

Commission Regulation (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector (repealed)

CHAPTER I

IMPORT AND EXPORT LICENCES

Article 1

Common implementing rules

The common detailed rules for applying the system of import and export licences and advance-fixing certificates for agricultural products as laid down in Regulation (EC) No 1291/2000 shall apply to the licences referred to in this Chapter.

Article 2

Information given on the licence

1 Where the Combined Nomenclature code specifies the alcoholic strength of a product, a tolerance of 0,4 % by volume shall be allowed in relation to that specification for the purposes of the licence.

[^{F1}Box 20 of import licences and export licences shall contain one of the following entries:

- ‘Tolerancia de 0,4 % vol’
- ‘Přípustná odchylka 0,4 % obj.’
- ‘Tolerance 0,4 % vol’
- ‘Toleranz 0,4 % vol’
- ‘Lubatud 0,4 mahuprotsendi suurune hälve’
- ‘Αvoχή 0,4 % vol’
- ‘Tolerance of 0,4 % vol.’
- ‘Tolérance de 0,4 % vol’
- ‘Tolleranza di 0,4 % vol’
- ‘0,4 tilp. % pielaide’
- ‘Leistinas nukrypimas 0,4 tūrio %’
- ‘0,4 térfogat-százalékos tűrés’
- ‘Varjazzjoni massima ta' 0.4 % vol.’
- ‘Tolerantie van 0,4 % vol’
- ‘Tolerancja 0,4 % obj.’
- ‘Tolerância de 0,4 % vol’
- ‘Přípustná odchýlka 0,4 % obj.’
- ‘Odstopanje 0,4 vol. %’
- ‘Sallittu poikkeama 0,4 til — %’
- ‘Tolerans 0,4 vol %’.]

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

2 Box 8 of import licence applications and import licences shall show the country of origin.

Box 7 of export licence applications and licences shall show the country of destination or the zone of destination as referred to in Article 9(6) of this Regulation. Where the zone of destination is indicated, the box 'compulsory: yes' shall be ticked. Where the country of destination is indicated, the box 'compulsory: no' shall be ticked. In addition, box 20 of export licence applications and licences shall contain the entry: 'zone X compulsory'. At the request of the party concerned, the country of destination may be replaced by another country belonging to the same zone of destination.

[^{F23} Box 14 of import licence applications and import licences shall show the name of the product in line with the definitions indicated in Article 34 of this Regulation and Annex I to Council Regulation (EC) No 1493/1999, and the colour of the wine or must as 'white' or 'red/rosé'.

4 Applicants may include in a single import licence application products falling within more than one tariff code, by completing boxes 15 and 16 of the application as follows:

- a box 15: description of the product as given in the Combined Nomenclature;
- b box 16: CN codes.

The product description and CN codes entered on the application shall also be entered on the import licence.

Member States may decide that on each application box 16 may show only one tariff code.]

Textual Amendments

- F1** Substituted by Commission Regulation (EC) No 908/2004 of 29 April 2004 adapting several regulations concerning the common organisation of the market in wine by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F2** Substituted by Commission Regulation (EC) No 1220/2003 of 7 July 2003 amending Regulation (EC) No 883/2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector.

Article 3

Period of validity

1 Import licences shall be valid from their date of issue as defined in Article 23(1) of Regulation (EC) No 1291/2000 until the end of the fourth month following that date.

2 Export licences shall be valid from their date of issue as defined in Article 23(2) of Regulation (EC) No 1291/2000 until the end of the second month following that date, but may under no circumstances remain valid beyond 31 August of the GATT year in progress.

[^{F2} Article 4

Securities

1 The security for import licences shall be:

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

- a concentrated grape juice and must: EUR 2,5 per 100 kilograms or per hectolitre,
- b other grape juice and must: EUR 1,25 per 100 kilograms or per hectolitre,
- c all wines: EUR 1,25 per hectolitre.

2 The security for export licences shall be EUR 8 per hectolitre for products falling within CN codes 2009 69 11, 2009 69 19, 2009 69 51, 2009 69 71, 2204 30 92 and 2204 30 96 and EUR 2,5 per hectolitre for other products.]

Textual Amendments

- F2** Substituted by [Commission Regulation \(EC\) No 1220/2003 of 7 July 2003 amending Regulation \(EC\) No 883/2001 laying down detailed rules for implementing Council Regulation \(EC\) No 1493/1999 as regards trade with third countries in products in the wine sector.](#)

Article 5

Communications on import licences

Every Thursday, or on the first working day thereafter if the Thursday is a public holiday, Member States shall forward to the Commission, using the model shown in Annex I, information on the quantities and countries of origin of products for which import licences have been issued during the preceding week, broken down by Combined Nomenclature codes and the nomenclature codes of the countries for the Community statistics on external trade.

If the quantities for which import licence applications have been made in a Member State appear to pose a risk of disturbance for the market, that Member State shall immediately inform the Commission accordingly and shall communicate the quantities concerned, broken down by type of product.

CHAPTER II

SPECIAL EXPORT LICENCE ARRANGEMENTS UNDER THE GATT AGREEMENTS

Article 6

Aim

Under the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, hereinafter called 'the Agreement', this Chapter lays down additional rules applying to the issue of export licences with advance fixing of the refund.

Article 7

Staggering of the total quantity over the year and lodging of applications

1 The total quantity available for each GATT year shall be divided into six parts. Export licence applications may be lodged for:

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

- 25 % of the total quantity, until 15 November,
- 25 % of the total quantity, until 15 January,
- 15 % of the total quantity, until 15 March,
- 15 % of the total quantity, until 30 April,
- 10 % of the total quantity, until 30 June,
- 10 % of the total quantity, until 31 August.

2 Unused quantities from one period shall be automatically transferred to the following period within that year.

3 Export licence applications for the first period may be lodged from 16 September onwards each year.

Article 8

Categories and groups of products

1 The product categories referred to in the second paragraph of Article 14 of Regulation (EC) No 1291/2000 are listed in Annex II to this Regulation.

2 The product groups referred to in the second indent of the first subparagraph of Article 4(2) of Regulation (EC) No 800/1999 which may be entered on the licence application and licence in accordance with the fourth paragraph of Article 14 of Regulation (EC) No 1291/2000 are listed in Annex III hereto.

Article 9

Export licence applications

1 Applications for export licences may be lodged with the competent authorities from Wednesday until 1 p.m. on the following Tuesday.

2 Export licence applications lodged for a period as referred to in paragraph 1 by a single exporter may not exceed a maximum quantity of 30 000 hectolitres per zone of destination as referred to in paragraph 6. Applications relating to the same zone must be lodged with the competent body and grouped in a single communication.

If an exporter lodges applications for an overall quantity of more than 30 000 hectolitres for a single zone, all applications concerned shall be rejected by the body with which they were lodged.

Where the overall quantity still available for a zone is less than 30 000 hectolitres, the body with which the applications are lodged shall reduce the applications of exporters which exceed it to bring them in line with the quantity available.

3 Export licences shall be issued on the Monday following the Tuesday referred to in paragraph 1, or the next working day if the Monday is a public holiday, provided that the Commission has not taken other specific measures in the mean time.

4 If the quantities for which licence applications have been made, as notified to the Commission on the set day under Article 12(1), exceed the quantities still available for a period as referred to in Article 7(1), the Commission shall set an acceptance percentage applying to all the applications in question and suspend lodging of licence applications until the beginning of the following period.

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

5 If issuing the licences applied for entails a risk of premature exhaustion of the budget for the wine sector set under the Agreement, the Commission may accept the applications pending, or reject the applications for which export licences have not yet been granted and suspend lodging of applications for at most 10 working days, although a decision to extend suspension may be taken by the procedure laid down in Article 75 of Regulation (EC) No 1493/1999.

If issuing the licences applied for entails a risk of overrun of the budget for the wine sector set under the Agreement, the Commission may set an acceptance percentage applying to all the applications in hand and suspend lodging of applications up to the end of the wine year.

6 The measures provided for in paragraphs 4 and 5 may be adjusted for the category of products and the zone of destination. The zones of destination shall be:

- zone 1: Africa,
- zone 2: Asia and Australasia,
- zone 3: eastern Europe, including the CIS, and
- zone 4: western Europe.

The countries in each zone of destination are listed in Annex IV.

7 In cases where the quantity applied for is refused or reduced, the security referred to in Article 4(2) against the quantity for which the application is not accepted shall be immediately released.

8 By way of derogation from paragraph 3, in the event that a single acceptance percentage of less than 85 % is set, licences shall be issued on the third working day following publication of that percentage in the *Official Journal of the European Communities*. Prior to issue, exporters may either withdraw their applications, in which case the security referred to in Article 4(2) of this Regulation shall be released immediately, or expressly accept the licence, in which case the licence may be issued forthwith.

Article 10

Transfer of licences

Export licences issued shall not be transferable.

Article 11

Tolerance

Additional quantities exported within the tolerance referred to in Article 8(4) of Regulation (EC) No 1291/2000 shall not be eligible for the refund.

[^{F1}At least one of the following entries shall be made in box 22 of licences:

- Restitución válida para... (cantidad por la que se haya expedido el certificado) como máximo
- Náhrada platná nejvýše pro ... (mnoství, na ně byla vydána licence)
- Restitutionen omfatter højst... (den mængde, licensen er udstedt for)
- Erstattung gültig für höchstens... (Menge, für die die Lizenz erteilt wurde)
- Toetus ei kehti rohkem kui... (kogus millele litsents on väljastatud)

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

- Επιστροφή που ισχύει για... (ποσότητα για την οποία εκδίδεται το πιστοποιητικό) κατ' ανώτατο όριο
- Refund valid for not more than ... (quantity for which licence is issued)
- Restitution valable pour ... (quantité pour laquelle le certificat est délivré) au maximum
- Restituzione valida al massimo per... (quantitativo per il quale è rilasciato il titolo)
- Atmaksa ir spēkā par ne vairāk kā... (daudzums, par ko izdota licence)
- [^{XI}Grāžinamoji išmoka mokama ne daugiau kaip už ... (nurodomas kiekis, kuriam išduota licencija)]
- Legfeljebb ...-re (az a mennyiség, amelyre az engedélyt kiadták) érvényes visszatérítés
- Valur mrodd lura ta' mhux aktar minn ... (ammont mahrug fil. licenzja)
- Restitutie voor ten hoogste... (hoeveelheid waarvoor het certificaat is afgegeven)
- Refundacji udziela się na nie więcej niż ... (ilość, na którą wydano licencję)
- Restituição válida para ... (quantidade em relação à qual é emitido o certificado), no máximo
- Náhrada platná pre nie viac ako ... (mnostvo, na ktoré je licencia vydaná)
- Nadomestilo velja za največ ... (količina za katero je izdano dovoljenje)
- Vientituki voimassa enintään... (määrä, jolle todistus on annettu) osalta
- Bidrag som gäller för högst... (kvantitet foer vilken licensen skall utfärdas).]

Editorial Information

- XI** Substituted by [Corrigendum to Commission Regulation \(EC\) No 908/2004 of 29 April 2004 adapting several regulations concerning the common organisation of the market in wine by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union \(Official Journal of the European Union L 163 of 30 April 2004\)](#).

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 908/2004 of 29 April 2004 adapting several regulations concerning the common organisation of the market in wine by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union](#).

Article 12

Communications from Member States

1 Member States shall, each Wednesday or the following working day if the Wednesday is a public holiday, notify the Commission of the following:

- a the applications for export licences with advance fixing of the refund lodged between Wednesday of the preceding week and Tuesday, or the absence of applications;
- b the quantities for which export licences were issued on the preceding Monday or, as the case may be, within the interval referred to in Article 9(8);
- c the quantities for which licence applications have been withdrawn pursuant to Article 9(8) during the preceding week.

Those notifications shall also specify the zone of destination as referred to in Article 9(6).

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

2 Member States shall notify to the Commission before the 15th of each month for the previous month:

- a the quantities for which licences have been issued but not used, together with the zone of destination as referred to in Article 9(6);
- b the quantities for which refunds have been granted without a licence under the second subparagraph of Article 4(1) of Regulation (EC) No 800/1999.

These notifications shall specify the quantities referred to in paragraph 1 and the refund rate.

3 Notifications under paragraph 1 shall specify:

- [^{F2}a the quantity in hectolitres for each 12-digit product code of the agricultural product nomenclature for export refunds. In the case of licences issued for more than one 12-digit code in the same Annex II category the category number is to be given;]
- b the quantity for each code, broken down by destination if the refund rate differs according to destination;
- c the refund rate applicable in respect of the quantities covered by paragraph 1(c).

If the refund rate is modified during the licence application period, applications must be broken down for each period having a different refund rate.

4 All notifications under paragraphs 1, 2 and 3, including 'nil' notifications, shall be made using the model in Annex V.

Textual Amendments

- F2** Substituted by [Commission Regulation \(EC\) No 1220/2003 of 7 July 2003 amending Regulation \(EC\) No 883/2001 laying down detailed rules for implementing Council Regulation \(EC\) No 1493/1999 as regards trade with third countries in products in the wine sector.](#)

Article 13

Commission decisions

1 If, in the light of notifications under Article 12(2)(a), an adequate quantity becomes available again, the Commission may decide to reopen the lodging of applications for export licences.

2 The Commission shall inform Member States once a month of the extent to which the quantities and expenditure specified in the annual commitment level provided for in the Agreement for the GATT year have been used up and, when the time comes, of their exhaustion.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

CHAPTER III

ENTRY PRICE ARRANGEMENTS FOR GRAPE JUICE AND MUST

Article 14

Verification by consignment

[^{F21} For products falling within CN codes 2009 69 and 2204 30 listed in Annex I, part Three, section I, Annex 2 to the Common Customs Tariff and subject to entry price arrangements, the actual import price shall be verified by checking every consignment.]

2 'Consignment' means the goods presented under a declaration of release for free circulation. Each declaration may cover only goods of one and the same origin falling within a single Combined Nomenclature code.

Textual Amendments

F2 Substituted by [Commission Regulation \(EC\) No 1220/2003 of 7 July 2003 amending Regulation \(EC\) No 883/2001 laying down detailed rules for implementing Council Regulation \(EC\) No 1493/1999 as regards trade with third countries in products in the wine sector.](#)

Article 15

Checking

1 The import price on the basis of which the products referred to in Article 14 are classed in the Combined Nomenclature must be equal to the fob price of those products in their country of origin plus the cost of insurance and transport to the place of entry to the Community customs territory.

2 Where the import price cannot be determined on the basis of paragraph 1 of this Article, the products referred to in Article 14 shall be classed in the Combined Nomenclature on the basis of the customs value determined in accordance with Articles 30 and 31 of Council Regulation (EEC) No 2913/92⁽¹⁾.

CHAPTER IV

EXPORT REFUNDS IN THE WINE SECTOR

Article 16

Frequency

Export refunds in the wine sector shall be reviewed periodically, at least once each wine year.

Article 17

Licence requirement

Except for supplies for the special purposes referred to in Article 36 of Regulation (EC) No 800/1999 and supplies of the quantities referred to in Annex III(K) to Regulation (EC) No 1291/2000, refunds shall be granted on production of proof that the products have been exported under an export licence.

Article 18

Proof

1 Refunds shall be granted on production of proof that the products exported were accompanied on export by an analysis certificate issued by an official body of the producer Member State or the exporting Member State certifying that they meet the Community quality standards for the products in question or, in the absence of such standards, the national standards applied by the exporting Member State.

In the case of table wines or liqueur wines other than liqueur wines psr, proof shall further be furnished to show that they have been approved by a tasting committee appointed by the exporting Member State. Where this Member State is not the producer, proof shall also be provided that the wine in question is a Community table wine or liqueur wine.

The certificate referred to in the first subparagraph shall mention at least the following:

- a for table wine and liqueur wine other than liqueur wine psr:
 - the colour,
 - the total alcoholic strength by volume,
 - the actual alcoholic strength by volume,
 - the total acidity,
 - where appropriate, that the wine in question is wine as referred to in Article 28(1) of Regulation (EC) No 1493/1999 produced in excess of the normal quantity, or the quantity of such wine in the case of exports of wine resulting from coupage or blending;
- b for concentrated grape must, the measurement recorded at a temperature of 20 °C by refractometer used in accordance with the method referred to in Annex I(6) to Regulation (EC) No 1493/1999.

2 Exporters shall be obliged to inform the competent authority of the Member State:

- a for wines resulting from coupage, the origin and quantities of wines used;
- b the numbers and dates of the accompanying documents.

3 If the table wine for which a refund is requested results from coupage, as defined by Title II of Chapter V of Regulation (EC) No 1622/2000, or from blending of table wines qualifying for different refund rates, the amount of the refund shall be calculated in proportion to the quantities of table wine in the coupage or blend.

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

Article 19

Checks by the Member States

1 Member States may provide that the approval referred to in the second indent of Article 18(1) is to be granted by regional committees which certify that the wine has the quality characteristics of table wines of the production regions from which it comes.

2 Member States shall take all necessary steps to perform the checks referred to in Articles 17 and 18. However, Article 18, with the exception of paragraph 2(b) thereof, shall not apply to the table wine supplies referred to in Article 36(1)(a) of Regulation (EC) No 800/1999 for which the procedure referred to in Article 26 of the said Regulation or in Regulation (EEC) No 565/80 is not applied.

3 For the purposes of Article 18(2)(b), exporting Member States may not avail themselves of Article 4(2) of Regulation (EC) No 2238/93.

CHAPTER V

CERTIFICATES AND ANALYSIS REPORTS FOR WINE, GRAPE JUICE AND MUST ON IMPORT

Section 1

General

Article 20

Documents required

The certificate and the analysis report referred to in Article 68(1)(a)(i) and (ii), respectively, of Regulation (EC) No 1493/1999 shall form a single document:

- (a) the 'certificate' part of which shall be made out by a body of the third country in which the products originated;
- (b) the 'analysis report' part of which shall be made out by an official laboratory recognised by the third country in which the products originated.

Article 21

Contents of the analysis report

The analysis report shall include the following information:

- (a) in the case of wines and grape must in fermentation:
 - the total alcoholic strength by volume,
 - the actual alcoholic strength by volume;
- (b) in the case of grape must and grape juice, the density;

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

- (c) in the case of wines, grape must and grape juice:
- the total dry extract,
 - the total acidity,
 - the volatile acid content,
 - the citric acid content,
 - the total sulphur dioxide content,
 - the presence of varieties obtained from interspecific crossings (direct producer hybrids or other varieties not belonging to the *Vitis vinifera* species).

Article 22

Exemptions

1 No certificate or analysis report need be presented for products originating in and coming from third countries in labelled containers of not more than five litres fitted with a non-reusable closing device where the total quantity transported, whether or not made up of separate consignments, does not exceed 100 litres.

- 2 In addition, no certificate and analysis report need be presented for:
- a quantities of products not exceeding 30 litres per traveller contained in the personal luggage of travellers within the meaning of Article 45 of Council Regulation (EEC) No 918/83⁽²⁾;
 - b quantities of wine not exceeding 30 litres sent in consignments from one private individual to another, within the meaning of Article 29 of Regulation (EEC) No 918/83;
 - c wine and grape juice in labelled containers of not more than five litres fitted with a non-reusable closing device, originating in and coming from third countries whose annual imports into the Community are less than 1 000 hectolitres. The countries concerned are listed in Annex VI hereto;
 - d wine and grape juice forming part of the belongings of private individuals who are moving house;
 - e wine and grape juice for trade fairs as defined in the relevant provisions of Regulation (EEC) No 918/83, provided that the products in question are put up in labelled containers of not more than two litres fitted with a non-reusable closing device;
 - f quantities of wine, grape must and grape juice imported for the purpose of scientific and technical experiments, subject to a maximum of one hectolitre;
 - g wines and grape juice for diplomatic, consular or similar establishments, imported as part of their duty-free allowance;
 - h wines and grape juice held on board international means of transport as victualling supplies.

3 The case of exemption referred to in paragraph 1 may not be combined with the cases of exemption referred to in paragraph 2.

Article 23

Exclusion

This Chapter shall not apply to Boberg liqueur wines accompanied by a certificate of designation of origin.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

Section 2

Requirements to be met and detailed rules for drawing up and using the certificate and analysis report for imports of wine, grape juice and grape must

Article 24

V I 1 document

1 The certificate and analysis report for each consignment intended for import into the Community shall be drawn up on a single V I 1 document. ‘Consignment’ means the quantity of a product consigned by one consignor to one consignee.

This document shall be drawn up on a V I 1 form corresponding to the specimen shown in Annex VII and complying with the technical requirements set out in Annex VIII. It shall be signed by an officer of an official body and by an official of a recognised laboratory as referred to in Article 29.

2 Where the product concerned is not intended for direct human consumption, the analysis report section of the V I 1 form need not be completed.

In the case of wine put up in labelled containers of a capacity not exceeding 60 litres, fitted with non-reusable closing devices, and provided that the wine originates in a country appearing in Annex IX which has offered special guarantees accepted by the Community, the analysis report section of the V I 1 form need be completed only in respect of:

- the actual alcoholic strength by volume,
- the total acidity,
- the total sulphur dioxide content.

Article 25

Description of documents

1 V I 1 forms shall comprise a typed or handwritten original and a simultaneously produced copy, in that order. V I 2 forms shall comprise an original and two copies, in that order. The V I 2 form shall be an extract made out in accordance with the specimen shown in Annex X, containing the data appearing on a V I 1 document or another V I 2 extract and stamped by a Community customs office.

Both the original and the copy shall accompany the product. V I 1 and V I 2 forms must be completed either in typescript or by hand, or by equivalent technical means recognised by an official body. Handwritten forms shall be completed in ink and in capital letters. No erasures or overwriting shall be permitted. Any alterations shall be made by crossing out the incorrect particulars and, where appropriate, adding those required. Any change made in this way must be approved by its author and stamped, as the case may be, by the official agency, the laboratory or the customs authorities.

2 V I 1 documents and V I 2 extracts shall bear a serial number allocated, in the case of V I 1 documents, by the official agency whose officer signs the certificate and, in the case of V I 2 extracts, by the customs office which stamps them in accordance with Article 28(2) and (3).

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

Article 26

Simplified procedure

1 V I 1 documents drawn up by wine producers in the third countries listed in Annex IX which have offered special guarantees accepted by the Community shall be considered as certificates or analysis reports drawn up by agencies and laboratories included in the list referred to in Article 29 provided that the producers have received individual approval from the competent authorities of those third countries and are subject to inspection by the latter.

2 Approved producers as referred to in paragraph 1 shall use V I 1 forms giving in box 10 the name and address of the official agency of the third country which approved them. Producers shall complete the form, entering in addition:

- in box 1, their names and addresses and their registration numbers in the third countries listed in Annex IX,
- in box 11, at least the particulars referred to in Article 24(2).

They shall sign in the space provided in boxes 10 and 11, after striking out the words 'name and title of official'.

Neither stamps nor the name and address of the laboratory shall be required.

Article 27

Derogations

1 Application of Articles 24(2) and 26 may be suspended if it is found that the products to which these measures apply have been the subject of falsification likely to result in a health risk to consumers or of oenological practices not authorised in the Community.

[^{F3}2 Article 24(2) and Article 26 shall apply until 31 December 2005.]

Textual Amendments

- F3** Substituted by [Commission Regulation \(EC\) No 2338/2003 of 30 December 2003 amending Regulation \(EC\) No 883/2001 laying down detailed rules for implementing Council Regulation \(EC\) No 1493/1999 as regards trade with third countries in products in the wine sector.](#)

Article 28

Use

1 The original and the copy of V I 1 documents or V I 2 extracts shall be handed over to the competent authorities of the Member State in which the customs formalities required for putting into free circulation the consignment to which they relate are carried out, on completion of those formalities.

The authorities shall, where necessary, endorse the back of the V I 1 document or the V I 2 extract. They shall return the original to the person concerned and keep the copy for at least five years.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

2 Where a consignment is to be reconsigned complete before entry into free circulation, the new consignor shall give the customs authorities supervising the consignment the V I 1 document or the V I 2 extract relating to that consignment as well as, if appropriate, a V I 2 form completed consecutively.

The authorities shall verify that the particulars entered on the V I 1 document agree with those entered on the V I 2 form or that the particulars entered on the V I 2 extract agree with those entered on the V I 2 form completed consecutively, and shall then stamp the latter, which shall then be equivalent to the V I 2 extract, and endorse the document or previous extract accordingly. They shall return the extract and the original of the V I 1 document or the previous V I 2 extract to the new consignor and keep the copy of the document or previous extract for at least five years.

However, a V I 2 form need not be completed where a consignment of a product is re-exported to a third country.

3 Where a consignment is split before it enters into free circulation, the person concerned shall give the original and the copy of the V I 1 document or the V I 2 extract relating to the consignment to be split to the customs authorities supervising that consignment, together with a V I 2 form and two copies completed consecutively for each new consignment.

The authorities shall verify that the particulars entered on the V I 1 document or on the V I 2 extract correspond to those on the V I 2 form completed consecutively for each new consignment, and shall then stamp the latter, which shall then be equivalent to the V I 2 extract, and endorse accordingly the back of the V I 1 document or the V I 2 extract on which it was based. They shall return the V I 2 extract together with the V I 1 document or the V I 2 extract previously completed to the person concerned and keep a copy of each of these documents for at least five years.

Article 29

List of competent bodies

1 The Commission shall draw up and update lists containing the names and addresses of the agencies and laboratories, and of the wine producers authorised to draw up V I 1 documents, on the basis of notifications from the competent authorities of third countries. It shall publish these lists in the 'C' series of the *Official Journal of the European Communities*.

2 The notifications from the competent authorities of third countries referred to in paragraph 1 shall contain:

- a the names and addresses of the official agencies and laboratories approved or appointed for the purpose of drawing up V I 1 documents;
- b the names, addresses and official registration numbers of the wine producers authorised to draw up V I 1 documents.

The lists shall contain only agencies and laboratories as referred to in point (a) of the first subparagraph which have been authorised by the competent authorities of the third country concerned to provide the Commission and the Member States, on request, with any information required to evaluate the data appearing on the document.

3 The lists shall be updated, in particular to take account of changes of address and/or name of agencies or laboratories.

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

Article 30

Indirect imports

In cases where a wine is exported from a third country in whose territory it was prepared (hereinafter: ‘the country of origin’) to another third country (hereinafter: ‘the exporting country’), from which it is then exported to the Community, the competent authorities of the exporting country may draw up the V I 1 document for the wine concerned on the basis of a V I 1 document or equivalent drawn up by the competent authorities of the country of origin, without having to perform further analyses on the wine, if that wine:

- (a) has already been bottled and labelled in the country of origin and remains so; or
- (b) is exported in bulk from the country of origin and bottled and labelled in the exporting country without any further processing.

The competent authority of the exporting country shall certify on the V I 1 document that the wine in question is a wine to which the first subparagraph refers and that it fulfils the conditions set out therein.

[^{F4}The original or a certified copy of the V I 1 document or equivalent of the country of origin shall be attached to the V I 1 document of the exporting country.

The only countries of origin for the purposes of this Article shall be those appearing on the list, published under Article 29(1), of agencies and laboratories that are appointed by third countries to complete the documents that must accompany each consignment of imported wine.]

Textual Amendments

- F4** Inserted by [Commission Regulation \(EC\) No 1220/2003 of 7 July 2003 amending Regulation \(EC\) No 883/2001 laying down detailed rules for implementing Council Regulation \(EC\) No 1493/1999 as regards trade with third countries in products in the wine sector.](#)

Article 31

Conformity of oenological practices

1 Subject to Article 45 and Article 46(1)(a), (b) and (c) of Regulation (EC) No 1493/1999 and the provisions adopted to implement them, products originating in third countries may be offered or delivered for direct human consumption only if they were produced, in the case of the oenological practices referred to in Annex V(C), (D) and (E) of Regulation (EC) No 1493/1999, in compliance with the limits specified for the Community wine-growing zone in which the natural production conditions are equivalent to those in the production region in which they originate.

The assessment of the equivalence of production conditions shall be conducted on the basis of proposals from the competent authorities of the third country concerned, in accordance with the procedure laid down in Article 75 of Regulation (EC) No 1493/1999.

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

2 Where the competent authorities of a Member State suspect that a product originating in a third country does not comply with paragraph 1, they shall inform the Commission thereof without delay.

Article 32

Special rules for particular wines

1 In the case of liqueur wines and wines fortified for distillation, the V I 1 documents shall be recognised as valid only where the official agency as referred to in Article 29 has entered the following in box 15:

‘the alcohol added to this wine is certified as being wine alcohol’.

The entry shall be accompanied by the following information:

- a the full name and address of the issuing agency;
- b the signature of an official of the agency;
- c the agency's stamp.

2 For wines eligible for a tariff reduction on importation into the Community, the V I 1 documents may serve as a certificate testifying to the designation of origin which is entitled to such arrangements, where the official agency has entered the following in box 15:

‘the wine covered by this document is certified as having been produced in the ... wine-growing region and was given the designation of origin shown in box 6 in accordance with the provisions of the country of origin’.

The entry shall be accompanied by the information provided for in the second subparagraph of paragraph 1.

CHAPTER VI

ANALYTICAL DEROGATIONS FOR CERTAIN IMPORTED WINES

Article 33

1 The following wines may be imported into the Community for direct human consumption:

[^{F5}a wines originating in Hungary, with a total alcoholic strength by volume exceeding 15 % vol, without enrichment, designated:]

(i) [^{F5}.....]

(ii) [.....]

[^{F2}b wines originating in Switzerland that are comparable to quality wines psr, have a total acidity expressed as tartaric acid of more than 3 grams per litre, are compulsorily designated by a geographical indication and are at least 85 % derived from grapes of one or more of the following vine varieties:

- Chasselas,
- Müller-Thurgau,
- Sylvaner,
- Pinot noir,
- Merlot;]

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

- c wines originating in Romania, with a total alcoholic strength by volume exceeding 15 % vol, without enrichment, designated ‘VSOC’ or ‘Vinuri de calitate superioara cu denumire de origine si trepte de calitate’ and bearing one of the following geographic indications:

- Cernavoda,
- Cotnari,
- Medgidia,
- Murfatlar,
- Nazarcea,
- Pietroasa^[F6;]

- [F7d wines originating in Canada, with an actual alcoholic strength of not less than 7 % vol and a total alcoholic strength by volume exceeding 15 % vol, without enrichment, designated:

- by a geographical indication, and
- by the term ‘Icewine’,

under the conditions laid down by the legislation of the Provinces of Ontario and British Columbia.]

- 2 [F1For the purposes of paragraph 1(b), (c) and (d), the official agency of the country of origin authorised to draw up document V I 1 as referred to in this Regulation shall enter the following in box 15 of that document:]

‘It is hereby certified that this wine meets the conditions laid down in Article 68(1)(b) (i)(ii) of Regulation (EC) No 1493/1999 and in Regulation (EC) No 883/2001’.

The official agency shall authenticate this entry by affixing its stamp.

Textual Amendments

- F1** Substituted by Commission Regulation (EC) No 908/2004 of 29 April 2004 adapting several regulations concerning the common organisation of the market in wine by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F2** Substituted by Commission Regulation (EC) No 1220/2003 of 7 July 2003 amending Regulation (EC) No 883/2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector.
- F5** Deleted by Commission Regulation (EC) No 908/2004 of 29 April 2004 adapting several regulations concerning the common organisation of the market in wine by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia to the European Union.
- F6** Substituted by Commission Regulation (EC) No 885/2001 of 24 April 2001 amending Regulations (EEC) No 3201/90, (EC) No 1622/2000 and (EC) No 883/2001 laying down detailed rules for the application of the common organisation of the market in wine, with regard to wines originating in Canada and having the right to the designation ‘Icewine’.
- F7** Inserted by Commission Regulation (EC) No 885/2001 of 24 April 2001 amending Regulations (EEC) No 3201/90, (EC) No 1622/2000 and (EC) No 883/2001 laying down detailed rules for the application of the common organisation of the market in wine, with regard to wines originating in Canada and having the right to the designation ‘Icewine’.

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

CHAPTER VII

DEFINITIONS OF CERTAIN PRODUCTS IN THE WINE SECTOR ORIGINATING IN THIRD COUNTRIES

Article 34

Definitions

The definitions of the following products in the wine sector, originating in third countries and falling within CN codes 2009 and 2004, shall be as shown in Annex XI:

- (a) fresh grape must with fermentation arrested by the addition of alcohol;
- (b) concentrated grape must;
- (c) rectified concentrated grape must;
- (d) liqueur wine;
- (e) sparkling wine;
- (f) aerated sparkling wine;
- (g) semi-sparkling wine;
- (h) aerated semi-sparkling wine;
- (i) wine of overripe grapes.

[^{F8}CHAPTER VIIa

SPECIFIC PROVISIONS ON EXPORTS

Article 34a

1 The Member States shall send the Commission the lists of official or officially recognised bodies that they propose should issue attestations proving that the wine in question meets the conditions for access to the concessions provided for in the agreements with third countries.

2 The Commission shall act on behalf of the Community in drawing up and exchanging, jointly with the third country concerned, the list of official bodies authorised to draw up the attestations referred to in paragraph 1 and the equivalent certificate issued by the third country concerned.

3 The Commission shall provide the list referred to in paragraph 2 in a form and on a medium that it deems suitable.]

Textual Amendments

- F8** Inserted by [Commission Regulation \(EC\) No 812/2002 of 16 May 2002 amending Regulation \(EC\) No 883/2001 laying down detailed rules for implementing Council Regulation \(EC\) No 1493/1999 as regards trade with third countries in products in the wine sector.](#)

CHAPTER VIII

FINAL PROVISIONS

Article 35

Repeal

Regulations (EEC) No 3388/81, (EEC) No 3389/81, (EEC) No 3590/85, and (EC) No 1685/95 and (EC) No 1281/1999 are hereby repealed.

Article 36

Entry into force

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

It shall apply from 1 February 2001.

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

Status: Point in time view as at 01/01/2005.

Changes to legislation: There are currently no known outstanding effects for the
Commission Regulation (EC) No 883/2001 (repealed). (See end of Document for details)

- (1) [OJ L 302, 19.10.1992, p. 1.](#)
- (2) [OJ L 105, 23.4.1983, p. 1.](#)

Status:

Point in time view as at 01/01/2005.

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 883/2001 (repealed).