

REGULATION (EEC) No 438/71 OF THE COMMISSION
of 26 February 1971

laying down conditions for obtaining export refunds on 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 Article 10 (4) thereof;

Having regard to Council Regulation (EEC) No 957/70³ of 26 May 1970 laying down general rules for granting export refunds on wine and criteria for fixing the amount of such refunds, and in particular Article 6 (3) thereof;

Whereas products in the wine sector have been subject to a single price system since 1 June 1970;

Whereas the development of the wine market recorded during the last few months indicates that refunds need be granted only in respect of table wines;

Whereas table wines for which refunds are granted should have the quality characteristics of table wines of the production regions from which they come;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Wine;

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

Done at Brussels, 26 February 1971.

HAS ADOPTED THIS REGULATION:

Article 1

1. The granting of refunds shall be conditional upon proof that the table wines exported:

- have been passed by a tasting committee recognised by the producer Member State; and
- were accompanied on export by an analysis certificate issued by an official authority of the producer Member State certifying that the table wines in question have the quality characteristics of table wines of the production regions from which they come.

The certificate shall include the following particulars:

- colour;
- principal wine varieties from which the table wine is derived;
- total alcoholic strength;
- actual alcoholic strength;
- total acidity.

2. Member States shall take all necessary measures to ensure observance of the provisions of the preceding paragraph.

Article 2

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

For the Commission

The President

Franco M. MALFATTI

¹ OJ No L 99, 5.5.1970, p. 1.

² OJ No L 281, 27.12.1970, p. 6.

³ OJ No L 115, 28.5.1970, p. 1.