

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 357 final

Brussels, 7 July 1975

PROPOSAL FOR A REGULATION (EEC) OF THE COUNCIL

amending Regulation (EEC) No 267/75 and Regulation (EEC) 1036/75
on the distillation of table wines

(submitted to the Council by the Commission)

COM(75) 357 final

EXPLANATORY NOTE

The annexed Regulation has for objective :

- the setting up of a provision which would permit the extension of the distillation period in the case where distilleries have been compelled to stop distillation as a result of a case of "force majeure" ;
- the setting up of a provision which would permit the extension of the date by which distillation contracts must have been concluded in the case where distilleries have been compelled to suspend distillation by order of public authorities.

PROPOSAL FOR A
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amending Regulation (EEC) No 267/75 and Regulation (EEC)
1036/75 on the distillation of table wines.

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 mar-
ket in wine (1), as last amended by Regulation (EEC) No 678/75 (2), and in
particular, Article 7(1) thereof ;

Having regard to the proposal from the Commission ;

Whereas Article 6(3) of Regulation (EEC) No 267/75 of the Council, of
31 January 1975, laying down general rules for table wine distilling ope-
rations which should end on 6 June 1975 (3) and Article 4(1) of Regulation
(EEC) No 1036/75 of the Council, of 21 April 1975, laying down general rules
governing the distillation of table wines during the period 7 June to
31 July 1975 (4) provide that distillation may not take place after a given
date ; whereas this provision may create difficulties when unforeseen events
compel distilleries to suspend distillation during a given period ;
whereas, to ensure maximum efficiency for distillation operations, in

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- (1) OJ No L 99, 5 May 1970, p. 1.
(2) OJ No L 72, 20 March 1975, p. 43.
(3) OJ No L 30, 4 February 1975, P.2.
(4) OJ No L 103, 23 April 1975, P.3.

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exceptional circumstances or cases of force majeure provision should be made for authorization to be given by the intervention agency of the Member State to the distilleries concerned to resume distillation operations for a number of days such that the total time taken by the operation in question does not exceed the authorized limit,

Whereas the distillation period appearing in Article 4(1) of Regulation (EEC) No 1036/75 has been extended by Regulation (EEC) Nr 1623/75 ; whereas it is therefore necessary to make a consequential adaption of the period for conclusion of contracts under paragraph 3 of the said Article referring to the suspension of distillation by order of the public authorities,

HAS ADOPTED THIS REGULATION :

Article 1

The following paragraph No 4 shall be added to Article 6 of Regulation (EEC) No 267/75 and Article 4 of Regulation (EEC) No 1036/75 :

"4. In the event that a distillery is obliged to suspend distillation operations as a result of exceptional circumstances or force majeure, the intervention agency of the Member State concerned may authorize that distillery to resume distillation during a number of days such that a total time taken by the operation in question does not exceed the authorized limit. In all cases, distillation operations must be completed by 20 October 1975".

Article 2

The date of 1 July 1975 appearing in the last subparagraph of Article 4(3) of Regulation (EEC) No 1036/75 is replaced by 25 July 1975.

Article 3

This Regulation shall enter into force on the third day following 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,

For the Council,
The President,