COUNCIL REGULATION (EEC) No 2212/77

of 6 October 1977

on the granting of aid to certain producers of wine grapes intended for the production of table wines in certain wine-growing regions affected by natural disasters

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 1679/77 (2), and in particular Article 38 thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (3), as last amended by Regulation (EEC) No 2543/73 (4), and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas Article 38 of Regulation (EEC) No 816/70 provides that measures of derogation may be decided upon to remedy an exceptional situation resulting from natural disasters;

Whereas in certain regions of the Community there were severe frosts during the months of March and April and, during the summer, exceptional rainfall and reduced sunshine;

Whereas good weather during these months is essential for a good harvest; whereas, in consequence, the abnormal climatic conditions referred to accordingly constitute a natural disaster; whereas it follows from this that the wines produced from grapes harvested in these disaster-affected regions will not naturally reach the minimum alcoholic strength laid down for table wines;

Whereas the Member States may, under Article 18 of Regulation (EEC) No 816/70, authorize the natural alcoholic strength to be increased; whereas, in the regions in question, this increase is effected by the addition of concentrated grape must to the basis products;

Whereas, in order to encourage producers who are threatened by heavy losses to use concentrated grape must in the interests of quality, it appears necessary to grant them aid for this purpose; whereas such a measure avoids the risk of non-enriched wines of mediocre quality finding their way, at excessively low prices, into the table wines market to the detriment of the stability of that market; whereas, furthermore, this measure may bring about an increase in the volume of grape must which will be concentrated and hence a drop in the total volume of production supplied to the market; whereas, in consequence, this measure serves to regularize the table wines market;

Whereas, in order to give preference to those producers most severely affected, it is appropriate to limit the granting of this aid to producers who are able to furnish proof of a yield lower than 50 hectolitres per hectare;

Whereas it is necessary to fix the aid at an amount which takes account of the market price for concentrated grape must;

Whereas the application of the measures provided for in this Regulation extends beyond 15 December 1977; whereas it is necessary, in order to avoid any discrimination among the producers concerned, to provide for the application of a single representative rate for the payments effected pursuant to this Regulation; whereas it is appropriate to use the representative rate applicable in the wine sector for the 1977/78 wine-growing year;

Whereas the Monetary Committee will be consulted; whereas, in view of the urgency, it is appropriate to adopt the measures envisaged in accordance with Article 3 (2) of Regulation No 129,

HAS ADOPTED THIS REGULATION:

Article 1

Aid shall be granted on the terms laid down in this Regulation to producers of wine grapes intended for the production of table wines who are able to furnish proof of a yield lower than 50 hectolitres per hectare from the 1977 harvest and whose holdings are situated in certain yet to be defined parts:

(1) OJ No L 99, 5. 5. 1970, p. 1.
(2) OJ No L 187, 27. 7. 1977, p. 15.
(3) OJ No 106, 30. 10. 1962, p. 2553/62.
(4) OJ No L 263, 19. 9. 1973, p. 1.

(a) of the following French departments :

— Alpes de Haute-Provence
— Alpes maritimes
— Ardèche
— Ariège
— Aude
— Aveyron
— Bouches-du-Rhône
— Charente
— Corse du Sud
— Haute-Corse
— Dordogne
— Gard
— Gers
— Gironde
— Haute-Garonne
— Hérault
— Landes
— Lot
— Lot-et-Garonne
— Lozère
— Pyrénées-Atlantiques
— Hautes-Pyrénées
— Pyrénées-Orientales
— Tarn
— Tarn-et-Garonne
— Var
— Vaucluse ;

(b) of Northern Italy

whose 1977 harvest was affected by natural disasters.

Article 2

1. The amount of the aid provided for in Article 1 is hereby fixed, for concentrated must used in the operations described in Articles 18 and 19 of Regulation (EEC) No 816/70, at 0·87 unit of account per degree of potential alcoholic strength per hectolitre.

2. The conversion into national currency of the aid referred to in paragraph 1 shall be effected by means of the representative rate applicable in the wine sector during the 1977/78 wine-growing year.

Article 3

1. Producers wishing to take advantage of the aid provided for in Article 1 must apply to the competent intervention agency at the latest by 15 November 1977.

2. Before granting the aid, the intervention agencies must satisfy themselves that the conditions laid down in Article 1 are fulfilled.

Article 4

The Member States shall communicate to the Commission at the latest by 15 June 1978 the number of producers who have received aid, the quantities of wine subjected to enrichment, and the quantities of concentrated must used to do so expressed in degrees of alcoholic strength per hectolitre.

Article 5

1. The Member States shall appoint an intervention agency responsible for applying this Regulation.

2. The competent body shall be the intervention agency of the Member State in whose territory the grapes have been harvested.

Article 6

Rules for the application of this Regulation, and in particular the determination of the parts of French departments and of Northern Italy referred to in Article 1, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24 [1].

Article 7

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

It shall be applicable from 15 September 1977.

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

Done at Brussels, 6 October 1977.

For the Council

The President

A. HUMBLET

[1] OJ No 30, 20. 4. 1962, p. 989/62.