Basic information

2016/0392(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Spirit drinks: definition, presentation and labelling; use of names in the presentation and labelling of other foodstuffs; protection of geographical indications Amended by 2022/0089(COD) **Subject** 3.10.03 Marketing and trade of agricultural products and livestock 3.10.06.08 Wine, alcoholic and non-alcoholic beverages 3.10.10 Foodstuffs, foodstuffs legislation 4.60.02 Consumer information, advertising, labelling	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	AYUSO Pilar (PPE)	16/02/2017
	Shadow rapporteur MELIOR Susanne (S&D) PIECHA Bolesław G. (ECR) MÜLLER Ulrike (ALDE) BOYLAN Lynn (GUE/NGL) PEDICINI Piernicola (EFDD) D'ORNANO Mireille (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
INTA International Trade	DANTI Nicola (S&D)	23/01/2017
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
AGRI Agriculture and Rural Development	DELAHAYE Angélique (PPE)	02/03/2017

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3685	2019-04-09

European Commission	**Commission DG** / **Commissioner** Agriculture and Rural Development / HOGAN Phil
European Economic and Social Committee	

Key events

Date	Event	Reference	Summary
01/12/2016	Legislative proposal published	COM(2016)0750	Summary
12/12/2016	Committee referral announced in Parliament, 1st reading		
24/01/2018	Vote in committee, 1st reading		
02/02/2018	Committee report tabled for plenary, 1st reading	A8-0021/2018	Summary
28/02/2018	Debate in Parliament		
01/03/2018	Decision by Parliament, 1st reading	T8-0049/2018	Summary
01/03/2018	Results of vote in Parliament		
01/03/2018	Matter referred back to the committee responsible for interinstitutional negotiations		
22/01/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE632.784 PE632.959 GEDA/A/(2019)000009	
13/03/2019	Decision by Parliament, 1st reading	T8-0178/2019	Summary
13/03/2019	Results of vote in Parliament		
09/04/2019	Act adopted by Council after Parliament's 1st reading		
17/04/2019	Final act signed		
17/04/2019	End of procedure in Parliament		
17/05/2019	Final act published in Official Journal		

Technical information

Procedure reference	2016/0392(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amended by 2022/0089(COD)
Legal basis	Rules of Procedure EP 61 Treaty on the Functioning of the European Union TFEU 114-p1 Treaty on the Functioning of the European Union TFEU 043-p2
Other legal basis	Rules of Procedure EP 165

Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/8/08664

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE604.847	13/06/2017	
Amendments tabled in committee		PE610.577	11/09/2017	
Amendments tabled in committee		PE610.581	11/09/2017	
Committee opinion	INTA	PE606.055	27/10/2017	
Committee opinion	AGRI	PE604.734	21/11/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0021/2018	02/02/2018	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T8-0049/2018	01/03/2018	Summary
Committee letter confirming interinstitutional agreement		PE632.784	07/01/2019	
Text agreed during interinstitutional negotiations		PE632.959	16/01/2019	
Text adopted by Parliament, 1st reading/single reading		T8-0178/2019	13/03/2019	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2019)000009	10/12/2018	
Draft final act	00075/2018/LEX	17/04/2019	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2016)0750	01/12/2016	Summary
Commission response to text adopted in plenary	SP(2019)393	30/04/2019	
Follow-up document	COM(2025)0261	28/05/2025	
Follow-up document	COM(2025)0306	12/06/2025	

National parliaments

Document type	Parliament/Chamber	Reference	Date	Summary
Contribution	IE_HOUSES-OF-OIREACHTAS	COM(2016)0750	06/02/2017	

Contribution	PT_PARLIAMENT	COM(2016)0750	08/03/2017	
Contribution	IT_CHAMBER	COM(2016)0750	29/03/2017	
Contribution	EL_PARLIAMENT	COM(2016)0750	02/05/2017	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0058/2017	29/03/2017	

Additional information

Source	Document	Date
European Parliament	Briefing	
European Commission	EUR-Lex	

Final act

Corrigendum to final act 32019R0787R(02)
OJ L 316 06.12.2019, p. 0003

Corrigendum to final act 32019R0787R(05)
OJ L 178 20.05.2021, p. 0004

Regulation 2019/0787
OJ L 130 17.05.2019, p. 0001 Summary

Delegated acts

Reference	Subject
2021/2724(DEA)	Examen d'un acte délégué
2021/2572(DEA)	Examen d'un acte délégué
2021/2797(DEA)	Examen d'un acte délégué
2021/2640(DEA)	Examen d'un acte délégué
2021/2702(DEA)	Examen d'un acte délégué
2021/2725(DEA)	Examen d'un acte délégué
2022/2644(DEA)	Examen d'un acte délégué

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.

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

2016/0392(COD) - 19/05/2019 - Final act

PURPOSE: to clarify and improve the legal framework for the definition, description, presentation and labelling of spirit drinks, including their use in other foodstuffs and the protection of geographical indications (GIs).

LEGISLATIVE ACT: Regulation (EU) 2019/787 of the European Parliament and of the Council on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008.

CONTENT: this Regulation lays down rules on:

- the definition, description, presentation and labelling of spirit drinks, as well as on the protection of geographical indications of spirit drinks;

- the ethyl alcohol and distillates used in the production of alcoholic beverages; and

- the use of legal names of spirit drinks in the presentation and labelling of foodstuffs other than spirit drinks.

This Regulation applies to products that are 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.

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. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information.

The rules:

- stipulates that ethyl alcohol and distillates used for the production of spirit drinks must be exclusively of agricultural origin;

- ensures a certain level of harmonisation of the composition of spirit drinks at European level, for example as regards the maximum sugar content;

- specifies that an ageing period or age may only appear on the label if it refers to the youngest alcoholic component of the spirit drink and provided that all ageing operations of the spirit drink have been carried out under the fiscal control of a Member State or under a control offering equivalent guarantees;

- ensures clearer labelling of spirit drinks such as whisky, brandy, cognac or ouzo throughout the EU, in accordance with the rules on consumer information on foodstuffs laid down in Regulation (EU) No 1169/2011;

- provides for provisions on the use of compound terms and references in Member States for the presentation of spirit drinks in order to provide consumers with appropriate information, thereby avoiding misleading them;

- protects the interests of producers by strengthening the protection of geographical indications (GIs) in order to combat counterfeiting more effectively. The Commission must establish, by 8 June 2021 at the latest, an electronic register accessible to the public and updated with recognised geographical indications for spirit drinks.

The Commission may adopt delegated acts in order to take into account changes in consumer requirements, technical progress, international standards and the need to improve economic conditions for production and marketing, traditional ageing processes and the law of importing third countries, and to safeguard the legitimate interests of food producers and operators in the protection of geographical indications.

ENTRY INTO FORCE: 24.5.2019.

APPLICATION: from 25.5.2021.

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

2016/0392(COD) - 02/02/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Pilar AYUSO (EPP, ES) 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.

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 committee recommended that the European Parliament’s position adopted at first reading under the ordinary legislative procedure should amend the Commission proposal as follows.

Specificities of the spirit drinks sector: according to Members, compliance by the Member States' authorities with the Regulation shall help **maintain a high quality standard** in order to maintain the reputation and value of the spirit drinks sector.

An amendment emphasised 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.

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.

Delegated powers: Members introduced amendments to safeguard the rights of the European Parliament. The Commission shall thus 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**.

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.

Technical amendments have been introduced, adjusting the titles of categories of spirit drinks in Annex II, in the interests of greater clarity.

Consumer protection: Members stressed that the sector's **self-regulatory approach** to provide information on the ingredients and nutritional values of all alcoholic beverages shall ensure that **ingredients and nutritional information** are provided on-label and that such information complies with requirements on ‘Voluntary Food Information’ as set out in Regulation (EU) No 1169/2011 on the provision of food information to consumers.

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

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.

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.