COMMISSION REGULATION (EEC) No 2339/79
of 24 October 1979
amending Regulation (EEC) No 398/76 fixing the export refunds for wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine (1), as amended by Regulation (EEC) No 1303/79 (2), and in particular Article 20 (4) thereof,

Whereas Commission Regulation (EEC) No 398/76 (3), as amended by Regulation (EEC) No 1956/79 (4), fixes the export refunds for wine;

Whereas that Regulation refers to exports to certain non-member countries; whereas the special destinations provided for in Article 3 of Regulation (EEC) No 192/75 (5), as last amended by Regulation (EEC) No 1469/77 (6), are therefore not covered by Regulation (EEC) No 398/76;

Whereas the above problem has not arisen in those sectors in which the word 'destination' has been used rather than the words 'non-member countries'; whereas it is therefore necessary to amend Regulation (EEC) No 398/76; whereas, in order to take account of exports already made, it is necessary to make this amendment apply with effect from 1 September 1978;

Whereas Article 2 (1) of Commission Regulation (EEC) No 3002/76 (7) makes payment of the refunds on table wines exported conditional upon the production of certain proof; whereas, in order to enable exports carried out between 1 September 1978 and the date of the entry into force of this Regulation to benefit from the enlargement of the scope of Regulation (EEC) No 398/76, it is necessary to waive the requirement to produce proof, since this may no longer be available;

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

In the Annex to Regulation (EEC) No 398/76, in the column headed 'Description', the words 'all third countries' are replaced by the words 'all destinations'.

Article 2

By way of derogation from Regulation (EEC) No 3002/76, the proof referred to in Article 2 (1) of that Regulation shall not be required for exports to the special destinations referred to in Article 3 of Regulation (EEC) No 192/75 carried out between 1 September 1978 and the date on which this Regulation enters into force.

Article 3

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 1 September 1978.

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

Done at Brussels, 24 October 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 54, 5. 3. 1979, p. 1.
(2) OJ No L 162, 30. 6. 1979, p. 28.
(3) OJ No L 49, 25. 2. 1976, p. 7.
(4) OJ No L 226, 6. 9. 1979, p. 15.
(5) OJ No L 25, 31. 1. 1975, p. 1.
(6) OJ No L 162, 1. 7. 1977, p. 9.
(7) OJ No L 342, 11. 12. 1976, p. 18.