REGULATION (EEC) No 644/75 OF THE COMMISSION

of 12 March 1975

fixing countervailing charges in the wine 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 organization of the market in wine, as last amended by Regulation (EEC) No 3166/74 (2), and in particular Article 9 (6) thereof ;

Whereas Article 9 (3) of Regulation (EEC) No 816/70 provides that a countervailing charge must be levied on imports of a wine and of wines of the same category where the free-at-frontier offer price for that wine, plus customs duties, is lower than the reference price for that wine ; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier offer price plus customs duties ;

Whereas Commission Regulation (EEC) No 3157/74 (3) of 13 December 1974 fixed the reference prices for wine for the period 16 December 1974 to 15 December 1975 ;

Whereas, in respect of each wine for which a reference price is fixed, a free-at-frontier offer price for all imports is determined on the basis of all the available information ; whereas the nature of that information is specified in Article 1 (1), (2) and (3) of Commission Regulation (EEC) No 1019/70 (4) of 29 May 1970 on detailed rules for establishing free-at-frontier offer prices and fixing the countervailing charge in the wine sector, as last amended by Regulation (EEC) No 612/75 (5) ;

Whereas, in accordance with Articles 1 and 3 of Regulation (EEC) No 1019/70, free-at-frontier offer prices must be established on the basis of the most advantageous purchasing possibilities for the products in question, and no account should be taken of data concerning supplies which have no economic effect on the market, in particular by reason of the small quantities involved ;

Whereas, in accordance with Article 2 of Regulation (EEC) No 1019/70, the prices used must be adjusted if they do not apply free-at-Community-frontier or to a wine corresponding to that whose guide price was taken into account in fixing the reference price ;

Whereas, pursuant to Article 8 of Regulation (EEC) No 1019/70, when a countervailing charge is fixed for imports of red or white wine, a countervailing charge must be fixed for imports of musts of the same colour ; whereas in that case the countervailing charge to be levied on must is calculated by weighting the amount of the charge applicable to the corresponding wine with a coefficient which takes account of the ratio of 0·95 existing on the Community market between the average price of must and that of wine ;

Whereas, the countervailing charge for a product must be fixed per degree/hectolitre or per hectolitre according to whether the reference price for that product is fixed per degree/hectolitre or per hectolitre ;

Whereas, in accordance with Article 4 (2) of Regulation (EEC) No 1019/70, the countervailing charge must be altered when a noticeable variation in the free-at-frontier offer price is recorded ;

Whereas it follows from applying these rules to the information at present available to the Commission that the countervailing charge should be fixed as follows ;

Whereas the Management Committee for Wine has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The countervailing charges applicable in the wine sector are fixed at the following levels :

1. Red wine : 0·22 u.a. per degree/hl.
2. White wine other than that referred to in 3 : 0·20 u.a. per degree/hl.
3. White wine offered for import under the name of 'Riesling' or 'Sylvaner' : 0 u.a. per hectolitre.

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 338, 17. 12. 1974, p. 1.
(3) OJ No L 334, 14. 12. 1974, p. 34.
(4) OJ No L 118, 1. 6. 1970, p. 13.
(5) OJ No L 64, 11. 3. 1975, p. 2.

4. Liqueur wine other than that referred to in 5 : 1·21 u.a. per degree/hl.
5. Liqueur wines intended for processing : 0 u.a. per degree/hl.
6. Wine fortified for distillation : 0 u.a. per degree/hl.
7. Grape must with fermentation not arrested by the addition of alcohol :
   (a) White : 0·19 u.a. per degree/hl.
   (b) Other : 0·21 u.a. per degree/hl.

Article 2

This Regulation shall enter into force on 1 April 1975.

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

Done at Brussels, 12 March 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission