

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

2016/0392(COD) - 01/03/2018 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 593 votes to 28, with 11 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks.

The issue was **referred back** to the committee responsible for interinstitutional negotiations.

As a reminder, the purpose of the Commission's 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).

The main amendments adopted in plenary concern the following points:

Specificities of the spirit drinks sector: Parliament stressed the **special feature** of the measures applicable to spirit drinks which relates to the fact that traditional production methods shall continue to be kept alive, that spirit drinks are closely linked with the agricultural sector, the use of high-quality products, and the commitment to protecting consumer safety. The new Regulation is expected to preserve a high standard of quality in order to maintain the reputation and value of the spirit drinks sector.

Protection of existing geographical indications: Members considered that existing geographical indications, for which a corresponding technical file has already been presented, must be automatically protected as geographical indications by the new Regulation and there must not be any way in which they could lose their protection after the new Regulation comes into force.

The electronic register of geographical indications established by the Regulation shall be **transparent, complete and easily accessible** and shall have the same legal value as Annex III to Regulation (EC) No 110/2008 on geographical indications (Annex deleted by the proposal for the Commission and transformed into an electronic register). Geographical indications registered under Regulation (EC) No 110/2008 should be automatically entered in this register by the Commission.

Origin of ethyl alcohol and distillates and classification of spirit drinks: Members stated that where ethyl alcohol or distillates of agricultural origin are to be marketed, the **raw materials** from which they have been obtained shall be specified in their electronic accompanying documents.

In addition, spirit drinks under categories 1 to 14 in Annex II **should not be sweetened** except to round off the final taste of the product. Members stated that the maximum content of sweetening products expressed as invert sugar shall not exceed the thresholds set out for each category in Annex II.

Labelling in the case of added alcohol: where there has been addition of alcohol, diluted or not, to a spirit drink listed in categories 1 to 14 of Annex II, that spirit drink shall bear the sales denomination 'spirit drink'.

A **maturation period** or age may only be specified in the presentation or labelling of a spirit drink where it refers to the youngest alcoholic component and provided that all the operations to age the spirit drink took place under supervision of the tax authorities of a Member State or supervision affording equivalent guarantees. The Commission shall set up a **public register** listing the bodies appointed by each Member State to supervise ageing processes.

Where the **origin of a spirit drink** is indicated, it shall correspond to the place or region where the stage in the production process of the finished product which conferred on the spirit drink its character and essential qualities took place.

Language used for the names of spirit drinks: the proposal specifies that the terms appearing in italics in Annex II shall not be translated either on the label or in the presentation of the spirit drink. However, it is clarified that in the case of spirit drinks produced in the Union and intended for export, the geographical indications and the terms indicated in italics in Annex II may be accompanied by translation where such translation is a legal requirement of the importing country.

Protection of geographical indications: in order to strengthen protection and combat counterfeiting more effectively, Members suggested that this protection should also apply with regards to goods which are in **transit** through the Union Customs territory.

Delegated powers: the Commission shall be able to adopt delegated acts (and not implementing acts) as regards decisions concerning the **registration and cancellation of the registration of a geographical indications**, the **updating of the accessible electronic register** to the public and inclusion in the register of spirit drinks produced in third countries which are protected in the Union under an international agreement to which the Union is a contracting party.

As for the Commission's power to adopt delegated acts, Members proposed to limit this delegation to a renewable **five-year period**.

When adopting delegated acts to modify the technical definitions provided for in Annex I, the Commission shall take into consideration **traditional practices**.

Lastly, technical amendments have been introduced in Annex II to address the omissions or inconsistencies in the current Regulation.