COMMISSION REGULATION (EEC) No 1802/77

of 4 August 1977

amending for the second time Regulation (EEC) No 1608/76 laying down detailed rules for the description and presentation of wines and grape musts

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 1679/77 (2), and in particular Article 30 (4) thereof,

Having regard to Council Regulation (EEC) No 2133/74 of 8 August 1974 laying down general rules for the description and presentation of wines and grape musts (3), as last amended by Regulation (EEC) No 1475/77 (4), and in particular Article 46 (4) thereof,

Whereas Commission Regulation (EEC) No 1608/76 of 4 June 1976 laying down detailed rules for the description and presentation of wines and grape musts (5), as amended by Regulation (EEC) No 1054/77 (6), laid down detailed rules for the description and presentation of wines and grape musts ;

Whereas the Republic of South Africa has requested that it be authorized to export to the Community wines bearing the name of a geographical unit, the name of a vine variety or the indication of a harvest year, taking into account any derogations which may be decided on in respect of the description of imported wines under Articles 31 (3), 32 (2) and 33 (2) of Regulation (EEC) No 2133/74 ; whereas to prevent discrimination between imported wines and Community wines as regards their description, Regulation (EEC) No 1608/76 should be amended accordingly ;

Whereas, given the time required for the procedure for approving the labels of table wines and quality wines psr intended for export to the United States of America, the use of labels bearing certain particulars which do not comply with Regulation (EEC) No 2133/74 or with this Regulation should be permitted for those wines until 31 August 1978, provided that proof is supplied that those labels have received the prior approval of the American authorities ;

Whereas the laws of certain Member States cannot be brought into line with the Community provisions governing geographical ascriptions within the time limit laid down in Article 21 (1) of Regulation (EEC) No 1608/76 ; whereas trade circles need time to become familiar with the new provisions adopted by the Member States to comply with Community rules ; whereas Member States should therefore be allowed until 31 August 1977 to derogate from Article 13 (4a) of Regulation (EEC) No 2133/74 ;

Whereas South Africa has requested that it be authorized to export to the Community wines whose description includes information for which no provision has been made in Regulation (EEC) No 1608/76, but which complies with the national provisions of that country and which may be permitted under the rules laid down in Regulation (EEC) No 2133/74 ; whereas Regulation (EEC) No 1608/76 should therefore be supplemented accordingly ;

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

Article 12 of Regulation (EEC) No 1608/76 is amended as follows :

(a) The first indent of paragraph 1 is amended to read as follows :

'— South Africa, Australia or Israel to bear a geographical ascription contained in Annex II, even if only 85 % of the wine concerned is obtained from grapes harvested in the named production area.'

(b) In paragraph 2, below '— Israel' there is added '— South Africa'.

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 187, 27. 7. 1977, p. 15.
(3) OJ No L 277, 17. 8. 1974, p. 1.
(4) OJ No L 164, 2. 7. 1977, p. 1.
(5) OJ No L 183, 8. 7. 1976, p. 1.
(6) OJ No L 130, 25. 5. 1977, p. 1.

(c) Paragraph 3 (a) is amended to read as follows :

'(a) from South Africa, Australia or Israel to bear an indication of the harvest year, even if only 85 % of the wine concerned is obtained from grapes harvested in the year indicated.'

Article 2

Article 21 of Regulation (EEC) No 1608/76 is amended as follows :

1. The following is added to paragraph 1 :

'Until 31 August 1978, labels which do not comply with Regulation (EEC) No 2133/74 or with this Regulation may be used for table wines and quality wines psr intended for export to the United States of America provided that proof is supplied that those labels have received the approval of the American authorities.'

2. A paragraph 1b as follows is added :

'1b. By way of derogation from Article 13 (4a) of Regulation (EEC) No 2133/74, until 31 August 1978, a Member State may, where any information comprising all or part of the name of a specified region within the meaning of Article 2 of Regulation (EEC) No 817/70 is supplied in respect of a quality wine psr corresponding to a specified region other than that referred to above permit, no code to be used for such information even where that Member State has not taken any other measure to prevent confusion over the geographical origin of wine.'

3. Paragraph 2 is amended to read as follows :

'2. Wines and grape musts whose description and presentation do not comply with Regulation (EEC) No 2133/74 or this Regulation may be held for sale and put into circulation until stocks are exhausted, provided that holdings exceeding 10 hectolitres which have not been put into circulation by 31 December 1977 are declared to the authorities appointed by the Member State concerned.'

4. Paragraph 2a is amended to read as follows :

'2a. Until 31 August 1978, wines and grape musts may be put into containers of a volume of 60 litres or less and with labels bearing information supplied in accordance with the versions of Regulation (EEC) No 2133/74 and this Regulation which were applicable on 1 April 1977.

Wines and grape musts whose description and presentation is in accordance with the versions of Regulation (EEC) No 2133/74 and this Regulation applicable on 1 April 1977 may be held for sale or put into circulation until stocks are exhausted.'

Article 3

1. Annex I (1) to Regulation (EEC) No 1608/76 is amended to read as follows :

'1. SOUTH AFRICA

— "Certified by the Wine and Spirit Board"

— "Wine of origin certified by the Wine and Spirit Board"

— "Wine of origin superior certified by the Wine and Spirit Board".'

2. Annex II (I) to Regulation (EEC) No 1608/76 is amended to read as follows :

'I. SOUTH AFRICA

Wines bearing one of the following names of the wine-growing region or sub-region of origin :

1. Wine-growing region Breëriviervallei (Brede River Valley)
2. Wine-growing region Caledon
3. Wine-growing region Constantia
4. Wine-growing region Durbanville
5. Wine-growing region Klein Karoo
6. Wine-growing region Olifantsrivier (Olifants River)
7. Wine-growing region Paarl

   sub-region Franschhoek
8. Wine-growing region Piketberg (Piquetberg)
9. Wine-growing region Robertson :

   sub-regions :

   — Mc Gregor
   — Vinkrivier
   — Goree
   — Riverside
   — Eilandia
10. Wine-growing region Stellenbosch
11. Wine-growing region Swartland

    sub-region Riebeek Berg
12. Wine-growing region Swellendam
13. Wine-growing region Tulbagh
14. Wine-growing region Worcester :

    sub-regions :

    — Goudini
    — Nuy
    — Slanghoek'

3. Annex IV (I) to Regulation (EEC) No 1608/76 is amended to read as follows :

'List of varieties accepted in the Community	Accepted synonyms
I. SOUTH AFRICA	
Bukettraube	
Cabernet franc	
Cabernet Sauvignon	
Chardonnay	
Chenel	
Chenin blanc	Steen
Cinsaut	
Clairette blanche	
Colombard	
Gamay	
Gewürztraminer	
Red Grenache	Rooi Grenache
Heroldrebe	
Kerner	
Merlot	
Muller-Thurgau	
Muscadel (red and white)	Muskadel (Rooi en Wit)
Muscat d'Alexandrie	White (Wit) Hanepoot, Red (Rooi) Hanepoot
Palomino	
Pinotage	
Pinot noir	
Riesling	
Sémillon	Greengrape (Groendruif)
Shiraz	
Sauvignon blanc	
Souzão	
Sylvaner	
Teinturier mâle	Pontac (Pontak)
Tinta Barocca	
Ugni blanc	Trebbiano'
Verdot	
Weißer Riesling	
Zinfandel	

Article 4

This Regulation shall enter into force on the third 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 August 1977.

For the Commission

Finn GUNDELACH

Vice-President