

**COMMISSION REGULATION (EEC) No 507/91**

of 28 February 1991

for the 1990/91 wine year the percentages of table wine production to be delivered for compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine<sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 39 (9), (10) and (11) thereof,

Whereas Commission Regulation (EEC) No 441/88<sup>(3)</sup>, as last amended by Regulation (EEC) No 467/90<sup>(4)</sup>, lays down detailed rules for the application of compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87;

Whereas Commission Regulation (EEC) No 3747/90<sup>(5)</sup> opens for the 1990/91 wine year compulsory distillation as provided for in Article 39 of Regulation (EEC) No 822/87 and fixes 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 various yield classes;

Whereas Article 39 (4) of Regulation (EEC) No 822/87 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 table wine production, 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, while being based on objective criteria, those percentages must be adapted to the situation of each region and must take account of the exemptions from compulsory distillation provided for in Article 8 (1) or Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of winegrowing areas<sup>(6)</sup>; as

amended by Regulation (EEC) No 1327/90<sup>(7)</sup>; whereas the scale used must allow a quantity of table wine corresponding to the obligation provided for in Article 1 (3) of Regulation (EEC) No 3747/90 to be deducted from a region's quantity; whereas that obligation applied only in the case of producers who are required to submit a production declaration and who market the products concerned; whereas the yield classes should accordingly set out only the quantities covered by the production declarations, on which the scale is based;

Whereas, in accordance with the provisions on the fixing of the scale provided for in the fourth subparagraph of Article 39 (4) of Regulation (EEC) No 822/87, reference must be made to the average yield of each production region in which the scales are drawn up;

Whereas the structure and size of vineyards in the various regions lead not only to different production costs but also to different production costs but also to different incomes for producers; whereas account must therefore be taken of that situation; whereas, moreover, increases in yield per hectare affect in different ways the quality of the wine produced in the regions which are subject to compulsory distillation; whereas, in region 3, any exceeding of the average yield in general impairs the quality of the product; whereas, in those circumstances and in order to channel wine-growing towards higher quality production, the major quantity covered by the obligation to distil should relate to production obtained with a yield exceeding the average for region 3 and production obtained with a yield lower than that average should be exempted from the obligation; 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 that region a low yield may even result in a quantity of wine that is not suitable for direct consumption; whereas it is therefore possible in that region to make provision 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 in that region for a scale 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 441/88;

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 19.

<sup>(3)</sup> OJ No L 45, 18. 2. 1988, p. 15.

<sup>(4)</sup> OJ No L 48, 24. 2. 1990, p. 29.

<sup>(5)</sup> OJ No L 360, 22. 12. 1990, p. 34.

<sup>(6)</sup> OJ No L 132, 28. 5. 1988, p. 3.

<sup>(7)</sup> OJ No L 132, 23. 5. 1990, p. 23.

Whereas the scale to be established must be incremental, thus penalizing the highest yields, and ensure that, the quantitative limits laid down in Regulation (EEC) No 3747/90 for the various production regions should not be exceeded;

Whereas, in view of the derogation provided for in Article 39 (10) of Regulation (EEC) No 822/87, it must be specified that the quantity for preventive distillation is to be deducted from the quantity for compulsory distillation in Greece;

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. Pursuant to Article 5 (1) of Regulation (EEC) No 441/88, production from the 1990/91 harvest shall be broken down into the following yield classes:

##### (a) Region 3:

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

— up to 90:	21 743 362	hectolitres,
— 90 or more, but not more than 110:	2 871 704	hectolitres,
— of more than 110, but not more than 140:	690 814	hectolitres,
— of more than 140, but not more than 200:	204 549	hectolitres,
— exceeding 200:	113 766	hectolitres;

##### (b) Region 4:

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

— not exceeding 65:	11 165 480	hectolitres,
— of more than 65, but not more than 80:	5 461 220	hectolitres,
— of more than 80, but not more than 90:	4 830 652	hectolitres,
— of more than 90, but not more than 110:	6 914 952	hectolitres,
— of more than 110, but not more than 130:	5 124 434	hectolitres,
— of more than 130, but not more than 140:	907 864	hectolitres,
— of more than 140, but not more than 200:	612 954	hectolitres,

— of more than 150, but not more than 200:	615 016	hectolitres,
— exceeding 200:	39 425	hectolitres;

##### (c) Region 6:

— Part A: production	105 110	hectolitres,
— Part B:	25 974 921	hectolitres.

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

— not exceeding 10:	271 750	hectolitres,
— of more than 10, but not more than 15:	1 048 610	hectolitres,
— of more than 15, but not more than 20:	1 686 479	hectolitres,
— of more than 20, but not more than 30:	6 766 757	hectolitres,
— of more than 30, but not more than 45:	12 159 411	hectolitres,
— of more than 45, but not more than 70:	3 656 231	hectolitres,
— exceeding 70:	385 683	hectolitres;

2. The average yield in production region 3 shall be 71,5 hectolitres per hectare; in region 4 it shall be 75 hectolitres per hectare; in region 6 it shall be 30,01 hectolitres per hectare.

#### Article 2

The quantity that each producer shall be required to deliver for distillation shall be determined by multiplying the quantity referred to in Article 6 of Regulation (EEC) No 441/88 by the percentage shown in the table in the Annex which corresponds to the yield determined in accordance with Article 7 of the said Regulation. The yield shall, where appropriate, be rounded down to the nearest unit (hectolitres per hectare).

#### Article 3

In the case of region 5 as referred to in Article 4 (2) of Regulation (EEC) No 441/88, the quantity for preventive distillation in that region pursuant to Commission Regulation (EEC) No 2273/90<sup>(1)</sup> shall be deducted from the quantity referred to in Article 1 (3) of Regulation (EEC) No 3747/90.

#### Article 4

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

<sup>(1)</sup> OJ No L 204, 2. 8. 1990, p. 49.

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

Done at Brussels, 28 February 1991.

*For the Commission*

Ray MAC SHARRY

*Member of the Commission*

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## ANNEX

## Percentage of the quantity referred to in Article 2

Yield (hectolitres per hectare)	%			Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6, Part B		Region 3	Region 4	Region 6, Part B
10				58	0	0	70,5
or less	0	0	0	59	0	0	70,5
11	0	0	8,6	60	0	0	70,6
12	0	0	15,8	61	0	0	70,6
13	0	0	21,9	62	0	0	70,7
14	0	0	27,1	63	0	0	70,7
15	0	0	31,7	64	0	0	70,7
16	0	0	32,9	65	0	0	70,8
17	0	0	34,1	66	0	0,3	70,8
18	0	0	35,1	67	0	0,6	70,8
19	0	0	35,9	68	0	0,8	70,9
20	0	0	36,8	69	0	1,1	70,9
21	0	0	39,1	70	0	1,4	70,9
22	0	0	41,2	71	0	1,6	71,2
23	0	0	43,2	72	0	1,9	71,5
24	0	0	45,0	73	0	2,2	71,8
25	0	0	46,6	74	0	2,4	72,1
26	0	0	48,1	75	0	2,7	72,3
27	0	0	49,5	76	0	2,9	72,6
28	0	0	50,8	77	0	3,2	72,8
29	0	0	52,0	78	0	3,5	73,1
30	0	0	53,2	79	0	3,7	73,3
31	0	0	54,8	80	0	4,0	73,6
32	0	0	56,3	81	0	4,4	73,8
33	0	0	57,7	82	0	4,8	74,0
34	0	0	59,0	83	0	5,2	74,2
35	0	0	60,3	84	0	5,6	74,4
36	0	0	61,5	85	0	6,0	74,6
37	0	0	62,6	86	0	6,4	74,8
38	0	0	63,7	87	0	6,8	75,0
39	0	0	64,7	88	0	7,2	75,2
40	0	0	65,6	89	0	7,6	75,4
41	0	0	66,5	90	0	8,0	75,6
42	0	0	67,4	91	10,0	8,2	75,8
43	0	0	68,2	92	12,0	8,4	76,0
44	0	0	69,0	93	14,0	8,6	76,1
45	0	0	69,8	94	16,0	8,8	76,3
46	0	0	69,8	95	18,0	9,0	76,5
47	0	0	69,9	96	19,8	9,2	76,6
48	0	0	70,0	97	21,6	9,4	76,8
49	0	0	70,0	98	23,4	9,6	76,9
50	0	0	70,1	99	25,2	9,8	77,1
51	0	0	70,2	100	27,0	10,0	77,3
52	0	0	70,2	101	28,8	10,2	77,4
53	0	0	70,3	102	30,6	10,4	77,5
54	0	0	70,3	103	32,4	10,6	77,7
55	0	0	70,4	104	34,2	10,8	77,8
56	0	0	70,4	105	36,0	11,0	78,0
57	0	0	70,5	106	37,8	11,2	78,1

Yield (hectolitres per hectare)	%			Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6, Part B		Region 3	Region 4	Region 6, Part B
107	39,6	11,4	78,2	161	100,0	49,6	
108	41,4	11,6	78,3	162	100,0	49,8	
109	43,2	11,8	78,5	163	100,0	49,9	
110	45,0	12,0	78,6	164	100,0	50,0	
111	46,3	12,4	78,7	165	100,0	50,2	
112	47,5	12,8	78,8	166	100,0	50,3	
113	48,8	13,2	78,9	167	100,0	50,5	
114	50,0	13,6	79,1	168	100,0	50,6	
115	51,3	14,0	79,2	169	100,0	50,7	
116	52,5	14,4	79,3	170	100,0	50,9	
117	53,8	14,8	79,4	171	100,0	51,0	
118	55,0	15,2	79,5	172	100,0	51,1	
119	56,3	15,6	79,6	173	100,0	51,3	
120	57,5	16,0	79,7	174	100,0	51,4	
121	58,8	16,4	79,8	175	100,0	51,6	
122	60,0	16,8	79,9	176	100,0	51,7	
123	61,3	17,2	80,0	177	100,0	51,8	
124	62,5	17,6	80,1	178	100,0	52,0	
125	63,8	18,0	80,2	179	100,0	52,1	
126	65,0	18,4	80,3	180	100,0	52,2	
127	66,3	18,8	80,4	181	100,0	52,4	
128	67,5	19,2	80,5	182	100,0	52,5	
129	68,8	19,6	80,6	183	100,0	52,7	
130	70,0	20,0	80,7	184	100,0	52,8	
131	71,3	20,5	80,7	185	100,0	52,9	
132	72,5	21,0	80,8	186	100,0	53,1	
133	73,8	21,5	80,9	187	100,0	53,2	
134	75,0	22,0	81,0	188	100,0	53,3	
135	76,3	22,5	81,1	189	100,0	53,5	
136	77,5	23,0	81,2	190	100,0	53,6	
137	78,8	23,5	81,2	191	100,0	53,8	
138	80,0	24,0	81,3	192	100,0	53,9	
139	81,3	24,5		193	100,0	54,0	
140	82,5	25,0		194	100,0	54,2	
141	83,5	27,3		195	100,0	54,3	
142	84,5	29,6		196	100,0	54,5	
143	85,5	31,9		197	100,0	54,6	
144	86,5	34,2		198	100,0	54,7	
145	87,5	36,6		199	100,0	54,9	
146	88,5	38,9		200	100,0	55,0	
147	89,5	41,2		201	100,0	55,1	
148	90,5	43,5		202	100,0	55,2	
149	91,5	45,8		203	100,0	55,3	
150	92,5	48,1		204	100,0	55,4	
151	93,5	48,2		205	100,0	55,5	
152	94,5	48,4		206	100,0	55,6	
153	95,5	48,5		207	100,0	55,7	
154	96,5	48,7		208	100,0	55,8	
155	97,5	48,8		209	100,0	55,9	
156	98,5	48,9		210	100,0	56,0	
157	99,5	49,1		211	100,0	56,1	
158	100,0	49,2		212	100,0	56,2	
159	100,0	49,3		213	100,0	56,3	
160	100,0	49,5		214	100,0	56,4	

Yield (hectolitres per hectare)	%			Yield (hectolitres per hectare)	%		
	Region 3	Region 4	Region 6, Part B		Region 3	Region 4	Region 6, Part B
215	100,0	56,5		258	100,0	60,8	
216	100,0	56,6		259	100,0	60,9	
217	100,0	56,7		260	100,0	61,0	
218	100,0	56,8		261	100,0	61,1	
219	100,0	56,9		262	100,0	61,2	
220	100,0	57,0		263	100,0	61,3	
221	100,0	57,1		264	100,0	61,4	
222	100,0	57,2		265	100,0	61,5	
223	100,0	57,3		266	100,0	61,6	
224	100,0	57,4		267	100,0	61,7	
225	100,0	57,5		268	100,0	61,8	
226	100,0	57,6		269	100,0	61,9	
227	100,0	57,7		270	100,0	62,0	
228	100,0	57,8		271	100,0	62,1	
229	100,0	57,9		272	100,0	62,2	
230	100,0	58,0		273	100,0	62,3	
231	100,0	58,1		274	100,0	62,4	
232	100,0	58,2		275	100,0	62,5	
233	100,0	58,3		276	100,0	62,6	
234	100,0	58,4		277	100,0	62,7	
235	100,0	58,5		278	100,0	62,8	
236	100,0	58,6		279	100,0	62,9	
237	100,0	58,7		280	100,0	63,0	
238	100,0	58,8		281	100,0	63,1	
239	100,0	58,9		282	100,0	63,2	
240	100,0	59,0		283	100,0	63,3	
241	100,0	59,1		284	100,0	63,4	
242	100,0	59,2		285	100,0	63,5	
243	100,0	59,3		286	100,0	63,6	
244	100,0	59,4		287	100,0	63,7	
245	100,0	59,5		288	100,0	63,8	
246	100,0	59,6		289	100,0	63,9	
247	100,0	59,7		290	100,0	64,0	
248	100,0	59,8		291	100,0	64,1	
249	100,0	59,9		292	100,0	64,2	
250	100,0	60,0		293	100,0	64,3	
251	100,0	60,1		294	100,0	64,4	
252	100,0	60,2		295	100,0	64,5	
253	100,0	60,3		296	100,0	64,6	
254	100,0	60,4		297	100,0	64,7	
255	100,0	60,5		298	100,0	64,8	
256	100,0	60,6		299	100,0	64,9	
257	100,0	60,7		300	100,0	65,0	

For higher yields :

in region 4 : a percentage of 0,1 is added to the scale for each additional hl ;

in region 6 : the volume to be distilled is obtained by applying a coefficient of 0,92 to each additional hl.