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A7-0293/2013

23.9.2013

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council
on amending Council Regulation (EC) No 1215/2009 in relation to tariff
quotas for wine
(COM(2013)0187 – C7-0090/2013 – 2013/0099(COD))

Committee on International Trade

Rapporteur: Iuliu Winkler

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on amending Council Regulation (EC) No 1215/2009 in relation to tariff quotas for wine (COM(2013)0187 – C7-0090/2013 – 2013/0099(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0187),
 - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0090/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade (A7-0293/2013),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Article 1 – point 1 (new)

Regulation (EC) No 1215/2009

Article 7a – paragraphs 2 and 3

Text proposed by the Commission

Amendment

Regulation (EC) No 1215/2009 is amended as follows:

(1) In Article 7a, paragraphs 2 and 3 are replaced by the following:

'2. The power to adopt delegated acts referred to in Article 7 shall be conferred on the Commission for a period of five years from ...+. The Commission shall draw up a report in respect of the delegation of power not later than *nine* months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 7 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

+ OJ: Please insert the date of entry into force of this Regulation.';

Amendment 2

Proposal for a regulation

Article 1 – point 2

Regulation (EC) No 1215/2009

Annex I

Text proposed by the Commission

Annex I to *Regulation (EC) No 1215/2009* is replaced by the text set out in the Annex to this Regulation.

Amendment

(2) Annex I is replaced by the text set out in the Annex to this Regulation.

Justification

Point (1) and a reference to Regulation (EC) No 1215/2009 have been inserted to Article 1 of the draft Regulation by means of AM 1, which makes it necessary to adapt accordingly the current wording of Article 1 of the draft Regulation.

EXPLANATORY STATEMENT

Council Regulation (EC) No 1215/2009 of 30 November 2009 establishes a system of exceptional trade measures for countries or territories participating in or linked to the European Union's Stabilisation and Association process. In practice, it grants exceptional and unlimited duty-free access to the EU market for almost all products originating from Albania, Bosnia and Herzegovina, Croatia, Kosovo, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia. Such asymmetric liberalization would normally impinge on the WTO rules on non-discrimination. However, these trade preferences for the Western Balkans are explicitly allowed by a WTO waiver until 31 December 2015.

With the exception of Kosovo, all the above-listed countries have concluded Stabilization and Association Agreements or Interim Agreements on trade and trade-related matters with the EU. The concessions granted under such contractual trade regimes are in many respects more favourable than those offered under Council Regulation (EC) No 1215/2009. Thus, this regulation has been progressively amended so as to remove these countries from the list of beneficiaries of the tariff concessions for the same products under the contractual trade regimes, and to adjust the global tariff quota volumes for those products for which tariff quotas are granted under the contractual trade regimes. However, these countries remain beneficiaries under Regulation (EC) No 1215/2009 in so far as that this regulation provides for concessions which are more favourable than those under the contractual trade regimes.

The preferential tariff treatment enshrined in Regulation (EC) No 1215/2009 does not apply, *inter alia*, to wine. This regulation provides that wine is imported from all the Western Balkans through a global tariff quota, setting a quantity of wine that can be imported at a no or lower duty. On top of this, Stabilisation and Association Agreements or Interim Agreements grant the respective countries a specific individual tariff quota for wine. In practice, the global tariff quota for wine of 50.000 hl established under Regulation (EC) No 1215/2009 is open to all the beneficiaries, but only after exhaustion of their specific quota available under the respective Stabilisation and Association Agreement or Interim Agreement.

Kosovo has no Stabilisation and Association Agreement or Interim Agreement with the EU, and thus can benefit solely from the global tariff quota established under Regulation (EC) No 1215/2009. But when such global tariff quota is exhausted by other countries, Kosovan exporters lose preferential access to the EU market. As Kosovo has demonstrated the potential to export wine to the EU, the proposed regulation aims at correcting this asymmetry by allocating a specific tariff quota for wine of 20.000 hl to Kosovo, which is deducted from the global quota of 50.000 hl provided for in Council Regulation 1215/2009, hence reduced to 30.000 hl. This is achieved by amending ANNEX I of Council Regulation 1215/2009.

At this stage, the rapporteur considers the proposed regulation to be grounded on a reasonable approach, which aims at levelling the playing field with respect to imports of wine into the EU from all Western Balkans. The rapporteur underscores the fact that the allocation of a specific tariff quota for wine originating from Kosovo would not entail an overall increase of the global tariff quota for wine allowed to be imported by the Western Balkans, but would simply alter its distribution, correcting the alleged disadvantageous position of Kosovan wine exporters. It appears, moreover, that the level of the wine quota allocated to Kosovo is set on the basis of past trade in that product, and as this is the method which is customarily followed

to determine the levels of quotas, there appear to be no disproportional allocation of wine to Kosovo in comparison to the individual tariff quotas for wine allocated to the other Western Balkans under the Stabilisation and Association Agreements or Interim Agreements. For these reasons, at this stage, the rapporteur has no amendments to the Commission proposal. The rapporteur finally stresses the urgency of this legislative procedure, as in order not to disrupt trade, the amended Regulation (EC) No 1215/2009 would have to be adopted and published in the Official Journal of the European Union before 31 December 2013. The rapporteur is in contact with the upcoming Presidency and with the Council Secretariat to ensure a swift adoption of the proposal at hand.

PROCEDURE

Title	Tariff quotas for wine
References	COM(2013)0187 – C7-0090/2013 – 2013/0099(COD)
Date submitted to Parliament	8.4.2013
Committee responsible Date announced in plenary	INTA 16.4.2013
Committee(s) asked for opinion(s) Date announced in plenary	AGRI 16.4.2013
Not delivering opinions Date of decision	AGRI 24.4.2013
Rapporteur(s) Date appointed	Iuliu Winkler 25.4.2013
Discussed in committee	10.7.2013
Date adopted	17.9.2013
Result of final vote	+: 26 –: 1 0: 0
Members present for the final vote	William (The Earl of) Dartmouth, Laima Liucija Andrikienė, Maria Badiá i Cutchet, María Auxiliadora Correa Zamora, Andrea Cozzolino, George Sabin Cutaş, Marielle de Sarnez, Yannick Jadot, Metin Kazak, Bernd Lange, David Martin, Vital Moreira, Paul Murphy, Cristiana Muscardini, Franck Proust, Godelieve Quisthoudt-Rowohl, Niccolò Rinaldi, Helmut Scholz, Peter Šťastný, Robert Sturdy, Henri Weber, Jan Zahradil
Substitute(s) present for the final vote	Amelia Andersdotter, Josefa Andrés Barea, Elisabeth Köstinger, Mario Pirillo, Jarosław Leszek Wałęsa
Substitute(s) under Rule 187(2) present for the final vote	Jean-Pierre Audy, Krzysztof Lisek
Date tabled	23.9.2013