in specified regions, in containers holding not more than 2 litres	3 540'

II. Table 2 in the Annex to the said Agreement shall be replaced by the following:

'Quantities of wine originating in Hungary and qualifying for tariff reductions in 2000

CN code	Description	Quantity in hectolitres
ex 2204 21	Quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tajbor"	231 930
ex 2204 29	Wine of fresh grapes	113 460
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	3 900'

III. The following shall be added at the end of point 3(a) of the said Agreement:

'— in 2000, exemption from countries duties.'

IV. The following shall be added at the end of point 3(b) of the said Agreement:

'— in 2000, exemption from customs duties.'

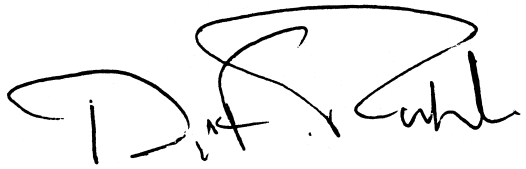
This Exchange of Letters shall be approved by the Contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on the day of its signature. It shall apply from 1 January 2000, in accordance with the respective legislation and regulations of the Contracting Parties. It shall expire on 31 December 2000. During the first half of 2000, negotiations will take place with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits. Moreover, the additional Protocol to the Europe Agreement will define the modalities for cooperation between Hungary and the European Community to support the implementation of a programme for progressive application by Hungary of the *acquis communautaire* in the field of wine and spirits, particularly as regards reinforcing the supply management and control instruments in the winegrowing sector (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union



B. *Letter from the Republic of Hungary*

Brussels, 3 February 2000

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Hungary with a view to extending the Agreement beyond 31 December 1999.

I hereby confirm that, following the negotiations, the European Community and the Republic of Hungary have agreed on the following:

I. Table 1 in the Annex to the said Agreement shall be replaced by the following:

"Quantities of wine originating in the Community and qualifying for tariff reductions in 2000

Hungarian customs tariff code	Description	Quantity in hectolitres
ex 2204 21	Wine of fresh grapes	55 670
ex 2204 29		63 500
ex 2204 10	Quality sparkling wine whether or not produced in specified regions, in containers holding not more than 2 litres	3 540"

II. Table 2 in the Annex to the said Agreement shall be replaced by the following:

"Quantities of wine originating in Hungary and qualifying for tariff reductions in 2000

CN code	Description	Quantity in hectolitres
ex 2204 21	Quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tajbor"	231 930
ex 2204 29	Wine of fresh grapes	113 460
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	3 900"

III. The following shall be added at the end of point 3(a) of the said Agreement:

"— in 2000, exemption from customs duties."

IV. The following shall be added at the end of point 3(b) of the said Agreement:

"— in 2000, exemption from customs duties."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their respective procedures.

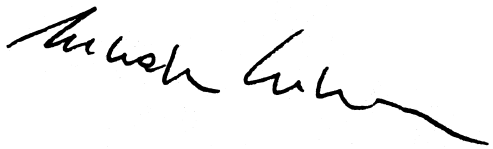
This Agreement shall enter into force on the day of its signature. It shall apply from 1 January 2000, in accordance with the respective legislation and regulations of the Contracting Parties. It shall expire on 31 December 2000. During the first half of 2000, negotiations will take place with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits. Moreover, the additional Protocol to the Europe Agreement will define the modalities for cooperation between Hungary and the European Community to support the implementation of a programme for progressive application by Hungary of the *acquis communautaire* in the field of wine and spirits, particularly as regards reinforcing the supply management and control instruments in the winegrowing sector (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the content of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Republic of Hungary



ANNEX 3

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS

amending the Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines

A. *Letter from the Community*

Brussels, 11 February 2000

Sir,

I have the honour to refer to the Agreement of 26 November 1993 in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and Romania with a view to extending the Agreement beyond 31 December 1999.

I hereby confirm that, following the negotiations, the European Community and Romania have agreed on the following:

I. The table below shall be added to the Annex to the said Agreement:

'Quantities of wine originating in Romania and qualifying for tariff reductions in 2000

CN code	Description	Quantity in hectolitres
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes, including sparkling wine and liqueur wine	188 880'

II. The following shall be added at the end of point 3(a) of the said Agreement:

'— in 2000: 75 % of the basic duty but not exceeding 10 % *ad valorem*.'

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2000. It shall expire on 31 December 2000. During the first half of 2000, negotiations will take place with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits. The additional Protocol to the Europe Agreement will also lay down detailed rules for cooperation between Romania and the European Community to support the implementation of a programme under which Romania will adopt the *acquis communautaire* relating to wine and spirits, particularly as regards reinforcing inspection structures and controlling wine production (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

On behalf of the Council of the European Union



B. *Letter from Romania*

Brussels, 11 February 2000

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'I have the honour to refer to the Agreement of 26 November 1993 in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and Romania with a view to extending the Agreement beyond 31 December 1999.

I hereby confirm that, following the negotiations, the European Community and Romania have agreed on the following:

I. The table below shall be added to the Annex to the said Agreement:

"Quantities of wine originating in Romania and qualifying for tariff reductions in 2000

CN code	Description	Quantity in hectolitres
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes, including sparkling wine and liqueur wine	188 880"

II. The following shall be added at the end of point 3(a) of the said Agreement:

"— in 2000: 75 % of the basic duty but not exceeding 10 % *ad valorem*."

This Exchange of Letters shall be approved by the Contracting Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2000. It shall expire on 31 December 2000. During the first half of 2000, negotiations will take place with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits. The additional Protocol to the Europe Agreement will also lay down detailed rules for cooperation between Romania and the European Community to support the implementation of a programme under which Romania will adopt the *acquis communautaire* relating to wine and spirits, particularly as regards reinforcing inspection structures and controlling wine production (including the establishment of a vineyard register).

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Romania

Constantin Ene