I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2829/76

of 23 November 1976

amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine, and Regulation (EEC) No 1160/76 amending that Regulation, as well as Regulation (EEC) No 1164/76 amending Regulation (EEC) No 865/68 on the common organization of the market in products processed from fruit and vegetables, and Regulation (EEC) No 950/68 on the Common Customs Tariff

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),

Whereas certain omissions and discrepancies have been found in Council Regulation (EEC) No 816/70 of 28 April 1970 laying down additional provisions for the common organization of the market in wine (2), as last amended by Regulation (EEC) No 1167/76 (3); whereas certain provisions in this Regulation should therefore be amended; whereas, in particular, in order to take into account horizontal Community provisions concerning nominal volumes, it is desirable to fix at three litres or less the nominal volumes provided for in points 14 and 15 of Annex II;

Whereas, in order to avoid administrative difficulties, it is necessary to defer by six months the date appearing in Article 41 of Council Regulation (EEC) No 1160/76 of 17 May 1976 amending Regulation (EEC) No 816/70 (4) and in Article 2 of 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 (5);

Whereas Article 1 of Council Regulation (EEC) No 1165/76 of 17 May 1976 amending Regulation (EEC) No 950/68 on the Common Customs Tariff (6), introduced an inconsistency as regards the column indicating the rate of conventional duty; whereas this situation should therefore be remedied,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 816/70 shall be amended as follows:

1. The fourth subparagraph of Article 28 (2) shall be replaced by the following:

   'Without prejudice to the second subparagraph, the alcoholic fermentation of the products referred to in the first subparagraph is prohibited within the geographical territory of the Community.'

2. In the third indent of point 3a of Annex II, the phrase 'referred to in Article 16' shall be replaced by the phrase 'referred to in Article 27a'.

3. In points 14 and 15 of Annex II, the last indent shall be replaced by the following:

   '— is put up in containers of three litres or less.'

4. In point 2 (b) of Annex III, the phrase 'in France, the areas under vines in the following departments:' shall be replaced by the following:

(1) OJ No C 259, 4. 11. 1976, p. 35.
(2) OJ No L 99, 5. 5. 1970, p. 1.
(3) OJ No L 135, 24. 5. 1976, p. 42.
(4) OJ No L 135, 24. 5. 1976, p. 1.
(5) OJ No L 135, 24. 5. 1976, p. 38.
(6) OJ No L 135, 24. 5. 1976, p. 39.

'in France the areas under vines in the departments not mentioned in this Annex, and in the following departments :'.

5. In point 3 (a) of Annex III, 'Lozère' shall be inserted after 'Lot-et-Garonne'.

6. In Annex IV, the table concerning heading No 20.07 shall be replaced by the table in the Annex to this Regulation.

Article 2

In the second sentence of the second subparagraph of Article 41 of Regulation (EEC) No 1160/76, '1 July 1977' shall be replaced by '1 January 1978'.

Article 3

In the second subparagraph of Article 2 of Regulation (EEC) No 1164/76, '1 July 1977' shall be replaced by '1 January 1978'.

Article 4

In the table relating to heading No 20.07 of the Annex 'Common Customs Tariff — Annex' to Regulation (EEC) No 950/68, footnote (b) shall be deleted together with all references thereto in the third column (rate of conventional duty).

Article 5

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

Article 1 (3) shall be applicable from 1 September 1976.

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

Done at Brussels, 23 November 1976.

For the Council

The President

A. P. L. M. M. van der STEE

ANNEX

CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit :		
	A. Of a specific gravity exceeding 1·33 at 15 °C :		
	I. Grape juice (including grape must) :		
	a) Of a value exceeding 22 u.a. per 100 kg net weight :		
	1. With an added sugar content exceeding 30 % by weight	50 (c)	—
	2. Other	50 (b)	—
	b) Of a value not exceeding 22 u.a. per 100 kg net weight :		
	1. With an added sugar content exceeding 30 % by weight	50 + (L) (c)	—
	2. Other	50 (b)	—
	II and III. (unchanged)		
	B. Of a specific gravity of 1·33 or less at 15 °C :		
	I. Grape, apple and pear juice (including grape must) ; mixtures of apple and pear juice :		
	a) Of a value exceeding 18 u.a. per 100 kg net weight :		
	1. Grape juice (including grape must) :		
	aa) Concentrated :		
	11. With an added sugar content exceeding 30 % by weight	28 (c)	28 + ads
	22. Other	28 (b)	(a)
	bb) Other :		
	11. With an added sugar content exceeding 30 % by weight	28 (c)	28 + ads
	22. Other	28 (b)	(a)
	2. Apple and pear juice :		
	aa) Containing added sugar	25	24 + ads
	bb) Other	25	25
	3. Mixtures of apple and pear juice	25	—
	b) Of a value of 18 u.a. or less per 100 kg net weight :		
	1. Grape juice (including grape must) :		
	aa) Concentrated :		
	11. With an added sugar content exceeding 30 % by weight	28 + (L) (c)	28 + ads
	22. Other	28 (b)	(a)
	bb) Other :		
	11. With an added sugar content exceeding 30 % by weight	28 + (L) (c)	28 + ads
	22. Other	28 (b)	(a)
	2 to 4. (unchanged)		
	II. (unchanged)		

(a) See Annex.
(b) In certain conditions a countervailing tax is provided for in respect of certain products in addition to the customs duty.
(c) In certain conditions a countervailing tax in addition to the customs duty is provided for in respect of certain products with effect from 1 January 1978.