

## COMMISSION REGULATION (EEC) No 2796/77

of 15 December 1977

amending Regulation (EEC) No 2753/77 fixing certain reference prices in the wine sector for the period 16 December 1977 to 15 December 1978

THE COMMISSION 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2560/77<sup>(2)</sup>, and in particular Article 9 (6) thereof,

Whereas Commission Regulation (EEC) No 2753/77 of 12 December 1977 fixing certain reference prices in the wine sector for the period 16 December 1977 to 15 December 1978<sup>(3)</sup>, because of certain technical difficulties, did not fix the reference prices referred to in the third subparagraph of Article 9 (1) of Regulation (EEC) No 816/70 for grape juice (including must) falling within subheading 20.07 B I of the Common Customs Tariff, concentrated grape juice (including grape must) falling within subheadings 20.07 A I and B I of the Common Customs Tariff and liqueur wines within the meaning of Additional Note 4 (c) to Chapter 22 of the Common Customs Tariff;

Whereas, when fixing these reference prices, account should be taken of the criteria laid down in 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<sup>(4)</sup>, as amended by Regulation (EEC) No 2918/76<sup>(5)</sup>;

Whereas, as regards liqueur wines, the reference price must be based on the level of prices obtaining for those products within the Community; whereas, pursuant to Regulation (EEC) No 1019/70, some imported liqueur wines are exempted from the countervailing charge; whereas, however, that provision is repealed with effect from 28 February 1978; whereas this forthcoming change in the arrangements makes it necessary both to establish criteria for comparing the quality and prices of Community products and imported products and to know the price trends in the Community for those products which are comparable to the imported products; whereas part of the information required is currently lacking and it is therefore necessary that the reference price for liqueur wines be fixed with a revision clause attached;

Whereas the costs incurred in bringing Community wines to the same marketing stage as imported wines, which are to be established in accordance with Article 4 of Regulation (EEC) No 947/70, may, with the exception of those in respect of losses, be assessed at a standard rate; whereas these costs and the other factors to be considered have changed appreciably since the last occasion on which prices were fixed, transport costs having risen by about 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*

Article 1 of Regulation (EEC) No 2753/77 is hereby amended as follows :

1. First paragraph :

- '6. Liqueur wine within the meaning of Additional Note 4 (c) to Chapter 22 of the Common Customs Tariff: 4.30 units of account per degree of actual alcohol per hectolitre.
7. Liqueur wines within the meaning of Additional Note 4 (c) to Chapter 22 of the Common Customs Tariff intended for processing into products other than those falling within heading No 22.05 of the Common Customs Tariff: 2.40 units of account per degree of actual alcohol per hectolitre.'

2. Second paragraph :

'Grape juice (including must), whether or not concentrated, with an added sugar content not exceeding 30 % by weight, falling within subheadings 20.07 A I and B I of the Common Customs Tariff :

1. white : 2.14 units of account per degree of potential alcohol per hectolitre ;
2. other : 2.25 units of account per degree of potential alcohol per hectolitre.

<sup>(1)</sup> OJ No L 99, 5. 5. 1970, p. 1.

<sup>(2)</sup> OJ No L 303, 28. 11. 1977, p. 1.

<sup>(3)</sup> OJ No L 318, 13. 12. 1977, p. 24.

<sup>(4)</sup> OJ No L 114, 27. 5. 1970, p. 4.

<sup>(5)</sup> OJ No L 333, 2. 12. 1976, p. 6.

Grape juice (including must), whether or not concentrated, with an added sugar content exceeding 30 % by weight, falling within subheadings 20.07 A I and B I of the Common Customs Tariff :

1. white : 2.14 units of account per degree of potential alcohol per hectolitre ;
2. other : 2.25 units of account per degree of potential alcohol per hectolitre.

The standard amount per hectolitre to be added in the case of the products referred to in points 1, 2, 3 and 6 when they are packaged in containers of two litres or less shall be 18 units of account per hectolitre.'

*Article 2*

The reference prices fixed in respect of the liqueur wines referred to in points 6 and 7 of Article 1 shall be valid only until the date of their replacement during the period referred to in Article 1 of Regulation (EEC) No 2753/77 and at the latest until 28 February 1978.

*Article 3*

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

However, the second subparagraph of the amendment appearing in Article 1 (2) of this Regulation comes into effect on 1 January 1978.

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

Done at Brussels, 15 December 1977.

For the Commission  
Finn GUNDELACH  
*Vice-President*