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Proposal for a

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine and Regulation (EEC) No 817/70 laying down special provisions relating to quality wines produced in specified regions

(submitted to the Council by the Commission)

COM(79) 44 final.

EXPLANATORY MEMORANDUM

Regulations (EEC) Nos 816/70 and 817/70 authorize the addition of sucrose in aqueous solution to fresh grapes, grape must in fermentation and new wine still in fermentation until 30 June 1979. With the aim of establishing fair conditions of competition throughout the Community and of discouraging the vinification of unripe grapes, it appears advisable to abandon this practice. However, in part of wine-growing zone A such a prohibition seems scarcely to be possible at the moment, since a certain method of de-acidification is not yet familiar to all producers. It is therefore necessary to extend for a relatively short period of time the period during which the addition of sucrose in aqueous solution is authorized solely in the regions where this practice is traditional and in respect of products made from particularly acidic varieties.

Moreover, experience has shown that drinks such as cider and, also, powders used in making drinks at the purchaser's premises are sometimes sold under descriptions such as "Chablis type", "Burgundy type" or "Bernkastel". Such practices are liable to create an erroneous impression on the part of the consumer as to the nature and origin of the drink in question. It is thus advisable to take steps to put an end to these practices.

The adoption of this proposal for a Regulation involves no financial charge on the Community budget.

PROPOSAL FOR
COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine and Regulation (EEC) No 817/70 laying down special provisions relating to quality wines produced in specified regions

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Council Regulation (EEC) No 816/70⁽⁴⁾ as last amended by Regulation (EEC) No 3065/78⁽⁵⁾ and Council Regulation (EEC) No 817/70⁽⁶⁾ as last amended by Regulation (EEC) No 2211/77⁽⁷⁾, authorized the addition of sucrose in aqueous solution to fresh grapes, grape must, grape must in fermentation or new wine still in fermentation in certain regions of wine-growing zone A only until 30 June 1979; whereas certain de-acidification practices are not yet familiar to all wine producers in the regions concerned;

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(4) OJ No L 99, 5. 5.1970, p. 1

(5) OJ No L 366, 28.12.1978, p. 9

(6) OJ No L 99, 5. 5.1970, p.20

(7) OJ No L 256, 7.10.1977, p. 1

Whereas, in order to establish fair conditions of competition throughout the Community and to discourage the vinification of unripe grapes, it appears advisable to extend until 15 March 1981 the possibility of using sucrose in aqueous solution, though solely in the case of products made from grapes of certain varieties and from regions to be determined in wine-growing zone A;

Whereas it has been found in recent years that drinks not covered by the wine sector and certain basic raw materials used in producing these drinks are being marketed which are described by the name of a specific region or of a geographical unit which is normally used for describing a wine; whereas these trade practices are liable to mislead the consumer as to the nature and origin of the product thus described and to injure the interests of wine producers;

Whereas, with a view to informing consumers correctly and providing appropriate protection for the legitimate interests of wine producers, it is necessary to make explicit the prohibition on the use of the name of a specific region or geographical unit, of a traditional specific indication, of an additional traditional indication which is recognized by a Member State or non-member country as belonging to a wine or of the name of a variety of wine in respect of drinks which are not referred to in Article 1(2) of Regulation (EEC) No 816/70 as well as in respect of raw materials other than wine-growing raw materials,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 19(3) of Regulation (EEC) No 816/70 is amended to read as follows:

"However, until 15 March 1981, sucrose may be added in aqueous solution solely in the case of products

- which are made from varieties of vine which yield relatively acidic grapes and
- which derive from grapes harvested in certain wine-growing regions to be defined in the northern part of wine-growing zone A in which this practice is traditional and customary,

provided that the increase in volume of the product to which the solution is added is not greater than 15%."

Article 2

Regulation (EEC) No 817/70 is amended as follows:

1. The fifth subparagraph of Article 7(2) is amended to read as follows:

"However, until 15 March 1981, sucrose may be added in aqueous solution solely in the case of products

- which derive from varieties of vine which yield relatively acidic grapes and

- which are made from grapes harvested in certain specific regions to be defined in the northern part of wine-growing zone A in which this practice is traditional and customary,

provided that the increase in volume of the product to which the solution is added is not greater than 10%.

2. The following text is added to Article 12:

"3a. The name of a specific region or geographical unit, a specific traditional indication, an additional traditional indication which is recognized by a Member State or non-member country as belonging to a wine or the name of a variety of wine may not be used for describing either a drink which is not referred to in Article 1(2) of Regulation (EEC) No 816/70 or a product which is clearly intended for use as a basic raw material for such a drink.

However, this prohibition shall not apply in the case of wine-based or grape marc-based potable spirits."

Article 3

This Regulation shall enter into force on 1 July 1979.

However, Article 2(2) shall apply from 1 January 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

Draft Council Declaration

The Council notes the Commission's intention to amend Article 3 of Regulation (EEC) No 1594/70 in such a manner that the addition of sucrose in aqueous solution to fresh grapes, grape must, grape must in fermentation or new wine still in fermentation remains authorized until 15 March 1981 only in the Regierungsbezirke Trier, Koblenz and Köln and in the Landkreis Merzig in the Federal Republic of Germany in the case of products derived from the Riesling and Elbling varieties.

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