



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.8.2003
COM(2003) 525 final

Proposal for a

COUNCIL REGULATION

amending Regulation (EC) No 527/2003 authorising the offer and delivery for direct human consumption of certain wines imported from Argentina which may have undergone oenological processes not provided for in Regulation (EC) No 1493/1999

(presented by the Commission)

EXPLANATORY MEMORANDUM

Wines originating in third countries which have undergone oenological processes not allowed by Community rules may not be offered for direct human consumption in the Community, except by way of specific derogation to be decided by the Council. The derogation procedure is provided for in Article 45(2) of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine. Wines originating in Argentina may have malic acid added to control their acidity, an oenological process permitted by Argentina but prohibited in the European Union.

Negotiations between the Community, represented by the Commission, and the Argentine Republic on the respective oenological processes of the two parties are continuing with a view to concluding an agreement on trade in wine. With a view to ensuring the continued smooth progress of these negotiations, the authorisation of certain Argentine oenological processes should be extended until the entry into force of the agreement resulting from the above negotiations, but not later than 30 September 2004.

The Commission proposes that the presence of malic acid in wines originating in Argentina be authorised until the close of the negotiations currently underway between the Community and the Argentine Republic to conclude an agreement on trade in wine, but not later than 30 September 2004.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine¹, and in particular Article 45(2) thereof,

Having regard to the proposal from the Commission²,

Whereas:

- (1) Negotiations are currently underway between the Community, represented by the Commission, and Argentina on an agreement on trade in wine. These involve in particular the respective oenological processes of the two parties and the protection of geographical indications.
- (2) With a view to ensuring the continued smooth progress of these negotiations, the derogation allowing the addition of malic acid to wines produced on the territory of Argentina and imported into the Community should be extended until the entry into force of the agreement resulting from the above negotiations, but not later than 30 September 2004,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 1(1) of Council Regulation (EC) No 527/2003³ is hereby amended as follows:

"However, this authorisation shall only be valid until the entry into force of the Agreement resulting from the negotiations with Argentina on an agreement on trade in wine, and not later than 30 September 2004."

¹ OJ L 179, 14.7.1999, p. 1. Regulation last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

² OJ C ..., ..., p. ...

³ OJ L 78, 25.3.2003, p. 1.

Article 2

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

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

Done at Brussels,

*For the Council
The President*

FINANCIAL STATEMENT			
1. BUDGET HEADING: 05 02 09		APPROPRIATIONS: (PDB 2004) EUR 1 348 million	
2. TITLE: Council Regulation amending Regulation (EC) No 527/2003 authorising the offer and delivery for direct human consumption of certain wines imported from Argentina which may have undergone oenological processes not provided for in Regulation (EC) No 1493/1999			
3. LEGAL BASIS: Article 133 of the Treaty			
4. AIMS: To extend the derogation for the import of Argentine wines until 30 September 2004.			
5. FINANCIAL IMPLICATIONS	12 MONTH PERIOD (EUR million)	CURRENT FINANCIAL YEAR 2003 (EUR million)	FOLLOWING FINANCIAL YEAR 2004 (EUR million)
5.0 EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL AUTHORITIES - OTHER	p.m.	p.m.	p.m.
5.1 REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-	-	-
	2005	2006	2007
5.0.1 ESTIMATED EXPENDITURE	-	-	-
5.1.1 ESTIMATED REVENUE	-	-	-
5.2 METHOD OF CALCULATION: -			
6.0 CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?	YES NO		
6.1 CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?	YES NO		
6.2 WILL A SUPPLEMENTARY BUDGET BE NECESSARY?	YES NO		
6.3 WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS?	YES NO		
OBSERVATIONS: This is an extension of the derogation allowing Argentina to import wine into the Community. This measure could have an impact on Community expenditure as a result of the additional quantities of wine on the market. However, this impact cannot be measured.			