Spirit drinks: definition, description, presentation, labelling and the protection of geographical indications

2005/0028(COD) - 15/12/2005 - Legislative proposal

PURPOSE : to update the EU spirit drinks legislation.

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

CONTENT : Council Regulation 1576/89/EEC of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks and Commission Regulation 1014/90/EEC of 24 April 1990 laying down detailed implementing rules on the definition, description and presentation of spirit drinks have proved successful in regulating the spirit drinks sector. However, in the light of recent experience it is necessary to clarify the rules applicable to the definition, description, presentation and protection of certain spirit drinks. Regulation 1576/89/EC should therefore be repealed and replaced by a new Regulation.

This proposal aims in particular to update the EU spirit drinks legislation. Based on existing EU legislation on spirit drinks, it largely enhances applicability, readability and clarity, by adapting the regulations to new technical requirements. The draft includes a well defined policy for spirit drinks based on three product categories rooted in the current product definitions. TRIPS and WTO requirements are included to safeguard the protection of EU geographical indications on the world market.

Spirit drinks are classified in three categories according to well-defined criteria of production and labelling: spirits, specific spirit drinks and other spirit drinks. The definitions continue to respect the traditional quality practices but are updated where previous definitions were lacking or insufficient or where such definitions may be improved in the light of technological development.

The main aspects which guided the draft of this regulation are the following:

- enhance applicability, readability and clearness of the regulation based on the present legislation on spirit drinks;

- combine the two spirit drinks regulations into one regulation;

- introduce a well defined policy for spirit drinks based on three product categories rooted in the present definitions of products;

- introduce flexibility by shifting the competence to amend Annexes from the present co-decision procedure of European Parliament and Council to the Commission supported by the Management Committee on Spirit Drinks;

- adaptation of the regulations to new technical requirements;

- adaptation of the regulations to WTO requirements, including TRIPs;

- definition of criteria guiding recognition of new geographical indications.