COUNCIL REGULATION (EEC) No 1164/76

of 17 May 1976

amending Regulation (EEC) No 865/68 on the common organization of the market in products processed from fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament [1],

Having regard to the opinion of the Economic and Social Committee [2],

Whereas the organization of the market in wine does not cover grape juice or unfermented grape must with an added sugar content exceeding 30 % by weight, which up to now have been governed by Council Regulation (EEC) No 865/68 of 28 June 1968 on the common organization of the market in products processed from fruit and vegetables [3], as last amended by Regulation (EEC) No 981/75 [4]; whereas, without prejudice to the applicability thereto of Articles 59 and 94 of the Act of Accession [5], it has been found desirable to bring the products in question within the scope of Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine [6], as last amended by Regulation (EEC) No 1160/76 [7] and, in particular, to include in Regulation (EEC) No 816/70 the provisions of Regulation (EEC) No 865/68 concerning the charging of the levy and the granting of the refund on the sugar added to such products; whereas Regulation (EEC) No 865/68 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 865/68 shall be amended as follows:

1. Heading No 'ex 20.07: grape juice (including grape must), not containing spirit, with an added sugar content exceeding 30 % by weight' of the Common Customs Tariff referred to in Article 1 shall be deleted.

2. In Annex I the description of the goods falling within Common Customs Tariff heading No 20.07 shall be amended as follows:

   (a) under A, subheading I b) 1 shall be deleted;

   (b) under B I b), subheading 1 shall be deleted.

3. In Annex II, Common Customs Tariff heading No 20.07 shall be replaced by the words '20.07 (with the exception of juices (including grape must))'.

Article 2

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

This Regulation shall apply from 1 July 1977.

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

Done at Brussels, 17 May 1976.

For the Council

The President

J. HAMILIUS

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(1) OJ No C 179, 6. 8. 1975, p. 36.
(2) OJ No C 108, 15. 5. 1975, p. 65.
(3) OJ No L 153, 1. 7. 1968, p. 8.
(4) OJ No L 95, 14. 4. 1975, p. 2.
(5) OJ No L 73, 27. 3. 1972, p. 14.
(6) OJ No L 99, 5. 5. 1970, p. 1.
(7) See page 1 of this Official Journal.