



COMMISSION OF THE EUROPEAN COMMUNITIES

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96/0007 (CNS)
96/0008 (CNS)

Proposal for a
COUNCIL REGULATION (EC)
amending Regulation (EEC) No 823/87 laying down special provisions
relating to quality wines produced in specified regions

Proposal for a
COUNCIL REGULATION (EC)
amending Regulation (EEC) No 2392/89 laying down general rules
for the description and presentation of wines and grape musts

Proposal for a
COUNCIL REGULATION (EC)
amending Regulation (EEC) No 2332/92 on sparkling wines
produced in the Community

Proposal for a
COUNCIL REGULATION (EC)
amending Regulation (EEC) No 2333/92 laying down general rules
for the description and presentation of sparkling wines
and aerated sparkling wines

(presented by the Commission)

EXPLANATORY MEMORANDUM

The draft proposal amends four Council Regulations.

The main changes are:

I. In the case of Regulation (EEC) No 823/87:

- provision is made whereby specific traditional terms can be used in Germany for quality wines produced in a specified region (quality wines psr);
- for a transitional period the name of a new quality wine psr can be used by the table wines that traditionally use that name.

II. In the case of Regulation (EEC) No 2392/89:

provision is made:

- for certain terms that may be used in respect of table wines described using a geographical reference in Italy or the UK;
- for the option of using three vine varieties on the labelling of table wines described using a geographical reference, of quality wines psr and of wines from non-Member countries described using a geographical reference;
- to extend by three years the option for Member States to allow a quality wine psr to bear the name of a more restricted geographical unit than a specific region when at least 85% of the grapes used come from the unit in question;
- to end the requirement to draw up a list of wines imported from non-Member countries that are entitled to use a geographical name on their labelling.

III. In the case of Regulation (EEC) No 2332/92:

- a single minimum fermentation period of 90 days is proposed for all of the different fermentation methods used for sparkling wines.

IV. In the case of Regulation (EEC) No 2333/92:

- the Member States must make it compulsory to indicate a single wine-maker on the labelling;
- the detailed information for the consumer on sugar content is laid down;
- the criteria are strengthened for using the name of a variety on sparkling wine labels;
- the names of 3 vine varieties may be used on sparkling wine labels;
- minimum production and wine-making conditions are laid down for use of the term "crémant";
- provision is made to restrict use of the "champagne"-type bottle to sparkling wines and drinks that have traditionally used it.

I. Proposal for a
COUNCIL REGULATION (EC) No /
of

96/0007 (CNS)

**amending Regulation (EEC) No 823/87 laying down special provisions
relating to quality wines produced in specified regions**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

Whereas new specific traditional terms have been defined in Germany; whereas those terms should be included in Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specified regions⁴, as last amended by Regulation (EEC) No 3896/91⁵, to ensure protection in all Member States;

Whereas, by virtue of Article 15(4) of Regulation (EEC) No 823/87, the name of a specified region attributed by a Member State to a quality wine psr may not be used for the designation of other wine-sector products; whereas, however, the creation of new designations of origin should be authorized whose names were previously used for certain table wines; whereas provision should also be made for a transitional period during which those names may be used concurrently to enable traditional users to adjust to the new situation,

¹ OJ No C

² OJ No C

³ OJ No C

⁴ OJ No L 84, 27. 3.1987, p. 59.

⁵ OJ No L 368, 31.12.1991, p. 3.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 823/87 is hereby amended as follows:

1. In Article 15(2)(a) the following indents are added:

- "Qualitätswein garantierten Ursprungs"
- "Qualitätsschaumwein garantierten Ursprungs".

2. The third subparagraph of Article 15(4) is replaced by the following:

"Notwithstanding the first subparagraph, a Member State may, where a traditional practice is in accordance with the rules in that Member State, allow certain geographical names used to describe a table wine which have become the name of a specified region to continue to be used also to describe table wines for a period of three wine years."

Article 2

This Regulation shall enter into force on the seventh 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 Council

FINANCIAL STATEMENT

1. BUDGET HEADING: 16 APPROPRIATIONS: ECU 1 113m

2. TITLE:

Proposal for a Council Regulation amending Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specified regions.

3. LEGAL BASIS: Article 43 of the Treaty

4. AIMS OF PROJECT:

To amend Article 15 of Regulation (EEC) No 823/87 in order to add new traditional specific terms laid down in Germany.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS Mio ECU	CURRENT FINANCIAL YEAR (96) Mio ECU	FOLLOWING FINANCIAL YEAR (97) Mio ECU	
5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL ADMINISTRATION - OTHER				
5.1. REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL				
	1998	1999	2000	2001
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. IS A SUPPLEMENTARY BUDGET NECESSARY? YES/NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

OBSERVATIONS:

II. Proposal for a

COUNCIL REGULATION (EC) No /

of

**amending Regulation (EEC) No 2392/89 laying down general rules
for the description and presentation of wines and grape musts**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine¹, as last amended by Regulation (EC) No 1544/95², and in particular Article 72(1) thereof,

Having regard to the proposal from the Commission³,

Whereas new terms to describe table wines by means of a geographical designation have been adopted in Italy and the United Kingdom; whereas those terms should be included to ensure protection in all Member States; whereas such terms should be used in accordance with the rules laid down in Article 4(3) of Regulation (EEC) No 2392/89⁴, as last amended by Regulation (EEC) No 3897/91⁵;

Whereas, given that in the production of certain wines the use of three grape varieties is necessary to give the wine its character and that such use is provided for in the producer Member state or the third country of origin; whereas the names of the three grape varieties should be allowed to be used in labelling the wines in question;

¹ OJ No L 84, 27. 3.1987, p. 1.

² OJ No L 148, 30. 6.1995, p. 31.

³ OJ No C

⁴ OJ No L 232, 9. 8.1989, p. 13.

⁵ OJ No L 368, 31.12.1991, p. 5.

Whereas point b) of the second subparagraph of Article 13(3) of Regulation (EEC) No 2392/89 provides for the possibility for Member States to allow, until 31 August 1995, a quality wine produced in a specified region to bear the name of a geographical unit smaller than a specified region provided that at least 85% of the grapes used are obtained in that unit; whereas the transitional period has proved too short to allow some Member States to create larger units; whereas the transitional period should therefore be extended;

Whereas when Regulation (EEC) No 2392/89 was consolidated errors appeared in a number of Articles relating to the description on official documents and registers in that the requirement to indicate the alcoholic strength by volume and the nominal volume was omitted; whereas that oversight should be rectified;

Whereas the procedure used up to now for drawing up a list of wines imported from third countries able to use a geographical name for labelling has proved too unwieldy; whereas it should be discontinued; whereas it should nonetheless be ensured that such imported wines meet the conditions laid down in Article 29 of Regulation (EEC) No 2392/89; whereas, in particular, it should be checked that the geographical names used do not lead to confusion with quality wines *psr* and table wines designated using a geographical term in the lists published in the "C" series of the Official Journal of the European Communities or with wines from third countries designated using a geographical term included in the lists published in the bilateral or multilateral agreements concluded between the Community and third countries,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2392/89 is hereby amended as follows:

1. In Article 2(3):
 - 1) point (b) is replaced by the following:

"(b) the name of one, two or three vine varieties, in accordance with the conditions laid down in Article 5;"

- 2) in point (i):
 - a) in the third indent "vino tipico" is replaced by "indicazione geografica tipica";
 - b) the following indent is added:
 - "- "Regional wine" for table wines originating in the United Kingdom".

2. In Article 4(4) the last subparagraph is replaced by the following:

"However, in the case referred to in the third subparagraph of Article 15(4) of Regulation (EEC) No 823/87, Member States may, for a maximum of three wine years, authorize the use of the name of the specified region for table wines.

Member States shall notify the Commission of the geographical names which they have authorized and the time limit for the use of those names.

3. In Article 5(2) the first indent is replaced by the following:

"- the names of two or three vine varieties for one and the same table wine, where the legislation of the Member State so provides and provided that it is obtained entirely from the varieties named, with the exception of any products used for sweetening".

4. In Article 8(1) the following points (e) and (f) are added:
 - "e) the actual alcoholic strength by volume;
 - f) the nominal volume".

5. In Article 8(2), point (c) is replaced by the following:

"(c) the name of one, two or three vine varieties;".

6. In Article 9(1) the first indent is replaced by the following:

"- in Article 8(1)(a), (b), (e) and (f)."

7. In Article 11(2), point (n) is replaced by the following:

"n) the name of one, two or three vine varieties, in accordance with the conditions laid down in Article 14;"
8. In Article 13(3)(b), "31 August 1995" is replaced by "31 August 1998".
9. In Article 14(2), the first indent is replaced by the following:

"- the names of two or three vine varieties for one and the same quality wine provided that the legislation of the Member State so provides and provided that it is obtained entirely from the varieties named, with the exception of the products used for possible sweetening".
10. In Article 17(1), the following points (f) and (g) are added:

"f) the actual alcoholic strength by volume;
g) the nominal volume."
11. In Article 17(2), point (e) is replaced by the following:

" the name of one, two or three vine varieties;"
12. In Article 18(1), the first indent is replaced by the following:

"- Article 17(1)(a), (b), (c), (d), (f) and (g)".
13. In the first subparagraph of Article 25(1), "not included on the list referred to in Article 26(1)" is replaced by the following:

"not described by means of a geographical term referred to in Article 26(1)".
14. In Article 26(1):
 - 1) in the first subparagraph "and appearing on a list to be adopted" is deleted.

2) the second subparagraph is replaced by the following:

"In the case of imported wines referred to in the first subparagraph, the conditions of production of each of those wines must be equivalent to those for a quality wine psr or for a table wine bearing a geographical ascription."

15. In Article 26(2), point (d) is replaced by the following:

"(d) the name of one, two or three vine varieties, in accordance with the conditions laid down in Article 30".

16. In Article 26(2), point (b) is deleted.

17. In Article 29(1), "and (2)(b)" is deleted.

18. In Article 29(1), point (c) is replaced by the following:

"(c) which is not likely to be confused with a term used to describe a quality wine psr in the list referred to in Article 1(3) of Regulation (EEC) No 823/87, a table wine in the list referred to in Article 11(1) of Regulation (EEC) No 3201/90 or an imported wine in the lists of agreements concluded between third countries and the Community."

19. Article 32(1) is replaced by the following:

"1. In the case of imported wines referred to in Article 25, the description in the official documents shall include the following:

- (a) the word 'wine';
- (b) a statement as to whether the wine is red, rosé or white;
- (c) the name of the third country of origin, as stated in the documents referred to in Regulation (EC) No 2390/89 accompanying the wine in question when it is imported;
- (d) the actual alcoholic strength by volume;
- (e) the nominal volume."

20. In Article 32(2):

1. the first subparagraph is replaced by the following:

"In the case of wines intended for direct human consumption described by means of a geographical ascription referred to in Article 26, the description in the official documents shall include the following:

- (a) the name of a geographical unit as referred to in Article 26(1)(a);
- (b) a statement as to whether the wine is red, rosé or white;
- (c) the name of the third country of origin;
- (d) the actual alcoholic strength;
- (e) the nominal volume."

2) in the second subparagraph:

(a) point (a) is deleted.

(b) point (c) is replaced by the following:

"(c) the name of one, two or three vine varieties;"

21. Article 33 is amended as follows:

(a) In point (a) "which are not on the list referred to in Article 26(1)" is replaced by "referred to in Article 25".

(b) In point (b) "and on the list referred to in Article 26(1)" is replaced by "and referred to in Article 26(1)".

22. In point (d) of the second subparagraph of Article 40(2), "an imported wine on the list referred to in Article 26(1)" is replaced by "an imported wine referred to in Article 26(1)".

Article 2

This Regulation shall enter into force on the seventh 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 Council

FINANCIAL STATEMENT

1. BUDGET HEADING: 16 APPROPRIATIONS: ECU 1 113m

2. TITLE:

Proposal for a Council Regulation amending Regulation (EEC) No 2392/89 laying down general rules for the description and presentation of wines and grape musts.

3. LEGAL BASIS: Council Regulation (EEC) No 822/87

4. AIMS OF PROJECT:

To amend Articles 2, 4, 5, 8, 9, 11, 13, 14, 17, 18, 25, 26, 29, 32 and 33 of Regulation (EEC) No 2392/89 in order better to reflect reality, in particular as regards producers' requirements.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (96)	FOLLOWING FINANCIAL YEAR (97)
	Mio ECU	Mio ECU	Mio ECU
5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL ADMINISTRATION - OTHER	-	-	-
5.1. REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-	-	-
	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. IS A SUPPLEMENTARY BUDGET NECESSARY? YES/NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

OBSERVATIONS:

III. Proposal for a

COUNCIL REGULATION (EC) No /

96/0008 (CNS)

of

amending Regulation (EEC) No 2332/92 on sparkling wines produced in the Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

Whereas, pursuant to Article 17(3) of Council Regulation (EEC) No 2332/92⁴, as last amended by Regulation (EC) No 1547/95⁵, the Council may alter the duration of fermentation intended to make the *cuvée* sparkling and of presence on the lees as set out in paragraph 2 of that Article in line with current scientific knowledge and technological progress;

Whereas, according to the results of scientific research and technological progress to date, the fixing of different periods of fermentation and of presence on the lees for the various fermentation methods used is not warranted; whereas a single minimum period should consequently be laid down for the various methods;

Whereas Article 14(2) of Regulation (EEC) No 2332/92 provides that the Member States may permit, until 31 December 1995 at the latest, that the production process of quality sparkling

¹ OJ No C

² OJ No C

³ OJ No C

⁴ OJ No L 231, 13. 8.1992, p. 1.

⁵ OJ No L 148, 30. 6.1995, p. 15.

wines psr may involve adding to the *cuvée* one or more wine-sector products which do not originate in the specified region whose name the wine bears; whereas that time limit has proved too short to allow operators in certain specified regions to adapt to the technical requirements laid down; whereas it should accordingly be extended; whereas, since that derogation covers specific cases only, provision should be made for a system of express authorizations and the names of the regions should be listed in the detailed rules of application,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2332/92 is hereby amended as follows:

1. The introductory part of the first subparagraph of Article 14(2) is replaced by:

"Notwithstanding the first indent of paragraph 1, where the practice is traditional and governed by special provisions in the Member State of production, that Member State may, until 31 August 1998 at the latest, by means of express authorizations and subject to suitable controls, permit that a quality sparkling wine psr on a list determined in accordance with the procedure provided for in Article 83 of Regulation (EEC) No 822/87, be obtained by adding to the basic product from which the wine is made one or more wine-sector products which do not originate in the specified region whose name the wine bears, provided that:".

2. Article 17(2) is replaced by:

"2. The duration of the fermentation process designed to make the *cuvée* sparkling and the duration of the presence of the *cuvée* on the lees shall not be less than 90 days."

3. Article 17(3) is deleted.

Article 2

This Regulation shall enter into force on the seventh 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 Council

FINANCIAL STATEMENT

1. BUDGET HEADING: 16 APPROPRIATIONS: ECU 1 113m

2. TITLE:
 Proposal for a Council Regulation amending Council Regulation (EEC) No 2332/92 on sparkling wines produced in the Community.

3. LEGAL BASIS: Article 43 of the Treaty

4. AIMS OF PROJECT:
 To amend Article 17 of Regulation (EEC) No 2332/92 in order to lay down a single period for fermentation and the presence of the *cuvée* on the lees for the various methods of fermentation used.

5. FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS Mio ECU	CURRENT FINANCIAL YEAR (96) Mio ECU	FOLLOWING FINANCIAL YEAR (97) Mio ECU
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5.0. EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL ADMINISTRATION - OTHER	-	-	-
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5.1. REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-	-	-
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	1998	1999	2000	2001
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. IS A SUPPLEMENTARY BUDGET NECESSARY? YES/NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

OBSERVATIONS:

IV. Proposal for a
COUNCIL REGULATION (EC) No /

of

amending Regulation (EEC) No 2333/92 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine¹, as last amended by Regulation (EC) No 1544/95², and in particular Article 72(1) thereof,

Having regard to the proposal from the Commission,

Whereas quality sparkling wines produced in specified regions (quality sparkling wines psr) must be produced in the specified region and whereas the compulsory showing of the producer's name on the label may help consumers to identify the place of production; whereas, under those circumstances, the Member States should be able to make it compulsory in certain cases to indicate the producer's name on the label;

Whereas provision must be made for the possibility, already open in certain Member States, of using one or more traditional terms as a sales description for certain sparkling wines;

Whereas the sugar in sparkling wines as a finished product may comprise residual sugar and added sugar; whereas the Regulation should be adapted accordingly;

Whereas the details required to inform the consumer about the sugar content should be specified;

¹ OJ No L 84, 27. 3.1987, p. 1.

² OJ No L 148, 30. 6.1995, p. 31.

Whereas using the name of a vine variety to designate a sparkling wine has a connotation of quality for consumers; whereas this factor should be enhanced and provision should be made, if the name of a vine variety is to be used on the label, for the production process and the fermentation process to last at least a minimum period;

Whereas, in order to prevent the misuse of names of vine varieties on the label, their repetition must be banned, except where the same name recurs;

Whereas, in the production of certain sparkling wines, three vine varieties must be used to give the wine its character; whereas provision should be made for the possibility of the names of those three vine varieties being used on the labels of such wines;

Whereas in Case C-309/89³ the Court of Justice declared void Article 6(6)(b) of Council Regulation (EEC) No 2333/92⁴ and by the same token the conditions governing the use of the term "crémant"; whereas, however, that term is used for products which meet stringent production conditions and which, as a result, have gained a certain reputation among consumers; whereas, to prevent the meaning of the term from being diluted, the minimum production conditions to be met if the term is used must be defined;

Whereas the conditions governing the use of certain terms have been defined in some Member States; whereas, to avoid creating confusion and misleading consumers, provision should be made for those terms to be used only under those conditions;

Whereas sparkling wines can only be put on the market in labelled glass bottles closed with mushroom-shaped stoppers in accordance with conditions laid down by regulation; whereas provision should be made for exceptions covering trade between wine-growers and provided that such exceptions are subject to controls;

Whereas "Champagne"-type or similar bottles have been used for a very long time to market sparkling wines; whereas that type of bottle is also used traditionally for certain alcoholic beverages produced by the fermentation of fruit or other agricultural raw materials; whereas

³ *Codorniu S.A. v Council of the European Union* [1994] ECR I-1853.

⁴ OJ No L 231, 13. 8.1992, p. 9.

beverages put up in such bottles have certain special connotations in the eyes of consumers, and in particular that of fermented beverages; whereas, in order to avoid any confusion in the minds of consumers concerning the type of beverage concerned and to check certain misuses of this type of bottle, it should be made clear that the use of such bottles is reserved for sparkling wines while the possibility of their use for certain beverages traditionally put up in this way should be safeguarded;

Whereas, in certain Member States, for a quality sparkling wine to be deemed a quality sparkling wine psr, the product must be given a control number; whereas such products must circulate in labelled glass bottles fitted with mushroom-shaped stoppers on which the name of the specified region must appear; whereas provision must nevertheless be made for a wine not deemed a quality sparkling wine psr following a check to be sold as a sparkling wine or as a quality sparkling wine even if the name of the specified region appears on the cork,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2333/92 is hereby amended as follows:

1. The following subparagraph is inserted after the first subparagraph of Article 3(2):

"However, the Member States may make it compulsory for only the name or business name of the producer to be shown."

2. (a) The following subparagraph is added to Article 5(2)(c):

"However, the Member States may require that, in the case of certain quality sparkling wines psr produced on their territory, certain expressions referred to in the first subparagraph are be used either on their own or in combination."

- (b) In Article 5(3):

- (i) The word "residual" is deleted each time it appears.

(ii) The following indent is inserted as the first indent in the first subparagraph:

"- "brut nature" or "no dosage":

if the sugar content is less than 3 grams per litre; these terms can only be used for sparkling wine to which *expedition liqueur* is not added after disgorging but only the quantity of sparkling wine necessary to bring the level in the bottle back to what it was originally,".

3. The following points are added to the second subparagraph of Article 6(2):

(c a) the name of a variety can be repeated in the same expression only where more than one variety bearing that name exists;".

(e) the length of the production process, including ageing in the establishment of production, reckoned from the start of the fermentation process designed to make the *cuvée* sparkling, has not been less than 90 days and provided that the duration of fermentation designed to make the *cuvée* sparkling and the presence of the *cuvée* on the lees have lasted at least 60 days."

4. The second indent of the third subparagraph of Article 6(2) is replaced by the following:

"- authorize use of the names of two or three vine varieties where the regulations of the Member State so provide and on condition that all the grapes from which the product was obtained come from those three varieties, with the exception of the products contained in *tirage liqueur* and *expedition liqueur* and if the blend of those two or three varieties is crucial for the product's distinctive character,".

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

"(c) the process of fermentation designed make the *cuvée* sparkling and the presence of the *cuvée* on the lees have lasted at least 90 days;".

6. Article 6(6)(b) is replaced by the following:

"(b) the term "crémant" shall be reserved for products:

- made from must obtained by pressing whole grapes, the quantity of must obtained not exceeding 100 litres for every 150 kg of grapes,
- with a maximum sulphur dioxide content of 150 mg/l,
- with a sugar content of less than 50 g/l, and
- produced in accordance with additional special rules governing their production and description by the Member State or the country in which they are made."

7. In Article 6, the following paragraph is inserted after paragraph 11:

"11a. The terms "Super Reserva" and "Velha Reserva" may be used only under the conditions laid down by the Member States."

8. In Article 10:

(a) The following subparagraph is inserted after the first subparagraph of paragraph 1:
 "However, in the case of products covered by Article 1(1) which are produced by a second alcoholic fermentation in the bottle in accordance with the traditional method referred to in the second subparagraph of Article 6(4), exceptions may be allowed in trade between wine-growers in products still in the process of production where they are closed with a crown stopper and are not labelled, provided they are covered by an accompanying document and that they are subject to adequate controls."

(b) The following paragraph is inserted after paragraph 1:

"1a. Only products covered by Article 1(1) may be put up in "Champagne"-type or similar bottles fitted with closing devices as referred to in paragraph 1(a) with a view to sale or placing on the market, including for export.

However that type of bottle may be used for non-food products other than beverages. It may be used for beverages, subject to the second subparagraph of Article 14(1), provided they are produced by alcoholic fermentation of fruit or another agricultural raw material and that they are traditionally put up in such bottles."

(c) Paragraph 2 is replaced by the following:

"2. In so far as their description and presentation are not governed by this Regulation, they may be governed by detailed rules of application, in particular as regards:

- (a) the positioning of labels on containers;
- (b) the minimum size of labels;
- (c) the arrangement on the label of the various items making up the description;
- (d) the size of the characters on labels;
- (e) the use of symbols, illustrations and brand names;
- (f) the type of closing device as referred to in paragraph 1;
- (g) the type of bottle as referred to in paragraph 1a."

9. The following paragraph is added to Article 13:

"4. The description, presentation and advertising of products other than those covered by Article 1(1) may not indicate, imply or suggest that the product concerned is a sparkling wine."

10. The following subparagraph is added to Article 15(1):

"However, where, following a check by the competent authority, sparkling wines are not deemed quality sparkling wines psr, the corks on such wines may, by way of an exception, continue to be marked with the name of a specified region."

Article 2

This Regulation shall enter into force on the seventh 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 Council

FINANCIAL STATEMENT

1. BUDGET HEADING: 16 APPROPRIATIONS: ECU 1 113m

2. TITLE:

Proposal for a Council Regulation amending Regulation (EEC) No 2333/92 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines.

3. LEGAL BASIS: Council Regulation (EEC) No 822/87

4. AIMS OF PROJECT:

To amend Articles 3, 5, 6, 10, 13 and 15 of Regulation (EEC) No 2333/92 in order better to reflect reality, in particular as regards consumers' requirements.

5.	FINANCIAL IMPLICATIONS	PERIOD OF 12 MONTHS Mio ECU	CURRENT FINANCIAL YEAR (96) Mio ECU	FOLLOWING FINANCIAL YEAR (97) Mio ECU
5.0.	EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTION) - NATIONAL ADMINISTRATION - OTHER	-	-	-
5.1.	REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	-	-	-
		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. IS A SUPPLEMENTARY BUDGET NECESSARY? YES/NO

6.3. WILL FUTURE BUDGET APPROPRIATIONS BE NECESSARY? YES/NO

OBSERVATIONS:

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