COMMISSION REGULATION (EEC) No 646/86

of 28 February 1986

fixing the export refunds on wine and repealing Commission Regulation (EEC) No 204/84

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 Article 20 (4) thereof,

Whereas, pursuant to Article 20 of Regulation (EEC) No 337/79, to the extent necessary to enable the products listed in Article 1 (2) of that Regulation to be exported in an economically significant quantity on the basis of the prices for those products on the world market, the difference between those prices and the prices in the Community may be covered by an export refund; whereas, however, refunds may be granted only for the products specified in Article 1 (2) of Council Regulation (EEC) No 345/79 of 5 February 1979 laying down general rules for granting export refunds on wine and criteria for fixing the amount of such refunds [3], as amended by Regulation (EEC) No 2009/81 [4];

Whereas, pursuant to Article 2 of Regulation (EEC) No 345/79, refunds are to be fixed having regard to the existing situation and future trends with regard to: (i) prices and availabilities of the products concerned on the Community market and (ii) world market prices for these products; whereas account must also be taken of the costs referred to in that Article, of the economic aspects of the proposed exports, of the objectives defined in the said Article and of the need to avoid disturbances on the Community market; whereas, however, when fixing the amount of the refunds applicable to liqueur wines, account should be taken of the difference between Community prices and world market prices in respect only of wine and musts used in the manufacture of liqueur wines, since no such difference is recorded in respect of the other products used in the manufacture of the wines in question;

Whereas, pursuant to Article 3 of Regulation (EEC) No 345/79, Community market prices must be determined on the basis of the most advantageous export prices; whereas the prices referred to in Article 3 (2) must be taken into account when the prices in international trade are being determined;

Whereas the international trade situation or the specific requirements of certain markets may make it necessary to vary the refund according to the use or destination of a specific product;

Whereas there is at present scope for economically significant exports of concentrated grape musts, table wines other than of type R III and rosé table wines from the Portugieser variety;

Whereas Commission Regulation (EEC) No 3389/81 of 27 November 1981 [5], as amended by Regulation (EEC) No 3473/82 [6], lays down the detailed rules for the application of export refunds on wine;

Whereas Article 10 of Council Regulation (EEC) No 480/86 [7] provides that export refunds applicable to trade between Spain and third countries are to be reduced by the regulatory amounts referred to in Articles 2 and 5 of the Regulation; whereas, however, in order to avoid the risk of disturbances to trade or in cases where the market situation so requires, provision may be made for all or part of the regulatory amounts to be disregarded;

Whereas Commission Regulation (EEC) No 648/86 [8] fixes the regulatory amounts referred to in Articles 2 and 3 of Regulation (EEC) 480/86;

Whereas, applying the abovementioned rules to the present market situation, in particular to the prices of wines in the Community and on the world market, the refunds should be fixed as shown in the Annex hereto, and Commission Regulation (EEC) No 204/84 of 26 January 1984 fixing the export refunds on wine [9] should be repealed;

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

[1] OJ No L 54, 5. 3. 1979, p. 1.
[2] OJ No L 367, 31. 12. 1985, p. 39.
[3] OJ No L 54, 5. 3. 1979, p. 69.
[4] OJ No L 195, 18. 7. 1981, p. 6.
[5] OJ No L 341, 28. 11. 1981, p. 24.
[6] OJ No L 365, 24. 12. 1982, p. 30.
[7] OJ No L 54, 1. 3. 1986, p. 2.
[8] See page 54 of this Official Journal.
[9] OJ No L 22, 27. 1. 1984, p. 23.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds for the products listed in Article 1 (2) of Regulation (EEC) No 345/79 shall be as shown in the Annex hereto.

Article 2

Regulation (EEC) No 204/84 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission
Frans ANDRIESSEN
Vice-President

ANNEX

CCT heading No	Description	Amount of refund ECU/% vol/hl applicable in the Community as constituted at 31 December 1985	Amount of refund ECU/% vol/hl applicable in Spain
ex 20.07 A I B I a) 1 B I b) 1	Concentrated grape musts complying with the definition in point 5 of Annex II to Regulation (EEC) No 337/79: — for all exports except to non-member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	1,05	—
ex 22.05 C I C II	White table wine, of an actual alcoholic strength of not less than 9,5 % vol and not exceeding 15 % vol, other than: — table wines of types A II and A III and — wines referred to in Article 40 of Regulation (EEC) No 337/79 exceeding the quantities normally produced as determined pursuant to the said Article: for export to: all non-member countries, except non member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	1,55	0,13
ex 22.05 C I C II	White table wine, of an actual alcoholic strength of not less than 9,5 % vol and not exceeding 15 % vol, referred to in Article 40 of Regulation (EEC) No 337/79 exceeding the quantities normally produced as determined pursuant to the said Article: for export to: all non-member countries, except non-member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	0,80	—
ex 22.05 C I C II	Red or rosé table wine, of an actual alcoholic strength of not less than 9,5 % vol and not exceeding 15 % vol, other than: — table wine of type R III and rosé table wine from the Portugieser vine varieties and — wines referred to in Article 40 of Regulation (EEC) No 337/79 exceeding the quantities normally produced as determined pursuant to the said Article: for export to: all non-member countries, except non-member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	1,55	0,70

CCT heading No	Description	Amount of refund ECU/% vol/hl applicable in the Community as constituted at 31 December 1985	Amount of refund ECU/% vol/hl applicable in Spain
ex 22.05 C I C II	Red or rosé table wine, of an actual alcoholic strength of not less than 9,5 % vol and not exceeding 15 % vol, referred to in Article 40 of Regulation (EEC) No 337/79 and exceeding the quantities normally produced as determined pursuant to the said Article: for export to: all non-member countries, except non-member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	0,80	—

CCT heading No	Description	Amount of refund ECU/hl applicable in the Community as costituted at 31 December 1985	Amount of refund ECU/hl applicable in Spain
ex 22.05 C I C II	White table wine of types A II and A III (white table wine exclusively from the Sylvaner, Müller-Thurgau or Riesling vine varieties): — for all exports except to non-member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	5,50	—
ex 22.05 C III a) 2 C III b) 3 C IV a) 2 C IV b) 3	Liqueur wines other than quality wines psr: — for all exports except to non-member countries on the American continent, including those islands politically linked thereto, and the non-member countries listed in Article 1 of Regulation (EEC) No 2223/70 excluding Romania, Bulgaria and Hungary	17,25	—

NB: 'African countries' refers to the countries listed under 'Africa' in Commission Regulation (EEC) No 3537/82 (OJ No L 371, 30. 12. 1982, p. 7).