REGULATION (EEC) No 3088/74 OF THE COMMISSION

of 6 December 1974

laying down detailed rules for the distillation of wine of quality lower than table wine and originating in certain areas affected by adverse weather conditions

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 Article 38 thereof;

Having regard to Council Regulation (EEC) No 2981/74 [3] of 27 November 1974 laying down general rules for the distillation of wine of quality lower than table wine and originating in certain areas affected by adverse weather conditions, and in particular Article 9 thereof;

Whereas under Regulation (EEC) No 2981/74 producers from certain weather-affected areas whose wines are of a quality unsuitable for use as table wine may have those wines distilled;

Whereas, in order to ensure that the measures provided for are applied only in those areas of the French departments specified in Article 1 of that Regulation actually affected, it is necessary to define those areas more closely;

Whereas provision should be made to ensure that the minimum price referred to in Article 4 of Regulation (EEC) No 2981/74 is in fact paid; whereas, in particular, Member States should be authorized to require that the aid to the distiller be made over to the producer as an advance in respect of the contract price for the wine to be delivered;

Whereas the competent agency as referred to in Article 8 of Regulation (EEC) No 2981/74 and the Commission must be kept informed of the progress of distillation operations and in particular of the quantities of 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

The distillation of wine shall be authorized in the following areas:

— Gers:
Montréal, Cazaubon, Condom, Nogaro, Eauze, Aignan, Riscle, Plaisance, Vic-Fezensac, Valence-sur-Baïse, Fleurance

— Haute-Garonne:

Fronton, Villemur, Carbonne

— Tarn-et-Garonne:

Grisolles, Montech, Castelsarrasin, Auvillar, Verdun-sur-Garonne, Montauban

— Tarn:

Rabastens, Lisle-sur-Tarn, Gaillac, Castelnau-de-Montmiral, Lavaur, Cadalen, Albi, Cordes

— Landes:

Gabarret, Roquefort, Villeneuve-de-Marsan, Grenade-sur-l'Adour, Aire-sur-l'Adour

— Aude:

Alaigne, Alzonne, Axat, Belcaire, Belpech, Carcassonne (Est-Ouest), Castelnaudary (Nord et Sud), Chalabre, Conques-sur-Orbiel, Couiza, Fanjeaux, Limoux, Mas-Cabardès, Montréal, Quillan, St-Hilaire, Saissac, Salles-sur-l'Hers.

Article 2

In order to ensure that the minimum price as specified in Article 4 of Regulation (EEC) No 2981/74 is paid, the competent national authorities may require that contracts as referred to in Article 3 of that Regulation be concluded through the intermediary of the intervention agency.

Article 3

1. The aid shall be paid to the distiller.

The competent national authorities may, however, require that the aid be made over to the producer, with the proviso that the latter is to receive a price which, including the aid, must not be less than the minimum price specified in Article 4 of Regulation (EEC) No 2981/74.

[1] OJ No L 99, 5. 5. 1970, p. 1.
[2] OJ No L 166, 21. 6. 1974, p. 1.
[3] OJ No L 318, 28. 11. 1974, p. 3.

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

Article 4

1. Distillers shall communicate to the competent agency referred to in Article 8 of Regulation (EEC) No 2981/74 :

(a) not later than 2 January 1975, copies of all contracts concluded pursuant to that Regulation between 1 and 15 December 1974 ;

(b) not later than 15 February 1975, details of the quantities of wine distilled under the abovementioned contracts and the quantities, expressed as pure alcohol, of the products obtained therefrom, distinguishing between the products referred to in the first indent of Article 6 of Regulation (EEC) No 2981/74 and those referred to in the second indent of that Article.

2. Member States shall not later than 28 February 1975 inform the Commission by telex of the quantities of wine distilled and of the quantities, expressed as pure alcohol, of the products obtained therefrom, distinguishing between 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 shall apply with effect from 1 December 1974.

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

Done at Brussels, 6 December 1974.

For the Commission

The President

François-Xavier ORTOLI