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COMMISSION REGULATION (EEC) No 176/72

of 26 January 1972

supplementing Regulation (EEC) No 1437/70 on storage contracts for table wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (1), as last amended by Regulation (EEC) No 2722/71 (2), and in particular Article 6 (4) thereof,

Whereas Article 8 (1) of Regulation (EEC) No 1437/70 (3), as last amended by Regulation (EEC) No 91/72 (4), stipulates that a storage contract may not be concluded for a period beginning before the date of the conclusion of the contract;

Whereas the way in which the intervention agencies operate in one producer Member State does not yet permit storage contracts to be concluded promptly after presentation of the application; whereas, to mitigate the consequences of this situation for producers in that Member State, provision should be made for a measure of retroactivity in respect of contracts for which applications are received after 30 November 1971;

Whereas intervention agencies should however be in a position to operate effectively; whereas this derogation should therefore be confined to the 1971/72 wine-growing year;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for the second subparagraph of Article 8 (1) of Regulation (EEC) No 1437/70:

'Notwithstanding the previous subparagraph, the period of validity of a storage contract for which written application is received by the competent agency between 1 December 1971 and 31 August 1972 shall commence on the day on which the application is received.

However, the period of validity of storage contracts for which written application is received by the competent agency after 29 December 1971 shall commence not more than 30 days before the date of the conclusion of the contract.'

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 26 January 1972.

For the Commission
The President
Franco M. MALFATTI

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 282, 23. 12. 1971, p. 1.
(3) OJ No L 160, 22. 7. 1970, p. 16.
(4) OJ No L 11, 14. 1. 1972, p. 29.