COUNCIL REGULATION (EEC) No 2688/76

of 4 November 1976

amending Regulation (EEC) No 1931/76 in respect of certain distillation operations in the wine sector

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 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 6b (3) and 6c (3) thereof,

Having regard to the proposal from the Commission,

Whereas the distillation provided for in the second subparagraph of Article 6 (b) (1) of Regulation (EEC) No 816/70 seeks to avoid a disturbance of the market in wine when the quantities of wines suitable for producing potable spirits obtained from wine with a registered designation of origin are substantially greater than the requirements of the market in such spirits ; whereas it is also necessary to prevent their distillation from disturbing the market in potable spirits at times when there is already a glut ; whereas it therefore appears advisable to allow the possibility to distill to be limited to products having an alcoholic strength of 86 ° or more ;

Whereas Articles 6 (b) and 6 (c) of Regulation (EEC) No 816/70 lay down that distillation measures may be decided on under certain conditions ; whereas market trends may necessitate the termination of distillation measures in the light, *inter alia,* of price increases and in order to guarantee the supply of wines on the market ; whereas, therefore, provision should be made for the possible bringing forward of the completion date for such distillation operations,

HAS ADOPTED THIS REGULATION :

Article 1

The following Article shall be added to Regulation (EEC) No 1931/76 :

'*Article 2a*

Should the second subparagraph of Article 6 (b) (1) of Regulation (EEC) No 816/70 apply, it may be decided to limit distillation to products of an alcoholic strength of 86 ° or more.

In this case, Articles 1 and 2, in so far as they refer to a product of an alcoholic strength of 85 ° or less, shall not apply.'

Article 2

The following paragraph shall be added to Article 4 of Regulation (EEC) No 1931/76 :

'It may, however, be decided to bring forward the completion date for the distillation operations referred to in Articles 6 (b) and 6 (c) of Regulation (EEC) No 816/70, should the economic situation of the market require it, with due consideration for *inter alia* :

— the weighted average price level,
— market availability,

in the case of the types of wines affected by the distillation measures in question.'

Article 3

This Regulation shall enter into force on the day following 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, 4 November 1976.

For the Council

The President

Th. E. WESTERTERP

---

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 135, 24. 5. 1976, p. 42.