COMMISSION REGULATION (EEC) No 2090/83

of 25 July 1983

amending for the third time Regulation (EEC) No 546/83 laying down provisions for distillation of table wine pursuant to Article 15 (2) of Regulation (EEC) No 337/79 and altering the reduction in the quantities of table wine covered by declarations and contracts concluded

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 1595/83 (2), and in particular Article 15 (9) thereof,

Having regard to Council Regulation (EEC) No 2144/82 of 27 July 1982 amending Regulation (EEC) No 337/79 on the common organization of the market in wine (3), and in particular Article 2 thereof,

Whereas the market situation indicates that the volume of wine for distillation fixed by Commission Regulation (EEC) No 546/83 (4), as last amended by Regulation (EEC) No 2038/83 (5), has proved insufficient to ensure the rationalization of the market in spite of the increase provided for in Commission Regulation (EEC) No 1001/83 (6); whereas it is necessary, therefore, to increase that volume to the maximum limit of five million hectolitres provided for in Article 15 (3) of Regulation (EEC) No 337/79;

Whereas, however, information forwarded by the Member States indicated that the total quantity of table wine covered by contracts and declarations for delivery to the intervention agencies exceeds by approximately 11 % the maximum quantity which may be distilled; whereas, in these circumstances, the mechanism for reducing those quantities provided for in Article 2 (6) of Regulation (EEC) No 546/83 should be allowed to continue to apply and the percentage reduction applicable to each contract and declaration originally provided for should be reduced to 11 %; whereas, in order to simplify the management of the measure, account should be taken, when calculating the margins, of producers who have already delivered for distillation the total quantity of table wine determined in accordance with Regulation (EEC) No 1001/83;

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

In Article 2 (6) of Regulation (EEC) No 546/83, '4,3 million hectolitres' is replaced by '5 million hectolitres'.

Article 2

1. The quantity of table wine to be delivered for distillation provided for in Regulation (EEC) No 546/83 shall, in the case of each producer, be equivalent to the quantity of table wine covered by the delivery contract referred to in Article 2 (1) or 15 (1) of that Regulation, or in the declaration referred to in Article 4 (1) thereof, less 11 %.

2. The margins provided for in the second subparagraph of Article 12 (1) of Regulation (EEC) No 546/83 shall be calculated:

— in the case of a margin of 10 % less, in relation to the quantity of wine covered by the contract or declaration following a reduction of 23 %,

— in the case of a margin of 5 % more, in relation to the quantity of wine covered by the contract or declaration following a reduction of 11 %.

Article 3

Article 2 of Regulation (EEC) No 1001/83 is hereby repealed.

Article 4

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

(1) OJ No L 54, 5. 3. 1979, p. 1.
(2) OJ No L 163, 22. 6. 1983, p. 48.
(3) OJ No L 227, 3. 8. 1982, p. 1.
(4) OJ No L 64, 10. 3. 1983, p. 12.
(5) OJ No L 200, 23. 7. 1983, p. 21.
(6) OJ No L 112, 28. 4. 1983, p. 16.

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

Done at Brussels, 25 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission