



COMMISSION OF THE EUROPEAN COMMUNITIES

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2001/0294(ACC)

Proposal for a

COUNCIL REGULATION

**amending Regulation (EC) No 2793/1999 as regards
the adjustment of the tariff quota for wine**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Commission has presented a proposal to the Council to amend Annex X of the Trade Development and Co-operation Agreement between the Community and South Africa. Insofar as that amendment requires a change of the volume of a tariff quota opened by Regulation (EC) No 2793/1999, it is necessary to amend that regulation accordingly. Such is the aim of the present proposal.

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amending Regulation (EC) No 2793/1999 as regards the adjustment of the tariff quota for wine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal of the Commission,

Whereas:

- (1) By Council Decision 1999/753/EC of 29 July 1999 concerning the provisional application of the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part¹, that Agreement (hereinafter referred to as "the Agreement") has been approved. It has applied provisionally from 1 January 2000.
- (2) Annex X to the Agreement contains an exchange of letters between the European Community and the Republic of South Africa, which provides for an annual duty-free tariff quota of 32 million litres of South African wine imported in bottles. Article 8 of Council Regulation (EC) No 2793/1999 of 17 December 1999 on certain procedures for applying the Trade, Development and Cooperation Agreement between the European Community and the Republic of South Africa,² defers the opening of that tariff quota for wine until the entry into force of the EC/RSA agreement on wines and spirits.
- (3) The Council has approved, on behalf of the Community, an Agreement on trade in wines, which shall enter into force on 1 January 2002. Furthermore, the Council has approved an agreement in the form of an exchange of letters amending the volume of the tariff quota for wine imported in bottles foreseen in Annex X to the Trade, Development and Cooperation Agreement.
- (4) Regulation (EC) No 2793/1999 should, therefore, be amended accordingly. However, it should be possible for the Council to reconsider the annual quantities laid down, where appropriate, should the agreements between the European Community and the Republic of South Africa on wines and spirits cease to apply and in particular should those agreements not be approved by the South African Parliament, a procedure declared necessary by the South African authorities in a letter sent to the Community on 7 December 2001,

¹ OJ L 311; 4.12.1999, p. 1.

² OJ L 337, 30.12.1999, p. 29. Regulation as amended by Regulation (EC) No 1747/2000, OJ L 200, 8.8.2000, p. 25.

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2793/1999 is amended as follows:

In the fifth column, under the title "Annual tariff quota volume, and annual growth factor", the entry corresponding to order number 09.1825 is replaced by the following:

"35 300 000 litres

(agf 3%) ⁽⁴⁾.

⁽⁴⁾ For each year 2002 through 2011 a set volume of 6 720 000 litres will be added to the basic annual quota volume. The annual growth factor will apply from 2003 to the basic quota volume of 35 300 000 litres only."

Article 2

This Regulation shall enter into force on the day following that of 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.

Done at Brussels,

For the Council
The President

FINANCIAL STATEMENT

The financial consequences of the present proposal are identical with those indicated in the proposal for a Council Decision on the concluding an agreement between the European Community and South Africa.