COMMISSION REGULATION (EEC) No 1093/86

of 16 April 1986

fixing for the 1985/86 marketing year the percentages of the production of table wine to be delivered for the compulsory distillation referred to in Article 41 of Regulation (EEC) No 337/79

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 3805/85 [2], and in particular the third indent of the fourth subparagraph of Article 41 (5) and (9) thereof,

Whereas Commission Regulation (EEC) No 854/86 [3], amended by Regulation (EEC) No 1092/86 [4], laid down detailed rules for the application of the compulsory distillation referred to in Article 41 of Regulation (EEC) No 337/79 ;

Whereas production in the various regions should be allocated among the different yield classes ;

Whereas Commission Regulation (EEC) No 855/86 [5] opened for the 1985/86 wine year the compulsory distillation operation referred to in Article 41 of Regulation (EEC) No 337/79 and fixed the total quantity to be distilled in the Community and the quantities to be distilled in the various regions ; whereas according to the most recent information concerning production from the Member States there is no reason to adjust these quantities ;

Whereas Article 41 (4) of Regulation (EEC) No 337/79 provides that in the case of producers who are required to distil, the quantity to be distilled must equal a percentage to be fixed, of their production of table wine, such percentage being obtained from a graduated scale based on yield per hectare ; whereas the percentages of the production of each such producer which must be delivered for distillation should therefore be fixed ; whereas these percentages while graduated in relation to yield must be adapted to the situation of each region ;

Whereas the structure and sizes of wine-growing establishments in the various regions determine not only the production costs but also the incomes of producers ; whereas account must therefore be taken of this situation ; whereas, moreover, the increase in yield per hectare affects in different ways the quality of the wine produced in the regions which are subject to compulsory distillation ; whereas in region 3 exceeding the average yield impairs, in general, the quality of the product ; whereas in those circumstances and in order to channel wine growing towards higher-quality production, steps should be taken to ensure, in accordance with the concepts of the Member State concerned, that the total obligation to distil affects the production obtained from yields in excess of 90 hectolitres per hectare ; whereas weather conditions in region 4, on the other hand, are such that the yield per hectare does not have such a direct affect on the quality of production ; whereas in this region an especially low yield may indeed result in a quantity of wine that is not suitable for direct consumption ; whereas it is therefore possible in this region to make provision, in line with the views expressed by the Member State concerned, for a scale which is graduated but applies to the entire production ;

Whereas the measures laid down in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION :

Article 1

1. In accordance with Article 5 (1) of Regulation (EEC) No 854/86 the production from the 1985/86 harvest shall be broken down into the following yield classes :

(a) Region 3 :

Production obtained with a yield in hectolitres per hectare :

— not exceeding 90 : 22 669 000 hectolitres,

— more than 90 but not more than 110 : 9 036 000 hectolitres,

— more than 110 but not more than 140 : 4 828 000 hectolitres,

— more than 140 but not more than 200 : 1 251 000 hectolitres,

— more than 200 : 716 000 hectolitres.

(b) Region 4 :

Production obtained with a yield in hectolitres per hectare :

— not more than 45 : 4 308 000 hectolitres,

— more than 45 but not more than 70 : 8 807 000 hectolitres,

— more than 70 but not more than 90 : 23 288 000 hectolitres,

(1) OJ No L 54, 5. 3. 1979, p. 1.
(2) OJ No L 367, 31. 12. 1985, p. 39.
(3) OJ No L 80, 25. 3. 1986, p. 14.
(4) See page 14 of this Official Journal.
(5) OJ No L 80, 25. 3. 1986, p. 24.

— more than 90 but not more than 110 : 10 048 000 hectolitres,
— more than 110 but not more than 140 : 4 952 000 hectolitres,
— more than 140 but not more than 200 : 4 158 000 hectolitres,
— more than 200 : 947 000 hectolitres.

2. For the purpose of determining the quantity of be delivered for distillation by each producer :

(a) In region 3 the following coefficients shall apply to the portion of the production corresponding to the yield 'slices' referred to below expressed in hectolitres per hectare :

— not exceeding 90 : 0,
— more than 90 but not more than 110 : 1,
— more than 110 but not more than 140 : 1,25,
— more than 140 but not more than 200 : 1,40,
— more than 200 : 1,60.

(b) In region 4 the following percentages shall apply to the portion of the production corresponding to the yield 'slices' referred to below expressed in hectolitres per hectare :

— not more than 45 : 3,
— more than 45 but not more than 70 : 7,5,
— more than 70 but not more than 90 : 10,
— more than 90 but not more than 110 : 13,
— more than 110 but not more than 140 : 20,
— more than 140 but not more than 200 : 26,
— more than 200 : 35.

Article 2

The quantity that each producer shall be required to deliver for distillation shall be determined by multiplying the volume referred to in Article 6 of Regulation (EEC) No 854/86 by the percentage corresponding, in the table shown at the Annex, to the yield which he has obtained and which shall be determined in accordance with the provisions of Article 7 of the said Regulation. The yield shall, where appropriate, be rounded down to the nearest unit (hectolitres per hectare).

Article 3

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

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

Done at Brussels, 16 April 1986.

For the Commission
Frans ANDRIESSEN
Vice-President

ANNEX

Percentage of the volume referred to in Article 6 of Regulation (EEC) No 854/86 which each producer liable must deliver for the distillation referred to in Article 41 of Regulation (EEC) No 337/79 for the 1985/86 wine year :

Yield (hectolitres per hectare)	%	
	Region 3	Region 4
Not more than 45	0	3
46	0	3,1
47	0	3,2
48	0	3,3
49	0	3,4
50	0	3,5
51	0	3,5
52	0	3,6
53	0	3,7
54	0	3,8
55	0	3,8
56	0	3,9
57	0	3,9
58	0	4,0
59	0	4,1
60	0	4,1
61	0	4,2
62	0	4,2
63	0	4,3
64	0	4,3
65	0	4,4
66	0	4,4
67	0	4,5
68	0	4,5
69	0	4,6
70	0	4,6
71	0	4,7
72	0	4,8
73	0	4,8
74	0	4,9
75	0	5,0
76	0	5,0
77	0	5,1
78	0	5,2
79	0	5,2
80	0	5,3
81	0	5,4
82	0	5,5
83	0	5,5
84	0	5,6
85	0	5,7
86	0	5,7
87	0	5,7
88	0	5,8
89	0	5,8
90	0	5,9
91	1,1	5,9
92	2,2	6,0
93	3,2	6,0
94	4,3	6,1
95	5,3	6,2
96	6,3	6,3

Yield (hectolitres per hectare)	%	
	Region 3	Region 4
97	7,2	6,3
98	8,2	6,4
99	9,1	6,5
100	10,0	6,5
101	10,9	6,6
102	11,8	6,7
103	12,6	6,7
104	13,5	6,8
105	14,3	6,8
106	15,1	6,9
107	15,9	6,9
108	16,7	7,0
109	17,4	7,1
110	18,2	7,1
111	19,1	7,2
112	20,1	7,3
113	21,0	7,5
114	21,9	7,6
115	22,8	7,7
116	23,7	7,8
117	24,6	7,9
118	25,4	8,0
119	26,3	8,1
120	27,1	8,2
121	27,9	8,3
122	28,7	8,4
123	29,5	8,5
124	30,2	8,6
125	31,0	8,7
126	31,7	8,8
127	32,5	8,8
128	33,2	8,9
129	33,9	9,0
130	34,6	9,1
131	35,3	9,2
132	36,0	9,3
133	36,7	9,3
134	37,3	9,4
135	38,0	9,5
136	38,6	9,6
137	39,2	9,7
138	39,9	9,7
139	40,5	9,8
140	41,1	9,9
141	41,8	10,0
142	42,5	10,1
143	43,1	10,2
144	43,8	10,3
145	44,5	10,4
146	45,1	10,5
147	46,8	10,6
148	46,4	10,7

Yield (hectolitres per hectare)	%	
	Region 3	Region 4
149	47,0	10,8
150	47,7	11,0
151	48,3	11,0
152	48,9	11,1
153	49,5	11,2
154	50,1	11,3
155	50,6	11,4
156	51,2	11,5
157	51,8	11,6
158	52,3	11,7
159	52,9	11,8
160	53,4	11,9
161	54,0	12,0
162	54,5	12,1
163	55,0	12,2
164	55,5	12,2
165	56,1	12,3
166	56,6	12,4
167	57,1	12,5
168	57,6	12,6
169	58,0	12,6
170	58,5	12,7
171	59,0	12,8
172	59,5	12,9
173	59,9	13,0
174	60,4	13,0
175	60,9	13,1
176	61,2	13,2
177	61,8	13,2
178	62,2	13,3
179	62,6	13,4
180	63,1	13,5
181	63,5	13,5
182	63,9	13,6
183	64,3	13,7
184	64,7	13,7
185	65,1	13,8
186	65,5	13,9
187	65,9	13,9
188	66,3	14,0
189	66,7	14,1
190	67,1	14,1
191	67,5	14,2
192	67,9	14,2
193	68,2	14,3
194	68,6	14,4
195	69,0	14,4
196	69,3	14,5
197	69,7	14,5
198	70,1	14,6
199	70,4	14,7
200	70,8	14,7
201	71,2	14,8
202	71,6	14,9
203	72,2	15,0
204	72,5	15,1
205	72,9	15,2
206	73,3	15,3
207	73,8	15,4
208	74,2	15,5
209	74,6	15,6
210	75,0	15,7
211	75,4	15,8
212	75,8	15,9
213	76,2	16,0
214	76,6	16,0
215	77,0	16,1
216	77,4	16,2
217	77,7	16,3
218	78,1	16,4
219	78,5	16,5
220	78,9	16,6
221	79,2	16,6
222	79,6	16,7
223	80,0	16,8
224	80,3	16,9
225	80,7	17,0
226	81,0	17,0
227	81,4	17,1
228	81,7	17,2
229	82,1	17,3
230	82,4	17,4
231	82,7	17,4
232	83,1	17,5
233	83,4	17,6
234	83,7	17,7
235	84,0	17,7
236	84,4	17,8
237	84,7	17,9
238	85,0	18,0
239	85,3	18,0
240	85,6	18,1
241	85,9	18,2
242	86,2	18,2
243	86,5	18,3
244	86,8	18,4
245	87,1	18,4
246	87,4	18,5
247	87,7	18,6
248	88,0	18,6
249	88,3	18,7
250	88,6	18,8

For higher yields the percentages are obtained by applying the rule set out in Article 1 (2).