

REGULATION (EEC) No 2584/72 OF THE COMMISSION
of 7 December 1972
fixing countervailing charges in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 816/70¹ of 23 April 1970 laying down additional provisions for the common organisation of the market in wine, as last amended by Regulation (EEC) No 1651/72,² and in particular Article 9 (6) thereof;

Whereas Article 9 (3) of Regulation (EEC) No 816/70 provides that a countervailing charge must be levied on imports of a wine and of wines in the same category wines where the free-at-frontier offer price for that wine, plus customs duties, is lower than the reference price for that wine; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier offer price plus customs duties;

Whereas Commission Regulation (EEC) No 2583/72³ of 7 December 1972 fixed the reference prices for wine for the period 16 December 1972 to 15 December 1973;

Whereas in respect of each wine for which a reference price is fixed, a free-at-frontier offer price for all imports is determined on the basis of all the available information; whereas the nature of that information is specified in Article 1 (1), (2) and (3) of Commission Regulation No 1019/70⁴ of 29 May 1970 on detailed rules for establishing free-at-frontier offer prices and fixing the countervailing charge in the wine sector;

Whereas in accordance with Article 1 and 3 of Regulation (EEC) No 1019/70, the free-at-frontier offer prices must be established on the

basis of the most advantageous purchasing possibilities of the products in question; whereas, to establish that price, no account should be taken of information concerning supplies which have no economic effect on the market, in particular where the quantities involved are small;

Whereas, in accordance with Article 2 of Regulation (EEC) No 1019/70, the prices used must be adjusted if they do not apply free-at-Community-frontier or to any wine corresponding to the one whose guide price was taken into account for fixing the reference price;

Whereas, in application of Article 8 of Regulation (EEC) No 1019/70, when a countervailing charge is fixed for imports of red or white wine, a countervailing charge must be fixed for imports of musts of the same colour; whereas in that case the countervailing charge to be levied on must is calculated by weighting the amount of the charge applicable to the corresponding wine with a coefficient which takes account of the ratio 0.95 existing on the Community market between the average price of must and that of wine;

Whereas, in accordance with Article 6 of Regulation (EEC) No 1019/70, the countervailing charge for a product must be fixed per degree/hectolitre or per hectolitre according to whether the reference price for that product is fixed per degree/hectolitre or per hectolitre;

Whereas, in accordance with Article 4 (2) of Regulation (EEC) No 1019/70, the countervailing charge must be altered when a noticeable variation in the free-at-frontier offer price is recorded;

Whereas it follows from applying these rules to the information at present available to the Commission that the countervailing charge should be fixed as follows;

¹ OJ No L 99, 5.5.1970, p. 1.

² OJ No L 174, 1.8.1972, p. 52.

³ OJ No L 276, 9.12.1972, p. 1.

⁴ OJ No L 118, 1.6.1970, p. 13.

Whereas the Management Committee for Wine has not delivered an Opinion within the time limit set by the Chairman;

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charges applicable in the wine sector are fixed at the following levels:

1. Red wine: 0.25 u.a. per degree/hl.
2. White wine other than that referred to in 3: 0.21 u.a. per degree/hl.

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

Done at Brussels, 7 December 1972.

3. White wine offered for import under the name of 'Riesling' or 'Sylvaner': 0 u.a. per hectolitre.
4. Liqueur wine: 2.60 u.a. per degree/hl.
5. Wine fortified for distillation: 0 u.a. per degree/hl.
6. Grape must with fermentation not arrested by the addition of alcohol:
 - (a) White: 0.20 u.a. per degree/hl.
 - (b) Other: 0.24 u.a. per degree/hl.

Article 2

This Regulation shall enter into force on 16 December 1972.

For the Commission

The President

S. L. MANSHOLT
