

# COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 25 November 1974

Proposal for a

## REGULATION (EEC) OF THE COUNCIL

laying down general rules governing the distillation  
of wine of quality lower than table wine and originating  
in certain areas affected by adverse weather conditions

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(submitted to the Council by the Commission)

### EXPLANATORY NOTE

As a result of exceptional atmospheric conditions certain wines produced in the south west of the Massif Central of France did not reach the minimum required national alcoholic strength.

On the basis of Article 38 of Regulation (EEC) N° 816/70 providing derogations in the case of an exceptional situation arising from natural disasters, it is proposed to open up a voluntary distillation for the products in question coming from a specified zone affected by this disaster.

### FINANCIAL NOTE

This Regulation provided for the distillation of an estimated quantity of 1,5 million hl of wine which have not reached the minimum alcoholic strength specified for the regions in question.

On the basis of an average strength of 7 °, and an average aid of 0,50 uA/°/hl the forecasted expense will be of the order of 5 million u.a.

This expense will be set off in the 1974 budget provided for the wine sector; a budget of 70.1 million u.a. of which 28 million u.a. is for "other interventions".

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community;

Having regard to Council Regulation (EEC) No 816/70 of  
28 April 1970 laying down additional provisions for the  
common organization of the market in wine <sup>(1)</sup>, as last  
amended by Regulation (EEC) No 1532/74 <sup>(2)</sup>, and in  
particular Article 38 thereof;

Having regard to the proposal from the Commission;

Whereas Article 38 of Regulation 816/70 provides that  
measures of derogation may be decided upon to remedy an  
exceptional situation resulting from natural disasters;

Whereas adverse weather conditions have caused natural  
disasters in certain areas of the Community;

Whereas the wine harvested in these areas did not achieve the minimum natural alcoholic strength prescribed for the wine-growing zone in which it was produced;

Whereas it appears desirable to withdraw these products from the market in the interests of maintaining the quality of products offered to consumers;

Whereas distillation is the most appropriate method of withdrawing this wine definitively from the market;

Whereas the details of the distilling operation should be based on the general rules relating to distillation already decided upon in application of Article 7 of Regulation (EEC) No 816/70,

HAS ADOPTED THIS REGULATION:

Article 1

Distillation shall be authorized under the conditions laid down in this Regulation in respect of wine not reaching the minimum natural alcoholic strength for the wine-growing zone concerned as laid down in Article 18 (1) of Regulation (EEC) No 816/70 and originating in certain yet to be defined parts of the following French Departments:

- Gers
- Haute-Garonne
- Tarn-et-Garonne
- Tarn
- Landes
- Aude

affected by natural disasters during the 1974/1975 wine-growing year.

Article 2

Wine offered for distillation may not have an alcoholic strength exceeding the minimum natural alcoholic strength laid down for the wine-growing zone in question and should not be fortified.

Article 3

1. Producers in the administrative units referred to in Article 1 who wish to have all or part of their harvest of table wine distilled shall conclude delivery contracts, where appropriate through the intervention agency, with the distillers of their choice.
2. Under such contracts:
  - (a) the distiller shall purchase the quantity of table wine stated in the contract;
  - (b) the distiller shall distill such wine and shall pay for it a price which shall not be less than the price referred to in Article 4.
3. The contracts shall specify:
  - (a) the quantity, colour and actual alcoholic strength of the table wines to be distilled;
  - (b) the name and address of the producer;
  - (c) the place at which the wine is stored;
  - (d) the name of the distiller or the registered business or company name of the distillery;
  - (e) the address of the distillery.

Article 4

1. The minimum purchase price for table wines to be distilled is hereby fixed at:  
- 1.32 UA per degree and hectolitre.
2. The price referred to shall apply in respect of unaltered product, ex-producer's premises.

Article 5

1. The delivery contracts referred to in Article 3 may not be concluded before 1 December 1974 or after 15 December 1974.
2. Distillation may not take place before 1 December 1974 or after 15 January 1975.

Article 6

Products of the distillation of table wines may have an alcoholic strength:

- of 86° or more,
- of 85° or less,

with a tolerance of 0.4° above or below.

Article 7

1. Aid shall be paid by the intervention agency for each hectolitre of wine distilled.
2. The amount of the aid is hereby fixed at:
  - 0.53 unit of account per degree and hectolitre if the wine was processed into a product referred to in Article 6, first indent,
  - 0.45 unit of account per degree and hectolitre if the wine was processed into a product referred to in Article 6, first indent
3. The aid may be paid only upon production of a contract as referred to in Article 2 and upon proof being given that
  - such contract was concluded during the period referred to in Article 5(1),
  - distillation took place during the period referred to in Article 5(2).

Article 8

1. Member States shall designate an intervention agency to apply the provisions of this Regulation.
2. The competent intervention agency shall be the agency of the State on whose territory the distillation takes place.

Article 9

The detailed rules for the application of this Regulation and in particular the definition of the parts of Departments referred to in Article 7 shall be adopted according to the procedure laid down in Article 7 of Regulation No 24/

Article 10

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.

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