

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

2016/0392(COD) - 13/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 637 votes to 14, with 26 abstentions, a legislative resolution on 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 European Parliament's position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Specificities of the spirit drinks sector

The rules applicable to spirit drinks should contribute to attaining a high level of consumer protection, removing information asymmetry, preventing deceptive practices and attaining market transparency and fair competition.

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 indication. Geographical indications registered under the aforementioned Regulation should be automatically entered in this register by the Commission.

Origin of ethyl alcohol and distillates and classification of spirit drinks

The alcohol and distillates used in the production of spirit drinks and to dilute or dissolve colours, flavours or any other authorised additive used in the preparation of such drinks should be ethyl alcohol of agricultural origin or derived from beer.

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.

Sales names

The use of the names of plant raw materials which are used as the legal names of certain spirit drinks shall be without prejudice to the use of the names of those plant raw materials in the presentation and labelling of other foodstuffs. The names of such raw materials may be used in the description, presentation or labelling of other spirit drinks, provided that such use does not mislead the consumer.

Labelling

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. Members proposed limiting this delegation of power 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.