

EUROPEAN PARLIAMENT

25 June 1996

A4-0210/96



RECOMMENDATION FOR SECOND READING

on the common position established by the Council with a view to the adoption of a European Parliament and Council Regulation 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

(C4-0288/96 - 95/0287(COD))

Committee on Agriculture and Rural Development

Rapporteur: Mr Philippe Martin

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At its sitting of 14 March 1996 Parliament delivered its opinion at first reading on the proposal for a European Parliament and Council Regulation 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.

At the sitting of 23 May 1996 the President of Parliament announced that the common position had been received and referred to the Committee on Agriculture and Rural Development as the committee responsible and the Committee on Budgets for its opinion.

At its meeting of 11 December 1995 the committee had appointed Mr Philippe Martin rapporteur.

At the meeting of 25 and 26 June 1996, it considered the common position and the draft recommendation for second reading and adopted the draft decision unanimously.

The following were present for the vote: Graefe zu Baringdorf, vice-chairman and acting chairman ; Funk, vice-chairman; Philippe Martin, rapporteur; Arias Cañete, Barthet-Mayer, Campos, Colino Salamanca, Fraga Estévez, Gillis, Görlach, Järvilahti, Jové Peres, Kindermann, Klaß (for Keppelhoff-Wiechert), Kofoed, Mayer, Nicholson (for Sturdy), des Places, Redondo Jiménez, Rosado Fernandes, Rynänen (for Mulder), Sanz Fernández (for Baldarelli), Schierhuber, Sonneveld and Wilson.

The recommendation for second reading was tabled on 25 June 1996.

The deadline for tabling amendments to the common position or proposals for declarations of intended rejection was tabled for Thursday, 11 July 1996 at 12 noon.

A
DRAFT DECISION

Decision on the common position established by the Council with a view to the adoption of a European Parliament and Council Regulation 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 (C4-0288/96 - 95/0287(COD))

(Codecision procedure: second reading)

The European Parliament,

-having regard to the common position of the Council, C4-0288/96 - 95/0287(COD),

-having regard to its opinion at first reading¹ on the Commission proposal to Parliament and the Council (COM(95)0570)²,

-having regard to Article 189b(2) of the EC Treaty,

-having regard to Rule 68 of its Rules of Procedure,

-having regard to the recommendation for second reading of the Committee on Agriculture and Rural Development (A4-0210/96),

1. Approves the common position;

2. Calls on the Council to adopt the act definitively, and as soon as possible, in accordance with the common position;

3. Instructs its President to sign the act with the President of the Council pursuant to Article 191(1) of the EC Treaty;

4. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal;

5. Instructs its President to forward this decision to the Council and Commission.

¹OJ C 96, 1.4.1996, p. 235.

²OJ C 28, 1.2.1996, p. 8.

B
EXPLANATORY STATEMENT

INTRODUCTION

At the sitting of 14 March 1996, Parliament amended and approved at first reading the proposal for a European Parliament and Council Regulation 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 three amendments adopted by the European Parliament on 14 March 1996 were incorporated into the common position established by the Council on 29 April 1996.

However, it is important to note that the common position incorporates new features in relation to Regulation No. 1601/91.

I - EUROPEAN PARLIAMENT AMENDMENTS INCORPORATED INTO THE COMMON POSITION

(a) The amendment to Article 1(1)(i) concerning Article 2(1)(a), first indent, of Regulation (EEC) No. 1601/91 consisted in changing the form so that the first indent of Article 2(1)(a), as reworded, remained consistent overall and there would be no detrimental anomalies in legal terms. Accordingly, this amendment was included in the common position established by the Council on 29 April 1996 in a reworded form.

(b) The amendment to Article 1(1)(i) concerning Article 2(1)(a), penultimate subparagraph, of Regulation (EEC) No. 1601/91 was incorporated in its entirety into the common position. Monitoring of the original provision - that aromatized wine must contain at least 75% wine in the case of enriched wines coming from different production areas - has not been possible because:

- (i) wine is wine, whether or not it is enriched or chaptalized;
- (ii) the rules do not forbid combining a chaptalized wine with a wine enriched with concentrated must (rectified or otherwise) in order to obtain an aromatized wine;
- (iii) checks are totally impossible unless the rules on the monitoring of products subject to excise duty on the basis of methods of enrichment are changed.

(c) The amendment to Article 1(3) concerning Article 5(2) of Regulation (EEC) No. 1601/91 was very largely incorporated into the common position. Three changes are involved:

- (i) replacement of 'intermediate products' by 'products being prepared';
- (ii) replacement of 'may be established' by 'shall be established';
- (iii) deletion of the sentence: 'The Member States shall apply specific rules in this regard in so far as such rules are compatible with Community law.'. This change is important: the wording suggested that each Member State could draw up its own legislation governing oenological practises and processes. There could have been

technical deterioration and distortions, since not all Member States have a wine-making tradition.

II - OTHER AMENDMENTS

Amendments concerning the definition of 'Glühwein' strengthen the traditional product aspect defended by Parliament at first reading. Transitional measures concerning the amended definition were incorporated into the common position of 29 April 1996, and 'Thüringer Glühwein' was included in the geographical descriptions. Accordingly, it will be possible to develop and enhance a traditional product for German producers. It is therefore logical to agree to these amendments as they stand.

The other amendments essentially concern the Italian version of Article 2(2) and (5) of Regulation 1601/91, synonyms being added for some descriptions and indications. These amendments should therefore be agreed to as they stand.

With regard to the definition of 'Kalte Ente', deletion of the reference to the taste of lemon is a response to what is a fact of life on the market and for the firms concerned. This amendment should therefore be agreed to as it stands.

Lastly, the amendment to the definition of 'Viinigloögi/Vinglögg', too, comes in response to a call by economic operators and reflects the same approach as the amendment to the definition of 'Glühwein', i.e. the development of traditional products.

CONCLUSION

In conclusion, the common position incorporates the amendments adopted by the European Parliament, and expands on the notion of traditional product as defined in the explanatory statement and during the debates in the sitting of 13 March 1996. The rapporteur proposes that this common position of 29 April 1996 be approved as it stands.