COMMISSION REGULATION (EEC) No 339/80

of 13 February 1980

amending Regulation (EEC) No 2831/79 as regards the possibility of terminating short-term storage contracts for grape must and concentrated grape must at the time of the conclusion of a long-term contract

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 2961/79 (2), and in particular Articles 8 (3) and 9 (5) thereof,

Whereas Commission Regulation (EEC) No 2831/79 (3) provided the possibility of concluding long-term storage contracts for grape must and concentrated grape must;

Whereas, in order to clear the market more permanently and to avoid fresh difficulties after the expiry of short-term storage contracts already concluded, it appears appropriate to allow a long-term storage contract to be concluded in respect of must which is subject to a short-term storage contract which has not yet expired on the date when Regulation (EEC) No 2831/79 was applied;

Whereas, in view of the period laid down for the conclusion of long-term storage contracts, it is necessary to allow short-term storage contracts expiring after 16 December 1979 to be considered as having been terminated on that date, and long-term storage contracts in respect of the same products to be considered as having been concluded for a period beginning on the same date; whereas, in order to do this, it is necessary to derogate from Article 8 of Commission Regulation (EEC) No 2600/79 (4);

Whereas the measures provided for in this Regulation are in accorance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 2a is inserted in Regulation (EEC) No 2831/79:

'Article 2a

Short-term storage contracts shall, at the request of the party concerned, be terminated in respect of the volume for which the party concerned concludes at the same time a long-term storage contract.

Where the first subparagraph is applied and by way of derogation from Article 8 of Regulation (EEC) No 2600/79, the termination of short-term storage contracts and the beginning of the period for which long-term storage contracts are concluded shall be considered at the request of the party concerned as having occurred on 16 December 1979.

In such case, in respect of the volume thus made subject to a long-term storage contract, entitlement to short-term storage aid shall be retained for the period during which it has been made subject to such a contract'.

Article 2

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 16 December 1979.

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

Done at Brussels, 13 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 54, 5. 3. 1979, p. 1.
(2) OJ No L 336, 29. 12. 1979, p. 9.
(3) OJ No L 320, 15. 12. 1979, p. 54.
(4) OJ No L 297, 24. 11. 1979, p. 15.