Commission Regulation (EC) No 555/2008 of 27 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector

TITLE I INTRODUCTORY PROVISIONS

Article 1 Scope and use of terms

TITLE II SUPPORT PROGRAMMES

CHAPTER I

Procedure for submission

Article 2 Submission of support programmes
Article 3 Modifications of support programmes

CHAPTER II

Eligible measures

Section 1

Promotion on third-country markets

Article 4	Eligible operations and markets
Article 5	Selection procedure

Section 2

Restructuring and conversion of vineyards

Article 6	Ineligible operations
Article 7	Procedure and applications
Article 8	Levels of support
Article 9	Financial management
Article 10	Transitional measures
Article 10a	Compatibility and consistence

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

Section 3

Green harvesting

Article 11 Article 12 Article 13 Article 14	Definition of green harvesting Conditions for the implementation of green harvesting Application procedure Compensation
	Section 4
	Mutual funds
Article 15	Level of the aid
	Section 5
	Harvest insurance
Article 16	Conditions of eligibility
	Section 6
	Investments
Article 17 Article 18 Article 19 Article 20	Eligible measures Eligible measures for the development of new products Financial management Compatibility and consistency
	Section 7
	Disposal of by-products
Article 21 Article 22 Article 23 Article 24 Article 25 Article 25a	Fixing a minimum percentage of alcohol Disposal of by-products Disposal with by-product distillation Purpose of the aid Amount of the aid Verification of conditions
	Section 8
	Potable alcohol distillation
Article 26 Article 27	Purpose of the aid Amount of the aid
	Section 9
	Crisis distillation

Article 28 Definition of the measure implementing...

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Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

Article 29	Modalities of the aid
Article 30	Amount of the aid
Article 31	National aid

Section 10

Use of concentrated grape must

Article 32	Purpose of the aid
Article 33	Amount of the aid
Article 34	Checks

CHAPTER III

Reporting, evaluation and general provisions

Article 35	Reporting and evaluation
Article 36	Exclusion
Article 37	Payment delay to beneficiaries
Article 37a	Communication related to State aid

TITLE III

TRADE WITH THIRD COUNTRIES

CHAPTER I

Entry price arrangements for grape juice and must

Article 38	Definition
Article 39	Verification by consignment

CHAPTER II

Certificates and analysis reports for wine, grape juice and must on import

Section 1

General

Article 40	Documents required
Article 41	Contents of the analysis report
Article 42	Exemptions

Section 2

Requirements to be met and detailed rules for drawing up and using the certificate and analysis report for imports of wine, grape juice and grape must

Article 43	V I 1 document
Article 44	Description of documents
Article 45	Simplified procedure

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

Article 46 Article 47 Article 48 Article 49 Article 50 Article 51	Derogations Use List of competent bodies Indirect imports Special rules for particular wines Conformity of imported wines	
	CHAPTER III	
	Specific provisions on exports	
Article 52	Notification of official bodies	
	CHAPTER IV	
	Transitional provisions	
Article 53 Article 54	V I 1 and V I 2 conformity Release of security	
	TITLE IV	
	PRODUCTION POTENTIAL	
	CHAPTER I	
Unlawful plantings		
Article 55	Penalties in case of non-compliance with the grubbing-up obligation	
Article 56	Penalties in case of non-compliance with prohibition of circulation	
Article 57	Non-circulation or distillation	
Article 58 Article 59	Communications Reductions imposed on Member States	
CHAPTER II		
Transitional planting right regime		
Article 60 Article 61 Article 62 Article 63 Article 64 Article 65 Article 66	New planting rights Member States' recording and communication obligations related to new planting rights Grubbing up without generation of replanting right Anticipated replanting rights Transfers of replanting rights Reserves of planting rights Maintenance of the planting rights system	

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

CHAPTER III

Grubbing-up scheme

Eligibility
Exemption reasons
Premium level
Application procedure
Procedure in case of application of a single percentage for acceptance
Payment of the premium
Communications
CHAPTER IV
Inventory and measurement of the area planted
Inventory
Area planted

TITLE V

CONTROLS IN THE WINE SECTOR

CHAPTER I

Principles of control

Article 76	Checks
Article 77	General principles
Article 78	On-the-spot checks
Article 79	Selection of the control sample
Article 80	Control report
Article 81	Control related to the production potential and to the operations
	of restructuring and conversion of vineyards
Article 82	Control bodies
Article 83	Powers of control officials

CHAPTER II

Assistance between control bodies

Article 84	Assistance on request
Article 85	Unsolicited assistance
Article 86	Common provisions

CHAPTER III

Analytical databank

Article 87	Purpose of the databank
Article 88	Samples

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

Article 89	Isotopic analyses
Article 90	Communication of results
Article 91	Compliance with procedures

CHAPTER IV

Collection of samples for control purposes

Article 92	Request for collection of samples
Article 93	Costs of collection, dispatch and analysis of samples

CHAPTER V

General provisions

Article 94	Conclusive force
Article 95	Persons subject to controls
Article 95a	Coordination of controls and access to information

TITLE VI

GENERAL, TRANSITIONAL AND FINAL PROVISIONS

Article 96	Payments to beneficiaries
Article 97	Recovery of undue payments
Article 98	National sanctions
Article 99	Artificially created situations
Article 100	Communications
Article 101	Obvious errors
Article 102	Force majeure and exceptional circumstances
Article 103	Repeal and references
Article 104	Entry into force
	Signature

ANNEX I

WINE CMO

A. FINANCIAL YEARS 2009-2013

- A. Description of the measures proposed as well as their quantified...
 - (a) Single Payment Scheme support in accordance with Article 1030
 - (b) Promotion in accordance with Article 103p
 - (c) Restructuring and conversion of vineyard in accordance with Article 103q...
 - (d) Green harvesting in accordance with Article 103r
 - (e) Mutual funds in accordance with Article 103s
 - (f) Harvest insurance in accordance with Article 103t
 - (g) Investments in enterprises in accordance with Article 103u
 - (h) By-product distillation in accordance with Article 103v
 - (i) Potable alcohol distillation in accordance with Article 103w

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

- (j) Crisis distillation in accordance with Article 103x
- (k) Use of concentrated grape must in accordance with Article 103y...
- B. Results of consultations held
- C. Appraisal showing the expected technical, economic, environmental and social impact...
- D. Schedule for implementing the measures
- E. General financing table given in the format of Annex II...
- F. Criteria and quantitative indicators to be used for monitoring and...
- G. Designation of competent authorities and bodies responsible for implementing the...

B. FINANCIAL YEARS 2014-2018

- A. Description of the measures proposed as well as their quantified...
 - (a) Single Payment Scheme support in accordance with Article 1030
 - (b) Promotion in accordance with Article 103p
 - (c) Restructuring and conversion of vineyard in accordance with Article 103q...
 - (d) Green harvesting in accordance with Article 103r
 - (e) Mutual funds in accordance with Article 103s
 - (f) Harvest insurance in accordance with Article 103t
 - (g) Investments in enterprises in accordance with Article 103u
 - (h) By-product distillation in accordance with Article 103v
- B. Results of consultations held
- C. Appraisal showing the expected technical, economic, environmental and social impact...
- D. Schedule for implementing the measures
- E. General financing table given in the format of Annex II...
- F. Criteria and quantitative indicators to be used for monitoring and...
- G. Designation of competent authorities and bodies responsible for implementing the...

ANNEX II

Submission of the financial table of the national support programmes according to Article 103l(e) of Regulation (EC) No 1234/2007

- A. FINANCIAL YEARS 2009-2013
- B. FINANCIAL YEARS 2014-2018

ANNEX III

Facultative submission of the financial table of the national support programmes according to Article 103l(e) of Regulation (EC) 1234/2007 — detailed at regional level

- A. FINANCIAL YEARS 2009-2013
- B. FINANCIAL YEARS 2014-2018

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

ANNEX IV

Amendments to financial table of the national support programmes according to Article 103l(e) of Regulation (EC) 1234/2007

- A. FINANCIAL YEARS 2009-2013
- B. FINANCIAL YEARS 2014-2018

ANNEX V

Reporting on Support programme

- A. FINANCIAL YEARS 2009-2013
 - A. Global assessment:
 - B. Conditions and results of the implementation of measures proposed
 - (a) Single Payment Scheme support in accordance with Article 1030
 - (b) Promotion in accordance with Article 103p
 - (c) Restructuring and conversion of vineyard in accordance with Article 103q...
 - (d) Green harvesting in accordance with Article 103r
 - (e) Mutual funds in accordance with Article 103s
 - (f) Harvest insurance in accordance with Article 103t
 - (g) Investments in enterprises in accordance with Article 103u
 - (h) By-product distillation in accordance with Article 103v
 - (i) Potable alcohol distillation in accordance with Article 103w
 - (j) Crisis distillation in accordance with Article 103x
 - (k) Use of concentrated grape must in accordance with Article 103y...
 - C. Conclusions (and, if needed, envisaged modifications)
- B. FINANCIAL YEARS 2014-2018
 - A. Global assessment:
 - B. Conditions and results of the implementation of measures proposed
 - (a) Single Payment Scheme support in accordance with Article 1030
 - (b) Promotion in accordance with Article 103p
 - (c) Restructuring and conversion of vineyard in accordance with Article 103q...
 - (d) Green harvesting in accordance with Article 103r
 - (e) Mutual funds in accordance with Article 103s
 - (f) Harvest insurance in accordance with Article 103t
 - (g) Investments in enterprises in accordance with Article 103u
 - (h) By-product distillation in accordance with Article 103v
 - C. Conclusions (and, if needed, envisaged modifications)

ANNEX VI

Financial table of the execution of national support programmes according to Article 188a(5) of Regulation (EC) No 1234/2007

- A. FINANCIAL YEARS 2009-2013
- B. FINANCIAL YEARS 2014-2018

implementing...

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

ANNEX VII

Technical data concerning the national support programmes according to Article 103l(c) of Regulation (EC) No 1234/2007

- A. FINANCIAL YEARS 2009-2013
- B. FINANCIAL YEARS 2014-2018

ANNEX VIII

Communication on promotion measure according to Articles 103p and 188a(5) of Regulation (EC) No 1234/2007

- FINANCIAL YEARS 2009-2013 A.
- В FINANCIAL YEARS 2014-2018

ANNEX VIIIa

Annual report on the control on the spot carried out over Restructuring and conversion of vineyards according to Article 103q of Regulation (EC) No 1234/2007

- FINANCIAL YEARS 2009-2013 A.
- B. FINANCIAL YEARS 2014-2018

ANNEX VIIIb

Annual report on the control on the spot carried out over green harvesting according to Article 103r of Regulation (EC) No 1234/2007

- FINANCIAL YEARS 2009-2013 A.
- B. FINANCIAL YEARS 2014-2018

ANNEX VIIIc

Table 1 Information on aid schemes already authorised under Articles 87, 88...

Table 2 General information sheet

- Identification of the aid
 - Title of the aid (or name of company beneficiary in... 1.1.
 - Brief description of the objective of the aid: 1.2.
 - Aid scheme Individual aid
- 2. National legal basis
- 3 Beneficiaries
 - 3.1. Location of the beneficiary(ies)
 - In case of an individual aid: 3.2.
 - In case of an aid scheme: 3.3.

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

4. Form of the aid and means of funding

Table 3 Supplementary information sheet on aid for the promotion on third...

Table 4 Supplementary information sheet on aid towards the payment of harvest...

- 1. Hereby it is confirmed that:
- 2. The following losses will be covered by the insurance for...
- 3. Aid intensity proposed: ...%
 - NB: If only the first case (under 2 a) above applies,...

Table 5 Supplementary information sheet on aid for investments (Article 103u of...

- 1. Scope and beneficiaries of the aid
 - 1.1. The support is granted for the following tangible or intangible...
 - 1.2. The aid concerns (please tick as appropriate):
 - 1.3. Hereby it is confirmed that the aid is not granted...
 - 1.4. This communication is meant to fall under the following provision...
- 2. Individual aid
- 3. Aid intensity
 - NB: The conditions relate to the maximum intensities of the cumulated...
 - 3.1. If the beneficiaries are SMEs (Article 15 of Regulation (EC)...
 - 3.2. For aid falling under Article 13 of Regulation (EC) No...
 - 3.3. For investment aid in favour of intermediate companies in regions...
- 4. Eligibility criteria and expenses
 - 4.1. Hereby it is confirmed that:
 - 4.2. For aid for investments in regions not eligible for regional...
- 5. Other information

ANNEX IX

V I 1 document as provided for in Article 43(1)

ANNEX X

V I 2 document as provided for in Article 44(1)

ANNEX XI

Technical rules on V I 1 and V 1 2 forms provided for in Articles 43 and 44

- A. Printing of forms
 - 1. The size of the forms is to be approximately 210...
 - 2. The forms are to be printed in one of the...
- B. Completing the forms
 - 1. Exporter:
 - 2. Consignee:
 - 4. Means of transport and transport details:
 - 6. (5 for V I 2) Description of the imported product:...

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

ANNEX XII

List of third countries referred to in Article 43(2) and Article 45

PART A List of third countries referred to in Article...

ANNEX XIII

Communication deadline: 1 March. Communication referred to in Article 58(1) of this Regulation
Communication deadline: 1 March. Communication referred to in Article 85(4) and Article 87(3) of.
· · · · · · · · · · · · · · · · · · ·
Communication deadline: 1 March, as from 2011. Communication referred to in Article 86(5) and in Article 87(3). Communication deadline: 1 March, as from 2009. Communication referred to in Article 61 of this Regulation. Communication deadline: 1 March, as from 2009. Communication referred to in Article 65(5) of this Regulation.
•••••
Communication deadline: 1 March, as from 2009. Communication according to Article 109 of Regulation (EC) No 479/2008
Communication deadline: 1 March, as from 2009. Communication according to Article 109 of Regulation (EC) No 479/2008
Communication deadline: 1 March, as from 2009. Communication according to Article 109 of Regulation (EC) No 479/2008
ANNEX XIV

Areas that ar	e declared ine	ligible for	the grubbing	g-up sche	eme in
accordance with	Article 104(4) to (6) of	Regulation ((EC) No	479/2008

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

ANNEX XV

ANNEX XVI

Instructions for taking samples of fresh grapes and processing them into wine for analysis by the isotopic methods referred to in Article 88(1)

I. SAMPLING OF GRAPES

- A. Each sample must consist of at least 10 kg of...
- B. When the samples are taken, a description sheet is to...

II VINIFICATION

- A. Vinification must be carried out by the competent body or...
- B. The description sheet for vinification is to be drawn up...

ANNEX XVII

Number of samples to be taken by Member States each year for the analytical databank as referred in Article 88(3)

30 samples in Bulgaria, 20 samples in the Czech Republic,...

ANNEX XVIII

Questionnaire on the collection and vinification of samples of grapes intended for analysis by isotopic methods as referred in Article 88(5)

The analytical methods and the expression of results (units) to...

PART I

- 1. General information 1.1. Sample number: 1.2. Name and function...
- 1. General information
 - 1.1. Sample number:
 - 1.2. Name and function of the official or authorised person who...
 - 1.3. Name and address of the competent body responsible for taking...
 - 1.4. Name and address of the competent body responsible for vinification...
- 2. General description of the samples
 - 2.1. Origin (country, region):
 - 2.2. Year of harvest:
 - 2.3. Vine variety:
 - 2.4. Colour of the grapes:
- 3. Description of the vineyard
 - 3.1. Name and address of person farming the plot:
 - 3.2. Location of the plot
 - 3.3. Soil type (e.g. limey, clayey, lime-clay, sandy):

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

- 3.4. Situation (e.g. slope, plain, exposed to sun):
- 3.5. Number of vines per hectare:
- 3.6. Approximate age of vineyard (less than 10 years/between 10 and...
- 3.7. Altitude:
- 3.8. Method of training and pruning:
- 3.9. Type of wine into which the grapes are normally made...
- 4. Crop and must characteristics
 - 4.1. Estimated yield per hectare for the plot harvested: (kg/ha):
 - 4.2. State of health of the grapes (e.g. sound, rotten), specifying...
 - 4.3. Date on which sample was taken:
- 5. Weather conditions preceding harvest
 - 5.1. Precipitation in the ten days preceding harvest: yes/no. If yes,...
- 6. Irrigated vineyards:

PART II

- 1. Microvinification 1.1. Weight of the sample of grapes, in...
- 1. Microvinification
 - 1.1. Weight of the sample of grapes, in kg:
 - 1.2. Method of pressing:
 - 1.3. Volume of must obtained:
 - 1.4. Characteristics of the must:
 - 1.5. Method of treating the must (e.g. settling, centrifugation):
 - 1.6. Yeasting (variety of yeast used). Indicate whether or not there...
 - 1.7. Temperature during fermentation:
 - 1.8. Method for determining end of fermentation:
 - 1.9. Method of treating the wine (e.g. racking.):
 - 1.10. Addition of sulphur dioxide in mg/l:
 - 1.11. Analysis of the wine obtained
- 2. Chronological table of vinification of the sample

ANNEX XIX

ANALYSIS REPORT

- I. GENERAL INFORMATION
 - 1. Country:
 - 2. Sample number:
 - 3. Year:
 - 4. Vine variety:
 - 5. Type of wine:
 - 6. Region/district:
 - 7. Name, address, telephone, fax and e-mail of laboratory responsible for...
 - 8. Sample for control analysis by the JRC: yes/no
- II. METHODS AND RESULTS
 - 1. Wine (carried over from Annex XVIII)
 - 1.1. Alcoholic strength by volume: % vol

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Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

- 1.2. Total dry extract: g/l
- 1.3. Reducing sugars: g/l
- 1.4. Total acidity expressed as tartaric acid: g/l
- 1.5. Total sulphur dioxide: mg/l
- 2. Distillation of wine for SNIF-NMR
 - 2.1. Description of distillation apparatus:
 - 2.2. Volume of wine distilled/weight of distillate obtained:
- 3. Analysis of distillate
 - 3.1. Alcohol strength of the distillate % (m/m):
- 4. Result of deuterium isotope ratios of ethanol measured by NMR...
 - 4.1. (D/H)I = ppm
 - 4.2. (D/H)II = ppm
 - 4.3. 'R' =
- 5. NMR parameters
- 6. Result of isotopic ratio 180/160 of wine
- 7. Result of isotopic ratio 18O/16O of must (when applicable)
- 8. Result of isotopic ratio 13C/12C of wine ethanol

ANNEX XX

Collection of samples in the context of assistance between control bodies as referred in Article 92

- 1. When samples of wine, grape must or another liquid wine...
- 2. Samples shall be taken by pouring the product in question...
- 3. Each sample shall bear a label which complies with part...
- 4. The official of the competent body authorised to take samples...
- 5. Wherever samples are taken, one of the samples shall remain...
- 6. Consignments of samples shall bear on the external packaging a...

ANNEX XXI

- A. Label describing the sample, in accordance with paragraph 3 of...
 - 1. Required information:
 - 2. Remarks:
 - 3. Minimum size: 100 mm by 100 mm.
- B. Model of the red label referred to in paragraph 6...

ANNEX XXII

Status: Point in time view as at 12/03/2013.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

- (1) OJ L 148, 6.6.2008, p. 1.
- (2) OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1).
- (3) OJ L 143, 16.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1216/2005 (OJ L 199, 29.7.2005, p. 32).
- (4) OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 1433/2007 (OJ L 320, 6.12.2007, p. 18).
- (5) OJ L 316, 15.12.2000, p. 16. Regulation as last amended by Regulation (EC) No 2030/2006 (OJ L 414, 30.12.2006, p. 40).
- (6) OJ L 128, 10.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 1211/2007 (OJ L 274, 18.10.2007, p. 5).
- (7) OJ L 3, 5.1.2008, p. 1.
- (8) OJ L 277, 21.10.2005, p. 1. Regulation as last amended by Regulation (EC) No 146/2008 (OJ L 46, 21.2.2008, p. 1).
- (9) OJ L 209, 11.8.2005, p. 1. Regulation as last amended by Regulation (EC) No 1437/2007 (OJ L 322, 7.12.2007, p. 1).

Status:

Point in time view as at 12/03/2013.

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008.