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REGULATION (EEC) No 765/72 OF THE COMMISSION

of 14 April 1972

on a second amendment to Regulation (EEC) No 1020/70 on recording quotations and fixing average prices for table wines

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 organization of the market in wine, as last amended by Regulation (EEC) No 2722/71[2], and in particular Articles 4 (3) and 5 (7) thereof;

Whereas Articles 2 (1) (b) and 3 (1) (c) of Commission Regulation (EEC) No 1020/70[3] of 29 May 1970 on recording quotations and fixing average prices for table wines, as amended by Regulation (EEC) No 1184/70[4], determined the representative markets for wines of the A I type in the French and Italian Republics; whereas recent experience has shown that hardly any transactions were effected at Montpellier, Lecce and Rome in respect of that type of wine; whereas those representative markets should therefore be deleted from the list and Bari and Chieti substituted for Lecce and Rome respectively; whereas, in view of the importance of Florence as a marketing centre for wines of the R 1 type, this centre should be included in the list of representative markets for wines of the R I type for the Italian Republic which appears in Article 3 (1) (a) of that Regulation;

Whereas Article 7 of Regulation (EEC) No 1020/70 provides that the commissions collect at least once a week information relating to the transactions which took place between producers and purchasers and forward it to the competent agency; whereas, in order to make quotations more representative, transactions which do not relate to a specific minimum quantity should be excluded; whereas this minimum quantity should be fixed solely by reference to average transactions in respect of the different types of wines;

Whereas Article 8 (1) of that Regulation provides that Member States shall, without delay, forward to the Commission by telex the information received from each commission set up for recording quotations; whereas, to avoid difficulties during the publishing of prices by the Commission, a time limit should be set for information to reach the Commission;

Whereas the Italian version of Article 8 (2) (c) of that Regulation differs from the texts in the other languages of the Community; whereas the Italian version should therefore be brought into line with the other versions;

Whereas Article 10 (1) of Regulation (EEC) No 1020/70 provides that the Commission must fix the average price taking account in particular of the extent to which the quotations notified are representative, the comments of the Member States, the alcoholic strength and the quality of table wines which have been the subject of the transactions; whereas, so that the average prices fixed may give a true picture of the situation, provision should be made for only quotations recorded at one marketing centre in respect of a specific quantity of the type of wine in question to be taken into consideration; whereas this quantity should be fixed by taking account of the average quantities in respect of which all transactions for the different types of wine have been carried out;

Whereas paragraph 2 of that Article provides that when the Commission has no information regarding any one marketing centre, it shall maintain the average price for the preceding week; whereas, in order to avoid the last published price being constantly maintained in cases where quotations are

[1] OJ No L 99, 5.5.1970, p. 1.
[2] OJ No L 282, 23.12.1971, p. 1.
[3] OJ No L 118, 1.6.1970, p. 16.
[4] OJ No L 138, 25.6.1970, p. 15.

not communicated over a long period, a time limit on the application of this rule should be provided for in order to ensure that prices remain representative;

Whereas, furthermore, experience has shown that quotations commissions are sometimes unable to record prices over fairly long periods; whereas a provision should therefore be laid down whereby only those marketing centres for which quotations have been recorded during a certain period should be taken into consideration for the suspension of the conclusion of storage contracts;

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

1. The centre 'Montpellier' shall be deleted from the list in Article 2 (1) (b) of Regulation (EEC) No 1020/70.

2. The centre 'Firenze' shall be inserted after 'Asti' in Article 3 (1) (a) of Regulation (EEC) No 1020/70.

3. Article 3 (1) (c) of Regulation (EEC) No 1020/70 shall be amended to read as follows:

'(c) for table wines of the A I type

Bari, Cagliari, Chieti, Ravenna (Lugo, Faenza), Trapani (Alcamo), Treviso.'

Article 2

Article 7 of Regulation (EEC) No 1020/70 shall be amended to read as follows:

'1. The commissions shall collect at least once a week information relating to the transactions which took place between producers and purchasers during the days following their previous recording. They shall only consider information relating to quantities of:

— at least 200 hl for table wines of the R I and A I types;

— at least 100 hl for table wines of the R II type;

— at least 30 hl for table wines of the A II, A III and R III types.

2. The commissions shall forward to the competent agency the information referred to in paragraph 1.'

Article 3

Article 8 (1) of Regulation (EEC) No 1020/70 shall be amended to read as follows.

'1. Member States shall, not later than Monday each week, forward to the Commission by telex the information received from each commission during the previous week together, where appropriate, with their comments, in particular in respect of the trend of quotations.

Where there is no commission for a marketing centre, the information provided for in paragraph 2 shall be collected by the Member State concerned.'

Article 4

In the Italian version of Article 8 (2) (e) of Regulation (EEC) No 1020/70, the words 'per il periodo in questione le transazioni considerate' shall be substituted for the words 'le transazioni per il periodo considerato.'

Article 5

Article 10 of Regulation (EEC) No 1020/70 shall be amended as follows:

'1. The Commission shall fix the average price referred to in Article 9 (1) on the basis of the average of the quotations notified, taking account in particular of the extent to which they are representative, the comments of the Member States, the alcoholic strength and the quality of table wines which have been the subject of transactions. Quotations shall be disregarded if they relate to transactions of total quantities of less than:

— 2 000 hl for table wines of the R I and A I types;

— 1 000 hl for table wines of the R II type;

— 500 hl for table wines of the A II, A III and R III types.

2. Where the Commission has no information regarding any one marketing centre, it shall maintain the average price of the previous fixing. However, if no quotations for that marketing centre are communicated for three consecutive weeks, that marketing centre shall not, as long as this situation continues, be taken into consideration when average prices are being fixed. This shall not prevent the conclusion of storage contracts from being suspended.

3. Where no quotation is recorded for a marketing centre for three consecutive weeks, this shall not prevent the conclusion of storage contracts from being suspended.'

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, 14 April 1972.

For the Commission

The President

S. L. MANSHOLT