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REGULATION (EEC) No 1564/72 OF THE COUNCIL

of 20 July 1972

making a second amendment to Regulation (EEC) No 1093/70 concerning the addition of alcohol to products in the wine sector originating in the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 816/70[1] of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 2722/71[2] and in particular Article 25 (2) thereof;

Having regard to the proposal from the Commission;

Whereas pursuant to Article 25 (1) of Regulation (EEC) No 816/70 the addition of alcohol to the products listed in Article 1 (2) of that Regulation is prohibited, with the exception of wines fortified for distillation and liqueur wines; whereas Article 25 (2) of the Regulation does, however, permit derogations from this prohibition;

Whereas Council Regulation (EEC) No 1093/70[3] of 8 June 1970 concerning the addition of alcohol to products in the wine sector originating in the Community, as amended by Regulation (EEC) No 1598/71,[4] specifies the products which are the subject of that derogation;

Whereas Article 1 (a) of Regulation (EEC) No 1093/70 has made provision for the addition of alcohol to table wines and qualitiy wines p.s.r. when they are exported to third countries under certain conditions, either to take into account the consumer habits of these countries or to prevent climatic conditions or transport from affecting the quality of the exported wines; whereas the non-European territories of Member States are in the same situation as the third countries in question; whereas this possibility should be extended to consignments of these products to these territories; whereas, however, to enforce the prohibition on the addition of alcohol, the sale of these products should be forbidden in the European territories of the Member States; whereas to simplify control, re dispatching to the European territories of Member States should be prohibited;

Whereas under Article 3a of Regulation (EEC) No 1093/70 Article 1 (c) and Article 2 (2) of that Regulation are not applicable until 31 August 1972; whereas the purpose of this deferment was to allow a trial period;

Whereas the trial period has not proved long enough, but this measure has caused no difficulties; whereas in view of the lack of uniformity of the definitions of products coming under heading No 22.06 of the Common Customs Tariff, the period of application of these provisions should be extended;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 1 (a) of Regulation (EEC) No 1093/70:

'(a) table wines and quality wines p.s.r., where climatic conditions or consumer habits necessitate an addition of alcohol and where they are exported to third countries or dispatched to the non-European territories of Member States, on condition that in this latter case they are not redispatched to the European territories of Member States.'

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[1] OJ No L 99, 5.5.1970, p. 1.
[2] OJ No L 282, 23.12.1971, p. 1.
[3] OJ No L 128, 12.6.1970, p. 1.
[4] OJ No L 168, 27.7.1971, p. 1.

Article 2

In Article 3a of Regulation (EEC) No 1093/70, the date 31 August 1973 shall be substituted for the date 31 August 1972.

Article 3

This Regulation shall enter into force on 1 September 1972.

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

Done at Brussels, 20 July 1972.

For the Council

The President

T. WESTERTERP