

Spirit drinks: definition, presentation and labelling; use of names in the presentation and labelling of other foodstuffs; protection of geographical indications

2016/0392(COD) - 01/12/2016 - Legislative proposal

PURPOSE: to align EU legislation on spirit drinks with the Treaty on the Functioning of the European Union (TFEU).

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: [Regulation \(EC\) No 110/2008](#) of the European Parliament and of the Council has proved successful in regulating the spirit drinks sector. However, in the light of recent experience and technological innovation it is necessary to update the rules on the definition, presentation and labelling of spirit drinks and to **review the ways geographical indications for spirit drinks are registered**.

In order to align the powers conferred upon the Commission pursuant to Regulation (EC) No 110/2008 to Articles 290 (delegated acts) and 291 (implementing acts) of the Treaty on the Functioning of the European Union, further amendments to that Regulation are needed.

CONTENT: the aim of this Commission proposal is to replace Regulation (EC) No 110/2008 and bring it into line with the Treaty on the Functioning of the European Union (TFEU).

More specifically, the proposal:

- divides the provisions adopted by the Commission under that Regulation into **delegated acts and implementing acts**;
- **contains minor technical adjustments** of EU legislation on spirit drinks and it **replaces the existing procedures for the management of geographical indications in the spirit drinks sector, with new procedures** modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in [Regulation \(EU\) No 1151/2012](#) of the European Parliament and of the Council.

It has not been proposed to change the existing EU legal framework for spirit drinks enables the free circulation of goods in the single market by setting up product definitions, labelling rules and provisions related to the protection of geographical indications for spirit drinks.

Therefore, the **purpose and scope of the existing regulation will remain unchanged**.

This Regulation lays down rules on the definition, presentation and labelling of spirit drinks, as well as on the protection of geographical indications for spirit drinks. It shall also apply to the use of ethyl alcohol or distillates of agricultural origin in the production of alcoholic beverages and to the use of spirit drinks' names in the presentation and labelling of other foodstuffs.

It shall apply to the products placed on the Union market whether produced in the Union or in third countries, as well as to those produced in the Union for export.

Given the importance and complexity of the spirit drinks sector, it is appropriate to keep the spirit drinks Regulation for specific measures on the description and presentation of spirit drinks which go beyond the **general rules** provided in [Regulation \(EU\) No 1169/2011](#) of the European Parliament and of the Council on the provision of food information to consumers, while remaining consistent with those general rules.

Lastly, some of the elements currently included in the [Commission Regulation \(EU\) No 716/2013](#) that concern definitions and **rules related to compound terms and allusions**, are considered essential and have therefore been introduced in the proposal as part of the basic act.

DELEGATED ACTS: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.