COMMISSION REGULATION (EC) No 1342/2002

of 24 July 2002

amending Regulation (EC) No 1227/2000 laying down detailed rules for the application of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine, as regards production potential

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine [1], as last amended by Regulation (EC) No 2585/2001 [2], and in particular Articles 10, 15 and 80 thereof,

Whereas:

(1) In order to resolve a particular practical problem, the time limit laid down in Article 2(3) of Regulation (EC) No 1493/1999 for derogating from Article 2(2) should be amended. Applying the various provisions regarding the grant of the derogation imposes a serious and complex administrative burden, particularly as regards checks and penalties. In the interests of sound administration, the date in question should thus be postponed to 30 November 2002.

(2) Commission Regulation (EC) No 1227/2000 [3], as last amended by Regulation (EC) No 1253/2001 [4], fixed the deadline for the period referred to in Article 2(3)(b) of Regulation (EC) No 1493/1999 in which a producer may obtain replanting rights after the area concerned has been planted. For practical reasons linked to obtaining these rights, this period should be adapted.

(3) Experience has shown that the premium scheme for the permanent abandonment of vine growing on areas not exceeding 25 ares should be simplified in order to avoid an excessive administrative burden.

(4) Following the amendment of Article 11(3) of Regulation (EC) No 1493/1999 by Regulation (EC) No 2585/2001, the conditions for granting support under the former material improvement plans and aid to young farmers should be laid down so as not to weaken the general objective of the market organisation as regards controlling wine-growing potential.

(5) In the context of the restructuring and conversion programmes, a distinction should be made between cases where the support is paid for carrying out all the measures covered by the plan and those where the support is paid for a specific measure. Detailed rules should therefore be laid down for paying the support in advance.

(6) Account should be taken of weather and health and hygiene constraints in adapting the duration of restructuring and conversion plans when the support is paid in advance.

(7) The penalties laid down should be amended to make them proportional to the completion of measures included in a plan but not implemented within the time limits laid down. For inspection purposes, verification of whether the said measures have been completed should be specified as a criterion.

(8) Experience has shown that specific provisions should be laid down for cases where a producer chooses not to implement a plan or decides not to receive the support in advance.

(9) Regulation (EC) No 1227/2000 should therefore be amended accordingly.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1227/2000 is hereby amended as follows:

1. Article 2 is amended as follows:

   (a) the following paragraph 1a is added:

   '1a. The deadline of 31 July 2002 laid down in Article 2(3) of Regulation (EC) No 1493/1999 shall be postponed to 30 November 2002.';

   (b) in paragraph 5, '31 March 2002' is replaced by '15 July 2002';

2. Article 8 is amended as follows:

   (a) paragraph 4 is replaced by the following:

   '4. For all holdings where the wine-growing area does not exceed 25 ares, a premium may be awarded at a maximum level per hectare not exceeding EUR 4 300.

   The Member States may decide to grant the premium referred to in the first subparagraph to holdings where the wine-growing area exceeds 25 ares for the purpose of grubbing up areas between a minimum of 10 ares and a maximum of 25 ares.';

   (b) paragraph 6 is deleted;

[1] OJ L 179, 14.7.1999, p. 1.
[2] OJ L 345, 29.12.2001, p. 10.
[3] OJ L 143, 16.6.2000, p. 1.
[4] OJ L 173, 27.6.2001, p. 31.