COUNCIL REGULATION (EEC) No 2918/76

of 29 November 1976

amending Regulation (EEC) No 947/70 laying down general rules for fixing the reference price and levying the countervailing charge for wine

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 2829/76 (2), and in particular Article 9 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 947/70 (3) lays down general rules for fixing reference prices and levying the countervailing charge for wine ; whereas Regulation (EEC) No 1160/76 (4) amended Article 9 of Regulation (EEC) No 816/70, in particular by extending the obligation to fix a reference price to include certain grape juices and grape musts ; whereas Regulation (EEC) No 947/70 should be amended with this in view, in particular by laying down criteria for fixing the reference prices for the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 947/70 shall be amended as follows :

1. The following shall be added to Article 1 :

'The reference prices for the products referred to in the first, second, third and fourth indents of the third subparagraph of Article 9 (1) of Regulation (EEC) No 816/70 shall be fixed on the basis of the guide prices for red or white wines weighted to take account of the relationship on the Community market between the prices of red and white wines and those of the products in question, plus the costs incurred by bringing similar Community products to the same marketing stage as corresponding imported products.

The reference price for the product referred to in the fifth indent of the third subparagraph of Article 9 (1) of Regulation (EEC) No 816/70 shall be fixed on the basis of the level of the prices ruling within the Community for the product in question.'

2. Article 3 shall be replaced by the following :

'Article 3

The level of special reference prices fixed for the products referred to in the first and third subparagraphs of Article 9 (1) of Regulation (EEC) No 816/70 in accordance with their special characteristics or purposes shall be established with reference to the level of the prices ruling within the Community for the products in question.'

3. Article 4 shall be replaced by the following :

'Article 4

The costs incurred by bringing Community products to the same marketing stage as similar imported products shall be established with reference to :

(a) brokerage costs ;
(b) loading costs ;
(c) insurance costs ;
(d) transport costs ;
(e) losses.'

Article 2

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, 29 November 1976.

For the Council

The President

J. A. van KEMENADE

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 326, 25. 11. 1976, p. 1.
(3) OJ No L 114, 27. 5. 1970, p. 4.
(4) OJ No L 135, 24. 5. 1976, p. 1.