REGULATION (EEC) No 267/75 OF THE COUNCIL

of 31 January 1975

laying down general rules for table wine distilling operations which should end on 6 June 1975

THE COUNCIL 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 3166/74 (2), and in particular Article 7 (1) thereof ;

Having regard to the proposal from the Commission ;

Whereas Article 7 of Regulation (EEC) No 816/70 provides that where granting of aid to private storage of table wine alone is unlikely to be effective in restoring price levels, arrangements may be adopted for such wine to be distilled ;

Whereas aids have been granted to the private storage of table wine since the end of 1973 in the case of wines of types R I, R III, A I and A II, and whereas the prices of these wines are for the most part below the activating prices ;

Whereas the fact of its being possible to conclude nine-month storage contracts between 16 December 1974 and 15 February 1975 with respect to table wine types R I, R II and A I has not as yet served to restore price levels to any appreciable extent ;

Whereas the large crop from the current year and large stocks from the previous year have created availabilities substantially in excess of the normal requirements for this wine-growing year ;

Whereas the conditions are present for launching a distilling operation ;

Whereas it is necessary to specify the conditions for this operation ; whereas in particular the price of the wines to be distilled must not provide an incentive to the production of wines intended primarily for distilling, while at the same time it must be sufficiently attractive for the operation to be effective ;

Whereas it is necessary to make provision for the possibility of reducing the quantity to be distilled in the light of the wine market situation ;

Whereas to limit the scope of the measure it is necessary to restrict its duration ;

Whereas the prices of wines for distilling do not under normal conditions allow for the marketing of the products obtained from this operation ; whereas it is accordingly necessary that aid should be paid that the amount thereof should be determined, bearing in mind normal costs, at a level such that marketing of the products obtained is possible ;

Whereas it is necessary that in each Member State concerned a body should be responsible for the implementation of the provisions in question,

HAS ADOPTED THIS REGULATION :

Article 1

Distilling of table wine shall be permitted under the conditions laid down by this Regulation.

Article 2

1. Producers wishing to have all or part of their table wine crop distilled shall, where appropriate through the intervention agency conclude contracts for the supply of table wine with distillers of their choice covering a quantity which may be reduced in accordance with the provisions of Article 4 (2).

2. These contracts shall :

(a) provide for the purchase by the distiller of the quantity of table wine in question ;

(b) require the distiller to distil this wine and to pay for it at least the price indicated in Article 3.

3. They shall indicate :

(a) the quantity, colour and actual alcoholic strength of the table wine to be distilled ;

(b) the name and address of the producer ;

(c) the place where the wine is stored ;

(d) the name of the distiller or the registered business or company name of the distillery ;

(e) the address of the distillery.

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 388, 17. 12. 1974, p. 1.

Article 3

1. The minimum purchase price of table wine for distilling shall be 1·58 units of account per degree per hectolitre.

2. This price shall apply to the unlabelled product ex producer's premises.

Article 4

1. For each supply contract a request to distil shall be made by the producer before 1 March 1975 to the competent intervention agency.

The intervention agencies shall inform the Commission at the earliest opportunity of the requests made.

2. Where the total quantity of table wines resulting from the requests to distil which have been submitted exceeds the quantity necessary to improve the market situation, it may be decided to limit distillation to a quantity lower than this total quantity. In this case, the quantity indicated in each request shall be reduced proportionately.

3. Distillation of table wines may only begin three days after the entry into force of a decision on the quantity to be distilled and may not take place after 6 June 1975.

Article 5

Products distilled from table wine may have an alcoholic strength of either

— 86° and over or,

— 85° and under,

with a tolerance of 0·4° either way.

Article 6

1. For each hectolitre of wine distilled an aid shall be paid by the intervention agency.

2. The amount of the aid shall be :

— 0·92 unit of account per degree per hectolitre where the wine has been converted into a product under Article 5 first indent ;

— 0·78 unit of account per degree per hectolitre where the wine has been converted into a product under Article 5 second indent.

3. The aid shall be payable only upon production of the contracts referred to in Article 2 and of evidence that :

— the request to distil was made before 1 March 1975 ;

— distillation has not taken place after 6 June 1975.

Article 7

1. The Member States shall designate an intervention agency to be responsible for the implementation of the provisions of this Regulation.

2. Competence shall rest with the intervention agency of the Member State where distillation is effected.

Article 8

This Regulation shall enter into force on the day of 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, 31 January 1975.

For the Council

The President

G. FITZGERALD