Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

2011/0231(COD) - 31/08/2011 - Legislative proposal

PURPOSE: to lay down rules on the definition, description, presentation and labelling of aromatised wine products as well as on the protection of geographical indications of aromatised wine products.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: Council Regulation (EEC) N° 1601/91 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktailsand Commission Regulation (EC) No 122/94 have proved successful in regulating the aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, hereinafter called “aromatised wine products”. However, in the light of technologic innovation, market developments and evolving consumer expectations it is necessary to update the rules applicable to the definition, description, presentation, labelling and protection of geographical indications of certain aromatised wine products, while taking into account traditional production methods.

This proposal replaces Commission proposal which the Commission decided to withdraw in the 2011 Commission Work Programme which has been communicated to the other institutions.

IMPACT ASSESSMENT: no impact assessment was carried out. The main European producers and national organisations were consulted informally and did not expect significant impacts. A consensus exists among the producers of aromatised wine products to keep the same framework and similar rules; only minor technical adjustments seem to be necessary. Those were communicated to the Commission services by the representatives of the sector.

LEGAL BASIS: Article 43(2) and Article 114 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal **simplifies the existing rules** by introducing limited changes to improve the readability and clarity of the rules on the definition, description, presentation and labelling of aromatised wine products as well as on the protection of geographical indications of aromatised wine products.

Alignment with the Treaty on the Functioning of the European Union (TFEU): one of the main objectives of the present proposal consists in aligning Council Regulation (EEC)

N° 1601/91 on new comitology rules:

- the objectives and principles and other essential elements regarding the definition, the description, the presentation, the labelling and the protection of geographical indications of aromatised wine products are determined by the Legislator;
- the Commission should be able to adopt, by means of a **delegated act**, in accordance with Article 290 of the TFEU, the production processes, the methods of analysis, the necessary amendments of the definitions, the requirements, the restrictions, the sales denominations and the descriptions, the necessary rules for the geographical indications and the necessary
- rules for exchange of information;
-

the Legislator should grant the Commission the power to adopt implementing acts, in accordance with Article 291(2) of the Treaty, specifically with regard to the uniform application of the rules on aromatised wine products related to geographical indications, to administrative and physical checks and to exchange of information.

Other amendments: the proposal does not change the scope of the existing rules for the sector, and has no significant impact as it corresponds to an adaptation to obligations already taken on by the Union. In particular, the proposal:

- enhances applicability, readability and clarity of the Union legislation on aromatised wine products;
- introduces a well defined quality policy for aromatised wine products based on the present definitions of products;
- updates certain sales denominations, in the light of the possibility to increase the level of wine instead of directly adding alcohol, and so ensuring that the consumer is properly informed;
- adapts the Union rules to new technical requirements;
- adapts the Union rules to WTO requirements, including the Trade-Related Aspects of Intellectual Property Rights agreement (TRIPs agreement).

BUDGETARY IMPLICATIONS: this proposal has no implications for the Union budget.

DELEGATED ACTS: the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission.