

COMMISSION REGULATION (EEC) No 3189/82
of 29 November 1982
amending Regulation (EEC) No 2499/82 laying down provisions concerning
preventive distillation for the 1982/83 wine year

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 2144/82 ⁽²⁾, and in particular Article 11 (5)
thereof,

Having regard to Council Regulation (EEC) No 878/77
of 26 April 1977 on the exchange rates to be applied
in agriculture ⁽³⁾, as last amended by Regulation (EEC)
No 2792/82 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas Article 24 of Commission Regulation (EEC)
No 2499/82 ⁽⁵⁾ lays down that the representative rate to
be used for converting the amounts referred to in that
Regulation is to be that in force in principle on 16
December 1982, which is to apply from 1 September
1982;

Whereas Article 3 (2) of Commission Regulation
(EEC) No 1054/78 of 19 May 1978 laying down
detailed rules for the application of Regulation (EEC)
No 878/77 on the exchange rates to be applied in
agriculture ⁽⁶⁾, as last amended by Regulation (EEC) No
3188/82 ⁽⁷⁾, lays down that where a representative rate
is altered during the wine year, the new rate does not
apply for the purpose of certain operations if these
were decided on before the new rate takes effect;
whereas this provision does not permit the application
of the new representative rates fixed by Regulation
(EEC) No 2792/82 for the Belgian/Luxembourg franc
and the French franc for the purpose of preventive
distillation; whereas, however, the new representative

rates are applicable for the purpose of compulsory
distillation as referred to in Article 41 of Regulation
(EEC) No 337/79 if this is decided on;

Whereas preventive distillation is closely related to
compulsory distillation; whereas, in particular, the
buying-in price for the wine is identical; whereas the
quantity of wine to be distilled under compulsory
distillation operations is reduced by the quantity of
wine distilled under preventive distillation operations;
whereas, in order not to jeopardize the equilibrium
aimed at on the market in wine, the same representa-
tive rate should be applied to both categories of distil-
lation;

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

The following paragraph is hereby added to Article 24
of Regulation (EEC) No 2499/82:

'However, notwithstanding Article 3 (2) of
Commission Regulation (EEC) No 1054/78 ⁽¹⁾, the
representative rates to be used for the Belgian/
Luxembourg franc and the French franc shall be:

1 ECU = Bfrs/Lfrs 44·9704

1 ECU = FF 637174.

⁽¹⁾ OJ No L 134, 22. 5. 1978, p. 40.'

Article 2

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

Is shall apply from 1 September 1982.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 227, 3. 8. 1982, p. 1.

⁽³⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁴⁾ OJ No L 295, 21. 10. 1982, p. 6.

⁽⁵⁾ OJ No L 267, 16. 9. 1982, p. 16.

⁽⁶⁾ OJ No L 134, 22. 5. 1978, p. 40.

⁽⁷⁾ See page 8 of this Official Journal.

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

Done at Brussels, 29 November 1982.

For the Commission

Poul DALSGER

Member of the Commission
