

WORLD TRADE ORGANIZATION

G/TBT/N/EEC/57

24 February 2004

(04-0785)

Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>EUROPEAN COMMUNITIES</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: European Commission Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EC-TBT Enquiry Point, Fax: 0032 2 299 80 43, E-mail: ec-tbt@cec.eu.int
3.	Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Certain wine sector products, especially quality wines
5.	Title, number of pages and language(s) of the notified document: Commission Regulation of [...]amending Regulation (EC) No 753/2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products. (35 pages, in English)
6.	Description of content: Commission Regulation (EC) No 753/2002 was notified under the TBT Agreement on 10 June 2002 (G/TBT/N/EEC/15). Following this notification, a number of third countries submitted comments and expressed concerns about the text. In the light of these comments, two informal consultations were held in Geneva on 16 October 2002 and 16 July 2003 to explain the new rules and listen to third countries' concerns. The draft Regulation modifying Regulation (EC) No 753/2002 takes account of the comments submitted and the results of the discussions. The modifications concern the use of traditional expressions and the regulatory requirements for the use of wine particulars. As regards traditional expressions, third countries will have the possibility to use traditional expressions, like "ruby", "cru" and "fino", provided that they fulfil equivalent conditions to those required from Member States. It means, in concrete terms, that an expression has to be used by a third country producer for a period of minimum ten years, has gained a certain reputation and the use of the term is either conform with applicable rules or covered by rules laid down by representative producer organizations. A third country would have to

<p>submit, as do Member States, a dossier to the Commission, who would authorize the use of the traditional expression, if the conditions were fulfilled.</p> <p>With regard to the wine particulars, given that several third countries do not have the same level of centralized regulation as the Community, some requirements are amended.</p> <p>The Community is notifying the modification of Regulation (EC) No 753/2002 under the TBT Agreement in order to inform third countries and to ensure full transparency.</p>
<p>7. Objective and rationale, including the nature of urgent problems where applicable: To take account of the comments submitted on notification G/TBT/N/EEC/15 and the results of the subsequent discussions.</p> <p>The Regulation aims at protecting the legitimate interests of the consumers and producers in the sense to ensure that quality wine sector products are truthfully labelled.</p> <p>Due to a transitional period in the draft Regulation expiring on 15 March 2004, the Regulation has to be published on 24 February 2004 with an entry into force the third day following its day of publication in the Official Journal of the European Union.</p>
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> - Commission Regulation (EC) No 753/2002 of 29 April 2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products (<i>Official Journal L 118</i>, 04/05/2002 P. 0001 – 0054) - Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organization of the markets in wine (OJ L 179 14.7.1999, p. 1)
<p>9. Proposed date of adoption: As soon as possible</p> <p>Proposed date of entry into force: The third day following that of its publication in the Official Journal of the European Union which is due to be 24 February 2004.</p>
<p>10. Final date for comments: -</p>
<p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:</p> <p>European Commission, EC-TBT Enquiry Point, Fax: 0032 2 299 80 43, E-mail: ec-tbt@cec.eu.int</p>