

COMMISSION REGULATION (EEC) No 816/87

of 20 March 1987

fixing for the 1986/87 marketing year the percentages of the production of table wine to be delivered for the compulsory distillation referred to in Article 41 of Regulation (EEC) No 337/79.

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 536/87 ⁽²⁾, and in particular paragraph 5, fourth subparagraph, third indent, paragraph 9 and paragraph 10a of Article 41 thereof,

Whereas Commission Regulation (EEC) No 854/86 ⁽³⁾, as last amended by Regulation (EEC) No 601/87 ⁽⁴⁾, laid down detailed rules for the application of the compulsory distillation referred to in Article 41 of Regulation (EEC) No 337/79;

Whereas Commission Regulation (EEC) No 602/87 ⁽⁵⁾ opened for the 1986/87 wine year the compulsory distillation operation referred to in Article 41 of Regulation (EEC) No 337/79 and fixed the total quantity to be distilled in the Community and the quantities to be distilled in the various regions;

Whereas production in the various regions should be allocated among the different yield classes;

Whereas Article 41 (4) of Regulation (EEC) No 337/79 provides that, in the case of producers who are required to distil, the quantity to be distilled must equal a percentage to be fixed of their production of table wine, such percentage being obtained from a graduated scale based on yield per hectare; whereas the percentages of the production of each such producer which must be delivered for distillation should therefore be fixed; whereas these percentages while graduated in relation to yield must be adapted to the situation of each region; whereas the scale used should allow a quantity of table wine corresponding to the obligation specified in Article 1 (3) of Regulation (EEC) No 602/87 to be deducted from a region's quantity; whereas that obligation applies only in the case of producers who must submit a declaration of production and who market the products concerned; whereas, accordingly, the yield classes should set out only the volumes covered by the declarations of production, on which the scale is based;

Whereas the structure and sizes of vineyards in the various regions determine not only the production costs

but also the incomes of producers; whereas account must therefore be taken of this situation; whereas, moreover, the increase in yield per hectare affects in different ways the quality of the wine produced in the regions which are subject to compulsory distillation; whereas in region 3 exceeding the average yield impairs, in general, the quality of the product; whereas in those circumstances and in order to channel wine growing towards a higher quality production, steps should be taken to ensure, by agreement with the Member States concerned, that the total obligation to distil affects the production obtained from yields in excess of 90 hectolitres per hectare; whereas weather conditions in region 4, on the other hand, are such that the yield per hectare does not have such a direct effect on the quality of production; whereas in this region an especially low yield may indeed result in a quantity of wine that is not suitable for direct consumption; whereas it is possible therefore in this region to make provision, in line with the views expressed by the Member State concerned, for a scale which is graduated but applies to the entire production; whereas yields in region 6 are, on average, below those of other regions; whereas the yield has relatively little impact on the product's quality in that region; whereas provision may be made, for that region, for a scale, in keeping with the type of production in that Member State, which would exclude only what is produced on the basis of the lowest yields, in other words yields which would tend to result in an obligation to deliver for distillation only very small quantities which would qualify for exemption under Regulation (EEC) No 854/86;

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

1. In accordance with Article 5 (1) of Regulation (EEC) No 854/86 the production from the 1986/87 harvest shall be broken down into the following yield classes:

(a) Region 3:

Production obtained with a yield, expressed in hectolitres per hectare:

- not exceeding 90 : 18 791 000 hectolitres,
- of more than 90 but not more than 110 : 10 766 411 hectolitres,
- of more than 110 but not more than 140 : 5 506 060 hectolitres,

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 55, 25. 2. 1987, p. 1.

⁽³⁾ OJ No L 80, 25. 3. 1986, p. 14.

⁽⁴⁾ OJ No L 58, 28. 2. 1987, p. 47.

⁽⁵⁾ OJ No L 58, 28. 2. 1987, p. 48.

- of more than 140 but not more than 200 : 1 612 463 hectolitres,
- exceeding 200 : 825 871 hectolitres ;

(b) Region 4 :

Production obtained with a yield, expressed in hectolitres per hectare :

- not exceeding 45 : 2 082 923 hectolitres,
- of more than 45 but not more than 70 : 6 605 743 hectolitres,
- of more than 70 but not more than 90 : 12 288 933 hectolitres,
- of more than 90 but not more than 110 : 11 014 576 hectolitres,
- of more than 110 but not more than 140 : 11 516 825 hectolitres,
- of more than 140 but not more than 200 : 9 847 693 hectolitres,
- exceeding 200 : 1 756 559 hectolitres ;

(c) Region 6 :

— *Part B :*

Production obtained with a yield, expressed in hectolitres per hectare :

- not exceeding 15 : 261 000 hectolitres,
- of more than 15 but not more than 25 : 756 000 hectolitres,
- of more than 25 but not more than 40 : 509 000 hectolitres,
- of more than 40 but not more than 60 : 186 000 hectolitres,
- of more than 60 but not more than 100 : 28 000 hectolitres,
- exceeding 100 : 0 hectolitres ;

— *Part C :*

Production obtained with a yield, expressed in hectolitres per hectare :

- not exceeding 15 : 279 000 hectolitres,
- of more than 15 but not more than 25 : 2 744 000 hectolitres,
- of more than 25 but not more than 40 : 11 816 000 hectolitres,
- of more than 40 but not more than 60 : 7 356 000 hectolitres,
- of more than 60 but not more than 100 : 409 000 hectolitres,
- exceeding 100 : 800 hectolitres.

2. For the purpose of determining the quantity to be delivered for distillation for each producer :

(a) In region 3 the following coefficients shall apply to the portion of the production corresponding to the

yield classes set out below expressed in hectolitres per hectare :

- not exceeding 90 : 0,00,
- more than 90 but not more than 110 : 1,62,
- exceeding 110 : 1,88 ;

(b) In region 4 the following percentages shall apply to the portion of the production corresponding to the yield classes set out below expressed in hectolitres per hectare :

- not exceeding 45 : 0,04,
- more than 45 but not more than 70 : 0,21,
- more than 70 but not more than 90 : 0,28,
- more than 90 but not more than 110 : 0,45,
- more than 110 but not more than 200 : 0,54,
- exceeding 200 : 0,80 ;

(c) In region 6 the following percentages shall apply to the portion of the production corresponding to the yield classes set out below expressed in hectolitres per hectare :

— *Part B :*

- not exceeding 15 : 0,00,
- more than 15 but not more than 25 : 0,45,
- more than 25 but not more than 40 : 0,75,
- more than 40 but not more than 60 : 0,85,
- exceeding 60 : 1,00 ;

— *Part C :*

- not exceeding 15 : 0,00,
- more than 15 but not more than 25 : 0,30,
- more than 25 but not more than 40 : 0,60,
- more than 40 but not more than 60 : 0,80,
- exceeding 60 : 0,90.

Article 2

The quantity that each producer shall be required to deliver for distillation shall be determined by multiplying the volume referred to in Article 6 of Regulation (EEC) No 854/86 by the percentage as shown in the table in the Annex, which corresponds to the yield determined in accordance with the provisions of Article 7 of the said Regulation. The yield shall, where appropriate, be rounded down to the nearest unit (hectolitres per hectare).

Article 3

Notwithstanding Article 10 (1), (2) and (3) of Regulation (EEC) No 854/86, the information specified in the said paragraphs shall be notified not later than 30 April 1987 instead of 31 March 1987.

Article 4

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

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

Done at Brussels, 20 March 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Percentage of the volume referred to in Article 6 of Regulation (EEC) No 854/86 which each producer liable must deliver for the distillation referred to in Article 41 of Regulation (EEC) No 337/79 for the 1986/87 wine year

Yield (hectolitres per hectare)	%				Yield (hectolitres per hectare)	%			
	Region 3	Region 4	Region 6			Region 3	Region 4	Region 6	
			B	C				B	C
not exceeding 15	0	4	0	0	61	0	8,5	55,3	47,4
16	0	4	2,8	1,9	62	0	8,7	56,0	48,1
17	0	4	5,3	3,5	63	0	8,9	56,7	48,7
18	0	4	7,5	5,0	64	0	9,0	57,4	49,4
19	0	4	9,5	6,3	65	0	9,2	58,1	50,0
20	0	4	11,3	7,5	66	0	9,4	58,7	50,6
21	0	4	12,9	8,6	67	0	9,6	59,3	51,2
22	0	4	14,3	9,5	68	0	9,8	59,9	51,8
23	0	4	15,7	10,4	69	0	9,9	60,5	52,3
24	0	4	16,9	11,3	70	0	10,1	61,1	52,9
25	0	4	18,0	12,0	71	0	10,3	61,6	53,4
26	0	4	20,2	13,8	72	0	10,6	62,2	53,9
27	0	4	22,2	15,6	73	0	10,8	62,7	54,4
28	0	4	24,1	17,1	74	0	11,0	63,2	54,9
29	0	4	25,9	18,6	75	0	11,3	63,7	55,3
30	0	4	27,5	20,0	76	0	11,5	64,1	55,8
31	0	4	29,0	21,3	77	0	11,7	64,6	56,2
32	0	4	30,5	22,5	78	0	11,9	65,1	56,7
33	0	4	31,8	23,6	79	0	12,1	65,5	57,1
34	0	4	33,1	24,7	80	0	12,3	65,9	57,5
35	0	4	34,3	25,7	81	0	12,5	66,4	57,9
36	0	4	35,4	26,7	82	0	12,7	66,8	58,3
37	0	4	36,5	27,6	83	0	12,9	67,2	58,7
38	0	4	37,5	28,4	84	0	13,1	67,6	59,0
39	0	4	38,5	29,2	85	0	13,2	67,9	59,4
40	0	4	39,4	30,0	86	0	13,4	68,3	59,8
41	0	4	40,5	31,2	87	0	13,6	68,7	60,1
42	0	4	41,5	32,4	88	0	13,7	69,0	60,5
43	0	4	42,6	33,5	89	0	13,9	69,4	60,8
44	0	4	43,5	34,5	90	0	14,1	69,7	61,1
45	0	4	44,4	35,6	91	1,8	14,4	70,1	61,4
46	0	4,4	45,3	36,5	92	3,5	14,7	70,4	61,7
47	0	4,7	46,2	37,4	93	5,2	15,1	70,7	62,0
48	0	5,1	47,0	38,3	94	6,9	15,4	71,0	62,3
49	0	5,4	47,8	39,2	95	8,5	15,7	71,3	62,6
50	0	5,7	48,5	40,0	96	10,1	16,0	71,6	62,9
51	0	6,0	49,2	40,8	97	11,7	16,3	71,9	63,2
52	0	6,3	49,9	41,5	98	13,2	16,6	72,2	63,5
53	0	6,6	50,6	42,3	99	14,7	16,9	72,5	63,7
54	0	6,8	51,2	43,0	100	16,2	17,2	72,8	64,0
55	0	7,1	51,8	43,6	101	17,6	17,4		
56	0	7,3	52,4	44,3	102	19,1	17,7		
57	0	7,6	53,0	44,9	103	20,4	18,0		
58	0	7,8	53,5	45,5	104	21,8	18,2		
59	0	8,0	54,1	46,1	105	23,1	18,5		
60	0	8,3	54,6	46,7	106	24,5	18,7		

Yield (hectolitres per hectare)	%				Yield (hectolitres per hectare)	%			
	Region 3	Region 4	Region 6			Region 3	Region 4	Region 6	
			B	C				B	C
107	25,7	19,0			160	79,0	30,4		
108	27,0	19,2			161	79,7	30,6		
109	28,2	19,4			162	80,3	30,7		
110	29,5	19,7			163	81,0	30,8		
111	30,9	20,0			164	81,7	31,0		
112	32,3	20,3			165	82,3	31,1		
113	33,7	20,6			166	82,9	31,3		
114	35,0	20,9			167	83,6	31,4		
115	36,3	21,2			168	84,2	31,5		
116	37,7	21,5			169	84,8	31,7		
117	38,9	21,7			170	85,4	31,8		
118	40,2	22,0			171	86,0	31,9		
119	41,4	22,3			172	86,6	32,1		
120	42,7	22,5			173	87,2	32,2		
121	43,9	22,8			174	87,8	32,3		
122	45,0	23,1			175	88,3	32,4		
123	46,2	23,3			176	88,9	32,6		
124	47,4	23,6			177	89,5	32,7		
125	48,5	23,8			178	90,0	32,8		
126	49,6	24,0			179	90,6	32,9		
127	50,7	24,3			180	91,1	33,0		
128	51,8	24,5			181	91,6	33,1		
129	52,8	24,7			182	92,2	33,3		
130	53,8	25,0			183	92,7	33,4		
131	54,9	25,2			184	93,2	33,5		
132	55,9	25,4			185	93,7	33,6		
133	56,9	25,6			186	94,2	33,7		
134	57,9	25,8			187	94,7	33,8		
135	58,8	26,0			188	95,2	33,9		
136	59,8	26,2			189	95,7	34,0		
137	60,7	26,4			190	96,2	34,1		
138	61,6	26,6			191	96,7	34,2		
139	62,5	26,8			192	97,2	34,3		
140	63,4	27,0			193	97,6	34,4		
141	64,3	27,2			194	98,1	34,5		
142	65,2	27,4			195	98,6	34,6		
143	66,0	27,6			196	99,0	34,7		
144	66,9	27,8			197	99,5	34,8		
145	67,7	28,0			198	99,9	34,9		
146	68,5	28,1			199	100,0	35,0		
147	69,4	28,3			200	100,0	35,1		
148	70,2	28,5			201	100,0	35,3		
149	71,0	28,7			202	100,0	35,6		
150	71,7	28,8			203	100,0	35,8		
151	72,5	29,0			204	100,0	36,0		
152	73,3	29,2			205	100,0	36,2		
153	74,0	29,3			206	100,0	36,4		
154	74,8	29,5			207	100,0	36,6		
155	75,5	29,6			208	100,0	36,9		
156	76,2	29,8			209	100,0	37,1		
157	76,9	30,0			210	100,0	37,3		
158	77,6	30,1			211	100,0	37,5		
159	78,3	30,3			212	100,0	37,7		

(Yield (hectolitres per hectare))	%			
	Region 3	Region 4	Region 6	
			B	C
213	100,0	37,9		
214	100,0	38,1		
215	100,0	38,3		
216	100,0	38,4		
217	100,0	38,6		
218	100,0	38,8		
219	100,0	39,0		
220	100,0	39,2		
221	100,0	39,4		
222	100,0	39,6		
223	100,0	39,8		
224	100,0	39,9		
225	100,0	40,1		
226	100,0	40,3		
227	100,0	40,5		
228	100,0	40,6		
229	100,0	40,8		
230	100,0	41,0		
231	100,0	41,1		
232	100,0	41,3		
233	100,0	41,5		
234	100,0	41,6		
235	100,0	41,8		
236	100,0	42,0		
237	100,0	42,1		
238	100,0	42,3		
239	100,0	42,4		
240	100,0	42,6		
241	100,0	42,8		
242	100,0	42,9		
243	100,0	43,1		
244	100,0	43,2		
245	100,0	43,4		
246	100,0	43,5		
247	100,0	43,7		
248	100,0	43,8		
249	100,0	44,0		
250	100,0	44,1		

For higher yields the percentages are obtained by applying the rule set out in Article 1 (2).