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REGULATION (EEC) No 2312/71 OF THE COUNCIL

of 29 October 1971

amending Regulation (EEC) No 816/70 laying down additional provisions for the common organisation of the market in wine

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas Article 29 (1) of Council Regulation (EEC) No 816/70[1] of 28 April 1970 laying down additional provisions for the common organisation of the market in wine, as last amended by Regulation (EEC) No 1627/71[2] provides for accompanying documents for all the products listed in Article 1 of that Regulation which are in circulation within the Community; whereas a date which allows time for the preparation of the necessary administrative instruments should be fixed for implementing that system; whereas provisional measures should be permitted in trade between Member States until that date in order that the circulation of the products in question should be under control;

Whereas Article 30 of Regulation (EEC) No 816/70 provides for the adoption by the Council of the rules relating to the designation and presentation of the products falling within heading No 22.05 of the Common Customs Tariff; whereas a detailed study of the problem has shown that it would be useful to be able to adopt similar provisions for the other products listed in Article 1 of that Regulation; whereas the rules in question should, however, be adopted in the near future for the products of greatest economic importance;

HAS ADOPTED THIS REGULATION:

Article 1

The following text shall be substituted for the text of Article 29 of Regulation (EEC) No 816/70:

'1. From 1 September 1972 at the latest, the products listed in Article 1 may be put into circulation within the Community only with an officially checked accompanying document.

For the period ending 31 August 1972 and without prejudice to national provisions on the circulation of products within a Member State, provisions may be adopted with regard to the documents which must accompany the products listed in Article 1 when traded between Member States.

2. From 1 September 1972 at the latest, natural or legal persons who hold the products listed in Article 1 in the exercise of their profession, in particular producers, bottlers, processers and merchants to be determined, shall be obliged to keep turnover records in respect of those products.

3. Detailed rules for the application of this Article, and in particular the nature and form of the document referred to in paragraph 1, and the derogations from this Article shall be adopted in accordance with the procedure provided for in Article 7 of Regulation No 24.'

Article 2

The following text shall be substituted for the text of Article 30 (1) of Regulation (EEC) No 816/70:

[1] OJ No L 99, 5.5.1970, p. 1.
[2] OJ No L 170, 29.7.1971, p. 3.

'1. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt, where necessary, the rules relating to the designation and presentation of the products listed in Article 1.

As regards products falling within headings Nos 22.04 and 22.05 of the Common Customs Tariff, those rules shall be adopted not later than 31 March 1972.

Until the entry into force of the rules referred to in the first subparagraph, the rules on this matter shall be those adopted by the Member States.'

Article 3

This Regulation shall enter into force on 1 November 1971.

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

Done at Brussels, 29 October 1971.

For the Council

The President

L. NATALI