COMMISSION REGULATION (EEC) No 2108/76

of 26 August 1976

on the recording of quotations and the fixing of average prices and weighted average prices for table wines

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 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (1), as last amended by Regulation (EEC) No 1167/76 (2), and in particular Articles 4 (3) and 35 thereof,

Whereas Commission Regulation (EEC) No 1020/70 of 29 May 1970 on recording quotations and fixing average prices for table wines (3), as last amended by Regulation (EEC) No 528/74 (4), lays down detailed rules governing the fixing of average prices for table wines; whereas Council Regulation (EEC) No 1160/76 of 17 May 1976 (5) amended Article 4 of Regulation (EEC) No 816/70 by introducing a weighted average price to be determined by the Commission; whereas both the average and weighted average prices must be published in the 'C' series of the *Official Journal of the European Communities*; whereas it is therefore necessary to replace Regulation (EEC) No 1020/70;

Whereas Article 4 (1) of Regulation (EEC) No 816/70 provides that for each type of wine for which a guide price is fixed the Commission must determine each week, for the type of wine in question on the basis of all facts available to it, an average producer price (hereinafter called 'average price') for each representative market and a weighted average price;

Whereas it is therefore necessary to specify the representative markets for the different types of wine;

Whereas paragraph 2 of the same Article 4 provides that Member States shall supply the Commission with all relevant information for fixing these prices, and in particular the producer prices recorded on the representative markets for each type of wine;

Whereas it is necessary to specify in detail the manner in which quotations are to be recorded and both average and weighted average prices determined;

Whereas, in order that the market survey may be as uniform as possible throughout the Community, it is advisable that the relevant information should be collected in the various Member States by special boards set up by them to monitor the trend of prices for each representative market serving an area of a certain size; whereas representation on such boards should be determined by reference to the economic importance of the parties concerned;

Whereas, in order that the transactions recorded may be representative, those relating to a quantity below a specified minimum should be excluded; whereas this minimum should be fixed solely by reference to average transactions in respect of the different types of wines;

Whereas the average prices are producer prices; whereas it is therefore advisable to limit the recording of prices to Member States which produce table wines, and to prices applied between producers and purchasers; whereas, in order that such prices may be assessed, the information relating to them should be as precise as possible;

Whereas, to avoid difficulties as regards the publication of the said prices, a time limit should be set for the transmission to the Commission of the relevant information;

Whereas the various quotations forwarded to the Commission are to serve as a basis for the calculation of weighted average prices in accordance with Article 4 (1) of Regulation (EEC) No 816/70; whereas it is therefore necessary that the said quotations reflect the actual situation of the market;

Whereas average prices are to be determined by the Commission having regard, in particular, to the extent to which quotations notified are representative, the comments of the Member States, and the alcoholic strength and quality of the table wines concerned; whereas, in order that the average prices fixed may give a true picture of the situation, it should be provided that only quotations recorded at one representative market in respect of a specific quantity of the type of wine in question are to be taken into

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 135, 24. 5. 1976, p. 42.
(3) OJ No L 118, 1. 6. 1970, p. 16.
(4) OJ No L 64, 6. 3. 1974, p. 8.
(5) OJ No L 135, 24. 5. 1976, p. 1.

consideration ; whereas this quantity should be fixed by reference to the average quantities involved in all transactions in respect of the different types of wine ;

Whereas it seems justifiable to prohibit the conclusion of storage contracts even in the case where no weighted average price has been fixed for a certain period ;

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 representative markets of the Federal Republic of Germany shall be :

(a) for table wines of the R III type :

Rheinpfalz-Rheinhessen (Hügelland) ;

(b) for table wines of the A II type :

Rheinpfalz (Oberhaardt), Rheinhessen (Hügelland) ;

(c) for table wines of the A III type :

Mosel-Rheingau.

Article 2

The representative markets of the French Republic shall be :

(a) for table wines of the R I type :

Bastia, Béziers, Montpellier, Narbonne, Nîmes, Perpignan ;

(b) for table wines of the R II type :

Bastia, Brignoles ;

(c) for table wines of the A I type :

Bordeaux, Nantes.

Article 3

The representative markets of the Italian Republic shall be :

(a) for table wines of the R I type :

Asti, Firenze, Lecce, Pescara, Reggio Emilia, Treviso, Verona (for local wines) ;

(b) for table wines of the R II type :

Bari, Barletta, Cagliari, Lecce, Taranto ;

(c) for table wines of the A I type :

Bari, Cagliari, Chieti, Ravenna (Lugo, Faenza), Trapani (Alcamo), Treviso.

Article 4

The representative market of the Grand Duchy of Luxembourg shall be the wine-growing region of the Luxembourg Moselle for table wines of the A II and A III types.

Article 5

A special board for the recording of quotations hereinafter called 'board') shall be set up by the Member States, where it does not exist already, for each of the representative markets as set out in Articles 1 to 4 corresponding to an area under vines exceeding 2 000 hectares.

Article 6

When setting up a board, Member States shall ensure that all the parties concerned are represented in proportion to their importance on the representative market concerned.

Article 7

1. Every board shall at least once a week compile a return of the transactions concluded between producers and purchases in the period since the previous return. The transactions recorded must relate to quantities of at least :

— 200 hl for table wines of the R I and A I types,

— 100 hl for table wines of the R II type,

— 30 hl for table wines of the A II, A III and R III types.

2. The various boards shall forward to the competent agency the information referred to in paragraph 1.

Article 8

1. Member States shall, not later than the Monday of each week, forward to the Commission by telex the information received from each board during the previous week, together with their comments as appropriate, in particular in respect of the trend of quotations.

Where there is no board for a representative market, the information specified in paragraph 2 shall be collected by the Member State concerned.

2. The information shall relate to :

(a) prices ;

(b) the colour or, where appropriate, the type of wine under consideration ;

(c) the alcoholic strength, in the case of table wines quoted per degree/hl ;

(d) the vine variety, in the case of table wines of the R III, A II and A III types ;

(e) the quantity covered by the transactions for the period under consideration.

Article 9

1. Every Tuesday, and for the first time on 7 September 1976, the Commission shall fix and publish in the 'C' series of the *Official Journal of the European Communities*:

— the average price, per degree/hl or per hl as appropriate, for each representative market for the type of wine in question,

— the weighted average price as defined in the second indent of Article 4 (1) of Regulation (EEC) No 816/70, expressed per degree/hl or per hl as appropriate and calculated on the basis of the quotations recorded for the week in question.

2. Where Tuesday is a public holiday, the average price and weighted average price as referred to in paragraph 1 shall be fixed on the following working day.

Article 10

The Commission shall fix the average price as referred to in the first indent of Article 9 (1) on the basis of the average of the quotations notified, taking account in particular of the extent to which they are representative, the comments of the Member States and the alcoholic strength and quality of the table wines concerned. Quotations shall be disregarded if they relate to transactions in respect of total quantities of less than :

— 2 000 hl for table wines of the R I and A I types,

— 1 000 hl for table wines of the R II type,

— 500 hl for table wines of the A II, A III and R III types.

Article 11

Where no weighted average price for a type of wine is fixed for two consecutive weeks this shall be no bar to the suspension pursuant to the second indent of Article 5 (2) of Regulation (EEC) No 816/70 of the right to conclude storage contracts.

Article 12

Member States shall notify the Commission without delay of the measures taken to implement this Regulation.

Article 13

Regulation (EEC) No 1020/70 is hereby repealed.

Article 14

This Regulation shall enter into force on 1 September 1976.

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

Done at Brussels, 26 August 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission