30.12.72 Official Journal of the European Communities No L 297/1

REGULATION (EEC) No 2814/72 OF THE COMMISSION

of 22 December 1972

amending Regulations (EEC) Nos 1769/72 and 1022/70 relating to the movement of products in the wine sector and repealing Regulations (EEC) Nos 1699/70 and 1700/70 on the control of certain products in that sector

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[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 1651/72,[2] and in particular Articles 26 (6), 27 (5), 28 (5), 29 (3) and 35 thereof;

Whereas, pursuant to Articles 26, 27 and 28 of Regulation (EEC) No 816/70, wines suitable for yielding table wines and certain other products in the wine sector should be subject to special control; whereas the details of that control were the subject of Commission Regulations (EEC) No 1700/70[3] of 25 August 1970 on the control of wines suitable for yielding table wines and (EEC) No 1699/70[4] of 25 August 1970 on the control of certain products in the wine sector;

Whereas Commission Regulation (EEC) No 1769/72[5] of 26 July 1972 drawing up accompanying documents and determining the obligations of wine producers and traders other than retailers, established a system of accompanying documents; whereas that system is supplemented, for the products in question, by the drawing up of a copy;

Whereas it is therefore necessary to repeal those provisions of Regulations (EEC) Nos 1699/70 and 1700/70 which concern the entering of certain statements in the community transit documents and, further, to specify in Regulation (EEC) No 1769/72 those products which should be subject to special control;

Whereas, moreover, unforeseen difficulties prevent certain Member States from introducing the use of the documents within the requisite period; whereas it is therefore necessary to defer the date of application of Regulation (EEC) No 1769/72 and to extend the period of validity of the provisional system of accompanying certificates set up by Commission Regulation (EEC) No 1022/70[6] of 29 May 1970 introducing accompanying certificates for certain wines for a transitional period, as last amended by Regulation (EEC) No 1595/72[7];

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

Article 10 (3) of Regulation (EEC) No 1769/72 is replaced by the following:

'3. For wines suitable for yielding table wines and for the following products:

(a) products originating in the Community:

— grape juice, in containers holding more than 5 litres,

— concentrated grape juice,

— wine lees,

— grape marc,

— piquette,

[1] OJ No L 99, 5.5.1970, p. 1.
[2] OJ No L 174, 1.8.1972, p. 52.
[3] OJ No L 190, 26.8.1970, p. 9.
[4] OJ No L 190, 26.8.1970, p. 6.
[5] OJ No L 191, 21.8.1972, p. 1.
[6] OJ No L 118, 1.6.1970, p. 20.
[7] OJ No L 169, 27.7.1972, p. 20.

— wine fortified for distillation,

— other products which cannot be offered for direct human consumption;

(b) products not originating in the Community:

— fresh grapes, excluding table grapes,

— grape must,

— concentrated grape must,

— grape must in fermentation,

— grape juice imported in containers holding more than 5 litres,

— imported concentrated grape juice,

— wine lees,

— grape marc,

— piquette,

— wine fortified for distillation,

— other products which cannot be offered for direct human consumption;

a copy for the purposes of control shall be drawn up in addition to the original document. This copy shall be sent by the competent authority of the place of loading to the competent authority of the place of unloading not later than the first working day following the day on which the document was drawn up.

However, Member States may authorise the natural or legal persons referred to in the second subparagraph of Article 4 (2), whom they authorise to draw up the copy in question, to act instead of the competent authority in sending it.'

Article 2

The second subparagraph of Article 19 (2) of Regulation (EEC) No 1769/72 is repealed.

Article 19 (3) of that Regulation is replaced by the following:

'3. For the application of paragraphs 1 and 2, Member States may authorise already existing records to be adapted.

For the records referred to in the preceding paragraphs, the provisions of Articles 15 and 16 (3) shall also apply.'

Article 3

The date 1 January 1973 appearing in the second subparagraph of Article 28 of Regulation (EEC) No 1769/72 is replaced by the date 1 April 1973.

Article 4

The date 31 December 1973 appearing in Article 12 (2) of Regulation (EEC) No 1022/70 is replaced by the date 31 March 1973.

Article 5

Regulations (EEC) Nos 1699/70 and 1700/70 are repealed with effect from 31 March 1973.

Paragraphs 2 and 3 of Article 8 of Regulation (EEC) No 1769/72 are repealed. Paragraphs 4, 5, 6, 7 and 8 of that Article are renumbered 2, 3, 4, 5 and 6.

Article 6

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, 22 December 1972.

For the Commission

The President

S. L. MANSHOLT