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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2371/83

of 22 August 1983

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2157/83⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2,25 %, a rate of exchange based on their central rate,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 19 August 1983;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2157/83 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 August 1983.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 1983.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 47.

ANNEX

to the Commission Regulation of 22 August 1983 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	77,95
10.01 B II	Durum wheat	105,49 ⁽¹⁾ ⁽²⁾
10.02	Rye	87,65 ⁽⁶⁾
10.03	Barley	62,66
10.04	Oats	69,57
10.05 B	Maize, other than hybrid maize for sowing	40,81 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	69,82 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	121,39
11.01 B	Rye flour	135,67
11.02 A I a)	Durum wheat groats and meal	176,59
11.02 A I b)	Common wheat groats and meal	131,09

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2372/83**of 22 August 1983****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾, and in particular
Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy ⁽³⁾, as last amended by Regulation (EEC)
No 2543/73 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2158/83 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 % a rate of exchange based on their
central rate,

- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies in relation to the Community
currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on
19 August 1983;

Whereas on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be
altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 August
1983.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 22 August 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 50.

ANNEX

to the Commission Regulation of 22 August 1983 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 8	1st period 9	2nd period 10	3rd period 11
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	3,29
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2373/83**of 22 August 1983****laying down, for the 1983/84 wine-growing year, detailed implementing rules
concerning the distillation provided for in Article 11 of Regulation (EEC) No
337/79**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 337/79
of 5 February 1979 on the common organization of
the market in wine ⁽¹⁾, as last amended by Regulation
(EEC) No 1595/83 ⁽²⁾, and in particular Articles 11 (5)
and 65 thereof,

Whereas Article 11 (1) of Regulation (EEC) No 337/79
provides that preventive distillation of table wines and
wines suitable for producing table wines may be
decided on whenever such a measure seems necessary
in the light of harvest forecasts or in order to improve
the quality of products marketed; whereas tentative
forecasts for harvests point to heavy production in
terms of quantity; whereas it is therefore appropriate,
given the surpluses on the wine market, to implement
this measure;

Whereas preventive distillation must be carried out in
accordance with the provisions of Council Regulation
(EEC) No 2179/83 of 25 July 1983 laying down
general rules for distillation operations involving wine
and the by-products of wine making ⁽³⁾;

Whereas trade in the products used in the preparation
of wine delivered for distillation threatens to give rise
to abuses in certain wine-growing zones or parts
thereof; whereas for those zones or parts thereof the
status of producer should therefore be restricted to
producers who have produced wine from fresh grapes
which they themselves have obtained;

Whereas it should be specified that delivery contracts
and declarations must contain the information neces-
sary for identification of the wines to which they
relate;

Whereas certain time limits for the operation should
be laid down for both producers and distillers to
ensure that the measure is as effective as possible;
whereas these time limits must be fixed bearing in

mind the date specified in Article 41 of Regulation
(EEC) No 337/79 for compulsory distillation;

Whereas the price of wine for distillation normally
prevents the sale of the products of distillation at
market prices; whereas an aid, fixed on the basis of
the criteria set out in Article 8 of Regulation (EEC) No
2179/83, is therefore needed;

Whereas preventive distillation is open to all table
wines and wines suitable for yielding table wine;
whereas, however, the minimum buying-in prices of
wines delivered for distillation are fixed as a percen-
tage of the guide prices for the various types of table
wine; whereas the table wines which are in a close
economic relationship with each type of table wine
should therefore be defined;

Whereas, in the absence of a Community definition of
rosé wine and in the interests of clarity, it should be
stated that rosé table wines must be treated in the
same way as red table wines owing to the close
economic relationship between them;

Whereas provision should be made for the minimum
price guaranteed to producers to be paid to them, as a
general rule, within a period which will enable them
to obtain a profit comparable to that which they would
have obtained from a commercial sale; whereas, in
these circumstances, it is essential to pay the aid due
to them for the distillation in question at the earliest
opportunity, while guaranteeing that operations are
correctly carried out by means of an appropriate
system of securities;

Whereas wine delivered for preventive distillation can
be fortified; whereas the provisions applicable to
distillation operations should therefore be adapted, in
accordance with the rules laid down in Articles 25 and
26 of Regulation (EEC) No 2179/83;

Whereas the intervention agencies and the Commis-
sion should be informed of the progress of distillation
operations and should in particular be aware of the
quantities of wine distilled and the quantities of
products obtained;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Wine,

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 48.

⁽³⁾ OJ No L 212, 3. 8. 1983, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation lays down detailed implementing rules for the 1983/84 wine year concerning the arrangements referred to in Article 11 of Regulation (EEC) No 337/79 for the preventive distillation of table wines and wines suitable for yielding table wine.

For the purposes of the application of this Regulation and by way of derogation from the first indent of the first subparagraph of Article 2 (1) (a) of Regulation (EEC) No 2179/83, producers, for the purposes of wine-growing zone A and the German part of wine-growing zone B, shall include natural or legal persons or groups of persons who have produced wine from fresh grapes obtained by themselves.

Article 2

1. The contracts and declarations referred to in Articles 4 (1) and 5 (1) respectively of Regulation (EEC) No 2179/83 shall be submitted for approval to the competent intervention agency by 20 January 1984 at the latest.

However, if the decision referred to in Article 41 (1) of Regulation (EEC) No 337/79 is adopted, the date referred to in the first subparagraph shall be replaced by the date of publication of the said decision in the *Official Journal of the European Communities*.

2. The contracts and declarations referred to in paragraph 1 shall specify :

- (a) the quantity, colour and actual alcoholic strength by volume of the wine to be distilled, stating whether it is table wine or wine suitable for yielding table wine ;
- (b) the name and address of the producer ;
- (c) the place where the wine is stored ;
- (d) the name of the distiller or of the distillery ;
- (e) the address of the distillery.

3. The intervention agency shall notify the producer of the results of the approval procedure within 30 days of the date of submission of the contract or declaration.

Article 3

Distillation operations must be carried out by 30 June 1984.

Article 4

1. The minimum buying-in price referred to in Article 11 (2) of Regulation (EEC) No 337/79 shall be :

- 2,07 ECU per % vol per hectolitre in the case of red table wines of types R I and R II,
- 3,08 ECU per % vol per hectolitre in the case of red table wines of type R III,
- 1,92 ECU per % vol per hectolitre for white table wines of type A I and for wines suitable for yielding table wine,
- 4,30 ECU per % vol per hectolitre for white table wines of type A II,
- 4,91 ECU per % vol per hectolitre for white table wines of type A III.

2. The minimum buying-in price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the date of reception at the distillery of each lot of wine delivered.

3. If the compulsory distillation referred to in Article 41 of Regulation (EEC) No 337/79 is not decided on at the latest by 20 January 1984 the prices referred to in paragraph 1 shall be increased by :

- 0,17 ECU per % vol per hectolitre for red table wines of types R I and R II,
- 0,26 ECU per % vol per hectolitre for red table wines of type R III,
- 0,16 ECU per % vol per hectolitre for white table wines of type A I and for wines suitable for yielding table wine,
- 0,36 ECU per % vol per hectolitre for white table wines of type A II,
- 0,41 ECU per % vol per hectolitre for white table wines of type A III.

4. Where the increase in the minimum buying-in price referred to in paragraph 3 is applicable, the distiller shall pay the relevant amount to the producer :

- with the minimum buying-in price if this has not yet been paid,
- by 31 March 1984 if the minimum buying-in price has already been paid.

Article 5

1. The amount of the aid referred to in Article 11 (3) of Regulation (EEC) No 337/79 shall be as follows :

- (a) where the product of the distillation corresponds to the definition of neutral alcohol given in the annex to Regulation (EEC) No 2179/83 :
 - 1,53 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
 - 2,56 ECU per % vol per hectolitre for products derived from red table wines of type R III,
 - 1,38 ECU per % vol per hectolitre for products derived from white table wines of type A I and from wines suitable for yielding table wine,

- 3,79 ECU per % vol per hectolitre for products derived from white table wines of type A II,
 - 4,41 ECU per % vol per hectolitre for products derived from white table wines of type A III ;
- (b) where the product of the distillation is wine spirits having the quality characteristics provided for in the relevant national provisions :
- 1,48 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
 - 2,51 ECU per % vol per hectolitre for products derived from red table wines of type R III,
 - 1,33 ECU per % vol per hectolitre for products derived from white table wines of type A I and from wines suitable for yielding table wine,
 - 3,74 ECU per % vol per hectolitre for products derived from white table wines of type A II,
 - 4,36 ECU per % vol per hectolitre for products derived from white table wines of type A III ;
- (c) where the product of distillation is a distillate or raw alcohol, having an alcoholic strength of 52 % vol or more :

- 1,47 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
- 2,50 ECU per % vol per hectolitre for products derived from red table wines of type R III,
- 1,32 ECU per % vol per hectolitre for products derived from white table wines of type A I and for wines suitable for yielding table wine,
- 3,73 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,35 ECU per % vol per hectolitre for products derived from white table wines of type A III.

2. The aid shall be calculated on the basis of the amount corresponding to the wine actually delivered, allowance being made for the tolerances referred to in Article 6 (2) of Regulation (EEC) No 2179/83.

Where the increase in the minimum buying-in price referred to in Article 4 (3) is applicable, an amount equal to the increase shall be added to the aid. The intervention agency shall pay this amount within the period specified in the first subparagraph of Article 7 (3) of Regulation (EEC) No 2179/83.

However, where the period referred to in the second subparagraph expires before the abovementioned increase is applicable, the intervention agency shall pay the increase not later than 30 April 1984.

Article 6

1. The provisions of this Regulation relating to red wines shall also apply to rosé wines.
2. The provisions of this Regulation relating to a given type of table wine shall also apply to table wines which are in a close economic relationship with that type of table wine.

For the purposes of the application of this Regulation, the following shall be considered to be in a close economic relationship with the type of table wine indicated :

- A I : white table wines which are not of types A I, A II or A III,
- R I : red table wines which have an actual alcoholic strength of not more than 12,5 % vol which are not of types R I or R III,
- R II : red table wines of an actual alcoholic strength exceeding 12,5 % vol which are not of type R III.

Article 7

Within four months of the date of submission of proof that the total quantity of wine covered by the contract has been distilled, the distiller shall be required to supply the intervention agency with proof that he has paid :

- the minimum buying-in price referred to in Article 4 (1) within the period referred to in Article 4 (2),
- and, where appropriate, the increase in the minimum buying-in price referred to in Article 4 (3) by the time limit referred to in Article 4 (4).

If such proof is not submitted within the period set, the aid paid shall be recovered by the intervention agency. However, if this proof is submitted after expiry of the period but by 31 December 1984, the intervention agency shall recover only 20 % of the aid paid.

If it is ascertained that the distiller has not paid the minimum buying-in price to the producer, the intervention agency shall pay the producer, before 1 May 1985, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Article 8

1. The amount of the advance payment referred to in Article 9 (1) of Regulation (EEC) No 2179/83 shall be paid within three months of submission of proof that the security has been lodged.

2. For the purposes of the release of the security referred to in paragraph 1, proof that the total quantity of wine has been distilled and, where appropriate, proof of payment of the buying-in price for the wine within the period set, shall be provided by 31 October 1984.

However, if the proofs referred to in the first subparagraph are provided after the deadline set in that subparagraph but before 1 February 1985, the amount to be released shall be 80 % of the security, the difference being forfeit.

If these proofs are not provided before 1 February 1985, the entire security shall be forfeit.

Where the increase in the minimum buying-in price referred to in Article 4 (3) has been applied, the intervention agency shall make the necessary adjustments when the security is released.

Article 9

1. In the case referred to in Article 26 of Regulation (EEC) No 2179/83, the contract or declaration relating to delivery for fortification for distillation shall be submitted for approval to the competent intervention agency at the latest by 20 January 1984.

The intervention agency shall inform the producer of the result of the approval procedure within 15 days following the date of submission of the contract or declaration.

2. The wine may be fortified for distillation only after approval of the contract or declaration and at the latest by 30 June 1984.

3. Fortified wine may not be distilled after 31 July 1984.

4. The processor shall send to the intervention agency at the latest by the 10th of each month a statement of the quantities of wines which have been delivered to him during the previous month.

5. For wine fortified for distillation, the processor shall receive an aid, calculated per hectolitre and per % actual alcoholic strength before fortification, of:

- 1,45 ECU in the case of red table wines of types R I and R II,
- 2,46 ECU in the case of red table wines of type R III,
- 1,30 ECU for white table wines of type A I and for wines suitable for yielding table wine,
- 3,68 ECU for white table wines of type A II,
- 4,29 ECU for white table wines of type A III.

To receive the aid, the processor must submit, at the latest by 30 June 1984, an application to the compe-

tent intervention agency, attaching copies of the accompanying documents relating to the transport of the wine for which the aid is applied for or a summary of those documents.

The Member States may require that the copies or summary referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid at the latest three months after the date of submission of proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration has been approved.

If the increase referred to in Article 4 (3) is due, it shall be paid by the time limit referred to in Article 4 (4).

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, at the latest by 30 November 1984, proof is furnished:

- that the total quantity of wine covered by the contract or declaration has been fortified and distilled,
- that the buying-in price of the wine has been paid to the producer within the period referred to in Article 4 (2),
- where appropriate, that the increase in the buying-in price referred to in Article 4 (3) has been paid to the producer by the time limit referred to in Article 4 (4).

If the proofs referred to in the first subparagraph are not furnished by 30 November 1984 at the latest, the intervention agency shall recover the aid from the processor of the fortified wine.

However, if these proofs are furnished after the deadline laid down but before 1 March 1985, the intervention agency shall recover an amount equal to 20 % of the amount paid.

If it is found that the fortified wine processor has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before 1 April 1985, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Where the increase in the minimum buying-in price referred to in Article 4 (3) has been applied, the intervention agency shall make the necessary adjustments when the security is released.

Article 10

1. Member States shall notify the Commission, not later than 29 February 1984, of the quantities of wine covered by approved distillation contracts.

2. Distillers shall send the intervention agency, not later than the 10th day of each month, a statement of the quantities of wine distilled during the previous month, itemized according to the categories referred to in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

3. Member States shall inform the Commission by telex, not later than the 20th day of each month, for the previous month, of the quantities of wine distilled and the quantities, expressed in pure alcohol, of products obtained, distinguishing between the latter in accordance with paragraph 2.

4. Member States shall report, not later than 30 September 1984, any cases in which the distiller or

processor has failed to meet his obligations and the measures taken as a consequence.

Article 11

The amounts referred to in this Regulation shall be converted into national currencies using the representative rate in force on 16 December 1983 for the wine sector, which shall apply from 1 September 1983 for this purpose.

Article 12

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 September 1983.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2374/83**of 22 August 1983****laying down, for the 1983/84 wine-growing year, detailed implementing rules for the distillation referred to in Article 40 of Regulation (EEC) No 337/79**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1595/83 ⁽²⁾, and in particular Articles 6 (3), 40 (6) and 65 thereof,

Whereas the distillation operations referred to in Article 40 of Regulation (EEC) No 337/79 must be carried out in accordance with the provisions of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽³⁾;

Whereas it is necessary to determine both the conditions for the fulfilment by producers of the obligations laid down in Article 40 of Regulation (EEC) No 337/79 and the conditions for the fulfilment of the obligations incumbent on distillers;

Whereas each producer should be exempted from the obligation to deliver for distillation in respect of a standard quantity representing family consumption and any quantities exported; whereas it should therefore be provided that any export of wine must take place before a date which will allow the remaining quantities to be distilled, as laid down, before the end of the wine-growing year;

Whereas under Article 40 (2) of Regulation (EEC) No 337/79 the obligation to distil does not apply to quantities of wine normally produced; whereas these quantities should be defined for each of the different types of wine produced from grapes classed for two purposes; whereas for wine produced from grapes of varieties classed as both wine-grape and table-grape varieties the rule laid down in Commission Regulation (EEC) No 2078/76 ⁽⁴⁾ should be followed, but with a

different reference period for Greece; whereas, however, for wine produced from grapes of varieties classed as both wine-grape varieties and varieties for special uses, the obligation to distil was first included in the rules in the 1982/83 wine-growing year; whereas initial application thereof has given rise to difficulties; whereas, in order that a proper solution may be found to these difficulties whilst ensuring equal treatment of all those concerned, the adoption of criteria for determining the quantity of wine normally produced per hectare in each administrative unit should be postponed to a later date;

Whereas it is necessary to avoid any risk that the product of distillation of certain wines that must be distilled pursuant to Article 40 of Regulation (EEC) No 337/79 may disturb the market in wine spirits with a registered designation of origin;

Whereas, in order to ensure that the arrangements are as effective as possible, provision should be made for certain time limits on the operations to be carried out by producers and distillers;

Whereas distillers may, in accordance with Article 40 (4) of Regulation (EEC) No 337/79, either receive aid for the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria referred to in Article 16 of Regulation (EEC) No 2179/83; whereas, in order to avoid the production of poor-quality potable spirits, it should be laid down, in the absence of Community provisions on this matter, that the potable spirits produced must comply with the national provisions in force;

Whereas, to qualify for the aid, the parties concerned must lodge an application accompanied by a number of supporting documents; whereas, to ensure that the system operates uniformly in all Member States, time limits should be laid down for the lodging of applications, for the payment of aid to distillers and for the submission of proof that the buying-in-price has been paid;

Whereas the price to be paid by the intervention agencies for products delivered to them should be fixed on the basis of the criteria referred to in Article 18 (2) of Regulation (EEC) No 2179/83;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 48.

⁽³⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁴⁾ OJ No L 233, 24. 8. 1976, p. 20.

Whereas, in the absence of an organized Community market in ethyl alcohol, the intervention agencies responsible for marketing such alcohol are obliged to resell it at less than the buying-in price; whereas provision should be made for the difference between the buying-in price and the selling price of such alcohol to be borne, at a standard rate, by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund;

Whereas the provisions on the financing of intervention laid down in Council Regulation (EEC) No 729/70⁽¹⁾, as last amended by Regulation (EEC) No 2788/72⁽²⁾, should be extended to cover the taking-over by intervention agencies of the products of distillation;

Whereas wine to be distilled pursuant to Article 40 of Regulation (EEC) No 337/79 may be fortified for distillation; whereas corresponding adjustments should therefore be made to the provisions applicable to distillation operations, in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83;

Whereas, in order that the Commission may keep a general watch on compliance with the obligations regarding distillation laid down in Article 40 of Regulation (EEC) No 337/79, the Member States concerned must keep the Commission regularly informed, on the basis of reports from distillers, of the progress and outcome of distillation operations;

Whereas Article 6 of Regulation (EEC) No 337/79 stipulates that only producers who have satisfied the obligations referred to in Article 40 of the said Regulation for a reference period to be determined may benefit from intervention measures; whereas this period should therefore be specified;

Whereas the Management Committee for Wine has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed implementing rules for the distillation provided for in Article 40 of Regulation (EEC) No 337/79 for the 1983/84 wine-growing year.

Article 2

1. Those producers subject to an obligation to distil under Article 40 of Regulation (EEC) No 337/79 shall discharge their obligation by delivering their wine to

an approved distiller by 31 July 1984 at the latest. The provisions of paragraphs 2 and 3 shall apply.

In cases covered by Article 26 (1) of Regulation (EEC) No 2179/83, the obligation shall be discharged by delivery of the wine to an approved processor by 30 June 1984 at the latest.

2. In the case of wine covered by Article 40 (1) of Regulation (EEC) No 337/79, each producer must deliver a quantity equal to the total quantity which he has produced less:

- a standard quantity of 10 hectolitres,
- any quantity which he proves to have been exported by 30 June 1984 at the latest.

3. In the case of wine covered by Article 40 (2) of Regulation (EEC) No 337/79, each producer must deliver a quantity equal to the total quantity which he has produced less:

- a standard quantity of 10 hectolitres,
- any quantity which he proves to have been exported by 30 June 1984 at the latest,
- the quantity normally produced, calculated as specified in paragraph 4.

4. For each administrative unit the following shall be regarded as the total quantity of wine normally produced:

- the average quantities produced during a reference period, in the case of wine produced from grape varieties listed in the classification for that administrative unit as both wine-grape and table-grape varieties,
- the average quantities produced during the wine-growing years 1974/75 to 1979/80, in the case of wine produced from grape varieties listed in the classification for that administrative unit as both wine-grape varieties and varieties for the production of dried grapes,
- the average quantities produced in the wine-growing years 1974/75 to 1979/80 less such quantities as were distilled other than for the production of wine spirits with a registered designation of origin, in the case of wine produced from grape varieties listed in the classification for that administrative unit as both wine-grape varieties and varieties for the production of wine spirits.

For wine as referred to in the first indent of the first subparagraph, the quantity normally produced per hectare shall be the quantity determined:

- in the case of administrative units in France and Italy, in accordance with Article 5 of Regulation (EEC) No 2078/76 for the 1976/77 wine-growing year,

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

- in the case of administrative units in Greece, in accordance with the said Article 5, taking into account the results of the wine-growing years 1974/75 to 1979/80.

For wine as referred to in the second and third indents of the first subparagraph, the criteria for the allocation per hectare or per producer of the total quantity of wine normally produced in each administrative unit shall be adopted by 15 November 1983.

5. The total quantity produced by each producer shall be the sum of the quantities of wine mentioned in paragraph 1 appearing in the harvest declaration referred to in Article 2 (1) of Regulation No 134 (1) and the quantities entered in the records referred to in Article 14 of Regulation (EEC) No 1153/75 (2) and obtained by the producer, after the date of submission of the harvest declaration, from grapes or from must produced from grapes of the varieties referred to in Article 40 (1) and (2) of Regulation (EEC) No 337/79 which appear in that declaration.

Article 3

1. The buying-in-price provided for in Article 40 (3) of Regulation (EEC) No 337/79 shall be 1,60 ECU per % vol per hectolitre.
2. The buying-in price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the day on which each consignment of wine enters the distillery.

Article 4

1. The distillation operations referred to in Article 40 of Regulation (EEC) No 337/79 may not take place after 31 August 1984.
2. Wine as referred to in the third indent of the first subparagraph of Article 2 (4) must be distilled to give a product with an alcoholic strength of 92 % vol or more.
3. Distillers shall send the intervention agency, on the 10th day of each month at the latest, a statement of the quantities of products obtained by distillation during the previous month, itemized according to the categories specified in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

Article 5

1. Distillers may receive aid subject to the conditions set forth in paragraph 2.

(1) OJ No 111, 6. 11. 1962, p. 2604/62.

(2) OJ No 113, 1. 5. 1975, p. 1.

The amount of the aid shall be :

- 1,09 ECU per % vol alcohol per hectolitre of the product of distillation where the latter corresponds to the definition of neutral alcohol given in the annex to Regulation (EEC) No 2179/83,
- 1,03 ECU per % vol alcohol per hectolitre of the product of distillation where the latter is a wine spirit having the quality characteristics provided for in the applicable national provisions,
- 1 ECU per % vol alcohol per hectolitre of the product of distillation where the latter is a distillate or raw alcohol having an alcoholic strength of not less than 52 % vol.

2. Distillers who wish to receive the aid referred to in paragraph 1 shall, by 31 October 1984 at the latest, submit an application to the intervention agency of the Member State in which distillation took place, each application being accompanied, in respect of the quantities for which aid is requested, by the following :

- (a) copies of the accompanying documents relating to the transport of the wine delivered to him or a summary of the contents of those documents ;
- (b) a statement, endorsed by a supervisory authority designated by the Member State concerned, of the quantities :
 - of neutral alcohol,
 - of wine spirits meeting national quality requirements applicable,
 - of distillate or raw alcohol with an alcoholic strength of not less than 52 % vol,

which have been obtained by distillation.

Member States may require that the copies or summary referred to at (a) in the first subparagraph be endorsed by a supervisory authority.

3. The intervention agency shall pay the aid referred to in paragraph 1 not later than three months after submission of the application and of the documents referred to in paragraph 2.

The distiller must provide the intervention agency, before 1 February 1985, with proof that he has paid the producer the buying-in price for the wine within the period stipulated in Article 3 (2).

If such proof is not provided before 1 February 1985, the aid shall be recovered by the intervention agency. If, however, the proof is furnished after that time limit but before 1 May 1985, the intervention agency shall recover 20 % of the aid paid.

Where it is established that the distiller has not paid the buying-in price to the producer, the intervention agency shall pay to the producer, before 1 June 1985, a sum equal to the amount of the aid, where appropriate through the intervention agency of the producer's Member State.

Article 6

1. Products having an alcoholic strength of 92 % vol or more shall be delivered to the intervention agency not later than 31 October 1984 or, where Article 11 (2) of Regulation (EEC) No 2179/83 is applied, by the date fixed by the competent national authority.

2. The price to be paid to the distiller by the intervention agency shall be 2,09 ECU per % vol pure alcohol per hectolitre.

Where the distiller has received aid pursuant to Article 5, the price referred to in the first subparagraph shall be reduced by the amount of that aid.

Where the distiller has not received the aid referred to in the second subparagraph, the provisions of Article 5 (2) shall apply.

3. The prices referred to in paragraph 2 shall apply to neutral alcohol corresponding to the definition given in the annex to Regulation (EEC) No 2179/83.

For other alcohols, the prices referred to in paragraph 2 shall be reduced by 0,09 ECU per % pure alcohol per hectolitre.

4. The intervention agency shall pay the distiller for the alcohol not later than three months after the day on which it was delivered. The second, third and fourth subparagraphs of Article 5 (3) shall apply, subject to the necessary adjustments.

Article 7

The Guarantee Section of the European Agricultural Guidance and Guarantee Fund shall contribute to intervention agencies' expenditure on the taking over of alcohol.

The contribution shall be at a flat rate of 1,09 ECU per % vol per hectolitre of alcohol taken over.

However, no contribution shall be paid in respect of alcohol taken over pursuant to Article 11 (2) of Regulation (EEC) No 2179/83.

Articles 4 and 5 of Regulation (EEC) No 729/70 shall apply to this contribution.

Article 8

1. In the cases referred to in Article 26 (1) of Regulation (EEC) No 2179/83, the contract or declaration

relating to deliveries of wine to be fortified for distillation shall be submitted for approval to the competent intervention agency not later than 31 January 1984.

The intervention agency shall inform the producer of the outcome of the approval procedure within 15 days of the date on which the contract or declaration was submitted.

2. Fortification of wine for distillation shall not be carried out after 31 July 1984.

3. Wine fortified for distillation may not be distilled until the contract or declaration has been approved, and at the latest by 31 August 1984.

4. The processor shall send the intervention agency, not later than the 10th day of each month, a statement of the quantities of wine delivered to him during the previous month.

5. For wine fortified for distillation, the processor shall receive aid amounting to 1,01 ECU per hectolitre and per % vol of actual alcoholic strength before the wine is fortified for distillation.

In order to receive the aid, the processor shall submit to the competent intervention agency, not later than 30 November 1984, an application together with copies of the accompanying documents relating to the transport of the wine for which aid is requested or a summary of those documents.

Member States may require that the copies or summary referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid at the latest three months after the date of submission of proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration was approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if proof has been provided, by 31 March 1985 at the latest:

- that the total quantity of wine specified in the contract or declaration has been fortified for distillation and distilled,
- that the buying-in price for the wine has been paid to the producer within the period specified in Article 3 (2).

If the proofs referred to in the first subparagraph are not provided by 31 March 1985 at the latest, the intervention agency shall recover the aid from the processor of the fortified wine.

However, if such proofs are provided after the deadline stipulated but before 1 July 1985, the intervention agency shall recover an amount equal to 20 % of the aid paid.

If it is established that the processor fortifying wine for distillation has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before 1 August 1985, a sum equal to the amount of the aid, where appropriate through the intervention agency of the producers' Member State.

Article 9

By way of derogation from Article 40 (1) and (2) of Regulation (EEC) No 337/79, the wines referred to in that Article may be transported:

- to a customs office, so that customs export formalities may be completed and the wines may leave the customs territory of the Community,
- to the premises of an approved processor, so that the wines may be fortified for distillation.

Article 10

1. By the 20th day of each month at the latest, Member States shall send the Commission a statement specifying in respect of the previous month:

- the quantity of alcohol delivered to intervention agencies following distillation under Article 40 of Regulation (EEC) No 337/79,
- the quantity of wine spirits produced and the quantity of alcohol contained therein,
- the quantity of other products with an alcoholic strength of 52 % vol or more for which aid has been requested.

2. Member States shall, in respect of alcohol taken over by their intervention agencies, notify the Commission before 1 October 1983 of the selling prices obtaining throughout the 1982/83 wine-growing year and of the characteristics and quantity of the products sold at these prices.

3. Member States shall inform the Commission not later than 31 March 1985 of cases in which distillers of wine or fortifiers of wine for distillation have not fulfilled their obligations and of the measures taken in consequence.

Article 11

The amounts referred to in Articles 3, 5 and 6 shall be converted into national currency at the representative rate applying on 16 December 1983 in the wine sector, which shall apply for this purpose as from 1 September 1983.

Article 12

For the obligations laid down in Article 40 of Regulation (EEC) No 337/79, the reference period referred to in Article 6 (1) of that Regulation shall run from 1 September 1982 to 25 August 1983.

Article 13

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 September 1983.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 August 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2375/83**of 22 August 1983****authorizing the conclusion of short-term private storage contracts for grape must, concentrated grape must and rectified concentrated grape must**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1595/83 ⁽²⁾, and in particular Article 8 (3) thereof,

Whereas, under Article 8 (2) of Regulation (EEC) No 337/79, the conclusion of short-term storage contracts for grape must, concentrated grape must and rectified concentrated grape must may be permitted if the market situation so requires, and in particular when preventive distillation is decided on pursuant to Article 11 of the said Regulation ;

Whereas, as regards the market situation, the representative price of the most representative types of table wine is below the activating price ; whereas, moreover, preventive distillation has been decided on by Regulation (EEC) No 2373/83 ⁽³⁾;

Whereas, since the conditions laid down in the first indent of Article 8 (2) of Regulation (EEC) No 337/79

are fulfilled, it is appropriate that the conclusion of short-term storage contracts for grape must, concentrated grape must and rectified concentrated grape must be permitted in accordance with the rules laid down in Commission Regulation (EEC) No 1059/83 ⁽⁴⁾;

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

Short-term private storage contracts may be concluded for grape must, concentrated grape must and rectified concentrated grape must produced during the 1983/84 wine-growing year.

Article 2

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.

Done at Brussels, 22 August 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 48.

⁽³⁾ See page 5 of this Official Journal.

⁽⁴⁾ OJ No L 116, 30. 4. 1983, p. 77.

COMMISSION REGULATION (EEC) No 2376/83

of 22 August 1983

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common
organization of the markets in the sugar sector ⁽¹⁾, as
last amended by Regulation (EEC) No 606/82 ⁽²⁾, and
in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1789/83 ⁽³⁾,
as last amended by Regulation (EEC) No 2368/83 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1789/83 to the
information known to the Commission that the levies

at present in force should be altered to the amounts
set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regu-
lation (EEC) No 1785/81 shall be, in respect of white
sugar and standard quality raw sugar, as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 23 August
1983.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 22 August 1983.

For the Commission

Poul DALSAGER

Member of the Commission

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.
⁽³⁾ OJ No L 176, 1. 7. 1983, p. 48.
⁽⁴⁾ OJ No L 228, 20. 8. 1983, p. 26.

ANNEX

**to the Commission Regulation of 22 August 1983 fixing the import levies on white sugar
and raw sugar**

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	32,01 27,08 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable
is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

