COMMISSION REGULATION (EEC) No 588/76

of 15 March 1976

on detailed rules for the distillation of table wines for which the distillation must be approved before 15 April 1976

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 to the common organization of the market in wine [1], as last amended by Regulation (EEC) No 1932/75 [2], and in particular Articles 7 (3) and 35 thereof,

Whereas Council Regulation (EEC) No 567/76 of 15 March 1976 laying down the general rules governing the distillation of table wines for which the distillation contract must be approved before 15 April 1976 [3], permits, applying Article 7 of Regulation (EEC) No 816/70, wine producers to supply their wines for distillation ;

Whereas the second supbparagraph of Article 1 (1) of Regulation (EEC) No 567/76 provides that distillation contracts shall only be valid if they have been approved beforehand by the intervention agency ; whereas parties seeking to conclude a distillation contract must therefore be informed in good time of the result of the approval procedure ;

Whereas, in order to support the market, wines which have been the subject of short term storage contracts unter Articles 5 and 6 of Regulation (EEC) No 816/70 should also be allowed to be distilled ;

Whereas the method of payment of the aid referred to in Article 2 of the said Regulation provides that the aid shall be paid to the producer in two instalments should be paid within a fixed period so that the producer shall receive the aid in full ; whereas the payment should be made within a maximum of 30 days after the distillation ;

Whereas the producer who has entered into a distillation contract may repudiate it under Article 4 of Regulation (EEC) No 567/76 ; whereas the exercise of this right must be limited to a fixed period ;

Whereas the competent agencies referred to in Article 7 of Regulation (EEC) No 567/76, and also the Commission must be kept informed of the progress of the distillation and in particular must know the quantities of table wine distilled and the quantities of alcohol obtained ;

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

1. The intervention agency responsible for approving distillation contracts, under the second subparagraph of Article 1 of Regulation (EEC) No 567/76, shall, within a maximum of 15 days after the receipt of the request, notify the contracting parties mentioned in the distillation contract of the result of the approval procedure.

2. 'Distiller' shall mean the person on whose account the distillation is carried out.

Article 2

The conclusion of a distillation contract shall terminate any short term storage contract made in respect of the same wine under Article 6 of Regulation (EEC) No 816/70. The producer concerned shall forthwith inform the intervention agency thereof.

Article 3

The different amounts of aid referred to in Article 6 (2) of Regulation (EEC) No 567/76 shall be paid to the producer. The payment of the first instalment shall be made in accordance with Article 2 (3) and (6) of Regulation (EEC) No 567/76 and that of the second instalment in accordance with Article 2 (5) thereof. The payment of the second instalment must be made within 30 days after distillation.

Article 4

If the producer wishes to benefit from Article 4 of Regulation (EEC) No 567/76 he shall submit a request, before 15 June 1976, to the intervention agency indicating the quantity concerned.

[1] OJ No L 99, 5. 5. 1970, p. 1.
[2] OJ No L 198, 29. 7. 1975, p. 19.
[3] OJ No L 67, 15. 3. 1976, p. 25.

Article 5

1. Member States shall notify the Commission, by 30 April 1976 at the latest, of the quantities of wine appearing in approved distillation contracts.

2. The distillers shall send to the intervention agency, before the 10th day of each month, a statement of the quantities of table wine distilled during the preceding month indicating the quantities, expressed as pure alcohol and the product obtained distinguishing those specified in the first indent of Article 5 of Regulation (EEC) No 567/76 from those specified in the second indent thereof.

3. Member States shall notify the Commission by telex, by the 20th day of each month in respect of the preceding month, of the quantities of wine distilled and the quantities, expressed as pure alcohol, of the products obtained with the distinction referred to in paragraph 2, together with the distillation contracts and quantities relating thereto, which have been revoked in accordance with Article 4 of Regulation (EEC) No 567/76.

Article 6

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

It shall apply with effect from 15 March 1976.

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

Done at Brussels, 15 March 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission