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REGULATION (EEC) No 436/71 OF THE COMMISSION

of 26 February 1971

amending Regulation (EEC) No 1437/70 on storage contracts for table wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 816/70¹ of 28 April 1970 laying down additional provisions for the common organisation of the market in wine, as last amended by Regulation (EEC) No 2612/70,² and in particular Articles 35 and 37 thereof;

Whereas Article 8 (1) of Commission Regulation (EEC) No 1437/70³ of 20 July 1970 on storage contracts for table wine, as amended by Regulation (EEC) No 2419/70,⁴ provides that a contract may not be concluded for a period beginning before the date of the conclusion of the contract; whereas that provision has impeded the conclusion of storage contracts, since, because of administrative difficulties, there is often a long time lag between the contract application and the conclusion of the contract; whereas, in order to promote the private storage of wine, this provision should be amended for the 1970/71 wine-growing year and temporary provision made for the conclusion of contracts with retroactive effect;

Whereas, in order to allow the Commission to follow the progress of private storage in the Community, there should be provision for Member States in which private storage contracts are concluded to communicate the necessary information;

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 subparagraph shall be added to Article 8 (1) of Regulation (EEC) No 1437/70:

'For the 1970/1971 wine-growing year and for contract applications made and accepted since 15 January 1971, the period of validity of a contract shall begin on the day that the written application is received by the competent authority.'

Article 2

The following paragraph 3 shall be added to Article 17 of Regulation (EEC) No 1437/70:

'3. Member States in which storage contracts are concluded shall inform the Commission not later than the tenth day of each month, in respect of the preceding month, of:

- (a) the quantities of wine under contract at the beginning of the month in question;
- (b) the quantities of wine for which contracts have been concluded or have expired during the month in question;
- (c) the quantities of wine under contract at the end of the month in question.'

Article 3

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

¹ OJ No L 99, 5.5.1970, p. 1.

² OJ No L 281, 27.12.1970, p. 6.

³ OJ No L 160, 22.7.1970, p. 16.

⁴ OJ No L 260, 1.12.1970, p. 40.

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

Done at Brussels, 26 February 1971.

For the Commission

The President

Franco M. MALFATTI
