COMMISSION REGULATION (EEC) No 487/93

of 2 March 1993

for the 1992/93 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 1756/92 (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 3699/92 (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 129/93 (5) opens for the 1992/93 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 distil, 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); as amended by Regulation (EEC) No 833/92 (7); 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 129/93 to be 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 provided 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 in which the scales are drawn up;

Whereas Portugal should be integrated in the seventh region in accordance with Regulation (EEC) No 441/88; whereas whether conditions in Region 4 do not have a direct effect on quality of production; whereas products obtained with high yields are of good quality and of good commercial potential while on the other hand certain wines obtained with low yields do not meet market requirements; whereas, therefore, provision should be made in that region 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 the scale to be established must be incremental, thus penalizing the highest yields, and ensure that, the quantitative limits laid down in Regulation (EEC) No 129/93 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 distillation in Greece;

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

(1) OJ No L 84, 27. 3. 1987, p. 1.
(2) OJ No L 180, 1. 7. 1992, p. 27.
(3) OJ No L 45, 18. 2. 1988, p. 15.
(4) OJ No L 374, 22. 12. 1992, p. 54.
(5) OJ No L 18, 27. 1. 1993, p. 10.
(6) OJ No L 132, 28. 5. 1988, p. 3.
(7) OJ No L 88, 3. 4. 1992, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Article 5 (1) of Regulation (EEC) No 441/88, production from the 1992/93 harvest shall be broken down into the following yield classes:

(a) Region 3:

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

— not exceeding 45: 1 507 812 hectolitres,
— of more than 45, but not more than 70: 5 718 184 hectolitres,
— of more than 70, but not more than 90: 15 704 259 hectolitres,
— of more than 90, but not more than 110: 923 344 hectolitres,
— of more than 110, but not more than 140: 187 956 hectolitres,
— of more than 140, but not more than 200: 117 935 hectolitres,
— exceeding 200: 91 899 hectolitres;

(b) Region 4:

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

— not exceeding 45: 2 065 000 hectolitres,
— of more than 45, but not more than 70: 7 362 000 hectolitres,
— of more than 70, but not more than 90: 14 708 000 hectolitres,
— of more than 90, but not more than 110: 11 082 000 hectolitres,
— of more than 110, but not more than 140: 8 564 000 hectolitres,
— of more than 140, but not more than 200: 3 974 000 hectolitres,
— exceeding 200: 317 000 hectolitres;

(c) Region 6:

— Part A: production 63 648 hectolitres,
— Part B: 22 131 058 hectolitres.

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

— not exceeding 9: 117 097 hectolitres,
— of more than 9, but not more than 12: 201 534 hectolitres,
— of more than 12, but not more than 19: 1 670 826 hectolitres,
— of more than 19, but not more than 24: 2 127 489 hectolitres,
— of more than 24, but not more than 29: 3 469 372 hectolitres,
— of more than 29, but not more than 49: 12 346 289 hectolitres,
— exceeding 49: 2 198 451 hectolitres;

(d) Region 7:

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

— not exceeding 50: 2 405 305 hectolitres,
— of more than 50, but not more than 70: 840 735 hectolitres,
— of more than 70, but not more than 85: 301 678 hectolitres,
— of more than 85, but not more than 100: 90 105 hectolitres,
— of more than 100, but not more than 120: 122 329 hectolitres,
— exceeding 120: 225 874 hectolitres;

2. The average yield in production Region 3 shall be 69,3 hectolitres per hectare; in Region 4 it shall be 82 hectolitres per hectare; in Region 6 it shall be 33 hectolitres per hectare; in Region 7 it shall be 56 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 2363/92 [1] shall be deducted from the quantity referred to in Article 1 (3) of Regulation (EEC) No 129/93.

Article 4

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

[1] OJ No L 230, 13. 8. 1992, p. 15.

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

Done at Brussels, 2 March 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

Percentage of the quantity referred to in Article 2

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

Yield (hectolitres per hectare)	%			
	Region 3	Region 4	Region 6, Part B	Region 7
104	34,2	32,3	51,9	71,79
105	36,0	32,8	52,0	73,12
106	37,8	33,2	52,0	74,45
107	39,6	33,7	52,0	75,00
108	41,4	34,1	52,0	75,00
109	43,2	34,6	52,1	75,00
110	45,0	35,0	52,1	75,00
111	46,3	35,3		75,00
112	47,5	35,7		75,00
113	48,8	36,0		75,00
114	50,0	36,3		75,00
115	51,3	36,7		75,00
116	52,5	37,0		75,00
117	53,8	37,3		
118	55,0	37,7		
119	56,3	38,0		
120	57,5	38,3		
121	58,8	38,7		
122	60,0	39,0		
123	61,3	39,3		
124	62,5	39,7		
125	63,8	40,0		
126	65,0	40,6		
127	66,3	41,3		
128	67,5	41,9		
129	68,8	42,5		
130	70,0	43,2		
131	71,3	43,8		
132	72,5	44,4		
133	73,8	45,1		
134	75,0	45,7		
135	76,3	46,3		
136	77,5	47,0		
137	78,8	47,6		
138	80,0	48,2		
139	81,3	48,9		
140	82,5	49,5		
141	83,5	50,1		
142	84,5	50,7		
143	85,5	51,3		
144	86,5	51,8		
145	87,5	52,4		
146	88,5	53,0		
147	89,5	53,6		
148	90,5	54,2		
149	91,5	54,9		
150	92,5	55,3		
151	93,5	55,9		
152	94,5	56,5		
153	95,5	57,1		
154	96,5	57,7		
155	97,5	58,3		
156	98,5	58,8		
157	99,5	59,4		
158	100,0	60,0		
159	100,0	60,6		

Yield (hectolitres per hectare)	%			
	Region 3	Region 4	Region 6, Part B	Region 7
160	100,0	61,2		
161	100,0	61,8		
162	100,0	62,3		
163	100,0	62,9		
164	100,0	63,5		
165	100,0	64,1		
166	100,0	64,7		
167	100,0	65,3		
168	100,0	65,8		
169	100,0	66,4		
170	100,0	67,0		
171	100,0	67,3		
172	100,0	67,7		
173	100,0	68,0		
174	100,0	68,3		
175	100,0	68,7		
176	100,0	69,0		
177	100,0	69,3		
178	100,0	69,7		
179	100,0	70,0		
180		70,3		
181		70,7		
182		71,0		
183		71,3		
184		71,7		
185		72,0		
186		72,3		
187		72,7		
188		73,0		
189		73,3		
190		73,7		
191		74,0		
192		74,3		
193		74,7		
194		75,0		
195		75,3		
196		75,7		
197		76,0		
198		76,3		
199		76,7		
200		77,0		
201		77,1		
202		77,2		
203		77,3		
204		77,4		
205		77,5		
206		77,5		
207		77,6		
208		77,7		
209		77,8		
210		77,9		
211		78,0		
212		78,1		
213		78,2		

Yield (hectolitres per hectare)	%			
	Region 3	Region 4	Region 6, Part B	Region 7
214		78,3		
215		78,4		
216		78,4		
217		78,5		
218		78,6		
219		78,7		
220		78,8		
221		78,9		
222		79,0		
223		79,1		
224		79,2		
225		79,3		
226		79,3		
227		79,4		
228		79,5		
229		79,6		
230		79,7		
231		79,8		
232		79,9		
233		80,0		
234		80,1		
235		80,2		
236		80,2		
237		80,3		
238		80,4		
239		80,5		
240		80,6		
241		80,7		
242		80,8		
243		80,9		
244		81,0		
245		81,1		
246		81,1		
247		81,2		
248		81,3		
249		81,4		
250		81,5		
251		81,6		
252		81,7		
253		81,8		
254		81,9		
255		82,0		
256		82,0		

Yield (hectolitres per hectare)	%			
	Region 3	Region 4	Region 6, Part B	Region 7
257		82,1		
258		82,2		
259		82,3		
260		82,4		
261		82,5		
262		82,6		
263		82,7		
264		82,8		
265		82,9		
266		82,9		
267		83,0		
268		83,1		
269		83,2		
270		83,3		
271		83,4		
272		83,5		
273		83,6		
274		83,7		
275		83,8		
276		83,8		
277		83,9		
278		84,0		
279		84,1		
280		84,2		
281		84,3		
282		84,4		
283		84,5		
284		84,6		
285		84,7		
286		84,7		
287		84,8		
288		84,9		
289		85,0		
290		85,1		
291		85,2		
292		85,3		
293		85,4		
294		85,5		
295		85,6		
296		85,6		
297		85,7		
298		85,8		
299		85,9		
300		86,0		

For higher yields:

— in Region 3: the percentage of the volume produced to be distilled amounts to 100 %,

— in Region 4: the percentage of the volume produced to be distilled is obtained by the formula: yield × 0,09 + 59,

— in Region 6: the volume to be distilled is obtained by applying a coefficient of 0,58 to each additional hectolitre,

— in Region 7: the percentage of the volume produced to be distilled amounts to 75 %.