

REGULATION (EEC) No 816/70 OF THE COUNCIL

of 28 April 1970

laying down additional provisions for the common organisation of the market in wine

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament¹;

Having regard to the Opinion of the Economic and Social Committee²;

Whereas the operation and development of the common market in agricultural products must be accompanied by the establishment of a common agricultural policy to include in particular a common organisation of agricultural markets which may take various forms depending on the product;

Whereas the aim of the common agricultural policy is to attain the objectives set out in Article 39 of the Treaty; whereas, in particular in the wine sector, the need to stabilise markets and ensure a fair standard of living for the agricultural community concerned makes it desirable that intervention measures may be taken in the form of aid for private storage and, where appropriate, by the distillation of table wines; whereas to that end provision should be made, in respect of each type of table wine representative of Community production, for fixing a guide price and, derived therefrom, an activating price for intervention, on the basis of which intervention measures may be taken; whereas, independently of such measures, it should be possible for intervention to take place at the beginning of the wine-growing year on the basis of the forward estimate in order to ensure an overall balance during the wine-growing year;

Whereas the creation of a single Community market for wine involves the introduction of a single trading system at the external frontiers of the Community; whereas application of the duties in the Common Customs Tariff should suffice, as a general rule, to stabilise the Community market by preventing price levels and price fluctuations in third countries from affecting prices ruling within the Community;

Whereas, however, it is necessary to avoid disturbances on the Community market caused by offers made on the world market at abnormal prices; whereas to that end reference prices should be fixed for wine and customs duties should be increased by a countervailing charge when free-at-frontier offer prices plus customs duties are lower than reference prices;

Whereas, in order to safeguard Community participation in international trade in wine products, provision should be made for granting refunds on exports of those products to third countries;

Whereas, in addition to the system described above, and to the extent necessary for the proper working of the export refund mechanism, provision should be made for prohibiting recourse to inward processing arrangements;

Whereas the competent authorities must be in a position to keep in touch at all times with trade movements in order to assess market trends and to take the measures that they call for; whereas, to that end, provision should be made for the issue of import and if necessary export licences which may include the lodging of a deposit guaranteeing the carrying out of the transactions for which they have been requested;

Whereas the import system is aimed primarily at ensuring, in view of the special characteristics of the wine market and on the basis of the forward estimate, an effective protection of price levels and a preferential outlet for Community produce on the internal market; whereas, therefore, imports must not

¹ OJ No C 25, 28.2.1970, p. 33.

² OJ No C 58, 13.6.1968, p. 9 and OJ No C 10, 27.1.1970, p. 1.

disturb the balance between Community availabilities and requirements;

Whereas the application to third countries of Common Customs Tariff duties and, where appropriate, of countervailing charges makes it possible to dispense with all other protective measures at the external frontiers of the Community; whereas, however, that mechanism may prove defective; whereas, so as not to leave the Community market without defence against disturbances which may arise therefrom after the import barriers which existed previously have been removed, the Community should be enabled to take all necessary measures without delay;

Whereas the prices of imported products with added alcohol should be set at a level not less, after customs clearance, than the minimum production costs of those products in the Community;

Whereas application of the rules of the market organisation may be delayed by disparities between the laws in individual Member States; whereas, to eliminate those disparities, measures should be adopted relating to the production, composition and marketing of the products in question and the improvement of their quality; whereas, to facilitate control, provision should be made for introducing a Community accompanying document and for obliging the wholesale trade to keep turnover records;

Whereas a precise definition of products, in particular of table wine, which come within the scope of this Regulation is indispensable for the efficient application thereof; whereas, since compliance with the conditions laid down for the production of table wines is only controllable within the Community, the description 'table wine' should be reserved for Community-grown produce.

Whereas in certain years it may be necessary to permit the enrichment of produce suitable for yielding table wine; whereas, however, it is important, in the interests alike of quality and of the market, that such enrichment be subject to certain conditions and limits and that it be applied only to produce of certain vine varieties and of a minimum potential natural alcoholic strength; whereas, since production conditions vary considerably between one wine-growing zone of the Community and another, it is essential that account be taken of such variations, in particular in respect of enrichment procedure; whereas, however, sugaring should be restricted to wine growing regions in which it is authorised on the date of entry into force of this Regulation;

Whereas, moreover, acidity is an element in assessing the quality and a factor affecting the durability of

wine; whereas it has proved necessary to fix an upper limit of acidification;

Whereas coupage is a widespread oenological practice and whereas, in view of its possible consequences, its control is advisable to prevent abuse;

Whereas sweetening should be controlled in order to avoid abusive enrichment of wines;

Whereas, in view of the poor quality of wines obtained from overpressing, provision should be made for the compulsory distillation of marcs and lees; whereas, however, in order to take into account production conditions in certain wine growing regions, derogations from this measure may be provided for;

Whereas, as an aid to regulating and supervising the market, rules should be laid down on the designation and presentation of wines;

Whereas it may be appropriate, for the making of certain wines, to authorise the addition of alcohol; whereas, however, this practice must be strictly controlled;

Whereas provision must be made for subjecting products covered by this Regulation which are imported from third countries to rules which ensure a measure of harmony with existing arrangements for Community wines;

Whereas the establishment of a single market in the wine sector involves the removal at the internal frontiers of the Community of all obstacles to the free movement of the goods in question; whereas, however, until all necessary administrative instruments for the management of the wine market are put into operation, it is indispensable that Member States be furnished with adequate means for avoiding disturbance to their market;

Whereas the establishment of a single market based on a common price system would be jeopardised by the granting of certain aids; whereas, therefore the provisions of the Treaty which allow the assessment of aids granted by Member States and the prohibition of those which are incompatible with the common market should be made to apply to wine;

Whereas with a view to reorganising the market in wine, it is desirable that Community rules designed to improve vine-stock selection be drawn up as soon as possible; whereas the common organisation should, furthermore, aim to stabilise markets through an adjustment of resources to needs based, in particular, on the rationalisation of wine-growing areas;

Whereas transitional measures may prove necessary to facilitate the transition from one wine growing year to another;

Whereas, pending the entry into force of the common organisation of the market in wine, grapes intended for wine making have been subject to the organisation of the market in fruit and vegetables; whereas, however, since those products pertain directly to the wine growing economy, they should be included in the organisation of the market in wine;

Whereas the common organisation of the market in wine must take appropriate account, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty;

HAS ADOPTED THIS REGULATION:

Article 1

1. The common organisation of the market in wine shall comprise a price and intervention system, a system of trade with third countries, rules concerning production and for controlling planting and rules concerning oenological processes and conditions for release to the market.

2. It shall apply to the following products:

CCT heading No	Description of goods
(a) 22.04	Grape must, in fermentation or with fermentation arrested otherwise than by the addition of alcohol
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol
(b) 08.04 A II ex 22.10	Fresh grapes other than table grapes Edible wine vinegars
(c) ex 22.07	Piquette
ex 22.09 A	Diluted alcohols of agricultural origin
23.05	Wine lees; argol
ex 23.06 A	Grape marcs

3. The rules concerning oenological practices and conditions for release to the market shall apply, in addition, to the following products:

CCT heading No	Description of goods
20.07 A I B I (a) 1 (b) 1	Grape juice (including grape must), whether or not containing added sugar, but unfermented and not containing spirit

4. (a) Definitions of alcoholic strengths are as set out in Annex I;

(b) Definitions of the following are as set out in Annex II:

— fresh grapes, grape must, grape must in fermentation, grape juice, concentrated grape juice, wine, new wine still in fermentation, wine vinegar, wine lees, argol, grape marc, piquette, wine fortified for distillation and diluted vinous alcohol; and

— Community-produced concentrated grape must, wine suitable for yielding table wine, table wine, liqueur wine, sparkling wine, aerated sparkling wine, semi-sparkling wine and aerated semi-sparkling wine;

(c) Definitions of the products listed in (b), second indent, originating in third countries, with the exception of wine suitable for yielding table wine and table wine, shall be adopted by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

5. Quality wines produced in specified regions (hereinafter called 'quality wines p.s.r.') are the wines defined in Article 1 of Council Regulation (EEC) No 817/70¹ of 28 April 1970 laying down special provisions relating to quality wines produced in specified regions.

TITLE I

Prices and intervention

Article 2

1. A guide price shall be fixed annually, before 1 August, for each type of table wine representative of Community production.

2. The guide price shall be fixed on the basis of average prices recorded for the type of wine in question during the two wine-growing years preceding the date of fixing and on the basis of price trends during the current wine-growing year.

These quotations shall be recorded at the production stage on the markets in Community wine growing regions which market a substantial proportion of their own table wine production.

¹ OJ No L 99, 5.5.1970, p. 20.

3. The guide price shall be fixed at the production stage and shall be valid from 16 December of the year in which it is fixed until 15 December of the following year.

It shall be expressed, according to the type of wine, either in units of account per degree/hl or in units of account per hl.

4. The guide prices and the types of wine to which they apply shall be determined in accordance with the procedure laid down in Article 43 (2) of the Treaty.

Article 3

1. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall fix annually before 16 December, but for the first time before 1 June 1970, a threshold price activating the intervention system (hereinafter called the 'activating price') for each type of wine for which a guide price is fixed.

2. The activating price shall be fixed in the light of the following factors:

- (a) the state of the market and in particular the extent of price fluctuations;
- (b) the need to ensure price stability on the markets without causing structural surpluses to build up in the Community;
- (c) the quality of the harvest;
- (d) the information contained in the forward estimates provided for in Article 3 of Regulation No 24¹ on the progressive establishment of a common organisation of the market in wine.

3. The activating price shall be fixed at the same stage and shall be valid during the same period as the guide price.

Article 4

1. For each type of wine for which a guide price is fixed the Commission shall fix each week, on the basis of all the facts available to it, an average producer price (hereinafter called the 'average price') for each marketing centre for the type of wine in question.

2. Member States shall supply to the Commission all relevant information for fixing the average prices and, in particular where there exist representative markets, the producer prices recorded on those markets for each type of wine.

3. Detailed rules for the application of this Article, including the list of marketing centres, the list of representative markets and the methods of recording prices, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 5

1. Private storage aid shall be granted in respect of specified table wines when the forward estimates for a wine-growing year show that the quantity of table wine available at the beginning of the wine-growing year exceeds total foreseeable requirements for that year by more than five months' consumption.

2. If in a wine-growing zone or part of a wine-growing zone an imbalance appears at the beginning of the wine-growing year between the quantities available and the quantities that can be sold, in particular owing to an exceptionally abundant harvest, a decision may be taken to grant private storage aid to the wine growing zone or part of the wine-growing zone in question.

3. Private storage aid shall also be granted for a type of wine if during the wine-growing year the average price for that type of wine remains less than the activating price for two consecutive weeks, and until at all the marketing centres the average price for that type of wine reaches or exceeds the activating price for two consecutive weeks.

If the state of the market so requires, a decision may be taken to grant aid also for table wines of a type other than that for which the average price remains less than the activating price for two consecutive weeks, where such table wines stand in close economic relationship with the latter type.

4. Application of the provisions of paragraphs 2 and 3 shall be suspended as long as the provisions of paragraph 1 are applied.

5. The granting of private storage aid shall be conditional upon the conclusion of storage contracts.

In the case provided for in paragraph 1, contracts shall be valid for a minimum period of nine months. Such contracts (hereinafter called 'long-term contracts') may only be entered into during the period from 1 December to 31 January of the same wine-growing year.

¹ OJ No 30, 30.4.1962, p. 989/62.

In the cases provided for in paragraphs 2 and 3, contracts (hereinafter called 'short-term contracts') shall be valid for a period of three months.

6. In the cases provided for in paragraphs 1 and 2, the granting of aid shall be determined in accordance with the procedure laid down in Article 7 of Regulation No 24.

The same procedure shall be followed

- (a) for deciding, if justified by the development of the market situation and in particular by the rate of conclusions of storage contracts, that such contracts may no longer be entered into even before 31 January;
- (b) for adopting other detailed rules for the application of this Article.

7. In the case provided for in the first subparagraph of paragraph 3, the Commission shall determine whether aid should be granted or whether short-term contracts should no longer be entered into.

The decision provided for in the second subparagraph of paragraph 3 shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 6

1. As soon as private storage aid measures take effect the intervention agencies designated by Member States shall conclude, with producers who apply for them, storage contracts in respect of the wines affected by these measures.

2. The conclusion of storage contracts shall be subject to conditions relating in particular to the quality of the wine in question.

Storage contracts may contain provision for the termination of aid payments and the producer's corresponding obligations in respect, of all or part of the quantities stored if, for two consecutive weeks, the average prices for a type of table wine are equal to or higher than the guide price for that type of table wine.

3. The amount of private storage aid may cover only technical storage costs and interest charges, both of which shall be fixed at a standard rate.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 7

1. Where the granting of aid to private storage alone is unlikely to be effective in restoring price levels the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt measures for the distillation of table wines.

2. Such measures shall state under what conditions distillation may be carried out and shall fix the price of the wine delivered for distillation.

These conditions, which may be varied according to the wine-growing zone:

- (a) shall be such as to ensure that the balance of the market in ethyl alcohol is not adversely affected;
- (b) shall not be such as to encourage production of wine of inadequate quality.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

TITLE II

Trade with third countries

Article 8

1. Imports into the Community of any of the products listed in Article 1 (2) shall be made conditional on the submission of an import licence. Exports from the Community of any such products may be made conditional on the submission of an export licence.

2. Member States may issue a licence to any applicant irrespective of the place of his establishment in the Community.

The licence shall be valid for a transaction carried out in the Community from a date to be fixed by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, and from 1 July 1970 at the latest.

Until that date such a licence shall be valid only for a transaction carried out in the Member State which issued it.

The issue of such licences shall be conditional on the lodging of a deposit guaranteeing that importation or exportation is effected during the period of validity of the licence; the deposit shall be forfeited in whole or in part if the transaction is not effected, or is only partially effected, within that period.

3. The list of products for which export licences are required shall be determined in accordance with the procedure laid down in Article 7 of Regulation No 24.

The period of validity of licences and other detailed rules for the application of this Article shall be determined in accordance with the same procedure.

Article 9

1. A reference price for red wine and a reference price for white wine shall be fixed annually before 16 December but for the first time before 1 June 1970.

These reference prices, expressed in units of account per degree/hl or in units of account per hl, shall be fixed on the basis of the guide prices for the types of red and white table wine most representative of Community production, plus the costs incurred by bringing Community wines to the same marketing stage as imported wines.

Reference prices shall also be fixed in respect of wines which have special characteristics or which are intended for special uses.

Reference prices shall be valid from 16 December of the year in which they are fixed until 15 December of the following year.

However, prices fixed before 1 June 1970 shall be valid from 1 June 1970 until 15 December 1970.

2. In respect of each wine for which a reference price is fixed, a free-at-frontier offer price for all imports shall be determined on the basis of all available information.

If exports from one or more third countries are effected at abnormally low prices, lower than the prices ruling in other third countries, a second free-at-frontier offer price shall be determined for exports from these other countries.

3. Where the free-at-frontier offer price for a wine, plus customs duties, is lower than the reference price for that wine, a countervailing charge equal to the difference between the reference price and the free-at-frontier offer price plus customs duties shall be levied on imports of that wine and of wines in the same category.

However, the countervailing charge shall not be levied as regards third countries which are prepared and in a position to guarantee that the price for imports of products originating in and coming from their territory will not be lower than the reference price less customs duties and that any deflection of trade will be avoided.

A decision may be taken not to levy all or part of the countervailing charge on imports of certain quality wines produced in third countries.

4. Where a countervailing charge is fixed in respect of wine imports, a countervailing charge may also be fixed in respect of imports of other products listed in Article 1 (2) by applying to the charge fixed for the wine a coefficient representing the ratio existing on the Community market between the average price of the product in question and that of the wine. The Council may limit the application of the provisions of this paragraph in accordance with the procedure laid down in paragraph 5.

5. The Council, acting in accordance with the voting procedure laid down in Article 43 (3) of the Treaty on a proposal from the Commission, shall adopt general rules for the application of this Article.

6. Reference prices, countervailing charges and detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 10

1. To the extent necessary to enable the products listed in Article 1 (2) to be exported in economically significant quantity on the basis of the prices for those products on the world market, the difference between those prices in and prices in the Community may be covered by an export refund. The Council may limit the application of the provisions of this paragraph in accordance with the procedure laid down in paragraph 3.

2. The refund shall be the same for the whole Community. It may be varied according to use or destination.

The refund shall be granted on application.

3. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt general rules for the granting of export refunds and criteria for fixing the amount of such refunds.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Refunds shall be fixed at regular intervals in accordance with the same procedure.

5. Where necessary the Commission may, at the request of a Member State or on its own initiative, alter the refunds in the intervening period.

Article 11

To the extent necessary for the proper working of the common organisation of the market in wine, the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, may prohibit, in whole or in part, the use of inward processing arrangements in respect of some or all of the products listed in Article 1 (2).

Article 12

1. The general rules for the interpretation of the Common Customs Tariff and the special rules for its application shall apply to the tariff classification of products covered by this Regulation; the tariff nomenclature resulting from application of this Regulation shall be incorporated in the Common Customs Tariff.

2. Save as otherwise provided in this Regulation or where derogation therefrom is decided by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, the following shall be prohibited:

- (a) the levying of any charge having effect equivalent to a customs duty, subject to the provisions of Article 2 of Council Regulation (EEC) No 541/70¹ of 20 March 1970 relating to the agriculture of the Grand Duchy of Luxembourg;
- (b) the application of any quantitative restriction or measure having equivalent effect.

The restriction of import or export licences to a specified category of those entitled to receive them shall be one of the measures considered as having effect equivalent to a quantitative restriction.

Article 13

1. Imports of products listed in Article 1 (2) to which alcohol has been added, with the exception of products correlated with those originating in the Community in respect of which such addition is allowed in application of Article 25 (1) and (2), shall be prohibited.

2. Detailed rules for the application of this Article, and in particular the conditions under which products are considered as being correlated, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

¹ OJ No L 68, 25.3.1970, p. 3.

Article 14

1. If by reason of imports or exports the Community market in one or more of the products listed in Article 1 (2) experiences or is threatened with serious disturbances which may endanger the objectives set out in Article 39 of the Treaty, appropriate measures may be applied in trade with third countries until such disturbance or threat of disturbance has ceased.

In assessing whether the situation justifies the application of such measures, account shall be taken in particular:

- (a) of the quantities for which import licences have been issued or requested and of the information provided by the forward estimate;
- (b) of the extent of any intervention measures.

The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt rules for the application of this paragraph and define the cases in which and the limits within which Member States may take protective measures.

2. If the situation mentioned in paragraph 1 arises, the Commission shall, at the request of a Member State or on its own initiative, decide upon the necessary measures; the measures shall be communicated to the Member States and shall be immediately applicable. If the Commission receives a request from a Member State, it shall take a decision thereon within twenty-four hours following receipt of the request.

3. The measures decided upon by the Commission may be referred to the Council by any Member State within three working days following the day on which they were communicated. The Council shall meet without delay. It may amend or repeal the measures in question in accordance with the voting procedure laid down in Article 43 (2) of the Treaty.

TITLE III

Rules concerning production and for controlling planting

Article 15

1. The following shall be prohibited:

- (a) aids for new vine planting;
- (b) aids for replanting which have the effect of increasing wine production beyond the levels resulting from vineyard rationalisation and afford no qualitative improvement in production.

2. However, the granting of national aids may be authorised, case by case, in accordance with the procedure laid down in Article 7 of Regulation No 24, if those aids relate to wine-growing regions for which:

- (a) wine-growing provides a major element of agricultural income;
- (b) the granting of such aids is likely to improve that income.

Article 16

1. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt general rules for the classification of vine varieties approved for cultivation in the Community. These rules shall in particular provide a classification of such vine varieties, by administrative units or parts thereof, into recommended vine varieties, authorised vine varieties and provisionally authorised vine varieties.

The classification of vine varieties shall be adopted before 1 September 1970 in accordance with the procedure laid down in Article 7 of Regulation No 24.

2. From 1 September 1971 only recommended or authorised vine varieties may be used for new vine planting, replanting or grafting.

Article 17

1. Any natural or legal person intending to plant or replant vines during the following wine-growing year shall notify the competent authorities of the Member State concerned of such intention before 1 September of each year.

2. The competent authorities of the Member State concerned shall acknowledge receipt of the notification specified in paragraph 1 by issuing a licence prior to the planting or replanting.

3. On the basis of the notifications specified in paragraph 1 Member States shall send to the Commission annually before 1 November a national forecast showing:

- (a) the areas which will be planted or replanted with vines during the next wine growing year;
- (b) the production potential of those areas.

The forecast for the 1970/71 wine-growing year may be drawn up from estimates.

4. Each year, before 31 December, the Commission shall submit a report to the Council which, in particular, records the ratio between production and utilisation and estimates foreseeable changes in that ratio on the basis, in particular, of the forecasts provided for in paragraph 3.

5. If that report shows that production is tending to exceed foreseeable utilisation and, as a consequence, is liable to endanger the income of wine growers, the Council shall adopt, in accordance with the procedure laid down in Article 43 (2) of the Treaty, within the framework of a compulsory Community plan, the provisions regarding new planting and replanting of vines which are necessary to prevent the formation of structural surpluses.

6. The provisions of this Article shall not prevent the application of more restrictive national regulations regarding new planting and replanting of vines.

7. Detailed rules for the application of paragraphs 1, 2 and 3 shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

TITLE IV

Rules concerning oenological processes and conditions for release to the market

Article 18

1. Where climatic conditions have made it necessary in certain wine-growing zones of the Community, the Member States concerned may permit the natural alcoholic strength, actual or potential, of fresh grapes, grape must, grape must in fermentation, new wine still in fermentation, obtained from the vine varieties covered by Article 16, as well as wine suitable for yielding table wine and table wine, to be increased.

Such increase, which may only be effected according to the processes described in Article 19 and then only if the minimum natural alcoholic strengths indicated hereinafter are attained, shall not exceed the following limits:

Wine-growing zone A:

- (a) for all wines except those covered by (b): 3.5°;
- (b) for red wines produced in wine-growing areas to be determined and from vine varieties to be determined, until 31 January 1980: 4°; from 1 February 1980: 3.5°;

provided that the natural alcoholic strength of the products in question is at least 5°.

Wine-growing zone B:

2.5°, provided that the natural alcoholic strength of the products in question is at least 6°.

Wine-growing zones C:

2°, provided that the natural alcoholic strength of the products in question is at least:

7° in zone C I;

8° in zone C II;

8.5° in zone C III.

Products harvested in Community regions not included in the above list shall be subject to the limits applicable to wine-growing zone A.

2. In years when climatic conditions have been exceptionally unfavourable the increases in alcoholic strength provided for in paragraph 1 may be raised to:

Wine-growing zone A:

(a) for all wines except those covered by (b): 4.5°;

(b) for red wines produced in wine-growing areas to be determined and from vine varieties to be determined, until 31 January 1980: 5°; from 1 February 1980: 4.5°,

provided that the natural alcoholic strength of the products in question is at least 5°.

Wine-growing zone B:

3.5°, provided that the natural alcoholic strength of the products in question is at least 6°.

3. The wine-growing zones referred to in this Article are set out in Annex III to this Regulation. They shall be defined by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

4. Detailed rules for the application of this Article, and in particular the decisions authorising the increases provided for in paragraph 2, shall be determined in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 19

1. The increase in natural alcoholic strength provided for in Article 18 may only be effected:

(a) in respect of fresh grapes, grape must in fermentation or new wine still in fermentation, by adding sucrose or concentrated grape must;

(b) in respect of grape must, by adding sucrose or concentrated grape must or by partial concentration;

(c) in respect of wine suitable for yielding table wine and table wine, by partial concentration through cooling.

2. The processes mentioned in paragraph 1 shall be mutually exclusive.

3. The addition of sucrose provided for in paragraph 1 (a) and (b) may only be made by sugaring in the dry and only in wine-growing regions in which it is traditionally or exceptionally practised in accordance with legislation existing at the date on which this Regulation enters into force.

However, until 30 June 1979, sucrose may be added in aqueous solution in certain wine-growing regions of wine-growing zone A, provided that the increase in volume of the product to which the solution is added does not exceed 15%.

4. The addition of concentrated grape must shall not have the effect of increasing the initial volume of fresh crushed grapes, grape must, grape must in fermentation or new wine still in fermentation, by more than 11% in wine-growing zone A, 8% in wine-growing zone B and 6.5% in wine-growing zones C.

If Article 18 (2) is applied, the limits on increases of volume shall be raised to 15% in wine-growing zone A and to 11% in wine-growing zone B.

5. The subjecting of grape must, of wine suitable for yielding table wine or of table wine to concentration shall not have the effect of reducing the initial volume of these products by more than 20% and in no case shall it increase by more than 2° their natural alcoholic strength.

6. In no case shall the above-mentioned processes have the effect of raising to more than 11.5° in wine-growing zone A, 12° in wine-growing zone B, 12.5° in wine-growing zone C I, 13° in wine-growing zone C II and 13.5° in wine-growing zone C III, the total alcoholic strength of the fresh grapes, the grape must, the grape must in fermentation, the new wine still in fermentation, the wine suitable for yielding table wine or the table wine which were the subject of those processes.

However, for red wine, the total alcoholic strength of the products mentioned in the first subparagraph may be raised to 12° in wine-growing zone A and 12.5° in wine-growing zone B.

7. Wine suitable for yielding table wine and table wine may not be concentrated when the products

from which they were obtained have themselves been the subject of the processes mentioned in paragraph 1 (a) and (b).

8. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 20

1. Fresh grapes, grape must, grape must in fermentation and new wine still in fermentation may be the subject of:

- partial deacidification in wine-growing zones A, B and C I;
- acidification and deacidification in wine-growing zone C II, without prejudice to the provisions of paragraph 3;
- acidification in wine-growing zone C III.

Acidification may only be carried out within an upper limit of 1.50 g/l expressed in tartaric acid.

Moreover, grape must intended for concentration may be the subject of partial deacidification.

2. In years when climatic conditions have been exceptional, acidification of the products mentioned in paragraph 1 may be authorised in wine-growing zone C I; in the same circumstances the upper limit of 1.50 g/l laid down in paragraph 1 may be raised to 2.50 g/l provided that the natural acidity of the products is not less than 3 g/l expressed in tartaric acid.

3. Acidification and enrichment, except by way of derogation to be decided case by case, and acidification and deacidification of one and the same product are mutually exclusive processes.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 21

1. The sweetening of table wine shall only be authorised:

- (a) with grape must which has at most the same total alcoholic strength as the table wine in question, if the fresh grapes, the grape must, the grape must in fermentation, the new wine still in fermentation or the wine suitable for yielding table wine from which it has been produced, or the table wine itself have been the subject of one of the processes mentioned in Article 19 (1);

- (b) with concentrated grape must or grape must, provided that the total alcoholic strength of the table wine in question is not raised by more than 2°, if the products mentioned under (a) have not been the subject of one of the processes mentioned in Article 19 (1).

2. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 22

1. None of the processes mentioned in Articles 19 and 20 shall be authorised unless carried out as a single operation at the time when the fresh grapes, grape must, grape must in fermentation or new wine still in fermentation are being turned into wine suitable for yielding table wine or into table wine, and in the wine-growing zone where the fresh grapes used have been harvested. The same shall apply to the concentration of wines suitable for yielding table wines and of table wines.

Each of the processes referred to in the first subparagraph must be notified to the competent authorities; the same shall apply in respect of the quantities of sugar and concentrated grape must held by the natural or legal persons engaging in those processes.

2. Except by way of derogation justified by exceptional climatic conditions, those processes may only be carried out:

- before 1 January, in wine-growing zones C;
 - before 16 March, in wine-growing zones A and B;
- and only for products of the wine harvest immediately preceding those dates.

However, concentration by cooling may be practised throughout the year.

3. Detailed rules for the application of this Article, and in particular derogations from the closing dates laid down in paragraph 2, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation 24.

Article 23

Except by way of derogation decided by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, the mixing of fresh grapes, grape must, grape must in fermentation or new wines still in fermentation, unless one of these products possesses the characteristics prescribed for making

wine suitable for yielding table wine or for making table wine, with products suitable for yielding such wines or with table wine may not furnish wine suitable for yielding table wine or table wine.

Article 24

1. The overpressing of grapes, whether or not crushed, and the pressing of wine lees shall be prohibited, as also the re-fermentation of grape marc for purposes other than distillation.

2. Except by way of derogation decided by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, any natural or legal person who turns into wine fresh grapes, grape must, grape must in fermentation or new wine still in fermentation shall be required to distil the wine lees and grape marc which result from the process or, failing that, a corresponding quantity of wine.

The quantities of alcohol to be delivered to intervention agencies designated by Member States shall be 10% at most of the volume of alcohol contained naturally in the products used for the production of the wine. The assessment of that volume shall be made on the basis of a standard natural minimum alcoholic strength laid down for each wine-growing year in each wine-growing zone.

The obligation to distil may under certain conditions be discharged by the production of potable spirits.

3. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, may exempt certain production regions from the obligation laid down in paragraph 2.

In accordance with the same procedure the Council shall fix the price to be paid for alcohol delivered to intervention agencies and shall determine the share of the cost which is attributable to those agencies and which will be financed by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, and the conditions under which potable spirits may be produced in place of alcohol.

4. Detailed rules for the application of this Article, and in particular the percentage mentioned in paragraph 2 and the standard natural alcoholic strength, shall be determined in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 25

1. With the exception of the products defined under items 11 and 21 of Annex II, the addition of alcohol to the products listed in Article 1 (2) shall be prohibited.

2. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall decide on derogations from the provisions of paragraph 1, in particular in respect of special uses or in respect of products intended for export.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 26

1. Where coupage takes place, only products resulting from the coupage between table wines and from the coupage of table wines with wines suitable for yielding table wines shall be considered as table wines, provided that the suitable wines in question have a total natural alcoholic strength not exceeding 17° and subject to the provisions of the following paragraphs.

2. The coupage of a wine suitable for yielding a table wine from a given wine-growing zone with a table wine produced in another wine-growing zone may yield a table wine only if that process takes place in the wine-growing zone where the wine suitable for yielding a table wine was produced.

Coupage between wines suitable for yielding table wines shall be authorised only if they are produced in the same wine-growing zone and if coupage is carried out in the said zone.

3. Coupage of a wine suitable for yielding a white table wine or of a white table wine with a wine suitable for yielding a red table wine or with a red table wine may not yield a table wine.

However, that provision shall not prevent, in certain cases to be determined, the coupage of a wine suitable for yielding a white table wine or of a white table wine with a wine suitable for yielding a red table wine or with a red table wine, provided that the resultant product has the characteristics of a red table wine.

4. The coupage of an imported wine with a Community wine and the coupage on Community territory of imported wines shall be prohibited except by way of derogation to be decided by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

5. Should difficulties arise in certain wine-growing regions of the Community as a result of application of the provisions of paragraphs 1 to 4, the Member States concerned may inform the Commission

thereof, which shall take all necessary measures; such measures may not, however, restrict application of the rules laid down in this Article on the subject of coupage.

6. Detailed rules for the application of this Article, in particular as regards the control of coupage and the use of wines suitable for yielding table wines, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 27

1. The description 'table wine' shall be limited to the wine defined under item 10 of Annex II.

2. (a) Of the products falling within Common Customs Tariff heading No 22.05 only liqueur wines, sparkling wines, aerated sparkling wines, semi-sparkling wines, aerated semi-sparkling wines, quality wines p.s.r., the wines mentioned in Article 28 (1) and table wines may be offered or disposed of for direct human consumption within the Community.

(b) However, until 31 August 1971 the provisions of (a) shall not prevent wines other than table wines from being traded within the Community and from being offered or disposed of for direct human consumption, if such wines have been produced before the entry into force of this Regulation and provided that they have:

— an actual alcoholic strength of not less than 8.5° and a total alcoholic strength not exceeding 15° or, if the wine was produced without any enrichment and no longer contains any residual sugar, not exceeding 17°;

— an acidity content not less than 4.50 g/l, expressed in tartaric acid;

and that the enrichment to which they may have been subjected was in conformity with legislation in force on the territory of the Member State where they were produced.

(c) Any producer Member State may allow a wine produced on its territory before this Regulation begins to apply, in conformity with the provisions laid down by law, regulation or administrative action, to be offered or disposed of for direct human consumption on its territory up to 31 August 1971 at the latest.

3. From 1 September 1971:

(a) Wine derived from the vine varieties referred to in Article 16 but not corresponding to the

definitions contained in items 9 and 10 of Annex II may be used only for consumption in the families of individual wine growers, for the production of wine vinegar or for distillation.

However, in years when climatic conditions have been unfavourable, products from wine-growing zones A and B which do not possess the minimum natural alcoholic strength laid down for the wine growing zone in question may be used in the Community for the production of sparkling wine or aerated sparkling wine, provided that these wines have an actual alcoholic strength of not less than 8.5°.

(b) Fresh grapes, grape must, grape must in fermentation, new wines still in fermentation and wines derived from vine varieties other than those referred to above shall not be put on the market within the Community. They may be used only for consumption in the families of individual wine growers and shall not be delivered to a co-operative society.

4. Grape juice and concentrated grape juice originating in the Community shall not be turned into wine or be used in wine production. These products shall be subject to control with respect to their use.

With the exception of alcohol, potable spirits and piquette, neither wine nor any other beverage intended for direct human consumption shall be made from the products specified in items 17, 19, 21 and 22 of Annex II.

Piquette, in so far as its production is authorised by the Member State concerned, may be used only for distillation or for consumption in the families of individual wine growers.

Wine fortified for distillation and diluted vinous alcohol may be used only for distillation.

5. Provisions for controlling the marketing of wines suitable for yielding table wines and detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 28

1. Imported wines, except for liqueur wines and sparkling wines, may be released for direct human consumption only on condition:

(a) until 31 August 1971, that they have an actual alcoholic strength of not less than 8.5° and a total alcoholic strength not exceeding 15°, and a total acidity content expressed in tartaric acid of not less than 4.50 g/l;

(b) from 1 September 1971, that they comply with the conditions specified in (a) and the further conditions to be adopted by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

2. Imported fresh grapes, imported grape must, imported concentrated grape must, imported grape must in fermentation, and imported grape juice of whatever added sugar content, shall not be turned into wine or be used in wine production.

Neither wine nor any other beverage intended for direct human consumption shall be made from imported products covered by items 17, 19, 20, 21 and 22 of Annex II, except from imported wine fortified for distillation and intended for the production of potable spirits.

3. The products mentioned in the first subparagraph of paragraph 2 shall be subject to control with respect to their use. The addition of an indicator to imported grape must, imported concentrated grape must, imported grape must in fermentation, and to imported grape juice whether or not concentrated, may be made compulsory.

4. Imported wines other than those covered by paragraph 1 may be used only for purposes permitted for correlated Community vines.

5. Detailed rules for the application of this Article, in particular as regards control measures, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 29

1. Except by way of derogation, products specified in items 1 to 15 of Annex II may be put into circulation within the Community only with an officially checked accompanying document.

2. Producers and wine traders other than retailers shall be obliged to keep turnover records in respect of the products referred to in paragraph 1.

3. Detailed rules for the application of this Article, and in particular the nature and form of the aforesaid document and the derogations mentioned in paragraph 1, shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 30

1. The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the

Treaty on a proposal from the Commission, shall adopt the rules relating to the designation and presentation of the products falling within Common Customs Tariff heading No 22.05.

2. Member States may make the use of a geographical ascription for designating a table wine conditional, in particular, on the wine having been produced wholly from certain clearly specified vine varieties and coming exclusively from the territory, precisely demarcated, whose name it bears.

3. Without prejudice to any additional rules which may be adopted regarding the designation of products, the use of a geographical ascription to designate table wines resulting from a coupage of wines from grapes harvested in different production areas shall, however, be permitted if at least 85% of the table wine resulting from the coupage originates in the production area whose name it bears.

However, the use, as a designation of white table wines, of a geographical ascription relating to a production area situated within wine-growing zone A or wine-growing zone B shall be permitted only if the products comprising the coupage are from the wine-growing zone in question or if the wine in question is from a coupage between table wines of wine-growing zone A and table wines of wine-growing zone B.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

TITLE V

General provisions

Article 31

1. The following shall be prohibited in the internal trade of the Community:

- (a) the levying of any charge having effect equivalent to a customs duty, subject to the provisions of Article 2 of Regulation (EEC) No 541/70;
- (b) any quantitative restriction or measure having equivalent effect.

2. By way of derogation from the provisions of paragraph 1, so long as all the administrative mechanisms necessary for the management of the market in wine are not in application — with the exception, until 31 December 1971, of the viticultural land register — producer Member States shall be authorised in order to avoid disturbances on their markets to take measures that may limit imports from another Member State.

These measures shall be communicated to the Commission, which shall decide without delay whether to maintain, amend or abolish such measures.

3. Goods listed in Article 1 which are manufactured or obtained from products to which Article 9 (2) and Article 10 (1) of the Treaty do not apply shall not be admitted to free circulation within the Community.

Article 32

Where prices appreciably in excess of the guide price fixed for a type of wine are recorded on the Community wine market and the situation is likely to continue, thereby disturbing or threatening to disturb this market, the necessary measures may be taken.

The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, shall adopt general rules for the application of this Article.

Article 33

1. To the extent necessary to support the market in table wines, intervention measures may be taken in respect of the products listed in Article 1 (2) (a) other than table wine.

2. These measures shall be taken by the Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission.

3. Detailed rules for the application of this Article shall be adopted, as necessary, in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 34

Save as otherwise provided in this Regulation, Articles 92, 93 and 94 of the Treaty shall apply to the production of and trade in the products listed in Article 1.

Article 35

Member States and the Commission shall communicate to each other the information necessary for implementing this Regulation. Detailed rules for the communication and distribution of such information shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 36

The necessary provisions for avoiding disturbances on the market in wine following an alternation of price levels during the transition from one wine-growing year to another may be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 37

Should transitional measures be necessary to facilitate the transition to the system established by this Regulation, in particular if the introduction of that system on the date provided for would give rise to substantial difficulties, such measures shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24. They shall be applicable until 31 August 1971 at the latest.

Article 38

The Council, acting in accordance with the voting procedure laid down in Article 43 (2) of the Treaty on a proposal from the Commission, may decide on measures of derogation if required to remedy an exceptional situation resulting from natural disasters.

Article 39

Detailed rules necessary for implementing the provisions of Annexes I and II, in particular:

- methods of analysis;
- the wine-growing areas mentioned in item 10 of Annex II;

shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.

Article 40

The provisions of the common organisation of the market in fruit and vegetables shall no longer apply to the product listed in Article 1 (2) and falling within Common Customs Tariff sub-heading No 08.04 A II.

Article 41

Community provisions relating to the financing of the common agricultural policy shall apply to the market in the products listed in Article 1 from the date on which this Regulation begins to apply.

Article 42

This Regulation shall be so applied that appropriate account is taken, at the same time, of the objectives set out in Articles 39 and 110 of the Treaty.

Article 43

The following provisions shall be substituted for Article 3 of Regulation No 24:

Article 3

1. In accordance with the procedure laid down in Article 7, a forward estimate shall be drawn up before 25 November of each year for the purpose of determining the Community's resources and estimating its needs, including foreseeable imports from and exports to third countries.
2. From 1 September 1970 the estimate of the Community's wine resources and needs shall show the proportion of table wines and quality wines produced in specified regions respectively.

3. For each wine-growing year, and for the first time before 16 April 1971, the Commission shall provide the Council with final estimates of Community resources and uses in the preceding wine-growing year.

Article 44

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

2. The provisions of this Regulation and those of the implementing Regulations relating to types of wine, guide prices, activating prices, reference prices and conditions for the marketing of wine shall take effect jointly from 1 June 1970.

However, Member States shall be allowed a period of not more than fifteen days from that date to adopt the necessary regulations and administrative provisions for the implementation of those Regulations.

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

Done at Brussels, 28 April 1970.

For the Council

The President

Ch. HÉGER

ANNEX I

ALCOHOLIC STRENGTHS

1. *Actual alcoholic strength*: the number of units of volume of alcohol contained in 100 units of volume of a product.
2. *Potential alcoholic strength*: the number of units of volume of alcohol which can be produced by total fermentation of the sugar contained in 100 units of volume of a product.
3. *Total alcoholic strength*: the sum of the actual and potential alcoholic strengths.
4. *Natural alcoholic strength*: the total alcoholic strength of a product before any enrichment.

ANNEX II

DEFINITIONS REFERRED TO IN ARTICLE 1 (4) (b)

1. *Fresh grapes*: the fruit of the vine used in making wine, ripe or even slightly raisined, which may be crushed or pressed by normal wine-cellar means and which may spontaneously produce alcoholic fermentation.
2. *Grape must*: the liquid product obtained naturally or by physical processes from fresh grapes.
3. *Grape must in fermentation*: grape must having an actual alcoholic strength of less than three fifths of its total alcoholic strength.
4. *Concentrated grape must*: uncaramelised grape must which is:
 - obtained by partial dehydration of grape must carried out by any authorised method other than direct heat of a fire in such a way that its density at 20 °C is not less than 1.240;
 - derived exclusively from vine varieties referred to in Article 16;
 - produced within the Community; and
 - obtained from grape must having at least the minimum natural alcoholic strength laid down for the wine-growing zone in which the grapes were harvested.
5. *Grape juice*: unfermented but fermentable grape must which has undergone the appropriate treatment rendering it fit for consumption as it is.
6. *Concentrated grape juice*: uncaramelised grape juice obtained by partial dehydration of grape juice carried out by any authorised method other than direct heat of a fire in such a way that its density at 20 °C is not less than 1.240.
7. *Wine*: the product obtained exclusively from the total or partial alcoholic fermentation of fresh grapes, whether or not crushed, or of grape musts.
8. *New wine still in fermentation*: wine in which alcoholic fermentation is not yet complete and which is not yet separated from its lees.
9. *Wine suitable for yielding table wine*: wine which
 - is derived exclusively from vine varieties referred to in Article 16;
 - is produced in the Community; and
 - has at least the minimum natural alcoholic strength laid down for the wine-growing zone in which it was produced.
10. *Table wine*: wine which
 - is derived exclusively from vine varieties referred to in Article 16;
 - is produced in the Community;
 - has, following application, if any, of the processes mentioned in Article 19, an actual alcoholic strength of not less than 8.5° and a total alcoholic strength not exceeding 15°, that upper limit, however, being raised to 17° in respect of wines from certain wine-growing areas to be determined which has been produced without any enrichment and no longer contains any residual sugar; and
 - has, furthermore, a total acidity content of not less than 4.50 g/l, expressed as tartaric acid.

11. *Liqueur wine*: the product which
- is produced in the Community;
 - has a total alcoholic strength of not less than 17.5° and an actual alcoholic strength of not less than 15° and not more than 22°; and
 - is obtained from grape must or wine, derived from certain of the vine varieties referred to in Article 16 and having a natural alcoholic strength of not less than 12°;
 - by refrigeration; or
 - by the addition before, during or after fermentation:
 - (i) of neutral alcohol of vinous origin having an actual alcoholic strength of not less than 95°; or
 - (ii) of an unrectified product derived from the distillation of wine and having an actual alcoholic strength of not less than 52° and not more than 80°; or
 - (iii) of concentrated grape must; or
 - (iv) of a mixture of these products.
12. *Sparkling wine*: saving the derogation provided for in Article 27 (3), the product which is obtained by first or second alcoholic fermentation:
- of fresh grapes;
 - of grape must;
 - of wine;
- all suitable for yielding table wine;
- of table wine; or
 - of quality wine p.s.r.
- and which, when the container is opened, releases carbon dioxide derived exclusively from fermentation and having an overpressure of not less than 3 atmospheres when kept at a temperature of 20 °C in closed containers.
13. *Aerated sparkling wine*: the product which
- is obtained, subject to the provisions of Article 27 (3), from table wine;
 - is produced in the Community;
 - releases, when the container is opened, carbon dioxide derived totally or partially from an addition of that gas; and
 - has an overpressure not exceeding 3 atmospheres when kept at a temperature of 20 °C in closed containers.
14. *Semi-sparkling wine*: table wine which
- naturally contains carbon dioxide, after first or second alcoholic fermentation; and
 - has an overpressure of not less than 1 and not more than 2.5 atmospheres when kept at 20 °C in closed containers.
15. *Aerated semi-sparkling wine*: table wine which
- contains carbon dioxide that has been wholly or partially added; and
 - has an overpressure of not less than 1 and not more than 2.5 atmospheres when kept at 20 °C in closed containers.
16. *Wine vinegar*: vinegar which
- is obtained exclusively by acetous fermentation of wine; and
 - has a total acidity of not less than 60 g/l expressed in acetic acid.

17. *Wine lees*: muddy residue
 - accumulating in wine containers after fermentation or during the storage of wine;
 - having a total alcohol content of not more than 10.1 of pure alcohol per 100 kg; and
 - having a dry matter content of not less than 25% by weight.
18. *Argol*: caking in the form of sheets, irregular particles or powder, formed either in the vats during the fermentation of grape must or in wine containers.
19. *Grape marc*: the residue from the pressing of fresh grapes, whether or not fermented,
 - having a total alcohol content of not more than 5.50 l of pure alcohol per 100 kg; and
 - a dry matter content of not less than 40% by weight.
20. *Piquette*: the product obtained:
 - by the fermentation of untreated grape marc soaked in water; or
 - by leaching fermented grape marc with water.
21. *Wine fortified for distillation*: the product which
 - has an actual alcoholic strength of not less than 18° and not more than 24°;
 - is obtained exclusively by the addition to wine containing no residual sugar of an unrectified product from the distillation of wine having a maximum actual alcoholic strength of 86°; and
 - has a maximum volatile acidity of 2.40 g/l, expressed as acetic acid.
22. *Diluted vinous alcohol*: the product, whether or not liquid, which
 - results from wine making or use of the by-products of wine making;
 - has an alcohol content derived solely from wine making; and
 - is not elsewhere defined in this Annex.

ANNEX III

WINE-GROWING ZONES

1. Wine-growing zone A shall comprise:
 - the German wine-growing region, except Baden;
 - the Luxembourg wine-growing region.
 2. Wine-growing zone B shall comprise:
 - in Germany: Baden;
 - in France: Alsace, Lorraine, Champagne, Jura, Savoy and the Loire Valley.
 3. Wine-growing zone C I shall comprise:
 - in France: the vineyards of the Centre West, the Centre and the South-West, except those coming under wine-growing zone B.

Wine-growing zone C II shall comprise:

 - in France: southern vineyards, except those coming under wine-growing zone C III.
 - in Italy: all vineyards, except those coming under wine-growing zone C III.

Wine-growing zone C III shall comprise:

 - in France: Corsica, certain vineyards of the Eastern Pyrenees and of the Var;
 - in Italy: certain vineyards situated south of Rome and in the islands.
-