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REGULATION (EEC) No 39/68 OF THE COMMISSION

of 11 January 1968

amending Regulation No 26/64/EEC as regards keeping the viticultural land register up to date

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Regulation No 24¹ on the progressive establishment of a common organisation of the market in wine, and in particular Article 5 thereof;

Having regard to Commission Regulation No 143² laying down initial provisions for the preparation of the viticultural land register, and in particular Article 7 thereof;

Whereas the preparations for the establishment of the viticultural land register have been completed or nearly so; whereas it is therefore necessary to draw up measures for keeping it up to date;

Whereas, in order to understand the situation and development of the Community market in wine, the development of the area under vines and the selection of vine varieties employed in each of the administrative units of the Member States need to be followed continuously and in detail as regards the type of cultivation, the nature of produce and the position of each vineyard plot;

Whereas, by reason of the foregoing, it is preferable that a system of yearly declarations on the planting and grubbing of vines should replace the statistical sample surveys provided for in Article 3 of Commission Regulation No 26/64/EEC³ of 28 February 1964 laying down additional provisions for the preparation of the viticultural land register;

Whereas, for the sake of technical simplicity, the official declarations which are already in existence

or which have yet to be made in pursuance of other provisions should be used for keeping the register up to date and, as regards stock nurseries and cutting nurseries, all relevant information which can should be used for that purpose by the Member States;

Whereas, in order to follow the development of vine cultivation under glass, complete and systematic information communicated every two years by Member States is preferable to sample surveys; whereas it is appropriate, therefore, to amend Article 4 of Regulation No 26/64/EEC accordingly;

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 provisions shall be substituted or the provisions of Article 3 of Regulation No 26/64/EEC:

'1. The viticultural land register shall be completely revised every ten years, beginning in 1977.

In the meantime the register shall be kept up to date each year by declarations on the planting and grubbing of vines effected during the period referred to in paragraph 2.

2. The declarations shall be made in writing by the natural and legal persons referred to in Article 1 of Regulation No 143 and shall be sent before 15 June to the authorities appointed in accordance with national provisions. All planting or grubbing of vineyard plots or of parts thereof effected during the period from 1 June of the preceding year to 31 May of the year during which the declaration is made shall be shown separately in the declarations.

However, the first declaration shall cover the period from the date of the establishment of the register

¹ OJ No 30, 20.4.1962, p. 989/62.

² OJ No 127, 1.12.1962, p. 2789/62.

³ OJ No 48, 19.3.1964, p. 753/64.

to 31 May of the year in which that first declaration is made.

3. The declarations shall include the following particulars:

- the name and address of the vine grower,
- the name and address of the owner(s) of the vineyard plot or of the part thereof planted or grubbed,
- particulars required to identify the vineyard plot or the part thereof,
- the area of the vineyard plot or the part thereof planted or grubbed,
- the position,
- the nature of produce,
- the type of cultivation,
- the selection of vine varieties,
- the age of grubbed vine-stocks.

4. Until the entry into force of Community provisions providing for declarations on the production and marketing of vegetative propagation material for vines, Member States shall, in order to keep the viticultural land register up to date, make use of all relevant information about stock nurseries and cutting nurseries.

5. Member States may exempt the natural and legal persons referred to in Article 1 of Regulation No 143 from making the declarations provided for in paragraph 1, or from furnishing a part of the information mentioned in paragraph 3, if they are in possession of such information through other declarations made in accordance with official provisions.

6. Member States shall keep their viticultural land registers up to date on the basis of the declarations and information mentioned in paragraph 1, 4 and 5 as regards;

(a) the total area under vines, subdivided according to:

- the type of cultivation,
- the nature of produce and
- the position, and

(b) the area covered by each of the vine varieties, subdivided according to:

- the nature of produce and
- age groups.

7. Not later than 30 November of each year, Member states shall notify the Commission, in triplicate, of the results of the updating of their records in accordance with paragraph 6 above.'

Article 2

The following Article shall be added to Regulation No 26/64/EEC:

'Article 3 (b)

1. For the purposes applying this Regulation, the definitions of "nature of produce", "type of cultivation" and "vineyard plot" shall be those given in Article 3 of Regulation No 143.

2. For the purposes of this Regulation:

- "planting" means the planting of vine plants or parts of vine plants over a uniform surface, with the intention of creating or renewing a vineyard plot or part of a vineyard plot;
- "grubbing" means the complete removal of all vine-stocks from a vineyard plot or from part of a vineyard plot.'

Article 3

1. The words 'in 1977' shall be substituted for the words 'in 1976' appearing in the first indent of the third subparagraph of Article 4 of Regulation No 26/64/EEC.

2. The words 'biennial surveys' shall be substituted for the words 'biennial statistical sample surveys' appearing in the second indent of the third subparagraph of Article 4 of Regulation No 26/64/EEC.

3. The words 'in accordance with the provisions of Articles 2 to 4' shall be substituted for the words 'in accordance with the provisions of Articles 2 and 4' appearing in Article 5 of Regulation No 26/64/EEC.

Article 4

Article 4 of Regulation No 26/64/EEC is hereby repealed.

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

Done at Brussels, 11 January 1968.

For the Commission
The President
 J. REY