COMMISSION REGULATION (EEC) No 2892/80

of 7 November 1980

amending Regulation (EEC) No 2391/80 on the application of the additional measures applicable to holders of long-term contracts for certain table wines for the 1979/80 wine-growing year and amending Regulation (EEC) No 2325/80

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 last amended by Regulation (EEC) No 1990/80 (2), and in particular Article 12 (4) thereof,

Whereas the quantities of table wine available at present are greatly in excess of the normal level when the market is in balance; whereas the most appropriate means for re-establishing balance, by reducing the supply, is distillation;

Whereas steps should also be taken to ensure that sale of the alcohol produced by distillation of table wines does not upset the market for that product;

Whereas it seems that the intervention measure which best complies with the two above requirements is the distillation provided for under Article 12 of Regulation (EEC) No 337/79, since it involves a precise limit on the maximum quantity of table wine that may be distilled; whereas a decision to apply the said Article 12 has already been taken during the present marketing year by Commission Regulation (EEC) No 2391/80 (3); whereas Article 1 (1) (a) and (2) (a) of the said Regulation allows holders of long-term storage contracts for table wines of types A I, R I and R II and for wines in close economic relationship with them to undertake distillation of up to 50 % of the quantity of wine contracted for; whereas in view of the situation described above, the said percentage should be fixed at 100 for table wines of type A I and at 74 for table wines of types R I and R II;

Whereas the long-term storage contracts subject to the provisions of the said Regulation expire on or before 15 November 1980; whereas, in order that this Regulation may have the anticipated effect on the table wine market, it is necessary to replace the time limits provided for in Articles 4 (1) and 10 (1) of Commission Regulation (EEC) No 2325/80 (4) by a single date, and to provide for the necessary adjustments to the storage contracts referred to in Article 2 (2) (b) thereof;

Whereas the Management Committee for Wine has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2391/80 is hereby amended as follows:

1. In Article 1 (1) (a), '50 %' is replaced by '100 %'.

2. In Article 1 (2) (a), '50 %' is replaced by '74 %'.

Article 2

Where use is made of the additional distillation possibilities provided for in Article 1, the storage contracts already concluded, as referred to in Article 2 (2) (b) of Regulation (EEC) No 2325/80, shall be considered, with effect from the date of entry into force of this Regulation, as covering only the quantity of wine not so distilled.

Article 3

Regulation (EEC) No 2325/80 is hereby amended as follows:

1. Article 4 (1) is replaced by the following:

   '1. Applications for approval of the contracts referred to in Article 1 of Regulation (EEC) No 343/79 shall be made not later than 31 December 1980.'

2. The first subparagraph of Article 10 (1) is replaced by the following:

   '1. The contracts referred to in Article 2 (2) (b) must be concluded not later than 31 December 1980.'

Article 4

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 November 1980.

(1) OJ No L 54, 5. 3. 1979, p. 1.
(2) OJ No L 195, 29. 7. 1980, p. 6.
(3) OJ No L 245, 17. 9. 1980, p. 8.
(4) OJ No L 234, 5. 9. 1980, p. 17.

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

Done at Brussels, 7 November 1980.

For the Commission

Finn GUNDELACH

Vice-President