

European Communities

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EUROPEAN PARLIAMENT

# Working Documents

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5 May 1980

DOCUMENT 1-142/80

## Second Report

drawn up on behalf of the Committee on Agriculture

**on the proposals from the Commission of the European Communities to the Council (Doc. 1-259/79) for**

- I. a regulation on liqueur wines produced in the Community**
- II. a regulation amending Regulation (EEC) No 338/79 as regards quality liqueur wines produced in specified regions**

**Rapporteur: Mr G. SUTRA**



By letter of 1 August 1979 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 43 of the EEC Treaty, to deliver an opinion on the proposals from the Commission of the European Communities to the Council for

- I. a regulation on liqueur wines produced in the Community
- II. a regulation amending Regulation (EEC) No. 338/79 as regards quality liqueur wines produced in specified regions

On 4 September 1979 the President of the European Parliament referred this proposal to the Committee on Agriculture.

At its meeting of 26 and 27 September 1979 the Committee on Agriculture appointed Mr Sutra rapporteur.

It considered these proposals at its meetings of 17 and 18 December 1979, 30 and 31 January 1980 and 27, 28 and 29 February 1980. At the last meeting it adopted the motion for a resolution and the explanatory statement by 20 votes to 2 with 6 abstentions.

Present: Sir Henry Plumb, chairman; Mr Sutra, rapporteur; Mr Barbagli (deputizing for Mr Ligios), Miss Barbarella, Mr Battersby, Mr Blaney (deputizing for Mr Skovmand), Mr Bouchou, Mr Clinton, Mrs Cresson, Mr Curry, Mr Davern, Mr Delatte, Mr Diana, Mr Helms, Mrs Herklotz, Mr Key (deputizing for Mrs Castle), Mr Lynge, Mr Lückner (deputizing for Mr Früh), Mr Maffre-Baugé, Mr Maher, Mr Nielsen, Mr d'Ormesson, Mr Papapietro, Mr Pranchère, Mr Provan, Miss Quin, Mr Vernimmen and Mr Woltjer.

At its plenary sitting of 13 March 1980 the European Parliament referred the report by Mr Sutra back to committee pursuant to Rule 26(2) of the Rules of Procedure.

At its meeting of 22 - 24 April 1980 the Committee on Agriculture decided to confirm the report by Mr Sutra as adopted at its meeting of 27 - 29 February 1980.

Present: Mr Früh, vice-chairman and acting chairman; Mr Sutra, rapporteur, Mr Abens (deputizing for Mr Gautier), Miss Barbarella, Mr Battersby, Mrs Castle, Mr Clinton, Mr Colleselli, Mr Dalsass, Mr Delatte, Mr De Keersmaeker (deputizing for Mr Tolman), Mr Diana, Mr Gatto, Mr Helms, Mr Lynge, Mr Maffre-Baugé; Mr Newton-Dunn (deputizing for Mr Howell), Mr d'Ormesson, Mr Provan, Mr Skovmand and Mr Vernimmen.

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A

The Committee on Agriculture hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a regulation on liqueur wines produced in the Community
- II. a regulation amending Regulation (EEC) No. 338/79 as regards quality liqueur wines produced in specified regions

The European Parliament,

- having regard to the proposals from the Commission of the European Communities to the Council<sup>1</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 1-259/79),
  - having regard to the second report of the Committee on Agriculture (Doc. 1-142/80)
  - considering that it is important, for both producers and consumers, to extend Community legislation on wine to include liqueur wines, quality liqueur wines and quality liqueur wines produced in specified regions,
  - considering that it should be made clearer to consumers that all these wines come into the category of agricultural production,
1. Asks the Commission to revise and break down by designation of origin the list of vine varieties for quality liqueur wines produced in specified regions set out in Article 9 of the proposal for a regulation on liqueur wines produced in the Community;

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<sup>1</sup>OJ C 188 of 26.7.1979, p. 3 and 6

2. Requests the Commission to incorporate the following amendments in its proposal for a regulation amending Regulation (EEC) No. 338/79 as regards quality liqueurwines produced in specified regions, pursuant to the second paragraph of Article 149 of the EEC Treaty, in order to bring out more clearly the fact that these wines come into the category of agricultural production;
3. Shares the Commission's wish for legislation on this matter and, subject to the above reservations, approves the proposals;
4. Recalls the urgent need for Community harmonization of the taxes and excise duties on alcoholic beverages.

Council Regulation (EEC)  
on liqueur wines produced in the Community

Preamble and recitals  
unchanged

Articles 1 and 2 unchanged

Article 3

1. The provisions of Articles 32 and 33 of Regulation (EEC) No. 337/79 on increasing the alcoholic strength shall not apply to products intended for the preparation of the wines referred to in Article 1.

2. The sweetening of the wines referred to in Article 1 and wines intended for their preparation shall be prohibited.

Article 3

1. unchanged

2. The sweetening of wines referred to in Article 1 and wines intended for their preparation shall be prohibited other than the addition in traditional quantities in the country of origin and three months before they are placed on the market of expedition liqueurs required to adjust their taste qualities.

Articles 4 to 7 unchanged

Article 8

Without prejudice to supplementary or more restrictive provisions adopted pursuant to Article 54 of Regulation (EEC) No. 337/79, quality liqueur wines may not:

- (a) be held for sale, put up for sale, sold or otherwise marketed or put into circulation unless they bear a label enabling them to be identified and unless at the retail stage they are contained in glass bottles, or in containers made of earthenware or a comparable material,
- (b) bear the words 'sec' or 'dry' unless their total alcoholic strength by volume does not exceed 18% vol and their sugar content does not exceed 40 grams/litre.

Article 8

Without prejudice to supplementary or more restrictive provisions adopted pursuant to Article 54 of Regulation (EEC) No. 337/79, quality liqueur wines may not:

- (a) be held for sale, put up for sale, sold or otherwise marketed or put into circulation unless they bear a label enabling them to be identified and unless at the retail stage they are contained in glass bottles, or in containers made of earthenware or other traditional material, such as wood. The capacity of these containers may not exceed 5 litres for sale to consumers.
- (b) unchanged

Articles 9 to 15 unchanged

<sup>1</sup>Complete text OJ C 188 of 26.7.1979, p. 3

Regulation amending Regulation (EEC)  
No. 338/79 as regards quality liqueur  
wines produced in specified regions

Preamble and recitals  
unchanged

Articles 1 and 2 unchanged

Article 3

Article 3

Article 8 of Regulation (EEC) No.  
338/79 shall be amended as follows:

1. Paragraph 1 shall be replaced by  
the following:

'1. The specific wine-making  
and preparation methods used  
for obtaining quality wines psr,  
quality sparkling wines psr and  
quality liqueur wines psr shall  
be defined for each of those  
wines by each producer Member  
State concerned.'

1. unchanged

2. The following shall be added to  
paragraph 4:

'Subject to any derogation, for  
certain quality liqueur wines  
psr produced by traditional  
methods, the total and actual  
alcoholic strengths by volume  
of quality liqueur wines psr,  
including the alcohol added,  
shall be those specified in  
the definition in item 12 of  
Annex II to Regulation (EEC)  
No. 337/79.'

2. unchanged

3. The following subparagraph shall  
be added to paragraph 5:

'Subject to any derogation, for  
certain traditional methods, the  
natural alcoholic strength by  
volume of grape must, grape  
must in fermentation and new wine  
still in fermentation suitable  
for yielding quality liqueur  
wine psr shall be not less than  
12°.'

3. Add the following subparagraph  
to paragraph 5:

'The natural alcoholic strength  
by volume of grape must in  
fermentation and new wine still  
in fermentation suitable for  
yielding quality liqueur wine  
psr shall be not less than 12°.  
(eight words deleted)  
Liqueur wine with designation  
of origin 'Pineau des Charentes'  
may be prepared from natural  
must with an overall strength  
of less than 12°.'

<sup>1</sup>Complete text OJ C 188 of 26.7.1979, p.6



4. Paragraph 6 shall be replaced by the following:

'6. A list of the quality liqueur wines psr referred to in the second sentence of the first subparagraph of paragraph 4 shall be drawn up in accordance with the procedure laid down in Article 67 of Regulation (EEC) No. 337/79.

The following shall be drawn up in accordance with the same procedure:

- a list of the quality sparkling wines psr referred to in the second subparagraph of paragraph 5 and of the minimum total alcoholic strengths by volume of their respective cuvées;
- the derogations referred to in the third subparagraph of paragraph 4 and the third subparagraph of paragraph 5.'

Articles 4 to 6 unchanged

Article 7

The following Article shall be added to Regulation (EEC) No. 338/79:

'Article 16b

Without prejudice to supplementary or more restrictive provisions adopted pursuant to Article 54 of Regulation (EEC) No. 337/79, quality liqueur wines psr may not:

- (a) be held for sale, put up for sale, sold or otherwise marketed or put into circulation unless they bear a label enabling them to be identified and unless at the retail stage they are contained in glass bottles or in containers made of earthenware or a comparable material,
- (b) bear the words 'sec' or 'dry' unless their total alcoholic strength by volume does not exceed 18% vol and their sugar content does not exceed 40 grams/litre.'

4. unchanged

Article 7

The following Article shall be added to Regulation (EEC) No. 338/79:

'Article 16b

Without prejudice to supplementary or more restrictive provisions adopted pursuant to Article 54 of Regulation (EEC) No. 337/79, quality liqueur wines psr may not:

- (a) be held for sale, put up for sale, sold, or otherwise marketed or put into circulation unless they bear a label enabling them to be identified and unless at the retail stage they are contained in glass bottles or in containers made of earthenware or other traditional material, such as wood. The capacity of these containers may not exceed 5 litres for sale to consumers.
- (b) unchanged

Article 8

The following article shall be added to Regulation (EEC) No. 338/79:

'Article 16c

Specific provisions on description and presentation may be adopted by the Council by qualified majority vote on a proposal from the Commission, for certain quality liqueur wines produced in specific regions with the following special production and manufacturing conditions:

- vine varieties (minimum 80% aromatic varieties)
- maximum yield per ha limited to 40 hl
- minimum natural alcoholic strength not less than 14% vol
- manufacture carried out by the producers themselves or by a group or association of such producers
- addition of alcohol not to exceed 40% of the total alcoholic strength of the liqueur wine in question.

Detailed rules for the application of this article, and in particular the special control measures, shall be adopted in accordance with the procedure laid down in Article 67 of Regulation (EEC) No. 337/79'.

Article 8

The following article shall be added to Regulation (EEC) No. 338/79:

'Article 16c

Specific provisions may be adopted by the Council by qualified majority vote on a proposal from the Commission, for certain quality liqueur wines produced in specific regions by traditional methods and with the following special production and manufacturing conditions:

1. Vine varieties (minimum 90% noble varieties)
2. Maximum yield per ha limited to 40 hl
3. Minimum natural alcoholic strength not less than 14% vol of the musts used in manufacture
4. Manufacture carried out by the producers themselves in their private or cooperative cellars
5. Addition of alcohol not to exceed 40% of the total alcoholic strength of the liqueur wine in question.

Detailed rules for the application of this article, and in particular the special control measures, shall be adopted in accordance with the procedure laid down in Article 67 of Regulation (EEC) No. 337/79'.

Articles 9 and 10 unchanged

B

EXPLANATORY STATEMENT

1. With a production of 1,400,000 hl, liqueur wines account for around 1% of the Community's total wine production. The two Member States producing liqueur wines are France (800,000 to 900,000 hl) and Italy (500,000 to 600,000 hl). They also produce quality liqueur wines such as, in France, Banyuls, Rivesaltes, Muscat de Frontignan and de Lunel and, in Italy, Marsala, Moscato passito di Pantelleria, Malvasia di Lipari and Vernaccia di Oristano.
2. These Commission proposals are designed to lay down general rules applicable to all liqueur wines produced in the Community and special provisions for quality liqueur wines and quality liqueur wines produced in specified regions (quality liqueur wines psr).
3. The first proposal begins with general provisions applicable to all liqueur wines and quality liqueur wines produced in the Community.

They prohibit the enrichment and sweetening of these wines and provide for supervision over both their production and marketing. Producers of these wines are required to make a declaration to this effect to the competent authority of the Member State on whose territory the wine is produced and to keep records of raw materials and of preparation.

4. The proposal then sets out a number of provisions applicable only to liqueur wines, but not to quality liqueur wines.
  - (a) Firstly, liqueur wines may be produced only from recommended or authorized varieties of vines.
  - (b) Secondly, the marketing of these wines is subject to controls. The consumer must be able to identify liqueur wines and to establish whether they are 'sec' or 'dry', which means that their total alcoholic strength by volume does not exceed 18% vol and their sugar content does not exceed 40 g/l.
  - (c) Finally, the sulphur dioxide content of these wines may not exceed 200 mg/l when sold for direct human consumption.

5. Stricter provisions are laid down for quality liqueur wines.

(a) When put up for sale they must bear a label indicating that they are a 'quality liqueur wine'. Moreover, they may be sold at the retail stage only in glass bottles or in containers made of earthenware or a comparable material. They may bear the word 'sec' or 'dry' under the same conditions as ordinary liqueur wines.

(b) Article 9 of the Commission's proposal lists the varieties of vines in France and Italy which alone may be used for the preparation of quality liqueur wines.

(c) The duration of the preparation process for these wines, including ageing at the place of preparation, may not be less than one year from the date when the alcohol, potable spirit or concentrated must is added.

(d) When sold for direct human consumption their sulphur dioxide content may not exceed 150 mg/l, a stricter limit than that imposed for liqueur wines in general.

6. The rapporteur has a number of comments to make about Article 9 of this proposal for a regulation.

- As there already exists a French designation 'natural sweet wine', the rapporteur can without difficulty accept the new Community designation 'quality liqueur wine produced in specified regions'.
- Applying the description of origin consistently, the rapporteur would like to see the list of vine varieties for quality liqueur wines psr broken down by designation as is already the case for certain liqueur wines such as Banyuls, which is limited to four varieties of vine.
- The presence of Alicante Bouschet, and also of Merlot rouge, on the list of authorized French vines is surprising. As regards the list of Italian vines, which is considerably longer, the rapporteur would confine his comments to the request that the Merlot should be specified as 'blanc'.
- Breaking down these lists by designation would facilitate subsequent rationalization. At the moment, these lists are, in the rapporteur's view, only of an indicative nature.

7. The second proposal for a regulation amends Regulation (EEC) No. 338/79<sup>1</sup> laying down special provisions relating to quality liqueur wines produced in specified regions (quality liqueur wines psr).

The Commission proposes to adapt this Regulation to include quality liqueur wines psr which are quality wines produced within the specified region where they are harvested and from vine varieties acknowledged to be suitable for the production of these wines.

8. This second proposal, which contains a number of the provisions set out in the first proposal, is similar in intention to the proposal which included in the Regulation on quality wines psr, quality sparkling wines produced in specified regions (quality sparkling wines psr).

9. The rapporteur approves the Commission proposal relating to quality liqueur wines produced in specified regions. He would, however, like to see greater emphasis on the agricultural aspects of this branch of production.

To this end he proposes that Article 8 of the proposal for a regulation, which seeks to add a new Article 16c to Regulation (EEC) No. 338/79, should be amended as follows:

- firstly, to avoid any confusion with aperitifs manufactured industrially, it should be made clear that these quality liqueur wines psr must be produced by traditional methods.
- secondly, the production and manufacturing conditions for these wines should be made more stringent:
  - . the first condition concerning vine varieties should therefore be tightened up by raising to 90% the proportion of vine varieties used in manufacture and by specifying that the latter must be noble varieties. (This term replaces the word 'aromatic'). The term 'aromatic' is, in fact, incompatible with several of the vine varieties listed in Article 9 of the first proposal for a regulation.
- as regards the third condition concerning alcoholic strength, it is necessary to specify that the minimum natural alcoholic strength should be not less than 14% vol of the musts used in manufacture if the proposed text is to have any meaning.

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<sup>1</sup> OJ No. L 54, 5.3.1979, p.48

- finally, as regards the fourth condition concerning the manufacture of these wines, the phrase 'or by a group or association of such producers' should be deleted as it has different meanings depending on the country concerned. It should instead be specified that manufacture of these wines must be carried out by the producers themselves in their private or cooperative cellars.

10. Subject to these reservations, the rapporteur recommends that the Commission proposals be approved.

11. Finally, the rapporteur calls for the harmonization of the taxes applied by the Member States to alcoholic beverages and requests that, as regards liqueur wines, these taxes should be fixed at a level which takes account of the agricultural nature of such wines, since their production, and particularly that of quality liqueur wines psr, is subject to extremely strict rules.

DEFINITION OF LIQUEUR WINE<sup>1</sup>

Liqueur wine is the product which:

- is produced in the Community,
- has a total alcoholic strength by volume of not less than 17.5% vol and an alcoholic strength by volume of not less than 15% vol and not more than 22% vol, and
- is obtained from grape must or wine, these products being derived from certain of the vine varieties referred to in Article 49, and having a natural alcoholic strength by volume of not less than 12% vol:
  - by freezing, or
  - by the addition during or after fermentation:
    - (i) of neutral alcohol of vinous origin having an actual alcoholic strength by volume of not less than 95% vol, or
    - (ii) of an unrectified product derived from the distillation of wine and having an actual alcoholic strength by volume of not less than 52% vol and not more than 80% vol, or
    - (iii) of concentrated grape must or, in the case of certain quality liqueur wines produced in specified regions and appearing on a list to be adopted of wines for which such practice is traditional, of grape must concentrated by direct heat which, apart from this operation, corresponds to the definition of concentrated grape must or,
    - (iv) of a mixture of these products.

However, certain quality liqueur wines produced in specified regions and appearing on a list to be adopted may be obtained from unfermented fresh grape must which does not need to have a minimum natural alcoholic strength by volume of 12% vol.

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<sup>1</sup> Reg. (EEC) No. 337/79 - Annex II, point 12 OJ No. L 54, 5.3.79

