

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 617 final.

Brussels, 1 December 1975

Proposal for  
REGULATION (EEC) OF THE COUNCIL  
amending Regulation (EEC) No 1877/74 on the distillation  
of the by-products of wine making.

---

(submitted to the Council by the Commission)

COM(75) 617 final.



## EXPLANATORY MEMORANDUM

Regulation (EEC) No 1877/74 on the distillation of the by-products of wine making laid down general rules for the distillation of those products.

Article 5(1) of that instrument lays down that producers may, in partial or total discharge of the obligation to distil, produce or have produced potable spirits of grape marcs or potable spirits from their own products.

The implementation of those provisions shows that this text has been interpreted in ways which were not intended. In order to avoid any misinterpretation, a new text is proposed.



PROPOSAL FOR REGULATION (EEC) No                      OF THE COUNCIL

of

amending Regulation (EEC) No 1877/74 on the distillation of the  
by-products of wine making.

---

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 (1) of 28 April 1970  
laying down additional provisions for the common organization of the market  
in wine, as last amended by Regulation (EEC) n° 1932/75 (2), and in parti-  
cular Article 24(3) thereof ;

Having regard to the proposal from the Commission ;

Whereas Article 5(1) of Council Regulation (EEC) No 1877/75 of 15 July 1974  
on the distillation of the by-products of wine making lays down that pro-  
ducers may, in partial or total discharge of the obligation to distil, pro-  
duce or have produced potable spirits of grape marcs or potable spirits of  
wine from their own products ; whereas experience has shown that this  
text has been misinterpreted and that there is therefore need for clari-  
fication ;

HAS ADOPTED THIS REGULATION :

./.

---

(1) OJ No L 99, 5.5.1970, p. 1

(2) OJ No L 198, 29.7.1975, p. 19

(3) OJ No L 198, 20.7.1974, p. 3

Article 1

Article 5(1) of Regulation (EEC) No 1877/74 is replaced by the following :

"1. Producers may, in partial or total discharge of the obligation to distil as specified in article 24(2) of Regulation (EEC) No 816/70, produce or have produced

- directly, from grape marcs and/or wine lees, potable spirits of grape marc,
- or, in the alternative, directly from A quantity of wine, potable spirits of 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,

For the Council  
the President