



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.11.1995
COM(95)570 final

95/0287 (COD)

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL REGULATION (EC)

**amending Regulation (EEC) No 1601/91 laying down general rules
on the definition, description and presentation of aromatized wines,
aromatized wine-based drinks and aromatized wine-product cocktails**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The purpose of this proposal is to amend Council Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-base drinks and aromatized wine-product cocktails.

The main amendments concern:

- the use of grape must in addition to wines and the minimum presence of wines used in the preparation of aromatized wines and aromatized wine-based drinks,
- clarification of the rules on the processes which may be used for aromatized wines,
- the definition of Glühwein.

The measure has no financial consequences for the budget.

Proposal for a
European Parliament and Council Regulation (EC) No

of

**amending Regulation (EEC) No 1601/91 laying down general rules
on the definition, description and presentation of aromatized wines,
aromatized wine-based drinks and aromatized wine-product cocktails**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 43 and 100a thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 189b of the Treaty^{*},

Whereas to take account of certain traditional practices in some Member States, it is necessary to lay down that aromatized wines may also be prepared from fresh grape must with fermentation arrested by the addition of neutral alcohol of vinous origin; whereas the definition of aromatized wines must accordingly be amended in this regard;

Whereas the provision on the minimum proportion of wine present in aromatized wine in the case of enriched wines originating in different production zones is nearly impossible to monitor; whereas it is therefore necessary to adjust this provision;

Whereas the definition of *Glühwein* must take account of certain developments in the sector; whereas, on the one hand, the addition of water must be explicitly forbidden and, on the other hand, the possibilities for sweetening it with products other than sugar must be expanded;

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- Opinion of the European Parliament of ...
 - Common position of the Council of ...
 - Decision of the European Parliament of ...

Whereas the wording of Article 5 concerning the processes for the products covered by Council Regulation (EEC) No 1601/91¹, as last amended by the Act of Accession of Austria, Finland and Sweden and Regulation (EC) No 3378/94², needs to be clarified, especially where no Community rules exist in this regard,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1601/91 is hereby amended as follows:

1. In Article 2(1)(a)

i) the text of the first indent is replaced by the following:

"- obtained from wines defined in points 12 to 18 of Annex I to Regulation (EEC) No 822/87³, as last amended by Regulation (EC) No 1544/95⁴, with the exception of *retsina* table wine, including the quality wines produced in specific regions and defined in Article 1(2) of Regulation (EEC) No 823/87⁵, as last amended by Regulation (EEC) No 3896/91⁶, possibly with added grape must and/or grape must in fermentation,

and/or

- fresh grape must with fermentation arrested by the addition of alcohol defined in point 5 of Annex I to Regulation (EEC) No 822/87."

ii) the text of the penultimate subparagraph is replaced by the following:

"the wine and/or musts used in the preparation of an aromatized wine must, before possible enrichment with non-vine products, must be present in the finished product in a proportion of not less than 75%. Article 5 notwithstanding, the minimum natural alcoholic strength by volume of the products used shall be that provided for in Article 18(1) of Regulation (EEC) No 822/87."

¹ OJ No L 149, 14. 6.1991, p. 1.

² OJ No L 366, 31.12.1994, p. 1.

³ OJ No L 84, 27. 3.1987, p. 1.

⁴ OJ No L 148, 30. 6.1993, p. 31.

⁵ OJ No L 84, 27. 3.1987, p. 59.

⁶ OJ No L 368, 31.12.1991, p. 3.

2. In Article 2(3)(f) *Glühwein*, the first sentence is replaced by the following:
"an aromatized drink obtained exclusively from red or white wine, without added water, flavoured mainly with cinnamon and/or cloves; this drink may be sweetened in accordance with Article 3(a);"
3. Article 5 is replaced by the following:

"Article 5

1. The oenological processes and practices laid down in accordance with Regulation (EEC) No 822/87 shall apply to the wines and musts which are included in the composition of the products listed in Article 1.
2. The processes for the non-vine intermediate products and raw materials that are necessary for the preparation of the finished products referred to in this Regulation may be established in accordance with the procedure laid down in Article 14. The Member States shall apply specific rules in this regard in so far as such rules are compatible with Community law."

Article 2

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

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

Done at

For the European Parliament

For the Council

FINANCIAL STATEMENT

Date: _____

1. BUDGET HEADING: 16 APPROPRIATIONS:
ECU 1 515 million

2. TITLE:

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-products cocktails.

3. LEGAL BASIS:
Council Regulation (EEC) No 1601/91

4. AIMS:

Amendment of the definition of aromatized wines to take account of certain traditional practices in certain Member States.

5. FINANCIAL IMPLICATIONS:	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (95)	FOLLOWING FINANCIAL YEAR (96)	
	(ECU million)	(ECU million)	(ECU million)	
5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL AUTHORITIES - OTHER	-	-	-	
5.1. REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-	-	-	
	1997	1998	1999	2000
5.0.1. ESTIMATED EXPENDITURE				
5.1.1. ESTIMATED REVENUE				

5.2. METHOD OF CALCULATION:

- 6.0. CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET? YES/NO
- 6.1. CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET? YES/NO
- 6.2. WILL A SUPPLEMENTARY BUDGET BE NECESSARY? YES/NO
- 6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

OBSERVATIONS

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