COMMISSION REGULATION (EC) No 2587/94

of 25 October 1994

amending Regulation (EEC) No 441/88 laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 (EC) No 1891/94 [2], and in particular Article 39 (9) thereof,

Whereas steps should be taken to prevent the supply of wine products from different wine-growing zones within each production region becoming a means of avoiding compulsory distillation; whereas, therefore, the method for calculating the volume of production to be taken into account for the determination of producers' obligations should be clarified; whereas it should be laid down that, in calculating the yield per hectare in certain special cases provided for in Article 7 of Commission Regulation (EEC) No 441/88, of 17 February 1988, laying down detailed rules for applying compulsory distillation as referred to in Article 39 of Council Regulation (EEC) No 822/87 [3], as last amended by Regulation (EEC) No 343/94 [4], products upstream of wine are only to be taken into account where they are to be turned into wine;

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 following is added to the first and second indents of paragraph 2 of Article 7 of Regulation (EEC) No 441/88:

'Products upstream of wine acquired after the date laid down for the submission of the production declaration shall only be taken into account where they are turned into wine.'

Article 2

This Regulation shall enter into force on the third day following 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, 25 October 1994.

For the Commission

René STEICHEN

Member of the Commission

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[1] OJ No L 84, 27. 3. 1987, p. 1.
[2] OJ No L 197, 30. 7. 1994, p. 42.
[3] OJ No L 45, 18. 2. 1988, p. 15.
[4] OJ No L 44, 17. 2. 1994, p. 9.