

Commission Regulation (EC) No 555/2008 of 27 June 2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector

COMMISSION REGULATION (EC) No 555/2008

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laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, amending Regulations (EC) No 1493/1999, (EC) No 1782/2003, (EC) No 1290/2005, (EC) No 3/2008 and repealing Regulations (EEC) No 2392/86 and (EC) No 1493/1999<sup>(1)</sup>, and in particular Articles 22, 84, 89, 97, 107, 117, 121(b) and (c) thereof,

Whereas:

- (1) Regulation (EC) No 479/2008 has modified the previous regime for the wine sector as laid down in Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine<sup>(2)</sup> and has repealed that Regulation as from 1 August 2008.
- (2) The existing implementing rules covering the wine sector are contained in several regulations which have been amended frequently. These implementing rules as regards market mechanisms, trade with third countries, production potential and controls in the wine sector need to be changed as a result of the modifications made to the wine regime by Regulation (EC) No 479/2008, as well as in the light of experience. Detailed rules for the implementation of Regulation (EC) No 479/2008 should be adopted.
- (3) The following Commission Regulations should therefore be repealed and replaced by a new Regulation:
  - (EC) No 1227/2000 of 31 May 2000 laying down details rules for the application of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine, as regards production potential<sup>(3)</sup>,
  - (EC) No 1623/2000 of 25 July 2000 laying down detailed rules Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms<sup>(4)</sup>,
  - (EC) No 2729/2000 of 14 December 2000 laying down detailed implementing rules on controls in the wine sector<sup>(5)</sup>,

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- (EC) No 883/2001 of 24 April 2001 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector<sup>(6)</sup>.
- (4) Title II of Regulation (EC) No 479/2008 contains provisions on a new support programme to be decided at Member States level to finance specific support measures to assist the wine sector. It is appropriate to fill out that framework by enacting implementing rules.
- (5) There should be a procedure for the first submission of the support programme. There should be as well a procedure for annually amending support programmes for the following year, so that they can be adjusted to take account of any new conditions which could not have been foreseen when they were initially presented. All such changes should be subject to certain limits and conditions to ensure the approved support programmes maintain their overall objectives.
- (6) By virtue of Article 5(1) of Regulation (EC) No 479/2008, Member States may choose to draw up the support programmes at the geographic level deemed most appropriate. Since Member States are responsible for the approval of plans, they should in this case lay down rules on the submission and approval of plans and the minimum content of the plans concerned.
- (7) Article 10 of Regulation (EC) No 479/2008 provides for a new support measure for promotion on third-country markets. It is necessary to lay down detailed rules concerning the setting up of this new measure.
- (8) In order to prevent any risk of distortion of competition, rules should be drawn up on the way the specific origin of products covered by information and promotion campaigns is to be referred to.
- (9) In the interests of legal certainty, the messages disseminated under the promotion campaign should comply with the legislation of the third countries targeted.
- (10) Criteria governing the selection of applications and their scrutiny by the Member States should be established with a view to ensuring that the Community rules are complied with and that the supported measures to be implemented are effective.
- (11) With a view to ensuring that the Community measures are effective, the Member States must ensure that the promotion campaign approved are consistent with, and complement, their national and regional promotion programmes. In order to build synergies, Member States may draw up collective promotion campaign and provision should be made to allow cooperation between the Member States concerned. Preference should be given to micro, small and medium-sized enterprises who are more in need of Community support than bigger ones.
- (12) To avoid any double payment with the promotion measures funded under Council Regulation (EC) No 3/2008 of 17 December 2007 on information provision and promotion measures for agricultural products on the internal market and in third countries<sup>(7)</sup> or Council Regulation (EC) No 1698/2005 of 20 September 2005 on support

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for rural development by the European Agricultural Fund for Rural Development (EAFRD)<sup>(8)</sup>, mutual exclusion should be set.

- (13) Article 11 of Regulation (EC) No 479/2008 provides for a support measure for restructuring and conversion of vineyards. In particular, the second subparagraph of Article 11(3) of that Regulation provides that the support for the restructuring and conversion of vineyards shall not cover the normal renewal of vineyards which have come to the end of their natural life.
- (14) In addition, Member States may adopt rules on the minimum size of the parcel involved so as to ensure that the system has a genuine effect on production potential.
- (15) In applying Article 11 of Regulation (EC) No 479/2008, Member States have a wide margin of discretion in deciding on the detailed scope and levels of support, including notably the payment of flat-rate amounts, the setting of maximum levels of support per hectare and the modulation of support on the basis of objective criteria, within the constraints laid down in Chapter I of Title II of that Regulation and the provisions adopted in pursuance thereof. Nevertheless, common rules should be laid down. Measures should be defined, with time limits, for their execution and appropriate monitoring. The rules should also cover the use of replanting rights which arise from grubbing-up if provided for in the project, so as to allow for higher levels of support to be granted on account of the higher costs involved.
- (16) In the interest of verification, payment of the support should normally be made after a specific measure or the complete set of measures, has been executed. However, payment may be made in advance of execution of a measure or the complete set of measures, provided that a security is lodged to ensure that execution of the measure takes place.
- (17) Detailed provisions should be established as to participation in the financing of the system for restructuring and conversion. Measures have to be taken to ensure the effective spending of funds reserved for the system, provision being made in particular for advance payments.
- (18) Article 12 of Regulation (EC) No 479/2008 provides for a new support measure for green harvesting. In view of subsidiarity, Member States should be made responsible for the administrative arrangements concerning the application procedure for green harvesting. They should be free to determine the date until which they request producers to complete the operations, so as to have sufficient time, in view of the time constraints and proximity of harvesting period, for the necessary control before payments.
- (19) Taking into account the funds involved in the green harvesting scheme, systematic on-the-spot verification of the areas concerned should be foreseen after the execution. This verification must ensure that total destruction of grapes has been carried out. They should also ensure that phytosanitary and environmental requirements are duly respected. In the interests of verification, payment of the premium should be made after having controlled that green harvesting took place.
- (20) In addition, maximum levels of support should be fixed in order to ensure that support does not become a permanent alternative outlet for products compared to placing them on the market.

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- (21) Article 13 of Regulation (EC) No 479/2008 provides for a new support measure for the setting-up of mutual funds. It is necessary to lay down detailed rules concerning this new measure. As far as possible these rules should provide for flexibility and for rapid application in crises and therefore should allow decisions to be taken by Member States and producer organisations themselves. Nevertheless the rules should prevent abuses and provide for limits, including in financial terms. As producers in the new Member States have in general a lower degree of organisation than in other Member States, a higher ceiling of support should be provided in the former.
- (22) Article 14 of Regulation (EC) No 479/2008 provides for a new support measure for harvest insurance. It is necessary to lay down detailed rules concerning the setting up of this new measure. As far as possible these rules should provide for flexibility. Nevertheless the rules should prevent abuses and provide for limits, including in financial terms.
- (23) Article 15 of Regulation (EC) No 479/2008 provides for a new support measure for tangible and intangible investments in enterprises. It is necessary to lay down detailed rules concerning the setting up of this new measure in coherence with the same measure available in the Rural Development menu. The types of eligible investments should be set out, including those for the development of new products, processes and technologies, indicative eligible costs should be defined.
- (24) Article 16 of Regulation (EC) No 479/2008 provides for a support measure for by-product distillation. It is necessary to lay down detailed rules concerning the setting up of this new measure in particular conditions of disposal of by-products as well as the purpose and the level of the maximum amount of the aid for distillation of marcs, wine and lees.
- (25) Article 17 of Regulation (EC) No 479/2008 provides for a transitional support measure for potable alcohol distillation. It is necessary to lay down detailed rules concerning the setting up of this new measure in particular the purpose and the possible adjustments of the aid.
- (26) Article 18 of Regulation (EC) No 479/2008 provides for a transitional support measure for crisis distillation. It is necessary to lay down detailed rules concerning the setting up of this measure in particular the procedure and the modalities of the aid as well as criteria to be taken into account when fixing the amount of the aid.
- (27) Article 19 of Regulation (EC) No 479/2008 provides for a transitional support measure for must utilisation for enrichment. It is necessary to lay down detailed rules concerning the setting up of this measure in particular the purpose and the level of the maximum amount of the aid as well as to provide for specific checks to be done on the product used to increase the alcoholic strength.
- (28) It is imperative, for the purpose of monitoring the implementation of Title II of Regulation (EC) No 479/2008 and of the proper management of the market, that the Commission has the appropriate data available as to the execution of the support programmes. In this context, it is necessary to lay down the details of the information

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to be set out on the reporting and evaluation of support programmes in order to assess their effectiveness and efficiency.

- (29) The general rules concerning budgetary discipline, and in particular those relating to incomplete or incorrect declarations on the part of Member States, should apply in addition to the specific rules established by this Regulation.
- (30) Details of the financial administration of the system should be governed by the rules adopted for the implementation of Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy<sup>(9)</sup>.
- (31) Article 76(1) of Regulation (EC) No 479/2008 lays down that, for juices and musts for which the application of customs duties depends on the import price of the product, the actual amount of this price is verified either by checking every consignment or by using a flat-rate import value. The current features of the arrangements for importing grape juices and musts into the Community, in particular the irregularity of such imports, in terms of both volume and frequency and the places of import and the origin of these products, do not permit the calculation of representative flat-rate import values to reflect the actual amount of the import price. Under these circumstances, this price should be verified by checking every consignment.
- (32) The import price on the basis of which imported products are classed in the Common Customs Tariff should be equal to the fob price of those products plus the cost of insurance and transport to the place of entry into Community customs territory.
- (33) Article 82(3) of Regulation (EC) No 479/2008 provides that the imported products covered by that Article should be accompanied by a certificate and an analysis report issued by a body or service designated by the third country from which the products are exported. The requirements which the analysis report should meet should be laid down.
- (34) To simplify controls provision should be made for dispensing with the certificate and analysis report in the case of products which are imported from third countries in limited quantities and packed in small containers.
- (35) For the sake of harmonisation, the exemption from the requirement to present a certificate and analysis report for wine products being imported into the Community should be in line with the customs rules on exemption and the arrangements applicable to documents accompanying consignments of wine products within the Community.
- (36) The use of computerised procedures is gradually replacing the manual input of data in the different areas of administrative activity. It should therefore also be possible to use computerised and electronic procedures when issuing and using V I 1 and V I 2.
- (37) Some third countries, having established an effective system for inspecting their wine producers, implemented by their bodies or services, referred to in Article 82(3) of Regulation (EC) No 479/2008, have expressed an interest in the possibility of authorising the producers themselves to issue certificates and analysis reports. With a view to facilitating trade with those third countries, provided that they have concluded undertakings with the Community which include clauses concerning closer cooperation on the prevention of fraud and that they maintain good trade relations with the

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Community, it is appropriate to authorise those concerned to consider documents issued by the producers themselves as documents issued by the said bodies or services of the third countries, in a manner similar to that already allowed for wines of Community origin. In those cases, appropriate assurances should be given and proper control over the issue of such documents should be exerted.

- (38) Lists containing the names and addresses of the agencies and laboratories authorised in third countries to draw up certificates and analysis reports should be made public so that the authorities in the Community which supervise the import of wine products can, where necessary, carry out the requisite checks.
- (39) In order to facilitate controls by the competent authorities of Member States, the form and, where necessary, the content of the certificate and analysis report provided for, and the requirements for their use should be laid down.
- (40) The certificate and, where appropriate, the analysis report relating to each consignment of an imported product should be checked in order to prevent fraud. To this end, the document(s) must accompany each consignment until it is placed under Community control.
- (41) To take commercial practice into account, where a consignment of wine is split up, the competent authorities should be empowered to have extracts of the certificate and the analysis report drawn up under their supervision to accompany each new consignment resulting from the splitting.
- (42) In view of the need to ensure swift and effective protection of consumers, it is essential to provide for the possibility of suspending the new arrangements in the event of fraud or a health risk to consumers.
- (43) Simple rules should also be laid down regarding the documents to be produced for imports from a third country other than the country of origin of the wine product, where that product has not undergone substantial processing.
- (44) The task of the exporters and the authorities should be simplified by requiring a statement that the alcohol added to liqueur wines and wines fortified for distillation is of vinous origin to be included in the V I 1 document without requiring a separate document for this statement. For the same reason, the V I 1 document should be permitted to serve as the certificate testifying to the designation of origin required for imports of wines eligible for a tariff reduction. However, no certificate or analysis report is required in the case of some wines, provided a certificate of designation of origin is presented. It should be permitted to use the V I 1 document to certify the designation of origin of the said liqueur wines and the section relating to the analysis report need not be completed.
- (45) Wine imports under concessions provided for in agreements with certain third countries are subject to the presentation of attestations, issued by official bodies or bodies officially recognised by both contracting parties and appearing on lists drawn up jointly, to the effect that the wine in question meets the conditions for access to the concessions.

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- (46) The Member States should send the Commission the lists of official or officially recognised bodies that they propose should issue such attestations, so that the Commission can draw up and exchange those lists with the third countries concerned. To facilitate the tasks of such bodies, the lists should be provided in a suitable form and on a suitable medium.
- (47) Articles 85 and 86 of Regulation (EC) No 479/2008 provide for the treatment of unlawful plantings. It is necessary to lay down detailed rules concerning the penalties applicable to producers who do not comply with the new regularisation or grubbing-up obligation concerning vineyards planted without a corresponding planting right before 1 September 1998 and the communications to be transmitted by Member States to the Commission in this context. Without prejudice to earlier penalties imposed by the Member States, the penalty applicable in case of failure to comply with the obligation to grub up the unlawful area should be sufficiently high so as to incite producers to comply with the obligation. Therefore, the penalty should be at least the equivalent of twice the average value of the grubbing-up premium.
- (48) Article 87(1) of Regulation (EC) No 479/2008 foresees that proofs of non-circulation should be required whenever products of an unlawful vineyard may be put into circulation only for the purpose of distillation. In order to strengthen control, the possible ways of non-circulation should be limited to three cases, namely to delivery for distillation or green harvesting at the expense of the producer concerned or family consumption, if the total vineyard area of a producer does not exceed 0.1 hectare. It is appropriate to fix a deadline for the submission of the distillation contracts foreseen in that Article. To be able to effectively organise control, producers carrying out green harvesting should inform the competent authorities about their intention in due time. In the interest of better controllability, Member States should have the possibility to foresee obligatory advance notification from the part of the producers as to which of the three ways of non-circulation they intend to use and also to further limit the choices of the producers concerning the possible ways of non-circulation.
- (49) To ensure fair and controllable use of Community budget, penalties with financial consequences should be foreseen in case Member States do not comply with communication obligations related to unlawful plantings.
- (50) Article 91(1) of Regulation (EC) No 479/2008 provides for the grant of new planting rights in the case of measures for land consolidation or measures concerning compulsory purchase in the public interest. These new planting rights should not exceed those necessary to plant an area equivalent to 105 % of that lost to producers as a result of those measures, so as to avoid undermining the prohibition on planting contained in Article 90(1) of that Regulation.
- (51) Article 91(1) of Regulation (EC) No 479/2008 also provides for the grant of new planting rights in the case of experiments and graft nurseries. The areas planted in pursuance of such grants of new planting rights should only be used for the specified purposes, and wine-sector products made from grapes coming from such areas should not be marketed. Existing wine-growing experiments and graft nurseries should be allowed to continue, subject to the existing rules.

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- (52) Article 91(1) of Regulation (EC) No 479/2008 also provides for the grant of new planting rights in the case of areas whose wine or vine products are intended solely for the consumption of the vine grower's family. However, this could sometimes lead to an excessive administrative burden being imposed due to the large number of such cases in certain Member States. Accordingly, Member States should be permitted to also allow such areas to exist even if no planting rights have been granted in respect of them, provided that, in order to prevent disturbance of the market balance, the areas concerned are small and that the vine grower is not engaged in commercial wine production. The areas and producers concerned should be subject to appropriate monitoring and sanctions, including the grubbing up of such areas, in cases where the provisions are not observed.
- (53) No replanting rights should be granted in respect of areas which have been compulsorily grubbed up owing to a breach of the requirements of Regulation (EC) No 479/2008. To the same end, no replanting rights should be granted in respect of the grubbing-up of areas for which new planting rights have been granted for purposes other than the commercial production of wine.
- (54) Article 92(2) of Regulation (EC) No 479/2008 provides for the grant of replanting rights to producers who undertake to grub up an area of vines in the future. Such a grant should only be made if the producer concerned does not possess sufficient planting rights to plant an area corresponding to the surface he intends to grub up. Any such grant of replanting rights on the basis of such an undertaking should be accompanied by the lodging of a security to ensure that the undertaking to grub up is carried out. During the period of coexistence of the newly planted area and the area to be grubbed up, in order to avoid disturbance of market balance, only one such area should be permitted to produce wine to be marketed.
- (55) Article 93 of Regulation (EC) No 479/2008 provides for the creation or maintenance of national and/or regional reserves in order to improve the management of production potential. In order to avoid disturbance of the market balance, the transfer of rights via a reserve system should not lead to an overall increase in production potential on the territory of the Member States. A similar prohibition of increasing the production potential has already been provided for in the case of transfer of rights between holdings in Article 92(5) of that Regulation. In these situations, Member States may apply a reduction coefficient in respect of transfers of rights.
- (56) Article 93(5) of Regulation (EC) No 479/2008 provides that Member States are not to implement the reserve system if they can show that an effective system for managing planting rights exists throughout their territory. In this situation a Member State may provide for the implementation of the reserve system in parts of its territory and another effective system in other parts of its territory. Member States wishing to use the option under that Article should be able to prove that such a system exists and to demonstrate the need for any derogation from the provisions of Chapter I of Title V of that Regulation.
- (57) Article 90(6) of Regulation (EC) No 479/2008 provides that Member States may decide to maintain the prohibition of planting of vines of wine grape varieties until 31



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- December 2018 at the latest. It is appropriate to foresee that Member States intending to avail themselves of this possibility communicate this to the Commission in due time.
- (58) Article 100 of Regulation (EC) No 479/2008 foresees that grubbing-up premium may only be granted to areas which are tended. To enable authorities to verify whether an area is properly tended, beyond the obligatory on-the-spot checks, proofs about the production of the given vineyard should be foreseen. This should be done through the presentation of harvest declarations of the preceding years, or, if the harvest declaration is not available due to well justifiable reasons, by other means foreseen by the Member States for this purpose, the trustworthiness of which has to be thoroughly verified by the Member States.
- (59) According to Article 104(4) of Regulation (EC) No 479/2008, Member States may exempt mountain or steep slope areas from the grubbing-up scheme. This exemption should cover terraces established for reasons of steepness of the slope which would make cultivation without terraces too difficult or would lead to serious erosion problems. It is appropriate to lay down criteria for areas that may be subject to such exclusions, based on generally accepted professional standards. Furthermore, according to Article 104(5) and (6) of that Regulation, Member States may also exempt areas based on environmental concerns and Greece may exempt areas planted with vines on the Aegean islands and the Greek Ionian islands, with the exception of Crete and Eubia. These exemptions should be well founded and regularly communicated to the Commission.
- (60) In view of the experience gained under the application of the former permanent abandonment measure, the system of the scales of the premium should be retained. The new scales of the grubbing-up premium are related to the scales of the premium valid under the scheme before the entry into force of Regulation (EC) No 479/2008, by adding +20 % to them in 2009, +10 % in 2010 and 0 % in 2011.
- (61) In view of subsidiarity, Member States should be made responsible for the administrative arrangements concerning the application procedure for the grubbing-up premium. They should be free to determine the date until which they request producers to complete the grubbing-up measure, so as to have sufficient time for the necessary control before payments, which have to take place by 15 October.
- (62) In order to allow for efficient use of the funds reserved for the grubbing-up measure, Member States should foresee a system that permits verification whether the applications for the premium are well founded, including, if appropriate, a written undertaking to be made by the producer and the obligation to bear the costs incurred concerning the treatment of its request in case the application is withdrawn without duly justified reason.
- (63) In the interests of verification, payment of the premium should be made only once grubbing up has been carried out.
- (64) Article 104(1) of Regulation (EC) No 479/2008 provides for the possibility for Member States to reject any further application of the grubbing-up scheme on its territory or in a given region if the accumulated grubbing-up area reaches 8 % or 10 %, respectively.

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It is appropriate to request Member States to communicate such a decision to the Commission.

- (65) It is imperative, for the purpose of monitoring the implementation of Title II and V of Regulation (EC) No 479/2008 and the proper management of the market, that the Commission receives the appropriate data as to production potential. In this context, it is necessary to lay down the details of the information to be set out in the inventory referred to in Article 109 of that Regulation.
- (66) To create a more uniform basis for payments of the support of restructuring and conversion of vineyards, the green harvesting and the grubbing-up premium, it is appropriate to define, on Community level, rules on the measurement of areas, namely to determine what corresponds to the area planted with vines.
- (67) Measures should be laid down for the checks necessary in order to ensure proper application of Regulation (EC) No 479/2008 and of this Regulation, and the appropriate sanctions applicable to irregularities found. Those measures should involve both specific checks and sanctions laid down at the Community level as well as additional national checks and sanctions. The checks and sanctions should be dissuasive, effective and proportionate.
- (68) Any control related to the production potential should be based primarily on the vineyard register.
- (69) Taking into account the importance of controlling the production potential and the funds involved in the grubbing-up scheme, systematic on-the spot verification of the areas concerned should be foreseen both before and after the execution of the grubbing-up. However, for Member States disposing of a reliable graphical tool and updated information about the area concerned, it should be possible to do the control before the grubbing-up administratively. As for the control after grubbing-up, remote sensing can be used to verify that vines have actually been grubbed up and therefore its use should be permitted for this (ex post) stage of control. In view of the difficulties in calculating area through remote sensing, this method should be authorised only in cases of grubbing up of entire vineyard parcels or if the resolution of the remote sensing is equal or better than 1 m<sup>2</sup>. In any case, at least either the control before or the one after the grubbing up should be carried out actually on the spot.
- (70) For the purpose of the uniform application of wine-sector provisions, rules should be adopted with the aim of specifying the control procedures already in force at national and Community level, on the one hand, and ensuring direct collaboration between the bodies responsible for wine-sector controls, on the other.
- (71) There should be rules governing the way in which the national bodies and the Commission assist each other in ensuring the correct application of wine-sector rules. Such rules should not hinder the application of specific provisions on Community expenditure, on criminal matters or on national administrative penalties.
- (72) Member States should ensure the effectiveness of the work of the bodies responsible for wine-sector controls. To that end, they should designate a body responsible for liaison between them and with the Commission. It is also vital that control operations

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- are coordinated between the competent bodies in all Member States where wine-sector controls have been split up between several competent bodies.
- (73) To help the uniform application of the rules throughout the Community, Member States should take the necessary steps to ensure that the staff of the competent bodies has adequate powers of investigation to guarantee compliance with the rules.
- (74) The interdependence of wine-sector markets is reflected in the evolution of trade between Member States, in particular the constant increase in the number of international companies active in the sector, and the possibilities offered by the sector's management rules to have operations, whether aided or not, carried out in or transferred to, a location other than that from which the product originates. Such a situation calls for a greater harmonisation of control methods and closer collaboration between the various bodies responsible for controls.
- (75) For the purpose of effective collaboration between the Member States in applying wine-sector rules, Member States' competent bodies should be able on request to liaise with competent bodies in another Member State. The rules governing that liaison and assistance must be drawn up.
- (76) In view of the complex nature of certain matters and the urgent need to settle them, it is vital that a competent body requesting assistance can, in agreement with the other competent body, have authorised agents designated by it present when investigations are carried out.
- (77) In the event of a serious risk of fraud or of fraud affecting one or several Member States, the various bodies concerned must be able to implement automatically an unsolicited assistance procedure.
- (78) In view of the nature of the information exchanged under this Regulation, it should be covered by professional confidentiality.
- (79) Regulation (EC) No 2729/2000 establishes an analysis databank at the Joint Research Centre (JRC) for the purpose of contributing to the harmonisation of analytical controls throughout the Community and bringing together analysis samples and reports from Member States.
- (80) The use of reference isotopic analysis methods will ensure more effective control of wine product enrichment or the discovery of the addition of water to such products or, used with the results of the analysis of other isotopic characteristics of such products, it will help to verify conformity with the origin indicated in their name. With a view to making interpretation of the results of such analysis easier, it should be possible to compare those results with results obtained previously using the same methods during the analysis of products with similar characteristics and authenticated origin and production.
- (81) Isotopic analysis of wine or wine-derived products is carried out using the reference analytical methods referred to in Article 31 of Regulation (EC) No 479/2008.
- (82) In order to facilitate interpretation of the results obtained from such analyses carried out in Community laboratories equipped for the purpose and to guarantee that the results

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obtained in such laboratories are comparable, uniform rules should be drawn up for taking grape samples and for the vinification and storage of such samples.

- (83) To guarantee the quality and comparability of analytical data, a system of recognised quality standards should be applied to the laboratories designated by Member States to carry out the isotopic analysis of samples for the databank.
- (84) Isotopic analysis is an analytical method used for the control and for combating fraud in the wine sector requiring highly special scientific knowledge and technical equipment. Most of the Member States that acceded to the Community in 2004 or 2007 are not equipped to carry out this method. In order to ensure a uniform application of control procedures, the Joint Research Centre should carry out the analysis for those Member States for a period until they are fully equipped and competent to execute the task.
- (85) Isotopic analysis of wine-sector products and interpretation of the results are delicate procedures and, in order to permit uniform interpretation of such analysis results, the JRC databank should be made accessible to official laboratories using that analytical method and, on request, to other official bodies in the Member States while respecting the principles of the protection of private data.
- (86) Regulation (EC) No 2729/2000 contains rules on the taking of samples for dispatch to an official laboratory in another Member State and common rules for the taking of samples which are to be analysed by isotopic methods. Those rules should be taken over and the taking of samples for the Community databank should be deemed to be an instance of the taking of samples of a wine-sector product as part of the system of direct liaison between bodies.
- (87) To guarantee the objective nature of the controls, the officials of a Member State's competent body should be able to ask the competent body in another Member State to carry out sampling. The requesting official should have access to the samples taken and be able to specify the laboratory where they are to be analysed.
- (88) Detailed rules should be drawn up for the official taking of samples as part of the collaboration between Member States' competent bodies and for the use of such samples. Such rules should guarantee representativeness and the possibility of verifying the results of official analyses throughout the Community.
- (89) To simplify the administration of expenditure relating to the taking and dispatch of samples, analysis and organoleptic testing and employing the services of an expert, the principle should be established that such expenditure is to be borne by the body ordering the sampling or the services of the expert.
- (90) The conclusive force of the findings from controls carried out pursuant to this Regulation should be specified.
- (91) To guarantee the smooth operation of controls and grape sampling in vineyards provisions should be adopted to prevent interested parties from obstructing controls concerning them and to oblige them to facilitate sampling and provide the information required pursuant to this Regulation.

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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- (92) Provisions should be laid down concerning the type, format and means of communications necessary to implement this Regulation. These should include communications from Member States to the Commission.
- (93) To ensure fair and controllable use of Community budget, penalties with financial consequences are to be foreseen in case Member States do not comply with communication obligations.
- (94) Information necessary for the verification and auditing of the implementation of the provisions of this Regulation should be retained by Member States for inspection for an appropriate period.
- (95) The payments made under Title II and Title V of Regulation (EC) No 479/2008 should be made in full to the beneficiaries. In order to avoid undue administrative burden, Member States should be allowed to pay the insurance support to producers through insurance companies in accordance with certain conditions.
- (96) Provisions should be made for resolving cases of obvious error, *force majeure* and other exceptional circumstances to ensure fair treatment of producers. Rules for artificially created situations should be provided for in order to avoid any benefit being derived from such situations.
- (97) Provisions should be made for a smooth transition from the previous system to the new system set out in this Regulation and the implementation of the transitional provisions set out in Article 128 of Regulation (EC) No 479/2008.
- (98) The Management Committee for the Common Organisation of Agricultural Markets has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

## TITLE I

### INTRODUCTORY PROVISIONS

#### *<sup>F1</sup>Article 1*

#### **[<sup>F1</sup>Scope and use of terms]**

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#### **Textual Amendments**

- F1** Deleted by [Commission Delegated Regulation \(EU\) 2018/273 of 11 December 2017 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation \(EU\) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations \(EC\) No](#)

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

## TITLE II

### SUPPORT PROGRAMMES

#### CHAPTER I

##### Procedure for submission

<sup>F2</sup>Article 2

<sup>F2</sup><sup>F3</sup>**[Submission of support programmes]**

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.
- F3** Substituted by Commission Implementing Regulation (EU) No 568/2012 of 28 June 2012 amending Regulation (EC) No 555/2008 as regards the submission of support programmes in the wine sector.

<sup>F2</sup>Article 3

**[Modifications of support programmes]**

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

## CHAPTER II

### Eligible measures

#### <sup>F2</sup>Section 1

#### [<sup>F2</sup>[<sup>F4</sup>Promotion]

#### <sup>F2</sup>Sub-section 1

#### [<sup>F5</sup>Promotion in third countries]

#### <sup>F2</sup>Article 4

### Eligible operations and markets

.....

#### <sup>F2</sup>Article 5

### Selection procedure

.....

#### <sup>F2</sup>Article 5a

#### [<sup>F6</sup>Eligible costs]

.....

#### **Textual Amendments**

- F6** Deleted by Commission Delegated Regulation (EU) No 612/2014 of 11 March 2014 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council by amending Commission Regulation (EC) No 555/2008 as regards new measures under the national support programmes in the wine sector.

#### <sup>F2</sup>Sub-section 2

#### [<sup>F5</sup>Promotion in the Member States

#### <sup>F2</sup>Article 5b

### Eligible operations

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*Status: Point in time view as at 03/03/2018.*

**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

*F2 Article 5c*

**Characteristics of the information**

.....

*F2 Article 5d*

**Duration of the support**

.....

*F2 Article 5e*

**Advance payments**

.....

*F2 Article 5f*

**Demarcation with rural development and promotion of agricultural products**

.....

*F2 Article 5fa*

**[<sup>F7</sup>Selection procedure]**

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**Textual Amendments**

- F7** Inserted by [Commission Implementing Regulation \(EU\) No 614/2014 of 6 June 2014 amending Regulation \(EC\) No 555/2008 as regards the application of certain support measures in the wine sector.](#)

*F2 Sub-section 3*

**Common rules**

*F2 Article 5g*

**Eligible costs]**

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

**Textual Amendments**

- F4** Substituted by Commission Delegated Regulation (EU) No 612/2014 of 11 March 2014 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council by amending Commission Regulation (EC) No 555/2008 as regards new measures under the national support programmes in the wine sector.

<sup>F2</sup>Section 2

**Restructuring and conversion of vineyards**

<sup>F2</sup>Article 6

**[<sup>F8</sup>Ineligible operations]**

**Textual Amendments**

- F8** Substituted by Commission Implementing Regulation (EU) No 202/2013 of 8 March 2013 amending Regulation (EC) No 555/2008 as regards the submission of support programmes in the wine sector and trade with third countries.

<sup>F2</sup>Article 6a

**[<sup>F5</sup>Replanting for health or phytosanitary reasons]**

**Textual Amendments**

- F5** Inserted by Commission Delegated Regulation (EU) No 612/2014 of 11 March 2014 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council by amending Commission Regulation (EC) No 555/2008 as regards new measures under the national support programmes in the wine sector.

<sup>F2</sup>Article 7

**Procedure and applications**

<sup>F2</sup>Article 8

**[<sup>F8</sup>Levels of support]**

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

#### Textual Amendments

- F8** Substituted by Commission Implementing Regulation (EU) No 202/2013 of 8 March 2013 amending Regulation (EC) No 555/2008 as regards the submission of support programmes in the wine sector and trade with third countries.

#### <sup>F2</sup>Article 9

### Financial management

#### <sup>F2</sup>Article 10

### [<sup>F9</sup>Transitional measures]

#### Textual Amendments

- F9** Deleted by Commission Implementing Regulation (EU) No 202/2013 of 8 March 2013 amending Regulation (EC) No 555/2008 as regards the submission of support programmes in the wine sector and trade with third countries.

#### <sup>F2</sup>Article 10a

### [<sup>F10</sup>Compatibility and consistency]

#### Textual Amendments

- F10** Inserted by Commission Regulation (EC) No 42/2009 of 20 January 2009 amending Regulation (EC) No 555/2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

#### <sup>F2</sup>Section 3

### Green harvesting

#### <sup>F2</sup>Article 11

### Definition of green harvesting

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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*F<sup>2</sup>Article 12*

**Conditions for the implementation of green harvesting**

.....

*F<sup>2</sup>Article 13*

**Application procedure**

.....

*F<sup>2</sup>Article 14*

**Compensation**

.....

*F<sup>2</sup>Section 4*

**Mutual funds**

*F<sup>2</sup>Article 15*

**Level of the aid**

.....

*F<sup>2</sup>Section 5*

**Harvest insurance**

*F<sup>2</sup>Article 16*

**Conditions of eligibility**

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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<sup>F2</sup>Section 6

**Investments**

<sup>F2</sup>Article 17

**Eligible measures**

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<sup>F2</sup>Article 18

**Eligible measures for the development of new products**

.....

<sup>F2</sup>Article 19

**[<sup>F11</sup>Financial management]**

.....

**Textual Amendments**

- F11** Substituted by [Commission Regulation \(EC\) No 702/2009 of 3 August 2009 amending and correcting Regulation \(EC\) No 555/2008 laying down detailed rules for implementing Council Regulation \(EC\) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.](#)

<sup>F2</sup>Article 20

**[<sup>F12</sup>Compatibility and consistency]**

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**Textual Amendments**

- F12** Substituted by [Commission Regulation \(EC\) No 42/2009 of 20 January 2009 amending Regulation \(EC\) No 555/2008 laying down detailed rules for implementing Council Regulation \(EC\) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.](#)

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

<sup>F2</sup>Section 6a

[<sup>F5</sup>Innovation

<sup>F2</sup>Article 20a

**Eligible operations**

.....

<sup>F2</sup>Article 20b

**Demarcation with rural development and other legal regimes and financial instruments**

.....

<sup>F2</sup>Article 20c

[<sup>F7</sup>Financial management]]]

.....

**Textual Amendments**

- F7** Inserted by [Commission Implementing Regulation \(EU\) No 614/2014 of 6 June 2014 amending Regulation \(EC\) No 555/2008 as regards the application of certain support measures in the wine sector.](#)

Section 7

**Disposal of by-products**

<sup>F1</sup>Article 21

[<sup>F1</sup>Fixing a minimum percentage of alcohol

.....

**Textual Amendments**

- F1** Deleted by [Commission Delegated Regulation \(EU\) 2018/273 of 11 December 2017 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation \(EU\) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations \(EC\) No 555/2008, \(EC\) No 606/2009 and \(EC\) No 607/2009 and repealing Commission Regulation \(EC\) No 436/2009 and Commission Delegated Regulation \(EU\) 2015/560.](#)

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

## <sup>F1</sup>Article 22

### **Disposal of by-products**

#### **Textual Amendments**

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

## <sup>F1</sup>Article 23

### **Disposal with by-product distillation]**

#### **Textual Amendments**

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

## <sup>F2</sup>Article 24

### **[<sup>F2</sup>Purpose of the aid**

#### **Textual Amendments**

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

*F2* Article 25

**Amount of the aid**

**Textual Amendments**

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

*F2* Article 25a

**[*F10*Verification of conditions]**

**Textual Amendments**

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.
- F10** Inserted by Commission Regulation (EC) No 42/2009 of 20 January 2009 amending Regulation (EC) No 555/2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

*F9* Section 8

**[*F9*Potable alcohol distillation]**

*F9* Article 26

**Purpose of the aid**

*F9* Article 27

**Amount of the aid**

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

F<sup>9</sup>Section 9

**Crisis distillation**

F<sup>9</sup>Article 28

**Definition of the measure**

.....

F<sup>9</sup>Article 29

**Modalities of the aid**

.....

F<sup>9</sup>Article 30

**Amount of the aid**

.....

F<sup>9</sup>Article 31

**National aid**

.....

F<sup>9</sup>Section 10

**Use of concentrated grape must**

F<sup>9</sup>Article 32

**Purpose of the aid**

.....

F<sup>9</sup>Article 33

**Amount of the aid**

.....



*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

*F9* Article 34

**Checks]**

.....  
*F2* CHAPTER III

**Reporting, evaluation and general provisions**

*F2* Article 35

**Reporting and evaluation**

.....  
*F2* Article 36

**Exclusion**

.....  
*F2* Article 37

**Payment delay to beneficiaries**

.....  
*F2* Article 37a

**[*F13* Communication related to State aid]**

.....  
**Textual Amendments**

**F13** Inserted by [Commission Regulation \(EC\) No 702/2009 of 3 August 2009 amending and correcting Regulation \(EC\) No 555/2008 laying down detailed rules for implementing Council Regulation \(EC\) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.](#)

*F2* Article 37b

**[*F14* Communication related to advances]]**

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

#### Textual Amendments

- F14** Inserted by [Commission Implementing Regulation \(EU\) No 752/2013 of 31 July 2013 amending Regulation \(EC\) No 555/2008 as regards national support programmes and trade with third countries in the wine sector.](#)

### TITLE III

## TRADE WITH THIRD COUNTRIES

### CHAPTER I

#### Entry price arrangements for grape juice and must

<sup>F1</sup>Article 38

[<sup>F1</sup>Definition

#### Textual Amendments

- F1** Deleted by [Commission Delegated Regulation \(EU\) 2018/273 of 11 December 2017 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation \(EU\) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations \(EC\) No 555/2008, \(EC\) No 606/2009 and \(EC\) No 607/2009 and repealing Commission Regulation \(EC\) No 436/2009 and Commission Delegated Regulation \(EU\) 2015/560.](#)

<sup>F1</sup>Article 39

#### Verification by consignment

#### Textual Amendments

- F1** Deleted by [Commission Delegated Regulation \(EU\) 2018/273 of 11 December 2017 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation \(EU\) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations \(EC\) No 555/2008, \(EC\) No 606/2009 and \(EC\) No 607/2009 and repealing Commission Regulation \(EC\) No 436/2009 and Commission Delegated Regulation \(EU\) 2015/560.](#)

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the  
Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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## <sup>F1</sup>CHAPTER II

### **Certificates and analysis reports for wine, grape juice and must on import**

#### <sup>F1</sup>Section 1

##### **General**

#### <sup>F1</sup>Article 40

##### **Documents required**

.....

#### <sup>F1</sup>Article 41

##### **Contents of the analysis report**

.....

#### <sup>F1</sup>Article 42

##### **Exemptions**

.....

#### <sup>F1</sup>Section 2

##### **Requirements to be met and detailed rules for drawing up and using the certificate and analysis report for imports of wine, grape juice and grape must**

#### <sup>F1</sup>Article 43

##### **V I 1 document**

.....

#### <sup>F1</sup>Article 44

##### **Description of documents**

.....

#### <sup>F1</sup>Article 45

##### **Simplified procedure**

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*Status: Point in time view as at 03/03/2018.*

**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

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*FI Article 45a*

[<sup>F14</sup>Electronic document]

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**Textual Amendments**

**F14** Inserted by [Commission Implementing Regulation \(EU\) No 752/2013 of 31 July 2013 amending Regulation \(EC\) No 555/2008 as regards national support programmes and trade with third countries in the wine sector.](#)

*FI Article 46*

**Derogations**

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*FI Article 47*

**Use**

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*FI Article 48*

**List of competent bodies**

.....

*FI Article 49*

**Indirect imports**

.....

*FI Article 50*

**Special rules for particular wines**

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*FI Article 51*

**Conformity of imported wines**

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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## <sup>F1</sup>CHAPTER III

### **Specific provisions on exports**

<sup>F1</sup>Article 52

#### **Notification of official bodies**

.....

## <sup>F1</sup>CHAPTER IV

### **Transitional provisions**

<sup>F1</sup>Article 53

#### **V I 1 and V I 2 conformity**

.....

<sup>F1</sup>Article 54

#### **Release of security]**

.....

## TITLE IV

### **PRODUCTION POTENTIAL**

#### CHAPTER I

#### **Unlawful plantings**

*Article 55*

#### **Penalties in case of non-compliance with the grubbing-up obligation**

1 The penalties referred to in Article 85(3) and Article 86(4) second subparagraph of Regulation (EC) No 479/2008 shall be determined so as to provide an appropriate sanction for those who violated the provisions concerned.

Without prejudice, where applicable, to earlier penalties imposed by Member States, Member States shall determine the penalties referred to in Article 85(3) and Article 86(4) second subparagraph of Regulation (EC) No 479/2008 on the basis of the following principles:

- a basic financial penalty to be imposed shall be at least EUR 12 000/ha;

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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- b Member States may increase the penalty based on the commercial value of the wines produced in the vineyards concerned.

2 Member States shall impose the penalty referred to in Article 85(3) of Regulation (EC) No 479/2008:

- a for unlawful plantings existing at the time of the entry into force of this Regulation for the first time on 1 January 2009;
- b for unlawful plantings from after the entry into force of this Regulation for the first time with effect of the date of those plantings.

The penalty shall be levied again every 12 months, counted from those dates and in accordance with the criteria established in paragraph 1 of this Article, until compliance with the grubbing-up obligation.

3 Member States shall impose the penalty referred to in Article 86(4) second subparagraph of Regulation (EC) No 479/2008 for the first time on 1 July 2010 for non-compliance with the grubbing-up obligation and thereafter every 12 months until compliance in accordance with the criteria established in paragraph 1 of this Article

4 Penalties collected within the meaning of this Article shall be retained by the Member State concerned.

#### *Article 56*

#### **Penalties in case of non-compliance with prohibition of circulation**

1 The penalties referred to in Article 87(2) of Regulation (EC) No 479/2008 shall be determined so as to mean an appropriate sanction for those who violated the provisions concerned.

2 The penalties referred to in paragraph 1 shall be imposed if a producer concerned, having more than 0.1 hectares of vineyard area, and according to the appropriate case:

- a does not submit the distillation contract by the deadline specified in the second subparagraph of Article 57(1) or these contracts do not cover the entire production concerned, as declared in the harvest or production declaration; or
- b does not inform the competent authority about the intended green harvesting by the deadline specified in the third subparagraph of Article 57(1) or does not carry out the green harvesting in a satisfactory manner.

3 Member States shall impose the penalties referred to in paragraph 1:

- a in case of non-submission of the distillation contract, one month after the expiry of the deadline laid down in the second subparagraph of Article 57(1);
- b in case of failure to comply with the rules about green harvesting, on 1 September of the calendar year concerned.

4 Penalties collected within the meaning of this Article shall be retained by the Member State concerned.

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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## Article 57

### Non-circulation or distillation

1 In case of Article 87(1) of Regulation (EC) No 479/2008, the grapes or products made from grapes may only have one the following destinations:

- a distillation at the exclusive expense of the producer;
- b green harvesting in accordance with the definition of Article 12(1) of Regulation (EC) No 479/2008, at the expense of the producer concerned;
- c family consumption; this possibility is only acceptable if the producer's vineyard area does not exceed 0,1 ha.

In case of the distillation foreseen in point (a) of the first subparagraph:

- producers shall submit the distillation contract foreseen in Article 87(1) of Regulation (EC) No 479/2008 by the end of the wine year in which the products were produced,
- products produced before regularisation of the vineyard in accordance with Article 86(1) of Regulation (EC) No 479/2008 shall be subject to the distillation obligation.

In case of the green harvesting as foreseen in point (b) of the first subparagraph, producers shall inform the competent authority in advance about their intention before a date fixed by the Member States in accordance with Article 12(1)(b). Member States shall control green harvesting according to Article 12(1)(d) of this Regulation.

2 Without prejudice to paragraph 1, in order to facilitate control, Member States may foresee an obligation to the producers to notify the competent authority of the Member State before the date fixed by the Member States in accordance with Article 12(1)(b) which of the possibilities mentioned in points (a) to (c) of the first subparagraph of paragraph 1 of this Article they are going to choose.

Member States may also limit the choice of producers to only one or two of the possibilities mentioned in points (a) to (c) of the first subparagraph of paragraph 1.

3 In case the given producer has vineyards the products from which may be marketed, the competent authorities shall be responsible for ensuring that the products from the unlawful planting are not added to the products of these other vineyards that are marketed.

## *f<sup>F15</sup> Article 58*

### Communications

1 Member States shall communicate to the Commission by 1 March each year the areas for which penalty was paid and the amount of penalty that was actually imposed in the form set out in Table 1 of Annex XIII. They shall also communicate to the Commission their legislation related to these penalties.

Such obligation shall no longer apply to those Member States where no unlawful plantings remain to be grubbed up.

2 Save as otherwise indicated in the appropriate tables of Annex XIII to this Regulation, the communications referred to in Article 85c(3), Article 188a(1) and Article 188a(2) of Regulation (EC) No 1234/2007 shall refer to the previous wine year.

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

The yearly communications shall be made in the forms set out in Tables 3 and 7 of Annex XIII to this Regulation.

3 Member States may decide whether or not to include details related to regions in the communications referred to in paragraphs 1 and 2.]

#### Textual Amendments

**F15** Substituted by [Commission Implementing Regulation \(EU\) 2015/1991 of 5 November 2015 amending Regulation \(EC\) No 555/2008 laying down detailed rules for implementing Council Regulation \(EC\) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.](#)

### Article 59

#### Reductions imposed on Member States

In case Member States fail to communicate any of the tables by the relevant deadlines, except for Table 2, referred to in Article 58, in the form laid down in Annex XIII to this Regulation, containing the information specified in Articles 85(4), 86(5) and 87(3) of Regulation (EC) No 479/2008 and filled in appropriately, their allocation for the support measures referred to in Article 7 of Regulation (EC) No 479/2008 may be reduced as foreseen in Article 89(a) of Regulation (EC) No 479/2008. The Commission may decide that, according to the scope of the failure, for every month of delay, an amount of up to a total of 1 % of the allocation for the support measures of the given Member State shall be forfeited starting from the beginning of the wine year following the one in which the communication was due.

## CHAPTER II

### Transitional planting right regime

#### <sup>F2</sup>Article 60

#### [<sup>F2</sup>New planting rights]

#### Textual Amendments

**F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149 of 15 April 2016 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation \(EC\) No 555/2008.](#)



*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

## *[<sup>F15</sup>Article 61*

### **Member States communication obligations related to new planting rights**

Member States shall communicate to the Commission by 1 March 2016 the following information in respect of the period from 1 August 2014 to 31 December 2015:

- (a) the total areas for which new planting rights have been granted in accordance with each of paragraphs 1, 2 and 3 of Article 60; and
- (b) the total area for which new planting rights have been granted cumulatively in accordance with Article 85h of Regulation (EC) No 1234/2007; where a Member State makes use of the derogation provided for in Article 60(6) of this Regulation, it shall instead communicate an estimate of the total area concerned, which shall be based on the results of the monitoring carried out.

This communication shall be made in the form set out in Table 8 of Annex XIII to this Regulation.

Member States may decide whether or not to include details related to regions in the communication.]

#### **Textual Amendments**

- F15** Substituted by [Commission Implementing Regulation \(EU\) 2015/1991 of 5 November 2015 amending Regulation \(EC\) No 555/2008 laying down detailed rules for implementing Council Regulation \(EC\) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.](#)

## *F2Article 62*

### **[<sup>F2</sup>Grubbing up without generation of replanting right**

#### **Textual Amendments**

- F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149 of 15 April 2016 supplementing Regulation \(EU\) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation \(EC\) No 555/2008.](#)

## *F2Article 63*

### **Anticipated replanting rights**

*Status: Point in time view as at 03/03/2018.*

**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

**Textual Amendments**

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

*F2* Article 64

**Transfers of replanting rights]**

**Textual Amendments**

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

Article 65

**Reserves of planting rights**

- F2<sub>1</sub> .....
- F2<sub>2</sub> .....
- F2<sub>3</sub> .....
- F2<sub>4</sub> .....

[<sup>F15</sup> Member States shall, in the form laid down in Table 9 of Annex XIII, communicate to the Commission by 1 March 2016 the following information in respect of the period from 1 August 2014 to 31 December 2015:

- a the planting rights allocated to the reserves;
- b the planting rights granted from the reserve against or without payment.]

**Textual Amendments**

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.
- F15** Substituted by Commission Implementing Regulation (EU) 2015/1991 of 5 November 2015 amending Regulation (EC) No 555/2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

*F2* Article 66

[*F2* Maintenance of the planting rights system]

**Textual Amendments**

- F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149](#) of 15 April 2016 supplementing [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending [Commission Regulation \(EC\) No 555/2008](#).

*F9* CHAPTER III

[*F9* Grubbing-up scheme

*F9* Article 67

**Eligibility**

*F9* Article 68

**Exemption reasons**

*F9* Article 69

**Premium level**

*F9* Article 70

**Application procedure**

*F9* Article 71

**Procedure in case of application of a single percentage for acceptance**

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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<sup>F9</sup>Article 72

### Payment of the premium

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<sup>F9</sup>Article 73

### Communications]

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## CHAPTER IV

### Inventory and measurement of the area planted

<sup>F1</sup>Article 74

### [<sup>F1</sup>[<sup>F15</sup>Inventory]]

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#### Textual Amendments

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.
- F15** Substituted by Commission Implementing Regulation (EU) 2015/1991 of 5 November 2015 amending Regulation (EC) No 555/2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

<sup>F2</sup>Article 75

### [<sup>F2</sup>Area planted]

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

**Textual Amendments**

- F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149](#) of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

TITLE V

**CONTROLS IN THE WINE SECTOR**

CHAPTER I

**Principles of control**

*F2* Article 76

[*F2* Checks

**Textual Amendments**

- F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149](#) of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

*F2* Article 77

**General principles**

**Textual Amendments**

- F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149](#) of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

*F2* Article 78

**On-the-spot checks**

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

#### <sup>F2</sup>Article 79

### Selection of the control sample

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

#### <sup>F2</sup>Article 80

### Control report

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

#### <sup>F2</sup>Article 81

### [<sup>F16</sup>Control related to the production potential and to the operations of restructuring and conversion of vineyards]

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.
- F16** Substituted by Commission Regulation (EU) No 772/2010 of 1 September 2010 amending Regulation (EC) No 555/2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

*F2* Article 82

**Control bodies]**

**Textual Amendments**

- F2** Deleted by [Commission Delegated Regulation \(EU\) 2016/1149](#) of 15 April 2016 supplementing [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending [Commission Regulation \(EC\) No 555/2008](#).

*F1* Article 83

**[<sup>F1</sup>Powers of control officials**

**Textual Amendments**

- F1** Deleted by [Commission Delegated Regulation \(EU\) 2018/273](#) of 11 December 2017 supplementing [Regulation \(EU\) No 1308/2013](#) of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing [Regulation \(EU\) No 1306/2013](#) of the European Parliament and of the Council as regards the relevant checks and penalties, amending [Commission Regulations \(EC\) No 555/2008](#), [\(EC\) No 606/2009](#) and [\(EC\) No 607/2009](#) and repealing [Commission Regulation \(EC\) No 436/2009](#) and [Commission Delegated Regulation \(EU\) 2015/560](#).

<sup>F1</sup>CHAPTER II

**Assistance between control bodies**

*F1* Article 84

**Assistance on request**

*F1* Article 85

**Unsolicited assistance**

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

*F1*Article 86

**Common provisions**

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*F1*CHAPTER III

**Analytical databank**

*F1*Article 87

**Purpose of the databank**

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*F1*Article 88

**Samples**

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*F1*Article 89

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*F1*Article 90

**Communication of results**

.....

*F1*Article 91

**Compliance with procedures**

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*F1*CHAPTER IV

**Collection of samples for control purposes**

*F1*Article 92

**Request for collection of samples**

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

*<sup>F1</sup>Article 93*

**Costs of collection, dispatch and analysis of samples**

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<sup>F1</sup>CHAPTER V

**General provisions**

*<sup>F1</sup>Article 94*

**Conclusive force**

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*<sup>F1</sup>Article 95*

**Persons subject to controls**

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*<sup>F1</sup>Article 95a*

**[<sup>F17</sup>Coordination of controls and access to information]**

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**Textual Amendments**

**F17** Inserted by [Commission Implementing Regulation \(EU\) No 314/2012 of 12 April 2012 amending Commission Regulations \(EC\) No 555/2008 and \(EC\) No 436/2009 as regards the documents accompanying consignments of wine products and wine sector registers to be kept.](#)

TITLE VI

**GENERAL, TRANSITIONAL AND FINAL PROVISIONS**

*<sup>F2</sup>Article 96*

**[<sup>F2</sup>Payments to beneficiaries**

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

<sup>F2</sup>Article 97

#### Recovery of undue payments]

#### Textual Amendments

- F2** Deleted by Commission Delegated Regulation (EU) 2016/1149 of 15 April 2016 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the national support programmes in the wine sector and amending Commission Regulation (EC) No 555/2008.

<sup>F1</sup>Article 98

#### [<sup>F1</sup>National sanctions

#### Textual Amendments

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

<sup>F1</sup>Article 99

#### Artificially created situations

#### Textual Amendments

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

### *FI* Article 100

## [<sup>F18</sup>Communications and notifications]

### Textual Amendments

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.
- F18** Substituted by Commission Implementing Regulation (EU) No 994/2013 of 16 October 2013 amending Regulations (EC) No 952/2006, (EC) No 967/2006, (EC) No 555/2008, and (EC) No 1249/2008 as regards the communication and the notification obligations within the common organisation of agricultural markets.

### *FI* Article 101

## Obvious errors

### Textual Amendments

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

### *FI* Article 102

## Force majeure and exceptional circumstances]

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

#### Textual Amendments

- F1** Deleted by Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560.

#### Article 103

#### Repeal and references

1 Regulations (EC) No 1227/2000, (EC) No 1623/2000, (EC) No 2729/2000 and (EC) No 883/2001 are repealed.

However,

- a The relevant rules set out in Regulations (EC) No 1227/2000 and (EC) No 1623/2000 shall continue to apply in so far as measures eligible under Regulation (EC) No 1493/1999 have been commenced or undertaken before 1 August 2008;
- <sup>F12</sup>b Table 9 of the Annex to Regulation (EC) No 1227/2000 shall continue to apply unless otherwise provided in an implementing regulation on the labelling and presentation of wines to be adopted on the basis of Article 63 of Regulation (EC) No 479/2008;
- c Annex I to Regulation (EC) No 1623/2000 shall remain in force until 31 July 2012.

2 References to the repealed Regulations in accordance with paragraph 1 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex XXII.

#### Textual Amendments

- F12** Substituted by Commission Regulation (EC) No 42/2009 of 20 January 2009 amending Regulation (EC) No 555/2008 laying down detailed rules for implementing Council Regulation (EC) No 479/2008 on the common organisation of the market in wine as regards support programmes, trade with third countries, production potential and on controls in the wine sector.

#### Article 104

#### Entry into force

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

It shall apply from 1 August 2008.

However, Article 2 and Chapter III of Title IV shall apply as from 30 June 2008.

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

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**Status:** Point in time view as at 03/03/2018.

**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

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**Status:** Point in time view as at 03/03/2018.

**Changes to legislation:** There are currently no known outstanding effects for the  
Commission Regulation (EC) No 555/2008. (See end of Document for details)

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F<sup>2</sup>ANNEX I

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F<sup>2</sup>ANNEX II

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F<sup>2</sup>ANNEX IV

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F<sup>2</sup>ANNEX V

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F<sup>2</sup>ANNEX VI

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F<sup>2</sup>ANNEX VII

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F<sup>2</sup>ANNEX VIII

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F<sup>2</sup>ANNEX VIIIa

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the  
Commission Regulation (EC) No 555/2008. (See end of Document for details)*

<sup>F2</sup>ANNEX VIIIb

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<sup>F2</sup>ANNEX VIIIc

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<sup>F1</sup>ANNEX IX

[<sup>F1</sup>V I 1 document as provided for in Article 43(1)

[<sup>F1</sup> .....

<sup>F1</sup> .....

<sup>F1</sup>ANNEX X

V I 2 document as provided for in Article 44(1)

<sup>F1</sup> .....

<sup>F1</sup> .....

<sup>F1</sup>ANNEX XI

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<sup>F1</sup>ANNEX XII

[<sup>F19</sup>List of third countries referred to in Article 43(2), Article 45 and Article 45a]]

**Textual Amendments**

**F19** Substituted by [Commission Implementing Regulation \(EU\) No 752/2013 of 31 July 2013 amending Regulation \(EC\) No 555/2008 as regards national support programmes and trade with third countries in the wine sector.](#)

<sup>F1</sup> .....

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**Status:** Point in time view as at 03/03/2018.  
**Changes to legislation:** There are currently no known outstanding effects for the  
Commission Regulation (EC) No 555/2008. (See end of Document for details)

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F<sup>1</sup> ANNEX XIII

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**Status:** Point in time view as at 03/03/2018.

**Changes to legislation:** There are currently no known outstanding effects for the  
Commission Regulation (EC) No 555/2008. (See end of Document for details)

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Status: Point in time view as at 03/03/2018.

Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

F1 .....]

F9 ANNEX XIV

[F9 Areas that are declared ineligible for the grubbing-up scheme in accordance with Article 104(4) to (6) of Regulation (EC) No 479/2008]

[F9 .....

F9 .....

F9 .....

F9 ANNEX XV

F9]

F1 ANNEX XVI

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F1 ANNEX XVII

Number of samples to be taken by Member States each year for the analytical databank as referred in Article 88(3)

[F1 .....

F1 ANNEX XVIII

Questionnaire on the collection and vinification of samples of grapes intended for analysis by isotopic methods as referred in Article 88(5)

F1 .....]

PART I 1.General information

1.1.....1.2.....1.3.....

2. General description of the samples

2.1. ....

2.2. ....

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*Status: Point in time view as at 03/03/2018.*

**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

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2.3.	.....
2.4.	.....
3.	Description of the vineyard
3.1.	.....
3.2.	Location of the plot
	.....
3.3.	.....
3.4.	.....
3.5.	.....
3.6.	.....
3.7.	.....
3.8.	.....
3.9.	.....
4.	Crop and must characteristics
4.1.	.....
4.2.	.....
4.3.	.....
5.	Weather conditions preceding harvest
5.1.	.....
6.	Irrigated vineyards:
	.....
PART II	1. Microvinification 1.1. .... 1.2. .... 1.3. .... 1.4. Characteristics of the must: ____ 1.5. ____ 1.6. ____ 1.7. ____ 1.8. ____ 1.9. ____ 1.10. ____ 1.11. Analysis of the wine obtained. ....
2.	Chronological table of vinification of the sample
	.....

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*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

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F<sup>1</sup> ANNEX XX

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F<sup>1</sup> ANNEX XXI

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ANNEX XXII

CORRELATION TABLES REFERRED TO IN ARTICLE 103(2)

1.Regulation (EC) No 1227/2000	
<b>Regulation (EC) No 1227/2000</b>	<b>This Regulation</b>
Article 3	Article 60 and 61
Article 4(1)	Article 62
Article 4(2)-(7)	Article 63
Article 4(8)	Article 64
Article 5(1)	Article 65(1)
Article 5(3)	Article 64
Article 5(4)	Article 65(2)
Article 5(5)	Article 65(3)
Article 5(6)	Article 65(4)
Article 8(1)	Article 70(1)
2.Regulation (EC) No 1623/2000	
<b>Regulation (EC) No 1623/2000</b>	<b>This Regulation</b>
Article 12	Article 32
Article 13	Article 33
Article 14a(1)	Article 34
Article 46(2)	Article 21(3)
Article 50(2)	Article 22
3.Regulation (EC) No 2729/2000	
<b>Regulation (EC) No 2729/2000</b>	<b>This Regulation</b>
Article 2(3)	Article 76(d)
Article 2(4)	Article 76(e)
Article 3(1)	Article 82(1)

*Status: Point in time view as at 03/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)*

### 3.Regulation (EC) No 2729/2000

Article 3(2)	Article 82(2)
Article 4	Article 83
Article 5	Article 81
Article 7	Article 84
Article 8	Article 85
Article 9	Article 86
Article 10	Article 87
Article 11	Article 88
Article 12	Article 89
Article 13	Article 90
Article 14	Article 91
Article 15	Article 92
Article 16	Article 93
Article 17	Article 94
Article 19	Article 95

### 4.Regulation (EC) No 883/2001

<b>Regulation (EC) No 883/2001</b>	<b>This Regulation</b>
Article 14(1)	Article 39(1)
Article 20	Article 40
Article 21	Article 41
Article 22	Article 42
Article 24	Article 43
Article 25	Article 44
Article 26	Article 45
Article 27(1)	Article 46
Article 28	Article 47
Article 29	Article 48
Article 30	Article 49
Article 31(2)	Article 51
Article 32	Article 50
Article 34a	Article 52

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**Status:** Point in time view as at 03/03/2018.

**Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008. (See end of Document for details)

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- (1) OJ L 148, 6.6.2008, p. 1.
- (2) OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 1234/2007 (OJ L 299, 16.11.2007, p. 1).
- (3) OJ L 143, 16.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 1216/2005 (OJ L 199, 29.7.2005, p. 32).
- (4) OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 1433/2007 (OJ L 320, 6.12.2007, p. 18).
- (5) OJ L 316, 15.12.2000, p. 16. Regulation as last amended by Regulation (EC) No 2030/2006 (OJ L 414, 30.12.2006, p. 40).
- (6) OJ L 128, 10.5.2001, p. 1. Regulation as last amended by Regulation (EC) No 1211/2007 (OJ L 274, 18.10.2007, p. 5).
- (7) OJ L 3, 5.1.2008, p. 1.
- (8) OJ L 277, 21.10.2005, p. 1. Regulation as last amended by Regulation (EC) No 146/2008 (OJ L 46, 21.2.2008, p. 1).
- (9) OJ L 209, 11.8.2005, p. 1. Regulation as last amended by Regulation (EC) No 1437/2007 (OJ L 322, 7.12.2007, p. 1).

**Status:**

Point in time view as at 03/03/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the Commission Regulation (EC) No 555/2008.