

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 638 final.

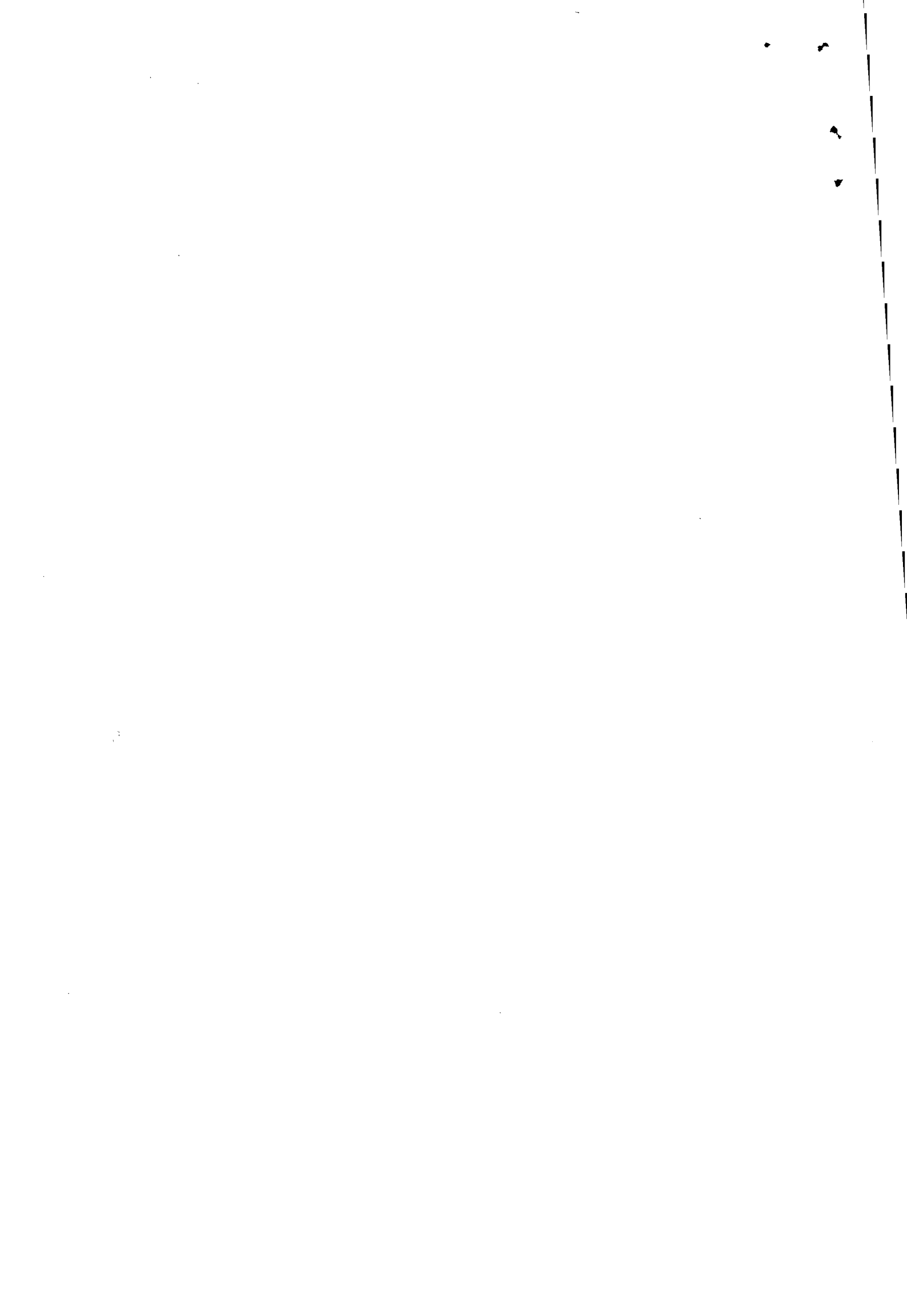
Brussels, 24 November 1976.

Proposal for a  
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 947/70 laying down general  
rules for fixing the reference price and levying the  
countervailing charge for wine

(submitted to the Council by the Commission)

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EXPLANATORY MEMORANDUM

In Article 9 of Council Regulation (EEC) No 1160/76 of 17 May 1970 amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine the Council provided that the reference prices originally introduced for wine only should be extended to grape must and grape juice whether or not concentrated and to wines in containers of up to 2 litres. In view of the new provisions, it is essential to add to Council Regulation (EEC) No 947/70 of 26 May 1970 laying down general rules for fixing the reference price and levying the countervailing charge for wine, so that general rules are also laid down for the products in question.

Adoption of this Regulation is urgent as the reference price should come into effect on 15 December 1976.

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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 (1),  
as last amended by Regulation (EEC) No 1167/76<sup>(2)</sup> and in particular Article 9(5)  
thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 947/70 (3) of 26 May 1970 lays down gene-  
ral rules for fixing reference prices and levying the countervailing charge for  
wine ; whereas Regulation (EEC) No 1160/76 (4) amended Article 9 of Regulation  
(EEC) No 816/70, in particular by extending the obligation to fix a reference  
price to certain grape juice and must ; whereas in these circumstances Regul-  
ation (EEC) No 947/70 should be amended, in particular by the inclusion of  
criteria for fixing the reference prices for the products in question,

HAS ADOPTED THIS REGULATION :

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- (1) OJ No L 99, 5.5.1970, p. 1
  - (2) OJ No L 135, 24.5.1976, p. 42
  - (3) OJ No L 114, 27.5. 1970, p. 4
  - (4) OJ No L 135, 24.5.1976, p. 1

Article 1

Regulation (EEC) No 947/70 is amended as follows :

1. Two further paragraphs as follows are added to Article 1 :

"The reference prices for the products referred to in the first, second third and fourth indents of the third subparagraph of Article 9(1) of Regulation (EEC) No 816/70 shall be fixed on the basis of the guide prices for red or white wines multiplied by a coefficient taking account of the relationship on the Community market between the prices of red or white wines as the case may be and of the products in question, plus an amount equal to the costs incurred in bringing similar Community products to the same marketing stage as the corresponding imported products.

The reference prices for the products referred to in the fifth indent of the third subparagraph of Article 9(1) of Regulation (EEC) No 816/70 shall be fixed on the basis of the prices obtaining in the Community for the wines in question".

2. Article 3 is replaced by the following :

"In fixing special reference prices for the products referred to in the first and third subparagraphs of Article 9(1) of Regulation (EEC) No 816/70 in accordance with their special characteristics or uses, the level of the said prices shall be established by reference to the level of the prices ruling within the Community for the products in question".

3. Article 4 is replaced by the following :

"The costs incurred in bringing Community products to the same marketing stage as the corresponding imported products shall comprise the following :

- a) brokerage costs ;
- b) loading costs ;
- c) insurance costs ;
- d) transport costs ;
- e) losses.

Article 2

This Regulation shall enter into force on the 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,

For the Council  
The President