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COM (83) 749

Vol. 1983/0265

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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

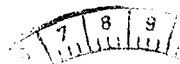
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 749 final

Brussels, 15 December 1983



Proposal for a

COUNCIL REGULATION (EEC)

extending the period of application of Council Regulation (EEC) No 3310/75
on agriculture in the Grand Duchy of Luxembourg

(submitted to the Council by the Commission)

COM(83) 749 final

EXPLANATORY MEMORANDUM

1. Council Regulation (EEC) No 541/70 of 20 March 1970 (1) states that the provisions of the second subparagraph of Article 1(1) of the Protocol on the Grand Duchy of Luxembourg shall remain applicable until 31 December 1973 at the latest. This provision refers to Article 6(3) of the Convention on the Economic Union of Belgium and Luxembourg of 25 July 1981 stating that "no excise duty may be imposed on non-sparkling domestically produced natural wines made from fresh grapes."

In the Protocol this exemption was extended to the entire territory of the Benelux and the Council was before the end of the transitional period to decide by qualified majority on a proposal from the Commission whether the derogations granted to the Grand Duchy were to be maintained, altered or abolished.

2. Since 1973 the Council has decided each year to extend the period of validity of the provision of the Protocol by one year with the proviso that should excise duties on wine be increased in the Benelux countries the advantage granted to Luxembourg wines under the Protocol should not be increased. This proviso was written into Council Regulation (EEC) No 3310/75 (2), the validity of which was last prolonged, until 31 December 1983, by Council Regulation (EEC) No 3533/82 of 17 December 1982 (3).
3. By a letter dated 29 September 1983 (No SG(83)A/8209) the Permanent Representation of the Grand Duchy of Luxembourg requested the Commission on behalf of its Government to propose that the Council extend the period of validity of the Regulation by another year.

The Luxembourg Government considers that pending the harmonization of specific duties on wine in the Community the reasons which in 1970 justified the proposals to prolong the status quo and the Council Regulation of 20 March of that same year remain fully valid.

The attached Regulation extends the validity of the Regulation until 31 December 1984.

(1) OJ No L 68, 25. 3.1970, p. 3.
(2) OJ No L 328, 20.12.1975, p. 12.
(3) OJ No L 371, 30.12.1982, p. 3.

4. This arrangement has not had any appreciable effect on imports of wine from the other Member States into the Benelux countries. As will be seen from Table I the import trend from 1973/74 to 1981/82 is similar to that in other Member States such as Germany.
5. It must also be borne in mind that the excise duty exemption from which Luxembourg wine benefits also helps the incomes of winegrowers in Luxembourg. As will be seen from Table II the amount of the revenue shortfall represents 8 to 11% of the value of final viticultural production. The gross added value at market price, which is closer to the producer's income represents approximately 60% of final agricultural production in Luxembourg and it may therefore be reckoned that the measure in question represented still more than 10% of viticultural income in 1981 and that its elimination could cause a marked drop in the quantities of Luxembourg wine sold in the Benelux countries.

TABLE I

Trend of intra-Community trade in wine: Member States' imports (1)

(1973/74 - 1981/82 marketing years)

BTN heading 22.05: Wine of fresh grapes

(hectolitres)

Importing Member State	1973/74	1974/75	1975/76	1976/77	1977/78	1978/79	1979/80	1980/81	1981/82
France	3.046.580	7.129.584	7.211.785	5.360.261	6.300.604	8.273.289	5.437.804	7.933.710	6.443.481
BLEU	1.185.609	1.222.078	1.245.166	1.343.886	1.275.676	1.469.288	1.537.081	1.544.633	1.571.389
Netherlands	717.783	824.798	955.891	956.259	1.039.363	1.086.790	1.152.864	1.241.922	1.333.327
FR Germany	5.190.556	5.488.912	6.581.778	6.392.290	6.068.472	5.754.043	6.437.779	7.567.509	7.876.482
Italy	375.317	147.119	141.003	156.628	153.353	130.566	123.996	98.858	80.166
United Kingdom	1.241.122	1.101.456	1.185.998	1.463.761	1.550.653	1.997.016	2.023.720	2.385.661	2.669.472
Ireland	36.427	30.280	43.676	57.454	71.346	81.344	76.744	84.489	81.483
Denmark	145.697	202.446	328.896	344.028	382.753	448.141	466.643	545.568	655.654
Greece	11.140	886	1.560	2.070	2.937	2.919	2.212	718	2.782
EUR 10	11.950.231	16.147.559	17.695.753	16.076.637	16.845.157	19.243.396	17.258.843	21.403.068	20.714.236

Sources : EUROSTAT

Information notified by the Member States

(1) Member States' import statistics.

TABLE II

Estimate of relationship between arrival revenue shortfall and value of final viticultural production (1) (%)

1976	10,3%
1977	10,5%
1978	8,9%
1979	9,3%
1980	7,5%
1981	8,3%

(1) Based on information provided by the Luxembourg Ministry of Agriculture on the quantities of Luxembourg wine consumed in the Member States.

PROPOSAL FOR A
COUNCIL REGULATION (EEC)

extending the period of application of Council Regulation (EEC) No 3310/75 on
agriculture in the Grand Duchy of Luxembourg

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Protocol on the Grand Duchy of
Luxembourg annexed thereto,

Having regard to Council Regulation (EEC) No
3310/75 of 16 December 1975 on agriculture in the
Grand Duchy of Luxembourg ⁽¹⁾, as last amended by
Regulation (EEC) No 3533/82 ⁽²⁾, and in particular
Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under the second subparagraph of Article 1
(1) of the Protocol on the Grand Duchy of Luxem-
bourg, Belgium and the Netherlands are to apply the
system provided for in the third paragraph of Article 6
of the Convention on the Economic Union of
Belgium and Luxembourg of 25 July 1921; whereas
the period of application of this system was last
extended by Regulation (EEC) No 3533/82; whereas
the Council has to decide to what extent these provi-
sions should be retained, amended or discontinued;

Whereas the application of the said system in favour
of Luxembourg wines will continue to be of benefit to
the agricultural income of the Grand Duchy of
Luxembourg in the sector concerned;

Whereas having regard to the other reasons set out in
Regulation (EEC) No 3310/75, the period of applica-
tion of the latter Regulation should be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 2 of Regulation (EEC)
No 3310/75, '31 December 1983' shall be replaced by
'31 December 1984'.

Article 2

This Regulation shall enter into force on 1 January
1984.

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

Done at Brussels,

For the Council
The President

⁽¹⁾ OJ No L 328, 20. 12. 1975, p. 12.

⁽²⁾ OJ No L 371, 30.12.1982, p. 3