

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 543 final

Brussels, 29 September 1981

Proposal for a
COUNCIL REGULATION (EEC)

amending for the third time Regulation (EEC) No 355/79
laying down general rules for the description and
presentation of wines and grape musts

(submitted to the Council by the Commission)

COM(81) 543 final

EXPLANATORY MEMORANDUM

The propose of this proposed Regulation is to amend Regulation (EEC) N° 355/79 laying down general rules for the discription and presentation of wines and grape musts. The amendments concern the following points :

- Extension for two years of the transitional period during which indication of the actual alcoholic strength is optional. The arrangements wiht regard to indication of actual alcoholic strength vary from Member State to Member State, and more time is needed to work out a definitive Community system,
- Extension for two years of the transitional period during which indication of a reference to the bottling of a quality wine psr in the area of production may be made, in order to enable the bottlers concerned to make the necessary adjustments,
- Introduction of the possibility of designating table wines resulting rfrom the coupage of wines from various Member States by indicating the Member States from which the wines used for this coupage come,
- Authorization to the Member States to permit certain indications on the labels of wines which are made in an official language of the Community to be accompanied by their translation in another language.

Adoption of this Regulation will not involve any expenditure in the Community budget.

PROPOSAL FOR
COUNCIL REGULATION (EEC)

amending for the third time Regulation (EEC) N° 355/79
laying down general rules for the description and
presentation of wines and grape musts

THE COUNCIL OF THE EUROPEAN COMMUNITIES?

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) N° 337/79 of 5 February 1979 on the common organization of the market in wine (1), as last amended by Regulation (EEC) N° 3456/80 (2), and in particular Article 54(1) thereof,

Having regard to the proposal from the Commission,

Whereas ^{Council} Regulation (EEC) N° 355/79 (3), as last amended by Regulation (EEC) N° 1016/81 (4), laid down general rules for the description and presentation of wines and grape musts ;

Whereas, at present, indication of the actual alcoholic strength by volume is optional and has been regulated only for a transitional period, by Regulation (EEC) N° 355/79 ; whereas, in accordance with Article 3(3), Article 13(3) and Article 30(4) of that Regulation, the Council should decide not later than 31 August 1981 on the common arrangements regarding the indication of the alcoholic strength by volume of wine to apply after that date ; whereas, moreover, Article 6(3) of Council Directive 79/112/EEC of 18 December 1979 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (5) provides that the Council should, before expiry of a period of four years

(1) OJ N° L 54, 05.03.1979, p. 1

(2) OJ N° L 360, 31.12.1980, p. 18

(3) OJ N° L 54, 05.03.1979, p. 99

(4) OJ N° L 103, 15.04.1981, p. 7

(5) OJ N° L 33, 08.02.1979, p. 1

following notification of the Directive, determine the rules for labelling regarding alcoholic strength ; whereas, in order to coordinate application of these Community provisions and to allow time for more thorough study of the question of the indication of the actual alcoholic strength by volume, the date laid down for the Council Decision should be postponed for two years ;

Whereas experience has shown that the expression "wine from different countries of the European Community" as a designation for table wines resulting from a coupage of products from various Member States is neither easily understood nor appreciated by consumers, in particular in certain Member States ; whereas provision should therefore be made, as an alternative, for another wording of the designation for these wines, and for the Member States to be allowed to prohibit one or other of the two;

Whereas in order to respect multilingualism in the Community and to ensure full information readily understood by consumers, Member States should be authorized to allow certain indications on labels of wine and grape musts, made in one official language of the Community, to be repeated in another language, provided that use of this language is traditional and customary in the Member State concerned or in part of its territory ;

Whereas the withdrawal, planned for 31 August 1981, of the right to state that a quality wine *pst* has been bottled in the production area could well weaken the competitive capacity of some bottlers ; whereas in order to facilitate the transition to the situation resulting from the withdrawal of this right, the date referred to in Article 12(2)(r) of Regulation (EEC) N° 355/79 should be postponed by two years ;

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) N° 355/79 is hereby amended as follows :

in Article 12(2)(r), in

1. The date "31 August 1981" in the second subparagraph of Article 3(3), the second subparagraph of Article 13(3) and ⁱⁿ the first subparagraph of Article 30(4) is replaced by "31 August 1983".

2. Article 2(1)(d) and (e) are hereby replaced by the following :

" (d) in the case of :

- consignment to another Member State or export : the Member State in whose territory the grapes were harvested and turned into wine, provided that both these operations took place in the same Member State ;
- table wine which was made in a Member State other than that in which the grapes were harvested : the initials "EEC" ;

(e) in the case of table wine resulting from coupage :

- of products originating in more than one Member State, either the words "wine from different countries of the European Community" or the words "wine from" followed by the indication of the Member State from which the wine used for this coupage came,
- of a table wine referred to in the second indent of (d) with another table wine or with another product with which coupage is permitted for the production of table wine, the words "wine from different countries of the European Community".

(f) in the case of the table wines referred to in the third indent of point 11 of Annex to Regulation (EEC) No 337/79: the word "retsina". "

3. The following paragraph 5a is inserted in Article 3:

"5a. For the designation of table wine resulting from a coupage undertaken on their territory, Member States may prohibit the use of one of the two indications referred to in the first indent of Article 2(1)(e)."

4. Article 3(6) is replaced by the following :

"6. Subject to the provisions of the following subparagraphs, the information specified in Article 2 shall be given in one or more of the official languages of the Community. For table wines in circulation on their territory, Member States may permit this information also to be given in a language other than an official language of the Community, provided that the use of this language is traditional and customary in the Member State concerned or in part of its territory.

One of the official languages of the Member State of origin shall be used :

- for the name of a geographical unit which is smaller than the Member State, as referred to in Article 2(3)(a), and
- for the information in respect of bottling, as referred to in Article 2(3)(f).

The information referred to in the second subparagraph may

- also be given in another official language of the Community, or in a language other than an official language, under the conditions referred to in the first subparagraph, or
- be given solely in another official language of the Community, where the latter is equated with the official language in that part of the territory of the Member State of origin in which the geographical unit referred to is situated,

where these practices are traditional and customary in the Member State concerned ;

It may be decided that the information as to :

- the type of product or a particular colour, as referred to in Article 2(2)(h),
- the method of production of the table wine, as referred to in Article 2(3)(d), and
- the natural or technical conditions governing the production or the ageing of the table wine, as referred to in Article 2(3)(h),

is to be provided solely in one of the official languages of the Member State of origin ;

Except for derogations authorized by the Member State to take account of commercial practices on their territory, indication of the words "wine from different countries of the European Community" referred to in Article 2(1)(e) shall be repeated, on a supplementary label if necessary, in an official language of the Member State in which the wine is offered to the consumer, if this indication appears on the label in another official language of the Community ; it may also be repeated in a language other than an official language referred to in the first subparagraph and permitted by that Member State.

For the description of tables wines intended for export provision may be made under the implementing rules for other languages to be used.

5. Article 13(6) is replaced by the following :

"6. Subject to the provisions of the following subparagraphs, the indications referred to in Article 12 shall be made in one or more of the official languages of the Community. As regards the quality wines psr in circulation on their territory, Member States may permit these indications to be made in a language other than an official language of the Community as well, provided that use of this language is traditional and customary in the Member State concerned or in part of its territory.

Indication of one of the specific traditional expressions referred to in (a), (b), (c) or (d) of the second subparagraph of Article 16(5) of Regulation (EEC) N° 338/79 may be given solely in the official language of the Member State of origin.

The official language of the Member State of origin shall be used for :

- the name of the specified region in which the quality wine psr originates,
- the name of a geographical unit which is smaller than the specified region referred to in Article 12(2)(1),
- the name of the vineyard or group of vineyards as referred to in Article 12(2)(m), and

- information in respect of bottling as referred to in Article 12(2)(q),

However the information specified in the third subparagraph may :

- also be given in another official language of the Community, or in a language other than an official language under the conditions referred to in the first subparagraph or
- be given solely in another official language of the Community where the latter is equated with the official language in that part of the territory of the Member State of origin in which the specific region referred to is situated,

Where such practices are traditional and customary in the Member State concerned ;

It may be decided that the information as to :

- the method of production, the type of product or a particular colour as referred to in Article 12(2)(k), and
- the natural or technical conditions governing the production or the ageing of the quality wine psr, as referred to in Article 12(2)(t),

shall be provided solely in the official language of the Member State of origin.

For the description of quality wines psr intended for export, the implementing procedure may allow other languages to be used.

5. Article 23(4) is replaced by the following :

"4. In the description of products other than table wine and quality wines psr on the labelling, the information specified in Article 22 shall be given in one or more of the official languages of the Community.

This information may also be given in a language other than an official language of the Community provided that the use of this language is traditional and customary in the Member State concerned or in part of its territory.

For the description of products other than table wines and quality wines psr intended for export, provision may be made under the implementing rules for other languages to be used."

7. The first subparagraph of Article 30(7) is replaced by the following :

"7. In the description of imported products on the labelling, the information specified in Articles 27, 28 and 29 shall be given in one or more of the official languages of the Community. For imported products put into circulation on their territory, Member States may permit the information also to be given in a language other than an official language of the Community provided that use of this language is traditional and customary in the Member State concerned or in part of its territory."

Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

Article 1(1) shall apply with effect from 1 September 1981.

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

Done at Brussels,

For the Council
The President