COMMISSION REGULATION (EEC) No 488/90

of 27 February 1990

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fixing for the 1989/90 wine year the percentages of table wine production to be delivered for compulsory distillation as provided for in Article 39 of Council 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 388/90 (2), and in particular Article 39 (9), (10) and (11) thereof,

Whereas Commission Regulation (EEC) No 441/88 (3), as last amended by Regulation (EEC) No 467/90 (4), 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 117/90 (5) opens for the 1989/90 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 and must take account of the exemptions from compulsory distillation provided for in Article 8 (1) or Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of winegrowing areas (6); 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 117/90 of the deducted from a region's quantity; whereas that obligation applied 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, in accordance with the provisions on the fixing of the scale providing for in the fourth subparagraph of Article 39 (4) of Regulation (EEC) No 822/87, reference must be made to the average yield of each production region which the scales are drawn up;

Whereas the scale to be established must be incremental, thus penalizing the highest yields, and ensure that, where there is a relatively small quantity for compulsory distillation, the quantitative limites laid down in Regulation (EEC) No 117/90 for the various production regions should not be exceeded;

Whereas, in view of the derogation provided for in Article 39 (10) of Regulation (EEC) No 822/87, it must be specified that the quantity for preventive distillation is to be deducted from the quantity for compulsory distillaton in Greece;

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

1. Pursuant to Article 5 (1) or Regulation (EEC) No 441/88, production from the 1989/90 harvest shall be broken down into the following yield classes:

(a) region 3:

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

— of up to 90:	20 938 677	hectolitres,
— of 90 or more, but not more than 110:	2 669 339	hectolitres,
— of more than 110, but not more than 140:	652 017	hectolitres,
— of more than 140, but not more than 200:	207 845	hectolitres,
— exceeding 200:	68 021	hectolitres;

(1) OJ No L 84, 27. 3. 1987, p. 1.
(2) OJ No L 42, 16. 2. 1990, p. 9.
(3) OJ No L 45, 18. 2. 1988, p. 15.
(4) OJ No L 48, 24. 2. 1990, p. 29.
(5) OJ No L 14, 18. 1. 1990, p. 10.
(6) OJ No L 132, 28. 5. 1988, p. 3.

(b) region 4 :

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

— not exceeding 70 : 11 854 110 hectolitres,
— of more than 70, but not more than 90 : 11 160 124 hectolitres,
— of more than 90, but not more than 110 : 12 237 817 hectolitres,
— of more than 110, but not more than 140 : 5 245 462 hectolitres,
— of more than 140, but not more than 200 : 1 842 476 hectolitres,
— exceeding 200 : 225 213 hectolitres ;

(c) region 6 :

— Part A : production 85 631 hectolitres,
— Part B : Production obtained with a yield, expressed in hectolitres per hectare :
— not exceeding 15 : 1 459 451 hectolitres,
— of more than 15, but not more than 20 : 3 154 688 hectolitres,
— of more than 20, but not more than 30 : 8 783 848 hectolitres,
— of more than 30, but not more than 45 : 4 346 191 hectolitres,
— of more than 45, but not more than 70 : 174 697 hectolitres,
— of more than 70, but not more than 90 : 27 146 hectolitres,
— exceeding 90 : 969 hectolitres.

2. The average yield in production region 3 shall be 67 hectolitres per hectare ; in region 4 it shall be 80 hectolitres per hectare ; in region 6 it shall be 26 hectolitres per hectare.

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 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

In the case of region 5 as referred to in Article 4 (2) of Regulation (EEC) No 441/88, the quantity for preventive distillation in that region pursuant to Commission Regulation (EEC) No 2485/89 [1] shall be deducted from the quantity referred to in Article 1 (3) of Regulation (EEC) No 117/90.

Article 4

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, 27 February 1990.

For the Commission
Ray MAC SHARRY
Member of the Commission

[1] OJ No L 238, 15. 8. 1989, p. 21.

ANNEX

Percentage of the quantity referred to in Article 2

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
not exceeding 15	0	0	0
16	0	0	1,9
17	0	0	3,5
18	0	0	5,0
19	0	0	6,3
20	0	0	7,5
21	0	0	8,6
22	0	0	9,5
23	0	0	10,4
24	0	0	11,3
25	0	0	12,0
26	0	0	12,9
27	0	0	13,3
28	0	0	13,9
29	0	0	14,5
30	0	0	15,0
31	0	0	15,6
32	0	0	16,3
33	0	0	16,8
34	0	0	17,4
35	0	0	17,9
36	0	0	18,3
37	0	0	18,8
38	0	0	19,2
39	0	0	19,6
40	0	0	20,0
41	0	0	20,4
42	0	0	20,7
43	0	0	21,0
44	0	0	21,4
45	0	0	21,7
46	0	0	22,0
47	0	0	22,2
48	0	0	22,5
49	0	0	22,8
50	0	0	23,0
51	0	0	23,2
52	0	0	23,5
53	0	0	23,7
54	0	0	23,9
55	0	0	24,1
56	0	0	24,3
57	0	0	24,5
58	0	0	24,7
59	0	0	24,8
60	0	0	25,0
61	0	0	25,2
62	0	0	25,3
63	0	0	25,5

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
64	0	0	25,6
65	0	0	25,8
66	0	0	25,9
67	0	0	26,0
68	0	0	26,2
69	0	0	26,3
70	0	0	26,5
71	0	0,3	26,6
72	0	0,6	26,8
73	0	0,9	27,0
74	0	1,2	27,2
75	0	1,5	27,3
76	0	1,8	27,5
77	0	2,1	27,7
78	0	2,4	27,9
79	0	2,7	28,0
80	0	3,0	28,1
81	0	3,2	28,3
82	0	3,4	28,4
83	0	3,6	28,6
84	0	3,8	28,7
85	0	4,0	28,8
86	0	4,2	29,0
87	0	4,4	29,1
88	0	4,6	29,2
89	0	4,8	29,3
90	0	5,0	29,4
91	1,1	5,2	29,6
92	2,2	5,4	29,7
93	3,2	5,6	29,8
94	4,3	5,8	29,9
95	5,3	6,0	30,0
96	7,8	6,2	30,1
97	10,3	6,4	30,2
98	12,8	6,6	30,3
99	15,2	6,8	30,4
100	17,5	7,0	30,5
101	19,8	7,2	30,6
102	22,1	7,4	30,7
103	24,3	7,6	30,8
104	26,4	7,8	30,9
105	28,6	8,0	31,0
106	30,7	8,2	31,0
107	32,7	8,4	31,1
108	34,7	8,6	31,2
109	36,7	8,8	31,3
110	38,6	9,0	31,4
111	40,5	9,2	31,4
112	42,4	9,3	31,5

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
113	44,2	9,5	31,6
114	46,1	9,7	31,7
115	47,8	9,8	31,7
116	49,6	10,0	31,8
117	51,3	10,2	31,9
118	53,0	10,3	31,9
119	54,6	10,5	32,0
120	56,3	10,7	32,1
121	57,9	10,8	
122	59,4	11,0	
123	61,0	11,2	
124	62,5	11,3	
125	64,0	11,5	
126	65,5	11,7	
127	66,9	11,8	
128	68,4	12,0	
129	69,8	12,2	
130	71,2	12,3	
131	72,5	12,5	
132	73,9	12,7	
133	75,2	12,8	
134	76,5	13,0	
135	77,8	13,2	
136	79,0	13,3	
137	80,3	13,5	
138	81,5	13,7	
139	82,7	13,8	
140	83,9	14,0	
141	84,4	15,7	
142	84,9	17,4	
143	85,4	19,1	
144	85,9	20,8	
145	86,4	22,5	
146	86,8	24,2	
147	87,3	25,9	
148	87,8	27,6	
149	88,2	29,3	
150	88,7	31,0	
151	89,1	32,7	
152	89,5	34,4	
153	90,0	36,1	
154	90,4	37,8	
155	90,8	39,5	
156	91,2	41,2	
157	91,6	42,9	
158	92,0	44,6	
159	92,4	46,3	
160	92,8	48,0	
161	93,2	48,1	
162	93,6	48,1	
163	94,0	48,2	
164	94,3	48,2	
165	94,7	48,3	
166	95,1	48,3	

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
167	95,4	48,4	
168	95,8	48,4	
169	96,1	48,5	
170	96,5	48,5	
171	96,8	48,6	
172	97,2	48,6	
173	97,5	48,7	
174	97,8	48,7	
175	98,1	48,8	
176	98,5	48,8	
177	98,8	48,9	
178	99,1	48,9	
179	99,4	49,0	
180	99,7	49,0	
181	100,0	49,1	
182	100,0	49,1	
183	100,0	49,2	
184	100,0	49,2	
185	100,0	49,3	
186	100,0	49,3	
187	100,0	49,4	
188	100,0	49,4	
189	100,0	49,5	
190	100,0	49,5	
191	100,0	49,6	
192	100,0	49,6	
193	100,0	49,7	
194	100,0	49,7	
195	100,0	49,8	
196	100,0	49,8	
197	100,0	49,9	
198	100,0	49,9	
199	100,0	50,0	
200	100,0	50,0	
201	100,0	50,1	
202	100,0	50,1	
203	100,0	50,2	
204	100,0	50,2	
205	100,0	50,3	
206	100,0	50,4	
207	100,0	50,4	
208	100,0	50,5	
209	100,0	50,5	
210	100,0	50,6	
211	100,0	50,7	
212	100,0	50,7	
213	100,0	50,8	
214	100,0	50,8	
215	100,0	50,9	
216	100,0	51,0	
217	100,0	51,0	
218	100,0	51,1	
219	100,0	51,1	
220	100,0	51,2	

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
221	100,0	51,3	
222	100,0	51,3	
223	100,0	51,4	
224	100,0	51,4	
225	100,0	51,5	
226	100,0	51,6	
227	100,0	51,6	
228	100,0	51,7	
229	100,0	51,7	
230	100,0	51,8	
231	100,0	51,9	
232	100,0	51,9	
233	100,0	52,0	
234	100,0	52,0	
235	100,0	52,1	
236	100,0	52,2	
237	100,0	52,2	
238	100,0	52,3	
239	100,0	52,3	
240	100,0	52,4	
241	100,0	52,5	
242	100,0	52,5	
243	100,0	52,6	
244	100,0	52,6	
245	100,0	52,7	
246	100,0	52,8	
247	100,0	52,8	
248	100,0	52,9	
249	100,0	52,9	
250	100,0	53,0	
251	100,0	53,0	
252	100,0	53,1	
253	100,0	53,1	
254	100,0	53,2	
255	100,0	53,2	
256	100,0	53,2	
257	100,0	53,3	
258	100,0	53,3	
259	100,0	53,4	
260	100,0	53,4	

Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6 Part B
261	100,0	53,4	
262	100,0	53,5	
263	100,0	53,5	
264	100,0	53,6	
265	100,0	53,6	
266	100,0	53,6	
267	100,0	53,7	
268	100,0	53,7	
269	100,0	53,8	
270	100,0	53,8	
271	100,0	53,8	
272	100,0	53,9	
273	100,0	53,9	
274	100,0	54,0	
275	100,0	54,0	
276	100,0	54,0	
277	100,0	54,1	
278	100,0	54,1	
279	100,0	54,2	
280	100,0	54,2	
281	100,0	54,2	
282	100,0	54,3	
283	100,0	54,3	
284	100,0	54,4	
285	100,0	54,4	
286	100,0	54,4	
287	100,0	54,5	
288	100,0	54,5	
289	100,0	54,6	
290	100,0	54,6	
291	100,0	54,6	
292	100,0	54,7	
293	100,0	54,7	
294	100,0	54,8	
295	100,0	54,8	
296	100,0	54,8	
297	100,0	54,9	
298	100,0	54,9	
299	100,0	55,0	
300	100,0	55,0	