COMMISSION REGULATION (EEC) No 3887/90

of 21 December 1990

amending for the eleventh time Regulation (EEC) No 646/86 fixing the export refunds on wine

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 1325/90 (2), and in particular Article 56 (4) thereof,

Whereas Commission Regulation (EEC) No 646/86 (3), as last amended by Regulation (EEC) No 2220/90 (4), fixed the export refunds on wine;

Whereas Spanish prices have, subsequent to alignment with those of the Community of Ten, fallen considerably, although not uniformly for all categories, because of the abundance of the 1990/91 vintage in Spain; whereas, in order to continue to provide balanced conditions of competition between Spanish operators and those in the other Member States, certain refunds applicable in Spain must be adjusted; whereas since refunds cannot be fixed in advance in the wine sector these adjustments shall be delayed in order to permit realization of export operations in hand and to avoid imposition of an unwarranted penalty on operators;

Whereas there are good prospects at the moment for disposal of table wine in certain third country markets, in particular Yugoslavia; whereas the list of third countries for which export refunds are granted should be lengthened, at least up to the end of 1991; whereas the refund for a new destruction is to be determined on the basis of current market quotations; whereas prices on the Spanish market will be pushed upwards by the massive distillation operations introduced by Commission Regulation (EEC) No 3747/90 (5) and (EEC) No 3748/90 (6); whereas provision should be made such that when the impact of these measures occurs export refund for Yugoslavia are brought into line with those for other destination;

Whereas 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

The Annex to Regulation (EEC) No 646/86 is hereby replaced:

(a) from the date of entry into force of this Regulation until 28 February 1991, by Annex I to this Regulation;

(b) from 1 March 1991 onwards, by Annex II to this Regulation.

Article 2

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, 21 December 1990.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 84, 27. 3. 1987, p. 1.
(2) OJ No L 132, 23. 5. 1990, p. 19.
(3) OJ No L 60, 1. 3. 1986, p. 46.
(4) OJ No L 202, 31. 7. 1990, p. 28.
(5) OJ No L 360, 22. 12. 1990, p. 34.
(6) OJ No L 360, 22. 12. 1990, p. 37.

ANNEX I

Export refunds applicable until 28 February 1991

Product code	For export to (1)	Refund amount applicable in the Community as constituted at 31 December 1985	Refund amount applicable in Spain
		in ecu/% vol/hl	
2009 60 11 100 (2)	01 ; 02 ; 09	1,30	1,10
2009 60 19 100 (2)	01 ; 02 ; 09	1,30	1,10
2009 60 51 100 (2)	01 ; 02 ; 09	1,30	1,10
2009 60 71 100 (2)	01 ; 02 ; 09	1,30	1,10
		in ecu/hl	
2204 21 25 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 21 25 130	02 ; 09	0,80	—
2204 21 25 190	02	1,80	1,50
	03	1,65	0,90
	09	1,65	1,30
		in ecu/hl	
2204 21 25 910	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 21 29 130	02 ; 09	0,80	—
2204 21 29 190	02	1,80	1,67
	03	1,65	0,90
	09	1,65	1,52
		in ecu/hl	
2204 21 35 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 21 35 130	02 ; 09	0,80	—
2204 21 35 190	02	1,80	1,50
	03	1,65	0,90
	09	1,65	1,30
2204 21 39 130	02 ; 03	0,80	—
2204 21 39 190	02	1,80	1,67
	03	1,65	0,90
	09	1,65	1,52
		in ecu/hl	
2204 21 49 910	02 ; 09	17,25	—
2204 21 59 910	02 ; 09	17,25	—
2204 29 25 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 29 25 130	02 ; 09	0,80	—
2204 29 25 190	02	1,80	1,50
	03	1,65	0,90
	09	1,65	1,30

Product code	For export to (1)	Refund amount applicable in the Community as constituted at 31 December 1985	Refund amount applicable in Spain
		in ecu/hl	
2204 29 25 910	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 29 29 130	02 ; 09	0,80	—
2204 29 29 190	02	1,80	1,67
	03	1,65	0,90
	09	1,65	1,52
		in ecu/hl	
2204 29 35 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 29 35 130	02 ; 09	0,80	—
2204 29 35 190	02	1,80	1,50
	03	1,65	0,90
	09	1,65	1,30
2204 29 39 130	02 ; 09	0,80	—
2204 29 39 190	02	1,80	1,67
	03	1,65	0,90
	09	1,65	1,52
		in ecu/hl	
2204 29 49 910	02 ; 09	17,25	—
2204 29 59 910	02 ; 09	17,25	—
		in ecu/% vol/hl	
2204 30 91 100 (2)	01 ; 02 ; 09	1,30	1,10
2204 30 99 100 (2)	01 ; 02 ; 09	1,30	1,10

(1) The destinations are as follows :

01 Venezuela ;

02 All countries of the African continent with the exception of those explicitly excluded under 09 ;

03 Yugoslavia ;

09 All other destinations with the exception of the following third countries :

— all countries of the American continent within the meaning of Commission Regulation (EEC) No 3639/86, as extended by Regulation (EEC) No 634/89 (OJ No L 70, 14. 3. 1989, p. 17),
— South Africa,
— Algeria,
— Australia,
— Austria,
— Cyprus,
— Israel,
— Morocco,
— Switzerland,
— Tunisia,
— Turkey.

(2) The alcoholic strength to be used is the potential alcoholic strength by volume.

NB : The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 3399/90 (OJ No L 331, 29. 11. 1990, p. 1).

ANNEX II

Export refunds applicable from 1 March 1991

Product code	For export to (1)	Refund amount applicable in the Community as constituted at 31 December 1985	Refund amount applicable in Spain
		in ecu/% vol/hl	
2009 60 11 100 (2)	01 ; 02 ; 09	1,30	0,90
2009 60 19 100 (2)	01 ; 02 ; 09	1,30	0,90
2009 60 51 100 (2)	01 ; 02 ; 09	1,30	0,90
2009 60 71 100 (2)	01 ; 02 ; 09	1,30	0,90
		in ecu/hl	
2204 21 25 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 21 25 130	02 ; 09	0,80	—
2204 21 25 190	02	1,80	1,30
	09	1,65	1,10
		in ecu/hl	
2204 21 25 910	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 21 29 130	02 ; 09	0,80	—
2204 21 29 190	02	1,80	1,61
	09	1,65	1,46
		in ecu/hl	
2204 21 35 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 21 35 130	02 ; 09	0,80	—
2204 21 35 190	02	1,80	1,30
	09	1,65	1,10
2204 21 39 130	02 ; 09	0,80	—
2204 21 39 190	02	1,80	1,61
	09	1,65	1,46
		in ecu/hl	
2204 21 49 910	02 ; 09	17,25	—
2204 21 59 910	02 ; 09	17,25	—
2204 29 25 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 29 25 130	02 ; 09	0,80	—
2204 29 25 190	02	1,80	1,30
	09	1,65	1,10

Product code	For export to (1)	Refund amount applicable in the Community as constituted at 31 December 1985	Refund amount applicable in Spain
		in ecu/hl	
2204 29 25 910	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 29 29 130	02 ; 09	0,80	—
2204 29 29 190	02	1,80	1,61
	09	1,65	1,46
		in ecu/hl	
2204 29 35 110	02 ; 09	5,50	—
		in ecu/% vol/hl	
2204 29 35 130	02 ; 03	0,80	—
2204 29 35 190	02	1,80	1,30
	09	1,65	1,10
2204 29 39 130	02	0,80	—
2204 29 39 190	02	1,80	1,61
	09	1,65	1,46
		in ecu/hl	
2204 29 49 910	02 ; 09	17,25	—
2204 29 59 910	02 ; 09	17,25	—
		in ecu/% vol/hl	
2204 30 91 100 (2)	01 ; 02 ; 09	1,30	0,90
2204 30 99 100 (2)	01 ; 02 ; 09	1,30	0,90

(1) The destinations are as follows :

01 Venezuela ;

02 All countries of the African continent with the exception of those explicitly excluded under 09 ;

09 All other destinations with the exception of the following third countries :

— all countries of the American continent within the meaning of Commission Regulation (EEC) No 3639/86, as extended by Regulation (EEC) No 634/89 (OJ No L 70, 14. 3. 1989, p. 17),
— South Africa,
— Algeria,
— Australia,
— Austria,
— Cyprus,
— Israel,
— Morocco,
— Switzerland,
— Tunisia,
— Turkey,
— Yugoslavia (from 1 September 1991).

(2) The alcoholic strength to be used is the potential alcoholic strength by volume.

NB : The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 3399/90 (OJ No L 331, 29. 11. 1990, p. 1).