COMMISSION REGULATION (EEC) No 529/88

of 26 February 1988

fixing for the 1987/88 wine year the percentages of table wine production to be delivered for compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine [1], as last amended by Regulation (EEC) No 3992/87 [2], and in particular Article 39 (9), (10) and (11) thereof,

Whereas Commission Regulation (EEC) No 441/88 [3] lays down detailed rules for the application of compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87;

Whereas Commission Regulation (EEC) No 4022/87 [4] opens for the 1987/88 wine year compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87 and fixes the total quantity to be distilled in the Community and the quantities to be distilled in the various regions;

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

Whereas Article 39 (4) of Regulation (EEC) No 822/87 provides that, in the case of producers who are required to distill, the quantity to be distilled must equal a percentage to be fixed of their table wine production, 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, while being based on objective criteria, those percentages must be adapted to the situation of each region; whereas the scale used must allow a quantity of table wine corresponding to the obligation provided for in Article 1 (3) of Regulation (EEC) No 4022/87 to be deducted from a region's quantity; whereas that obligation applies only in the case of producers who are required to submit a production declaration and who market the products concerned; whereas the yield classes should accordingly set out only the quantities covered by the production declarations, on which the scale is based;

Whereas the structure and size of vineyards in the various regions lead not only to different production costs but also to different incomes for producers; whereas account must therefore be taken of that situation; whereas, moreover, increases in yield per hectare affect in different ways the quality of the wine produced in the regions which are subject to compulsory distillation; whereas, in region 3, any exceeding of the average yield, in general impairs the quality of the product; whereas, in those circumstances and in order to channel wine-growing towards higher quality production, the major quantity covered by the obligation to distill should relate to production obtained with a yield exceeding the average for region 3 and production obtained with a yield lower than that average should be exempted from the obligation; whereas weather conditions in region 4 on the other hand are such that the yield per hectare does not have such a direct effect on the quality of production; whereas in that region a low yield may even result in a quantity of wine that is not suitable for direct consumption; whereas it is therefore possible in that region to make provision for a scale which is graduated but applies to the entire production; whereas yields in region 6 are on average below those of other regions; whereas the yield has relatively little impact on the product's quality in that region; whereas provision may be made in that region for a scale which would exclude only what is produced on the basis of the lowest yields, in other words yields which would tend to result in an obligation to deliver for distillation only very small quantities which would qualify for exemption under Regulation (EEC) No 441/88;

Whereas, as the total quantity subject to compulsory distillation in the wine year in progress includes stocks of a structural nature in addition to the surpluses from this wine year, provision should be made for scales in line with the requirements of this situation to be drawn up;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Article 5 (1) of Regulation (EEC) No 441/88, production from the 1987/88 harvest shall be broken down into the following yield classes:

[1] OJ No L 84, 27. 3. 1987, p. 1.
[2] OJ No L 377, 31. 12. 1987, p. 20.
[3] OJ No L 45, 18. 2. 1988, p. 15.
[4] OJ No L 378, 31. 12. 1987, p. 45.

(a) Region 3 :

Production obtained with a yield, expressed in hectolitres per hectare :

— up to 90 :	17 195 993	hectolitres,
— 90 or more, but not more than 110 :	11 642 299	hectolitres,
— of more than 110, but not more than 140 :	5 706 917	hectolitres,
— of more than 140, but not more than 200 :	1 125 026	hectolitres,
— exceeding 200 :	608 943	hectolitres ;

(b) Region 4 :

Production obtained with a yield, expressed in hectolitres per hectare :

— not exceeding 45 :	2 647 000	hectolitres,
— of more than 45, but not more than 70 :	6 141 000	hectolitres,
— of more than 70, but not more than 90 :	11 595 000	hectolitres,
— of more than 90, but not more than 110 :	10 959 000	hectolitres,
— of more than 110, but not more than 140 :	11 118 000	hectolitres,
— of more than 140, but not more than 200 :	9 106 000	hectolitres,
— exceeding 200 :	1 377 000	hectolitres ;

(c) Region 6 :

— Part A : production	143 911	hectolitres
— Part B :		

Production obtained with a yield, expressed in hectolitres per hectare :

— not exceeding 15 :	409 003	hectolitres,
— of more than 15, but not more than 20 :	1 339 634	hectolitres,
— of more than 20, but not more than 30 :	5 199 723	hectolitres,
— of more than 30, but not more than 40 :	11 580 684	hectolitres,
— of more than 40, but not more than 55 :	6 936 299	hectolitres,
— of more than 55, but not more than 70 :	1 744 520	hectolitres,
— of more than 70, but not more than 100 :	80 819	hectolitres,
— exceeding 100 :	334	hectolitres ;

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

(a) Region 3 :

— for production obtained with a yield of less than 90 hectolitres per hectare, the coefficient applicable shall be 0,0,

— for production obtained with a yield higher than or equal to 90 hectolitres per hectare, the following coefficients shall apply to the portion of production corresponding to the yield classes set out below, expressed in hectolitres per hectare :

— from 0 to 95 :	0,144,
— more than 95, but not more than 110 :	2,35,
— more than 110, but not more than 140 :	2,82,
— exceeding 140 :	1,35.

(b) In region 4 the following percentages shall apply to the portion of the production corresponding to the yield classes set out below, expressed in hectolitres per hectare :

— not exceeding 45 :	0,04,
— more than 45, but not more than 70 :	0,30,
— more than 70, but not more than 90 :	0,45,
— more than 90, but not more than 110 :	0,65,
— more than 110, but not more than 140 :	0,85,
— more than 140, but not more than 200 :	1,00,
— exceeding 200 :	1,10.

(c) In region 6 the following percentages shall apply to the portion of the production corresponding to the yield classes set out below, expressed in hectolitres per hectare :

Part A : all yield classes :	0,0.
Part B :	
— not exceeding 15 :	0,0,
— more than 15, but not more than 20 :	0,55,
— more than 20, but not more than 30 :	0,70,
— more than 30, but not more than 40 :	0,80,
— more than 40, but not more than 55 :	0,85,
— more than 55, but not more than 70 :	0,90,
— more than 70, but not more than 100 :	0,95,
— exceeding 100 :	1,00.

Article 2

The quantity that each producer shall be required to deliver for distillation shall be determined by multiplying the quantity referred to in Article 6 of Regulation (EEC) No 441/88 by the percentage as shown in the table in the Annex which corresponds to the yield determined in accordance with 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, 26 February 1988.

For the Commission
Frans ANDRIESSEN
Vice-President

ANNEX

Percentage of the quantity referred to in Article 1

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
not exceeding 15	0	4	0
16	0	4	3,43
17	0	4	6,47
18	0	4	9,16
19	0	4	11,57
20	0	4	13,75
21	0	4	16,42
22	0	4	18,86
23	0	4	21,08
24	0	4	23,12
25	0	4	25,00
26	0	4	26,73
27	0	4	28,33
28	0	4	29,82
29	0	4	31,20
30	0	4	32,50
31	0	4	34,03
32	0	4	35,46
33	0	4	36,81
34	0	4	38,08
35	0	4	39,28
36	0	4	40,41
37	0	4	41,48
38	0	4	42,50
39	0	4	43,46
40	0	4	44,37
41	0	4	45,36
42	0	4	46,30
43	0	4	47,20
44	0	4	48,06
45	0	4	48,88
46	0	4,6	49,67
47	0	5,1	50,42
48	0	5,6	51,14
49	0	6,1	51,83
50	0	6,6	52,50
51	0	7,1	53,13
52	0	7,5	53,75
53	0	7,9	54,33
54	0	8,3	54,90
55	0	8,7	55,45
56	0	9,1	56,07
57	0	9,5	56,66
58	0	9,8	57,24
59	0	10,2	57,79
60	0	10,5	58,33
61	0	10,8	58,85
62	0	11,1	59,35
63	0	11,4	59,84
64	0	11,7	60,31
65	0	12,0	60,76
66	0	12,3	61,21
67	0	12,5	61,64
68	0	12,8	62,05
69	0	13,0	62,46
70	0	13,3	62,85
71	0	13,7	63,30
72	0	14,2	63,75
73	0	14,6	64,17
74	0	15,0	64,59
75	0	15,4	65,00
76	0	15,8	65,39
77	0	16,2	65,77
78	0	16,5	66,15
79	0	16,9	66,51
80	0	17,3	66,87
81	0	17,6	67,22
82	0	17,9	67,56
83	0	18,3	67,89
84	0	18,6	68,21
85	0	18,9	68,52
86	0	19,2	68,83
87	0	19,5	69,13
88	0	19,8	69,43
89	0	20,1	69,71
90	14,4	20,3	70,00
91	14,4	20,8	70,27
92	14,4	21,3	70,54
93	14,4	21,8	70,80
94	14,4	22,2	71,06
95	14,4	22,7	71,31
96	16,7	23,1	71,56
97	18,9	23,6	71,80
98	21,2	24,0	72,04
99	23,3	24,4	72,27
100	25,4	24,8	72,50
101	27,5	25,2	
102	29,5	25,6	
103	31,5	26,0	
104	33,5	26,3	
105	35,4	26,7	
106	37,3	27,1	
107	39,1	27,4	
108	41,0	27,8	
109	42,7	28,1	
110	44,5	28,5	
111	46,6	29,0	
112	48,7	29,5	

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
113	50,8	30,0	
114	52,8	30,4	
115	54,8	30,9	
116	56,8	31,4	
117	58,7	31,8	
118	60,6	32,3	
119	62,4	32,7	
120	64,3	33,2	
121	66,1	33,6	
122	67,8	34,0	
123	69,6	34,4	
124	71,3	34,8	
125	73,0	35,2	
126	74,6	35,6	
127	76,3	36,0	
128	77,9	36,4	
129	79,5	36,8	
130	81,0	37,2	
131	82,6	37,5	
132	84,1	37,9	
133	85,6	38,2	
134	87,0	38,6	
135	88,5	38,9	
136	89,9	39,3	
137	91,3	39,6	
138	92,7	39,9	
139	94,0	40,3	
140	95,4	40,6	
141	95,7	41,0	
142	95,9	41,4	
143	96,2	41,8	
144	96,5	42,2	
145	96,7	42,6	
146	97,0	43,0	
147	97,3	43,4	
148	97,5	43,8	
149	97,8	44,2	
150	98,0	44,5	
151	98,3	44,9	
152	98,5	45,3	
153	98,7	45,6	
154	99,0	46,0	
155	99,2	46,3	
156	99,4	46,7	
157	99,7	47,0	
158	99,9	47,3	
159	100,0	47,7	
160	100,0	48,0	
161	100,0	48,3	
162	100,0	48,6	
163	100,0	49,0	
164	100,0	49,3	
165	100,0	49,6	
166	100,0	49,9	
167	100,0	50,2	
168	100,0	50,5	
169	100,0	50,8	
170	100,0	51,1	
171	100,0	51,3	
172	100,0	51,6	
173	100,0	51,9	
174	100,0	52,2	
175	100,0	52,5	
176	100,0	52,7	
177	100,0	53,0	
178	100,0	53,3	
179	100,0	53,5	
180	100,0	53,8	
181	100,0	54,0	
182	100,0	54,3	
183	100,0	54,5	
184	100,0	54,8	
185	100,0	55,0	
186	100,0	55,3	
187	100,0	55,5	
188	100,0	55,7	
189	100,0	56,0	
190	100,0	56,2	
191	100,0	56,4	
192	100,0	56,7	
193	100,0	56,9	
194	100,0	57,1	
195	100,0	57,3	
196	100,0	57,6	
197	100,0	57,8	
198	100,0	58,0	
199	100,0	58,2	
200	100,0	58,4	
201	100,0	58,7	
202	100,0	58,9	
203	100,0	59,2	
204	100,0	59,4	
205	100,0	59,7	
206	100,0	59,9	
207	100,0	60,1	
208	100,0	60,4	
209	100,0	60,6	
210	100,0	60,9	
211	100,0	61,1	
212	100,0	61,3	
213	100,0	61,5	
214	100,0	61,8	
215	100,0	62,0	
216	100,0	62,2	
217	100,0	62,4	
218	100,0	62,7	
219	100,0	62,9	
220	100,0	63,1	

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
221	100,0	63,3	
222	100,0	63,5	
223	100,0	63,7	
224	100,0	63,9	
225	100,0	64,1	
226	100,0	64,3	
227	100,0	64,5	
228	100,0	64,7	
229	100,0	64,9	
230	100,0	65,1	
231	100,0	65,3	
232	100,0	65,5	
233	100,0	65,7	
234	100,0	65,9	
235	100,0	66,1	
236	100,0	66,3	
237	100,0	66,5	
238	100,0	66,6	
239	100,0	66,8	
240	100,0	67,0	
241	100,0	67,2	
242	100,0	67,4	
243	100,0	67,5	
244	100,0	67,7	
245	100,0	67,9	
246	100,0	68,0	
247	100,0	68,2	
248	100,0	68,4	
249	100,0	68,6	
250 (1)	100,0	68,7	

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