Basic information

2005/0028(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Spirit drinks: definition, description, presentation, labelling and the protection of geographical indications Amended by 2006/0147(COD) Amended by 2018/0097(COD) See also 2013/2524(RPS) **Subject** 3.10.06.08 Wine, alcoholic and non-alcoholic beverages 4.60.02 Consumer information, advertising, labelling 4.60.04.04 Food safety	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	SCHNELLHARDT Horst (PPE-DE)	21/02/2006

Committee for opinion	Rapporteur for opinion	Appointed
IMCO Internal Market and Consumer Protection	TITLEY Gary (PSE)	21/02/2006
AGRI Agriculture and Rural Development (Associated committee)	BUSK Niels (ALDE)	26/01/2006

Committee for opinion on the legal basis	Rapporteur for opinion	Appointed
JURI Legal Affairs	SPERONI Francesco Enrico (NI)	21/06/2006

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2758	2006-10-24
Agriculture and Fisheries	2841	2007-12-17
Agriculture and Fisheries	2793	2007-04-16

European Commission

Commission DG	Commissioner
Agriculture and Rural Development	FISCHER BOEL Mariann

Key events

Date	Event	Reference	Summary
15/12/2005	Legislative proposal published	COM(2005)0125	Summary
17/01/2006	Committee referral announced in Parliament, 1st reading		
06/07/2006	Referral to associated committees announced in Parliament		
24/10/2006	Debate in Council		Summary
30/01/2007	Vote in committee, 1st reading		Summary
12/02/2007	Committee report tabled for plenary, 1st reading	A6-0035/2007	
16/04/2007	Debate in Council		
18/06/2007	Debate in Parliament		
19/06/2007	Decision by Parliament, 1st reading	T6-0259/2007	Summary
19/06/2007	Results of vote in Parliament		
17/12/2007	Act adopted by Council after Parliament's 1st reading		
15/01/2008	Final act signed		
15/01/2008	End of procedure in Parliament		
13/02/2008	Final act published in Official Journal		

Technical information

Procedure reference	2005/0028(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2006/0147(COD) Amended by 2018/0097(COD) See also 2013/2524(RPS)
Legal basis	EC Treaty (after Amsterdam) EC 095
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/32815

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	AGRI	PE370.277	04/10/2006	

Committee opinion	IMCO	PE376.566	11/10/2006	
Amendments tabled in committee		PE378.844	12/12/2006	
Committee opinion	JURI	PE382.435	12/12/2006	
Committee draft report		PE374.473	29/01/2007	
Committee report tabled for plenary, 1st reading/single reading		A6-0035/2007	12/02/2007	
Text adopted by Parliament, 1st reading/single reading		T6-0259/2007	19/06/2007	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	03631/2007/LEX	15/01/2008	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0125	15/12/2005	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1354/2006	26/10/2006	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2008/0110
OJ L 039 13.02.2008, p. 0016 Summary

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

2005/0028(COD) - 19/06/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Horst **SCHNELLHARDT** (EPP-ED, D), and made some amendments to the Commission's proposal. The amendments were the result of a compromise between Parliament and Council, and the compromise was supported in plenary. The resolution was adopted by 522 votes for, 148 against and 15 abstentions. The key issues were the definition of vodka and whiskey names.

Vodka: MEPs settled on a definition of vodka that would allow the drink to be produced from any agricultural material, such as grapes, rice or any other agricultural product provided that they are appropriately labelled. The Environment Committee's position had suggested that traditional vodka only be made from grain, potatoes or sugar beet molasses. (Please see the summary of 30/01/2007.) Vodkas made from other raw materials would have had to clearly indicate what they were made from, with a large label on the bottle (2/3 of the size of the word 'Vodka' on the label. The approach adopted in plenary states that traditional vodka may only be made from grain or potatoes (not molasses), and other raw materials may only be used if they are clearly indicated on the label. Vodkas made from other agricultural raw materials will have to carry the wording ‘produced from. ’ The size of this label, however, would not be specified. Some MEPs from traditional vodka-producing Member States (Denmark, Estonia, Finland, Latvia, Lithuania, Poland, and Sweden) would have preferred to allow the term 'vodka' only to be applied to spirits made from grain, potatoes and molasses, but their amendments failed to garner enough support among MEPs.

Whiskey: the plenary agreed with the decision of the Environment Committee on this issue. The House voted for existing geographical names to remain valid. These may be supplemented by additional descriptions provided they are regulated at national or regional level or are included in the technical specifications, such as "single malt" and/or "Highland" for Scotch whisky. Applications for geographical designations must justified by the Member State of origin. Certain MEPs had argued for equal treatment for vodka and whisky, stating that it was unacceptable that vodka was an open trademark whereas there are a number of restrictions for other registered trademarks such as whisky, champagne and cognac. However, this was rejected on the grounds that, in the case of vodka, the raw material used does not affect the quality of the product.

Spirit drinks: the Commission's proposal had originally suggested establishing three categories of spirit drinks, which the Environment Committee rejected, arguing for a single category of 'spirit drinks'. This single category was maintained in the compromise with the Council.

Flavourings: the plenary agreed with the Environment Committee and felt that flavourings should be banned for some spirits (such as rum, whisky, cereals-based spirits and wine, brandy) except for the addition of caramel as a colouring substance. Other spirits might contain additions of alcohol (only of agricultural origin), of colouring substances, sweeteners and flavourings.

Comitology: the regulatory procedure with scrutiny will apply to certain aspects of the Regulation, such as the amendment of the Annexes, the establishment of a Community symbol for geographical indications for the spirit drinks sector, and to resolve specific practical problems, such as by making it obligatory, in certain cases, to state the place of manufacture on the labelling to avoid misleading the consumer and to maintain and develop Community reference methods for the analysis of spirit drinks.

Entry into force: although the Environment Committee had argued for a two-year transitional period, Parliament decided that the legislation will apply three months after the entry into force of the regulation.To facilitate the transition from the rules provided for in Regulation (EEC) No 1576/89, the production of spirit drinks under that Regulation will be permitted during the first year of application of the Regulation. The marketing of existing stocks is also be foreseen until their exhaustion.

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.

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

2005/0028(COD) - 15/01/2008 - Final act

PURPOSE: to establish new rules on spirit drinks.

LEGISLATIVE ACT : Regulation (EC) N° 110/2008 of the European parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) N° 1576/89.

CONTENT: the Council adopted, by qualified majority, this Regulation on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks. The Polish and Swedish delegations voted against and the Lithuanian delegation abstained.

The aims of the Regulation are:

- to clarify the current rules on the production and marketing of spirit drinks, adapting them to new technical requirements (manufacturing requirements, permitted colourings and flavourings, names and labelling);
- to specify the numerous categories and geographical indications for the manufacture and/or denomination of typical drinks from many countries, such as aquavit, brandy, fruit spirit (kirsch), genever, grappa, gin, jagertee, kummel, ouzo, pastis, rum, vodka, whisky and slivovitz;
- to adapt Community legislation to take account of the latest enlargements and the requirements of the World Trade Organisation (WTO), including Trade-Related Aspects of Intellectual Property Rights (TRIPS);
- to define the criteria for the future recognition of new geographical indications.

The Regulation applies to all spirit drinks placed on the market in the Community whether produced in the Community or in third countries, as well as to those produced in the Community for export. The Regulation also applies to the use of ethyl alcohol and/or distillates of agricultural origin in the production of alcoholic beverages and to the use of the names of spirit drinks in the presentation and labelling of foodstuffs.

In exceptional cases where the law of an importing third country so requires, the Regulation allows for a derogation to be granted from the provisions of Annexes I and II in accordance with the regulatory procedure with scrutiny.

ENTRY INTO FORCE: 20/02/2008.

APPLICATION: 20/05/2008.

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

2005/0028(COD) - 24/10/2006

The Presidency noted that a broad majority within the Council could support the general approach on the proposal for a Regulation on the definition, description, presentation and labelling of spirit drinks, as a preliminary basis for discussions with the European Parliament.

The Council noted the views expressed by delegations and the intention of the Presidency to keep the Special Committee on Agriculture fully informed and updated on its discussions with the European Parliament, as well as to return to the legal and WTO aspects of this file.

The aim of the Finnish Presidency is to make as much progress as possible on this proposal towards reaching a political agreement with the European Parliament at first reading.