

**COUNCIL REGULATION (EEC) No 3140/76
of 21 December 1976**

amending Regulation (EEC) No 1162/76 on measures designed to adjust wine-growing potential to market requirements

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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⁽¹⁾, as last amended by Regulation (EEC) No 2842/76⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas Council Regulation (EEC) No 1162/76 of 17 May 1976 on measures designed to adjust wine-growing potential to market requirements⁽⁵⁾ provided for a temporary prohibition on new plantings; whereas planting carried out following reparable measures or expropriation measures in the public interest should be exempted from this prohibition;

Whereas certain other provisions of that Regulation require amending so as to avoid there being two different concurrent systems for new planting and replanting respectively,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1162/76 shall be amended as follows:

1. The following shall be added to Article 2 (2):

'(d) new planting carried out following reparable measures or expropriation measures in the public interest, adopted pursuant to existing national legislation.'

2. Article 3 shall be replaced by the following:

Article 3

All replanting as from 1 September 1976 and all new planting as from 1 January 1977 shall be carried out until the deadline laid down in Article 2 (1) with the varieties classified for the administrative unit concerned:

(a) in the category of recommended varieties,
or

(b) in the category of authorized varieties entered on a list to be drawn up.'

3. Article 5 (2) shall be replaced by the following:

'2. The Council, acting in accordance with the procedure laid down in Article 43 (2) of the Treaty, shall decide, by 1 December 1978, to extend if necessary the provisions of Articles 2 and 3. This extension must apply simultaneously to both Articles.'

Article 2

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

Article 1 (1) shall apply as from 1 December 1976.

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

Done at Brussels, 21 December 1976.

For the Council

The President

A. P. L. M. M. van der STEE

⁽¹⁾ OJ No L 99, 5. 5. 1970, p. 1.

⁽²⁾ OJ No L 327, 26. 11. 1976, p. 2.

⁽³⁾ Opinion delivered on 17. 12. 1976 (not yet published in the Official Journal).

⁽⁴⁾ Opinion delivered on 24. 11. 1976 (not yet published in the Official Journal).

⁽⁵⁾ OJ No L 135, 24. 5. 1976, p. 32.