REGULATION (EEC) No 1832/74 OF THE COMMISSION

of 15 July 1974

laying down detailed rules governing the distillation of table wines during the period from 15 July to 30 September 1974

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 1532/74 [2], and in particular Articles 7 (3) and 35 thereof;

Whereas, pursuant to Article 7 of Regulation (EEC) No 816/70, Council Regulation (EEC) No 1794/74 [3] of 10 July 1974 laying down general rules governing the distillation of table wines during the period from 15 July to 30 September 1974, makes it possible, for producers of table wines to have their wines distilled;

Whereas, in order to support the market, it should also be permitted to distill wines in respect of which storage contracts have been concluded under Articles 5 and 6 of Regulation (EEC) No 816/70.

Whereas producers who terminate storage contracts for this purpose must so inform the intervention;

Whereas provision should be made to ensure that the minimum price referred to in Article 3 of Regulation (EEC) No 1794/74 is in fact paid; whereas, in particular, Member States should be able to require the assignment of the aid from the distiller to the producer as an advance against the contract price for the delivery of the wine;

Whereas the competent agencies referred to in Article 8 of Regulation (EEC) No 1794/74 and the Commission must be kept informed of the progress of distillation operations and in particular of the quantities of table wine distilled and the quantities of alcohol obtained;

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 conclusion of a contract for the delivery of wine for distillation under Regulation (EEC) No 1794/74 shall terminate any storage contract concluded in respect of that wine under Article 6 of Regulation (EEC) No 816/70. The producer shall so inform the intervention agency forthwith.

2. However, wines for which storage contracts have been concluded and which may have benefited from a rehousing aid, shall not be entitled to benefit from an aid for distillation.

Article 2

Member States may require that contracts as referred to in Article 2 of Regulation (EEC) No 1794/74 be concluded through the intervention agency in order to ensure payment of the minimum price referred to in Article 3 of that Regulation.

Article 3

1. The aid shall be paid to the distiller.

Member States may however require that the aid be assigned to the producer, on condition that the latter receives a price which, with the aid included, is not less than the minimum price referred to in Article 3 of Regulation (EEC) No 1794/74;

2. The aid shall be paid not more than 30 days after the distillation.

Article 4

1. Distillers shall not later than 1 August, 1 September and 1 October 1974, communicate to the competent agency referred to in Article 8 of Regulation (EEC) No 1794/74, copies of all contracts concluded pursuant to that Regulation during the periods preceding such dates, together with details of the quantities of table wine distilled and the quantities, expressed as pure alcohol, of the products obtained therefrom, distinguishing between the products referred to in the first indent of Article 5 of Regulation (EEC) No 1794/74 and those referred to in the second indent of that Article.

[1] OJ No L 99, 5. 5. 1970, p. 1.
[2] OJ No L 166, 21. 6. 1974, p. 1.
[3] OJ No L 187, 11. 7. 1974, p. 29.

2. Member States shall not later than 10 August, 10 September and 10 October 1974 communicate to the Commission, as regards the respective preceding periods, the quantities of wines distilled and the quantities, expressed as pure alcohol, of the products obtained therefrom distinguishing such products as provided in paragraph 1.

Article 5

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

2. It is applicable from 15 July 1974.

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

Done at Brussels, 15 July 1974.

For the Commission

The President

François-Xavier ORTOLI