



**2016/0392(COD)**

11.9.2017

# **AMENDMENTS**

## **75 - 259**

### **Draft report**

**Pilar Ayuso**

(PE604.847v01-00)

on the proposal for a regulation of the European Parliament and of the Council on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks

Proposal for a regulation

(COM(2016)0750 – C8-0496/2016 – 2016/0392(COD))



**Amendment 75**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 a (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Article 43(2) of the Treaty on the Functioning of the European Union,*

Or. fr

**Amendment 76**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 b (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Article 290 of the Treaty on the Functioning of the European Union, which emphasises, in particular, that the role of delegated acts is restricted to non-essential elements, which must be the subject of a legislative act;*

Or. fr

**Amendment 77**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 c (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Article 291 of the Treaty on the Functioning of the European Union, which defines the conditions for the exercise of the*

**Amendment 78**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 d (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Regulation (EC)  
No 1924/2006 of the European  
Parliament and of the Council of 20  
December 2006 on nutrition and health  
claims made on foods<sup>1</sup>,*

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<sup>1</sup> *OJ L 404, 30.12.2006, p.9.*

**Amendment 79**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 e (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Regulation (EC)  
No 1925/2006 of the European  
Parliament and of the Council of 20  
December 2006 on the addition of  
vitamins and minerals and of certain  
other substances to foods<sup>1</sup>,*

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<sup>1</sup> *OJ L 404, 30.12.2006, p.26.*

**Amendment 80**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 f (new)**

*Draft legislative resolution*

*Amendment*

- ***having regard to Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004<sup>1</sup>,***

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<sup>1</sup> *OJ L 304, 22.11.2011, p. 18.*

Or. fr

**Amendment 81**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 g (new)**

*Draft legislative resolution*

*Amendment*

- ***having regard to Regulation No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs<sup>1</sup>,***

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<sup>1</sup> *OJ L 343, 14.12.2012, p.1.*

**Amendment 82**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 h (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules<sup>1</sup>,*

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<sup>1</sup> OJ L 179, 19.6.2014, p. 17.

**Amendment 83**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Draft legislative resolution**

**Citation 1 i (new)**

*Draft legislative resolution*

*Amendment*

- *having regard to Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs<sup>1</sup>,*

Or. fr

#### Amendment 84

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

#### Draft legislative resolution

##### Citation 2

#### *Draft legislative resolution*

— having regard to Article 294(2) and Article 43(2) and Article 114(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8 0496/2017),

#### *Amendment*

— having regard to Article 294(2) and Article 43(2) and Article 114(1) of the Treaty on the Functioning of the European Union, ***which provide the legislative foundation for the harmonisation of the internal market and seek in particular to ensure a high standard of consumer protection***, pursuant to which the Commission submitted the proposal to Parliament (C8 0496/2017),

Or. fr

#### Amendment 85

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

#### Draft legislative resolution

##### Citation 2

#### *Draft legislative resolution*

— having regard to Article 294(2) and Article 43(2) and Article 114(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8 0496/2017),

#### *Amendment*

— having regard to Article 294(2) ***concerning the common organisation of agricultural markets*** and Article 43(2) and Article 114(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8 0496/2017),

Or. fr

## Amendment 86

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Draft legislative resolution

#### Citation 2 a (new)

*Draft legislative resolution*

*Amendment*

- ***having regard to Articles 26, 28 and 37 of the Treaty on the Functioning of the European Union, which define the powers of the European Union to regulate the internal market and, in particular, free movement of goods,***

Or. fr

## Amendment 87

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) Regulation (EC) No 110/2008 of the European Parliament and of the Council has proved successful in regulating the spirit drinks sector. However, in the light of recent experience and technological innovation it is necessary to update the rules on the definition, presentation and labelling of spirit drinks and to review the ways geographical indications for spirit drinks are registered.

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<sup>9</sup> Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition,

*Amendment*

(1) Regulation (EC) No 110/2008 of the European Parliament and of the Council has proved successful in regulating the spirit drinks sector. However, in the light of recent experience and technological innovation it is necessary to update the rules on the definition, presentation and labelling of spirit drinks and to review the ways geographical indications for spirit drinks are registered, ***while preserving the high degree of legal protection of protected geographical indications, which entail both legal protection and recognition of the value of the national heritages and know-how of the Member States.***

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<sup>9</sup> Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition,



description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89 (OJ L 39, 13.2.2008, p. 16).

Or. fr

## **Amendment 88**

**Mireille D'Ornano, Jean-François Jalkh, Sylvie Goddyn**

### **Proposal for a regulation**

#### **Recital 2**

##### *Text proposed by the Commission*

(2) In order to align the powers conferred upon the Commission pursuant to Regulation (EC) No 110/2008 to Articles 290 and 291 of the Treaty on the Functioning of the European Union ('the Treaty'), further amendments to that Regulation are needed.

##### *Amendment*

(2) In order to align the powers conferred upon the Commission pursuant to Regulation (EC) No 110/2008 to Articles 290 and 291 of the Treaty on the Functioning of the European Union ('the Treaty'), further, ***but not substantial***, amendments to that Regulation are needed.

Or. fr

## **Amendment 89**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

### **Proposal for a regulation**

#### **Recital 3**

##### *Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand

##### *Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks, ***which constitute one of***

for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

*the main reasons for the reputation for high-quality production of spirit drinks enjoyed by the European Union worldwide*, as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. fr

## Amendment 90

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 3

#### *Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks

#### *Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices *by increasing protection of national production by means, in particular, of protected indications of origin* and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit

concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. fr

## **Amendment 91** **Dubravka Šuica**

### **Proposal for a regulation** **Recital 3**

#### *Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector

#### *Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, **removing information asymmetry**, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union.

should therefore be emphasised by the regulatory framework.

This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. en

## **Amendment 92**

**Mireille D'Ornano, Jean-François Jalkh, Sylvie Goddyn**

### **Proposal for a regulation**

#### **Recital 3**

##### *Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

##### *Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation ***for high quality*** which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. fr

## **Amendment 93**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

*Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing ***fraudulent and*** deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. fr

**Amendment 94**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market

*Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market

transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character *and quality* of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. fr

## **Amendment 95**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

### **Proposal for a regulation**

#### **Recital 3**

#### *Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit

#### *Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit

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drinks, where such innovation **objectively** serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the agricultural sector should therefore be emphasised by the regulatory framework.

Or. fr

**Amendment 96**  
**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the **agricultural** sector

*Amendment*

(3) The measures applicable to spirit drinks should contribute to attaining a high level of consumer protection, preventing deceptive practices and attaining market transparency and fair competition. They should safeguard the reputation which the Union's spirit drinks have achieved in the Union and on the world market by continuing to take into account the traditional practices used in the production of spirit drinks as well as increased demand for consumer protection and information. Technological innovation should also be taken into account in respect of spirit drinks, where such innovation serves to improve quality, without affecting the traditional character of the spirit drinks concerned. The production of spirit drinks is strongly linked to the agricultural sector. Besides representing a major outlet for the agriculture of the Union, this link is determinant for the quality and reputation of the spirit drinks produced in the Union. This strong link to the **agri-food** sector

should therefore be emphasised by the regulatory framework.

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Or. en

**Amendment 97**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) In this respect, it should be noted that the spirit drinks sector is an important source of employment in the European Union, as approximately one million jobs, in production and sales combined, depend on their production, and that the revenue in excise duties and VAT amounts to around EUR 23 billion per annum, as the European Economic and Social Committee states in its aforementioned report.***

Or. fr

**Amendment 98**

**Dubravka Šuica**

**Proposal for a regulation**

**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3a) In light of recent tests on branded food that confirmed differences in the composition and quality of branded products sold on Central/Eastern and Western markets in the Union, the need to ensure disclosure on the content and composition on the label of spirit drinks in order to provide complete information to Union consumers should be stressed.***



**Amendment 99**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***(3b) It should also be recalled that the spirit drink industry contributes to the reputation for high quality enjoyed by European products on the world market, as the European market for spirit drinks has a turnover of EUR 21 billion, making the European Union the main producer and exporter of spirit drinks worldwide.***

Or. fr

**Amendment 100**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 3 c (new)**

*Text proposed by the Commission*

*Amendment*

***(3c) It should be recalled that, for all the above reasons, the maintenance of a high degree of protection for, and quality of, European production of spirit drinks is of great economic importance, bearing in mind the economic significance of European exports of these drinks, the consumption of spirit drinks by people in Europe and the jobs linked directly or indirectly to their production in the European Union.***

Or. fr

## Amendment 101

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 3 d (new)

*Text proposed by the Commission*

*Amendment*

**(3d) It should also be recalled that, with regard to the internal market, despite the fall in overall consumption of alcoholic drinks and, therefore, of spirit drinks in the EU by 32% between 1980 and 2014, the EU is, according to the World Health Organisation, the region of the world with the highest alcohol consumption. Thus, European household expenditure on food and beverages represents approximately 14% of households' budgets, making the European spirit drinks industry a driver of internal consumption in the European Union.**

Or. fr

## Amendment 102

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 4

*Text proposed by the Commission*

*Amendment*

(4) To ensure a more uniform approach in the legislation on spirit drinks, this Regulation should **set out** clear criteria for the definition, presentation and labelling of spirit drinks as well as for the protection of geographical indications. It should also set out rules on the use of ethyl alcohol or distillates of agricultural origin in the production of alcoholic beverages and on the use of the sales denominations of spirit drinks in the presentation and labelling of foodstuffs.

(4) To ensure a more uniform approach in the legislation on spirit drinks, this Regulation should **maintain** clear criteria for the definition, presentation and labelling of spirit drinks as well as for the protection of geographical indications. It should also set out rules on the use of ethyl alcohol or distillates of agricultural origin in the production of alcoholic beverages and on the use of the sales denominations of spirit drinks in the presentation and labelling of foodstuffs.

Or. fr

**Amendment 103**  
**Daciana Octavia Sârbu**

**Proposal for a regulation**  
**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) Consumers have a right to receive clear and understandable information regarding the ingredients contained in a particular beverage. Beverages should thus be labelled so as to provide information of the presence of any potentially harmful substances, as well as nutritional information such as the energy content per 100 ml, allowing consumers to make active dietary choices and maintain a healthy lifestyle.***

Or. en

**Amendment 104**  
**Jytte Guteland**

**Proposal for a regulation**  
**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) Consumers have a right to receive clear and understandable information regarding the ingredients contained in a particular beverage. Beverages should thus be labelled so as to provide information of the presence of any potentially harmful substances, as well as nutritional information such as the energy content per 100 ml, allowing consumers to make active dietary choices and maintain a healthy lifestyle.***

Or. en

**Amendment 105**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) In this respect, it should be recalled that in spite of an increase in turnover and a significant market share worldwide, the spirit drinks sector of the European Union has seen a substantial decline in competitiveness compared to competing geographical areas.***

Or. fr

**Amendment 106**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 4 b (new)**

*Text proposed by the Commission*

*Amendment*

***(4b) The sectoral regulations on consumer information on food, in particular Regulation (EU) No 1169/2011, which for the time being excludes beverages containing more than 1.2% alcohol from its scope, must not result in additional costs for the industries concerned in the light of the decline in competitiveness already noted in the spirit drinks industry.***

Or. fr

**Amendment 107**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 5**

*Text proposed by the Commission*

(5) In the interests of consumers, this Regulation should apply to all spirit drinks placed on the Union market, whether produced in the Member States or in third countries. In order to maintain and improve the reputation of the spirit drinks produced in the Union on the world market, this Regulation should also apply to spirit drinks produced in the Union for export.

*Amendment*

(5) In the interests of consumers, this Regulation should apply to all spirit drinks placed on the Union market, whether produced in the Member States or in third countries. In order to maintain and improve the reputation of the spirit drinks produced in the Union on the world market, this Regulation should also apply to spirit drinks produced in the Union for export, ***bearing in mind the necessary adjustments for the purpose of exports of those spirit drinks, particularly regarding the translation of the information contained on labels, sales denominations and all other information into foreign languages.***

Or. fr

**Amendment 108**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***(5a) It should be recalled that exports of wines and spirits are very dynamic in the European Union, with a marked improvement in the balance of trade in the period 2003 to 2012 because, during that period, the trade balance improved from showing a deficit of EUR 3 billion in 2003 to showing a surplus of EUR 10 billion in 2012.***

Or. fr

**Amendment 109**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 5 b (new)**

*Text proposed by the Commission*

*Amendment*

**(5b) European and national regulations must contribute to the dynamism of exports by granting facilities which are necessary as regards, inter alia, translations of commercial information into foreign languages, but at the same time the preservation of traditional production methods and the legal protection of protected geographical indications are of crucial importance and contribute to the competitiveness of European products on the international market.**

Or. fr

**Amendment 110**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

*Amendment*

(6) In order to meet consumer expectations and to conform to traditional practices, ethyl alcohol used for the production of spirit drinks and other alcoholic beverages should be exclusively of agricultural origin. This should also ensure an outlet for basic agricultural products.

(6) In order to meet consumer expectations and to conform to traditional practices, ethyl alcohol used for the production of spirit drinks and other alcoholic beverages should be exclusively of agricultural origin. This should also ensure an **additional** outlet for basic agricultural products.

Or. fr

**Amendment 111**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 7**

*Text proposed by the Commission*

(7) This Regulation should continue to focus on definitions of spirit drinks classified into categories by taking into account the traditional quality practices. ***This Regulation should also lay down specific rules for certain spirit drinks that are not included in the list of categories.***

*Amendment*

(7) This Regulation should continue to focus on definitions of spirit drinks classified into categories by taking into account the traditional quality practices.

Or. fr

**Amendment 112**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 8**

*Text proposed by the Commission*

(8) It should be clarified that a new category may only be added if a spirit drink has a significant market share in at least one Member State. Moreover, the name chosen for the new category ***shall either be a*** widely used ***name*** or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink.

*Amendment*

(8) It should be clarified that a new category may only be added if a spirit drink has a significant market share in at least one Member State. Moreover, the name chosen for the new category ***should correspond to the denomination*** widely used ***for the spirit drink in question*** or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink.

Or. fr

**Amendment 113**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 8**

*Text proposed by the Commission*

(8) It should be clarified that a new category may only be added if a spirit

*Amendment*

(8) It should be clarified that a new category may only be added if a spirit

drink has a significant market share in at least one Member State. Moreover, the name chosen for the new category shall either be a widely used name or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink.

drink has a significant market share in at least one Member State. Moreover, the name chosen for the new category shall either be a widely used name or, where this is not possible, be of a descriptive nature, in particular, by referring to the **main agricultural** raw material used for the production of the spirit drink.

Or. fr

#### **Amendment 114**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 8**

###### *Text proposed by the Commission*

(8) It should be clarified that a new category may only be added if a spirit drink has a significant market share in at least one Member State. Moreover, the name chosen for the new category shall either be a widely used name or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink.

###### *Amendment*

(8) It should be clarified that a new category may only be added if a spirit drink **objectively** has a significant market share in at least one Member State. Moreover, the name chosen for the new category shall either be a widely used name or, where this is not possible, be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink.

Or. fr

#### **Amendment 115**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 9**

###### *Text proposed by the Commission*

(9) Regulation (EC) No 1334/2008 of the European Parliament and the Council<sup>10</sup> also applies to spirit drinks. **However, it is necessary to lay down additional rules concerning flavourings which will only**

###### *Amendment*

(9) Regulation (EC) No 1334/2008 of the European Parliament and the Council<sup>10</sup> also applies to spirit drinks.



*apply to spirit drinks.*

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<sup>10</sup> Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

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<sup>10</sup> Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

Or. fr

## **Amendment 116**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

### **Proposal for a regulation**

#### **Recital 11**

##### *Text proposed by the Commission*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council *should apply* to the presentation and labelling of spirit drinks, save as otherwise provided for in this Regulation.

##### *Amendment*

(11) ***Industries in the sector for alcoholic drinks with a strength of more than 1.2% alcohol should decide any implementing rules for*** Regulation (EU) No 1169/2011 of the European Parliament and of the Council ***with regard*** to the presentation and labelling of spirit drinks, save as otherwise provided for in this Regulation.

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and

2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Or. fr

#### **Amendment 117**

**Bart Staes, Margrete Auken**

#### **Proposal for a regulation**

##### **Recital 11**

*Text proposed by the Commission*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>11</sup> should apply to the presentation and labelling of spirit drinks, *save as otherwise provided for in this Regulation.*

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

*Amendment*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>11</sup> should apply to the presentation and labelling of spirit drinks.

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Or. en

#### **Amendment 118**

**Renate Sommer**

#### **Proposal for a regulation**

##### **Recital 11**

*Text proposed by the Commission*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>11</sup> should apply to the presentation and labelling of spirit drinks, *save as otherwise provided for in this Regulation*.

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

*Amendment*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>11</sup> should apply to the presentation and labelling of spirit drinks.

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Or. de

**Amendment 119**  
**Jytte Guteland, Daciana Octavia Sârbu**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>11</sup> should apply to the presentation and labelling of spirit drinks, *save as otherwise provided for in this Regulation*.

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food

*Amendment*

(11) Regulation (EU) No 1169/2011 of the European Parliament and of the Council<sup>11</sup> should apply to the presentation and labelling of spirit drinks.

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<sup>11</sup> Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food

information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011, p. 18).

Or. en

**Amendment 120**  
**Bart Staes**

**Proposal for a regulation**  
**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) Under Regulation (EU) No 1169/2011, most alcoholic beverages are not required to indicate a list of ingredients or a nutrition declaration. In its resolution of 29 April 2015 on Alcohol Strategy, the European Parliament stressed the need for, as a minimum, the calorie content of alcoholic beverages to be clearly stated on labels as soon as possible and for the European Commission to come forward with the corresponding legislative proposal at the latest in 2016. At a time of rising obesity, and in response to increased consumer demand for greater transparency, mandatory on-label information on nutrients and ingredients is essential to help consumers choose what and how much to drink.***

Or. en

## Amendment 121

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 12

*Text proposed by the Commission*

(12) In order to ensure the uniform use of compound terms and allusions in Member States, it is necessary to lay down provisions concerning their use for the purpose of presentation of spirit drinks *and other foodstuffs*.

*Amendment*

(12) In order to ensure the uniform use of compound terms and allusions in Member States, it is necessary to lay down provisions concerning their use for the purpose of presentation of spirit drinks.

Or. fr

## Amendment 122

Jytte Guteland, Daciana Octavia Sârbu

### Proposal for a regulation

#### Recital 13

*Text proposed by the Commission*

(13) In order to provide consumers with the adequate information, provisions on the presentation and labelling of spirit drinks which qualify for mixtures of spirit drinks should be laid down.

*Amendment*

(13) In order to provide consumers with the adequate information, *as established by Regulation (EU) No 1169/2011*, provisions on the presentation and labelling of spirit drinks which qualify for mixtures of spirit drinks should be laid down.

Or. en

## Amendment 123

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 14

*Text proposed by the Commission*

(14) *While* it is important to ensure that in general the maturation period or age *specifies only the youngest alcoholic*

*Amendment*

(14) It is important to ensure that in general the maturation period or age *cannot be specified*.

*component, it should be possible to provide, by means of delegated acts, for a derogation, to take account of traditional ageing processes in the Member States.*

Or. fr

**Amendment 124**  
**Matteo Salvini**

**Proposal for a regulation**  
**Recital 14**

*Text proposed by the Commission*

(14) While it is important to ensure that in general the maturation period or age specifies only the youngest alcoholic component, it should be possible to provide, by means of *delegated* acts, for a derogation, to take account of traditional ageing processes in the Member States.

*Amendment*

(14) While it is important to ensure that in general the maturation period or age specifies only the youngest alcoholic component, it should be possible to provide, by means of *implementing* acts, for a derogation, to take account of traditional ageing processes in the Member States.

Or. it

**Amendment 125**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. *Such origin indications should comply with harmonised criteria. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.*

*Amendment*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product.

## Amendment 126

Matteo Salvini

### Proposal for a regulation

#### Recital 15

##### *Text proposed by the Commission*

(15) *In some cases*, food business operators *may* be required *or may want* to indicate the origin of spirit drinks to draw consumers' attention to *the* qualities of *their product*. Such origin indications should comply with harmonised criteria. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

##### *Amendment*

(15) Food business operators *should* be required to indicate the origin of spirit drinks to *render their products traceable and* to draw consumers' attention to *their* qualities. Such origin indications should comply with harmonised criteria. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Or. it

## Amendment 127

Boleslaw G. Piecha, Julie Girling

### Proposal for a regulation

#### Recital 15

##### *Text proposed by the Commission*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. *Such origin indications should comply with harmonised criteria.* Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

##### *Amendment*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Or. en

## Amendment 128

Ulrike Müller, Frédérique Ries

### Proposal for a regulation

#### Recital 15

##### *Text proposed by the Commission*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. ***Such origin indications should comply with harmonised criteria.*** Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

##### *Amendment*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Or. en

##### *Justification*

*The proposal introduces the rules on origin set from the Union customs code for tariff purposes. This is not appropriate for determining the origin of a spirit drink for labelling purposes and could undermine the provisions on protecting geographical indications, mislead consumers and cause significant problems for the EU's most important GIs.*

## Amendment 129

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 15

##### *Text proposed by the Commission*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks to draw consumers' attention to the qualities of their product. Such origin indications should comply with harmonised criteria. Therefore, specific provisions on the indication of the country of origin or place

##### *Amendment*

(15) In some cases, food business operators may be required or may want to indicate the origin of spirit drinks, ***or any other information concerning, in particular, the agricultural raw material used,*** to draw consumers' attention to the qualities of their product. Such origin indications should comply with



of provenance in the presentation and labelling of spirit drinks should be laid down.

harmonised criteria. Therefore, specific provisions on the indication of the country of origin or place of provenance in the presentation and labelling of spirit drinks should be laid down.

Or. fr

**Amendment 130**  
**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.<sup>12</sup>

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<sup>12</sup> Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

*Amendment*

(17) Concerning the protection of geographical indications, it is important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights ('TRIPS Agreement'), and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade ('GATT Agreement') which were approved by Council Decision 94/800/EC.<sup>12</sup> ***In order to enhance protection and to combat counterfeiting more effectively, a facility should be introduced to permit the seizure of spirits suspected of infringing the protection given to geographical indications which are in transit through the Union Customs territory.***

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<sup>12</sup> Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).

Or. en

### *Justification*

*According to the EU Trademark Regulation (207/2009), trademark owners can take action to stop third parties from transiting goods through the EU bearing an unauthorised trademark. No such right exists for spirit geographical indications so it is important to close this loophole.*

#### **Amendment 131**

**Nicola Caputo**

#### **Proposal for a regulation**

##### **Recital 17 a (new)**

*Text proposed by the Commission*

*Amendment*

***(17a) Member States are responsible for monitoring the unlawful use of protected geographical indications and the Commission should be informed of the application of the rules in the Member States, thus providing a suitable framework to allow fake spirits to be removed from the market.***

Or. en

#### **Amendment 132**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 18**

*Text proposed by the Commission*

*Amendment*

(18) Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>13</sup> does not apply to spirit drinks. Rules on protection of geographical indications of spirit drinks should therefore be laid down. ***Geographical indications identifying spirit drinks as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of the spirit drink are essentially***

(18) Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>13</sup> does not apply to spirit drinks. ***Regulation (EC) No 110/2008 therefore lays down specific rules applicable to protection of protected geographical indications.*** Rules on protection of geographical indications of spirit drinks should therefore be laid down. ***As a result of this Regulation, geographical indications are to be registered using a***

*attributable to its geographical origin should be registered by the Commission.*

*strictly defined procedure, involving the participation of and dialogue with the national competent authorities of the Member States.*

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<sup>13</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

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<sup>13</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Or. fr

### **Amendment 133**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 18**

###### *Text proposed by the Commission*

(18) Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>13</sup> does not apply to spirit drinks.

***Rules on protection of geographical indications of spirit drinks should therefore be laid down.*** Geographical indications identifying spirit drinks as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of the spirit drink are essentially attributable to its geographical origin should be registered by the Commission.

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<sup>13</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

###### *Amendment*

(18) Regulation (EU) No 1151/2012 of the European Parliament and of the Council<sup>13</sup> does not apply to spirit drinks. Geographical indications identifying spirit drinks as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of the spirit drink are essentially attributable to its geographical origin should be registered by the Commission.

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<sup>13</sup> Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).

Or. fr

**Amendment 134**  
**Boleslaw G. Piecha, Julie Girling**

**Proposal for a regulation**  
**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) In line with international obligations of the Union under the framework of the World Trade Organisation (WTO) as well as bilateral trade deals, in order to strengthen geographical indicators and combat counterfeiting of spirit drinks, this Regulation aims to prevent third parties from bringing goods brought, in the course of trade, into the union without being released for circulation, where such goods come from third countries and bear without authorisation a geographical indicator that is identical or which cannot be distinguished in its essential aspects.***

Or. en

**Amendment 135**  
**Angélique Delahaye, Michel Dantin, Françoise Grossetête**

**Proposal for a regulation**  
**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) It is appropriate that spirit drinks with a geographical indication, based on wines without an indication of origin protection, which are recorded in this Regulation, should benefit from the same management tools concerning production potential as those that are available under Regulation (EU) No 1308/2013.***

Or. fr

**Amendment 136**

**Pilar Ayuso**

**Proposal for a regulation**

**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18a) The protection of geographical indications of spirit drinks, should be further enhanced by covering also goods entering the customs territory of the Union not intended for free circulation on the Union market.***

Or. en

*Justification*

*To be consistent with the amendment tabled to Article 18, paragraph 3 a (new)*

**Amendment 137**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 19**

*Text proposed by the Commission*

*Amendment*

***(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union.*** In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. In order to simplify the

***(19)*** In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available an electronic register of geographical indications should be established.

registration procedures and to ensure that information for food business operators and consumers is electronically available an electronic register of geographical indications should be established.

Or. fr

#### **Amendment 138**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 19**

###### *Text proposed by the Commission*

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. ***In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available an electronic register of geographical indications should be established.***

###### *Amendment*

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the more exhaustive and well tested procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks.

Or. fr

#### **Amendment 139**

**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**  
**Recital 19**

*Text proposed by the Commission*

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the *more exhaustive and well tested* procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available an electronic register of geographical indications should be established.

*Amendment*

(19) Procedures for the registration, modification and possible cancellation of Union or third country geographical indications in accordance with the TRIPS Agreement should be laid down whilst automatically recognising the status of existing protected geographical indications of the Union. In view of making procedural rules on geographical indications consistent through all the sectors concerned, such procedures for spirit drinks should be modelled on the procedures for agricultural products and foodstuffs laid down in Regulation (EU) No 1151/2012 while taking into account specificities of spirit drinks. In order to simplify the registration procedures and to ensure that information for food business operators and consumers is electronically available an electronic register of geographical indications should be established.

Or. en

**Amendment 140**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***(20a) The Member States and the Commission shall jointly decide the content of and procedures for these exchanges of information.***

Or. fr

#### **Amendment 141**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 21**

###### *Text proposed by the Commission*

(21) In applying a quality policy and in order to allow for a high level of quality of spirit drinks and diversity in the spirit drinks sector, Member States should be allowed to adopt rules on the definition, presentation and labelling of spirit drinks produced in their territory that are stricter than those laid down in this Regulation.

###### *Amendment*

(21) In applying a quality policy and in order to allow for a high level of quality ***and for the production of their national products*** of spirit drinks and diversity in the spirit drinks sector, Member States should be allowed to adopt rules on the definition, presentation and labelling of spirit drinks produced in their territory that are stricter than those laid down in this Regulation.

Or. fr

#### **Amendment 142**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

##### **Recital 21**

###### *Text proposed by the Commission*

(21) In applying a quality policy and in order to allow for a high level of quality of spirit drinks and diversity in the spirit drinks sector, Member States should be allowed to adopt rules on the definition, presentation and labelling of spirit drinks produced in their territory that are stricter than those laid down in this Regulation.

###### *Amendment*

(21) In applying a quality policy and in order to allow for a high level of quality of spirit drinks and diversity in the spirit drinks sector, Member States should be allowed to adopt rules on the definition, presentation and labelling of spirit drinks produced in their territory that are stricter than those laid down in this Regulation ***or are adapted to their national situations.***

Or. fr

#### **Amendment 143**

**Julie Girling**



**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) In applying a quality policy and in order to allow for a high level of quality of spirit drinks and diversity in the spirit drinks sector, Member States should be allowed to adopt rules on the definition, presentation and labelling of spirit drinks produced in their territory that are stricter than those laid down in this Regulation.

*Amendment*

(21) In applying a quality policy and in order to allow for a high level of quality of spirit drinks and diversity in the spirit drinks sector, Member States should be allowed to adopt rules on the **production**, definition, presentation and labelling of spirit drinks produced in their territory that are stricter than those laid down in this Regulation.

Or. en

*Justification*

*This change would introduce the word 'production' into the Recital which brings it in line with the rest of the draft Regulation.*

**Amendment 144**  
**Bart Staes**

**Proposal for a regulation**  
**Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

***(21a) In its March 2017 report regarding the mandatory labelling of the list of ingredients and the nutrition declaration of alcoholic beverages, the Commission stated that it has not identified objective grounds that would justify the absence of information on ingredients and nutrition information and invited the industry to develop, within a year, a self-regulatory proposal aimed at providing information on ingredients and nutrition of all alcoholic beverages. In order to ensure a high level of consumer protection, the self-regulatory approach should, as a minimum, ensure that ingredients and nutritional information is provided on-***

*label and that such information complies with stipulations on ‘Voluntary Food Information’ as set out in Regulation (EU) No 1169/2011. The Commission should assess the industry's proposal in a report, accompanied, if appropriate, by a legislative proposal.*

Or. en

#### **Amendment 145**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

#### **Recital 22**

*Text proposed by the Commission*

*Amendment*

*(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.*

*deleted*

Or. fr

**Amendment 146**  
**Susanne Melior**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions *and requirements of the categories of spirit drinks and the specific rules concerning some of them* referred to *under Chapter I of this Regulation*, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

*Amendment*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions referred to *in Annex I*, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. de

*Justification*

*Amendment which is necessary if Article 5(1) and (2) is amended. The definitions in Annex II are key components of the Regulation. In accordance with Article 290(1) TFEU the Commission may be empowered to supplement or amend certain non-essential elements of the legislative act by means of delegated acts. Key aspects of the field are reserved for the legislature. Powers therefore must not be delegated.*

**Amendment 147**  
**Boleslaw G. Piecha, Julie Girling**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

*Amendment*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***and also allowing for the importance of traditional practise within a Member State***, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

**Amendment 148**  
**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to take into account

*Amendment*

(22) In order to take into account

evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***while taking into consideration the importance of traditional practice***, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

**Amendment 149**  
**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to

*Amendment*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***while taking into***

adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

*account the importance of traditional practice*, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

#### *Justification*

*If delegated acts are prepared on the parts of the Regulation listed in this recital, it is important that any new rules respect traditional practice, because that is one of the fundamental aims of the Regulation.*

#### **Amendment 150** **Dubravka Šuica**

#### **Proposal for a regulation** **Recital 22**

##### *Text proposed by the Commission*

(22) In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment

##### *Amendment*

(22) In order to take into account evolving consumer demands, **global market interconnectivity**, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the **full** protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the

of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

**Amendment 151**  
**Susanne Melior**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

*Amendment*

***(23) In order to react rapidly to economic and technological developments regarding spirit drinks covered by this Regulation for which no category and technical specifications exist so as to protect consumers and the economic interests of producers and unify the given production and quality requirements for those spirit drinks, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission as regard the addition, subject to certain conditions, of new categories of spirit drinks to those listed respectively in Part I and II of Annex II to this Regulation and the technical specifications thereof.***

***deleted***

Or. de

*Justification*

*The insertion of a new category of spirit drinks is a significant amendment to the Regulation and should be subject to the ordinary legislative procedure.*

**Amendment 152**

**Ulrike Müller**

**Proposal for a regulation**

**Recital 23**

*Text proposed by the Commission*

*Amendment*

(23) *In order to react rapidly to economic and technological developments regarding spirit drinks covered by this Regulation for which no category and technical specifications exist so as to protect consumers and the economic interests of producers and unify the given production and quality requirements for those spirit drinks, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission as regard the addition, subject to certain conditions, of new categories of spirit drinks to those listed respectively in Part I and II of Annex II to this Regulation and the technical specifications thereof.* *deleted*

Or. en

*Justification*

*The introduction of a new category of spirits would be a significant change. Any addition of categories to Annex II of the Regulation should be undertaken by the Parliament and the Council.*

**Amendment 153**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 23**



*Text proposed by the Commission*

(23) In order to react rapidly to economic and technological developments regarding spirit drinks covered by this Regulation for which no category and technical specifications exist so as to protect consumers and the economic interests of producers and unify the given production and quality requirements for those spirit drinks, the ***power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission as regard the addition***, subject to certain conditions, ***of*** new categories of spirit drinks to those listed respectively in Part I and II of Annex II to this Regulation and the technical specifications thereof.

*Amendment*

(23) In order to react rapidly to economic and technological developments regarding spirit drinks covered by this Regulation for which no category and technical specifications exist so as to protect consumers and the economic interests of producers and unify the given production and quality requirements for those spirit drinks, the ***Commission may, with the prior agreement of the Member States concerned***, subject to certain conditions, ***add*** new categories of spirit drinks to those listed respectively in Part I and II of Annex II to this Regulation and the technical specifications thereof.

Or. fr

**Amendment 154**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation  
Recital 24**

*Text proposed by the Commission*

(24) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016<sup>14</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

*Amendment*

(24) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, ***and in particular representatives of micro-enterprises and SMEs in the industry***, conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016<sup>14</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the

preparation of delegated acts.

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<sup>14</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

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<sup>14</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

Or. fr

## Amendment 155

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Recital 24

##### *Text proposed by the Commission*

(24) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016<sup>14</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>14</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

##### *Amendment*

(24) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better Law-Making of 13 April 2016<sup>14</sup> **and in the context of REFIT**. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

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<sup>14</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making (OJ L 123, 12.5.2016, p. 1).

Or. fr

**Amendment 156**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**(24a) In this context, the European Economic and Social Committee has also stressed the need for this proposal for a regulation to be considered under REFIT.**

Or. fr

**Amendment 157**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 25**

*Text proposed by the Commission*

*Amendment*

(25) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission.

(25) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission ***subject to the conditions provided for by this Regulation.***

Or. fr

**Amendment 158**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Recital 27**

*Text proposed by the Commission*

*Amendment*

**(27) The transition from the rules provided for in Regulation (EC) No 110/2008 to those laid down in this Regulation could give rise to difficulties which are not dealt with in this**

***deleted***

***Regulation. To take the necessary measures in that respect, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission.***

Or. fr

## **Amendment 159**

**Nikos Androulakis, Manolis Kefalogiannis, Giorgos Grammatikakis**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1**

##### *Text proposed by the Commission*

1. This Regulation lays down rules on the definition, presentation and labelling of spirit drinks, as well as on the protection of geographical indications for spirit drinks. This Regulation shall also apply to the use of ethyl alcohol or distillates of agricultural origin in the production of alcoholic beverages and to the use of spirit drinks' names in the presentation and labelling of other foodstuffs.

##### *Amendment*

1. This Regulation lays down rules on the definition, ***description***, presentation and labelling of spirit drinks, as well as on the protection of geographical indications for spirit drinks. This Regulation shall also apply to the use of ethyl alcohol or distillates of agricultural origin in the production of alcoholic beverages and to the use of spirit drinks' names in the presentation and labelling of other foodstuffs.

Or. en

## **Amendment 160**

**Annie Schreijer-Pierik**

### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 1 – point d – point i – introductory part**

##### *Text proposed by the Commission*

(i) either directly by using any of the following methods:

##### *Amendment*

(i) either directly by using any of the following methods, ***individually or in combination***:

Or. en

*Justification*

*It must be ensured that the flexibility provided by 'and/or' in Regulation (EC) No 110/2008 is maintained in this Regulation.*

**Amendment 161**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point i – indent 1**

*Text proposed by the Commission*

*Amendment*

- distillation, ***with or without added flavourings***, of naturally fermented products,

- distillation of naturally fermented products,

Or. fr

**Amendment 162**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point i – indent 3 – indent 2**

*Text proposed by the Commission*

*Amendment*

- ***colours***,

***deleted***

Or. fr

**Amendment 163**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point i – indent 3 – indent 2**

*Text proposed by the Commission*

*Amendment*

- ***colours***,

- ***colourings***,

Or. fr

#### **Amendment 164**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point i – indent 3 – indent 3**

*Text proposed by the Commission*

*Amendment*

- sugars or other sweetening products,

- sugars or other sweetening products, *exhaustively enumerated*,

Or. fr

#### **Amendment 165**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point ii – indent 4**

*Text proposed by the Commission*

*Amendment*

- *other foodstuffs*;

*deleted*

Or. fr

#### **Amendment 166**

**Ulrike Müller, Frédérique Ries**

#### **Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point ii – indent 4**

*Text proposed by the Commission*

*Amendment*

- other *foodstuffs*;

- other *alcoholic beverages*;

Or. en

*(See wording of Article 2 - Paragraph 1 - Point d - Point ii of Regulation 110/2008.)*

#### *Justification*

*The proposal changes and widens the scope of the definition without an obvious need or*

*benefit. To avoid accidental ambiguities, it would be better to keep the current wording from Regulation 110/2008.*

**Amendment 167**

**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point ii – indent 4**

*Text proposed by the Commission*

*Amendment*

- other *foodstuffs*;

- other *alcoholic beverages*;

Or. en

**Amendment 168**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point ii – indent 4**

*Text proposed by the Commission*

*Amendment*

- other *foodstuffs*;

- other *alcoholic beverages*;

Or. fr

**Amendment 169**

**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point ii – indent 4 a (new)**

*Text proposed by the Commission*

*Amendment*

- *drinks*;

Or. en

**Amendment 170**

**Ulrike Müller**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1 – point d – point ii – indent 4 a (new)**

*Text proposed by the Commission*

*Amendment*

- *drinks;*

Or. en

*Justification*

*To be consistent with proposed change to Article 2 - Paragraph 1 - Point 1 - Point d - Point ii - indent 4.*

**Amendment 171**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 3 – point b**

*Text proposed by the Commission*

*Amendment*

(b) distillates of agricultural origin;

(b) distillates of agricultural origin  
*and/or ethyl alcohol of agricultural origin;*

Or. fr

**Amendment 172**

**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

*(ba) ethyl alcohol of agricultural origin;*

Or. en



**Amendment 173**  
**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) ethyl alcohol of agricultural origin;**

Or. en

*Justification*

*‘Neutral’ alcohol covers both distillates and ethyl alcohol of agricultural origin (as defined in the current and proposed new Regulations). Hence, the proposed wording is incomplete, they both should be included in this new definition.*

**Amendment 174**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the term ‘liqueur’;

(b) the term ‘liqueur’, ***in accordance with the conditions laid down in Annex 2, Part 1 (term 32) of this Regulation;***

Or. fr

**Amendment 175**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

(5) ‘allusion’ means the direct or indirect reference to one or more spirit drinks listed in Part I of Annex II or geographical indications, other than the

(5) ‘allusion’ means the direct or indirect reference to one or more spirit drinks, ***a sales denomination*** listed in Part I of Annex II or geographical indications,

reference in a compound term or list of ingredients referred to in Article 8(6);

other than the reference in a compound term or list of ingredients referred to in Article 8(6);

Or. fr

#### **Amendment 176**

**Matteo Salvini**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 6**

##### *Text proposed by the Commission*

(6) ‘geographical indication’ means an indication which identifies a spirit drink as originating in the territory of a country, or a region or locality in that territory, where a given quality, **reputation** or other characteristic of that spirit drink is essentially attributable to its geographical origin;

##### *Amendment*

(6) ‘geographical indication’ means an indication which identifies a spirit drink as originating in the territory of a country, or a region or locality in that territory, where a given quality or other characteristic of that spirit drink is essentially attributable to its geographical origin;

Or. it

#### **Amendment 177**

**Julie Girling**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 10**

##### *Text proposed by the Commission*

(10) **‘label’ means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to the packaging or container of food;**

##### *Amendment*

**deleted**

Or. en

##### *Justification*

*This deletion would remove a definition of ‘label’ from the draft Regulation which is*

*considered superfluous, particularly as there are minimal references to this in the draft Regulation. The wide definition presented here, including embossing and stencilling, would also create practical issues in terms of complying with ‘on the label’ indications.*

**Amendment 178**

**Lynn Boylan**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) ‘nutrition declaration’ means the declaration that includes all the relevant nutritional information to the spirit drink elements, as set out in Article 30 of Regulation (EU) No 1169/2011;***

Or. en

**Amendment 179**

**Renate Sommer**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***11a. ‘association’ means a pool of producers, processors or importers of spirit drinks which are organised in a sector-specific manner and generate a significant turnover.***

Or. de

**Amendment 180**

**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) ‘of agricultural origin’ means obtained from agricultural products listed in Annex I to the TFEU or fermented alcoholic beverages originating exclusively from such products.***

Or. en

*Justification*

*The current regulation 110/2008 allows the use of alcohol obtained from wine for the production of spirit drinks, as wine is listed as an agricultural good in Annex I to the Treaty (point 22.05). This adaptation would also allow the use of alcohol from other fermented alcoholic beverages that are exclusively made from agricultural products listed in Annex I, which is currently not admissible.*

**Amendment 181**  
**Bolesław G. Piecha**

**Proposal for a regulation**  
**Article 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 2 a***

***The technical definitions , as referred to in Article 2(2), are the following:***

***(1) ‘ethylalcohol of agricultural origin’ means an alcoholic liquid which possesses the following properties:***

***(a) organoleptic characteristics: no detectable taste other than that of the raw materials used in its production;***

***(b) minimum alcoholic strength by volume: 96.0 %;***

***(c) maximum level of residues:***

***(i) total acidity, expressed in grams of acetic acid per hectolitre of 100 % vol. alcohol: 1.5;***

***(ii) esters expressed in grams of ethyl***

*acetate per hectolitre of 100 % vol.  
alcohol: 1.3;*

*(iii) aldehydes expressed in grams of  
acetaldehyde per hectolitre of 100 % vol.  
alcohol: 0.5;*

*(iv) higher alcohols expressed in grams of  
methyl2 propanol1 per hectolitre of 100 %  
vol. alcohol: 0.5;*

*(v) methanol expressed in grams per  
hectolitre of 100 % vol. alcohol: 30;*

*(vi) dry extract expressed in grams per  
hectolitre of 100 % vol. alcohol: 1.5;*

*(vii) volatile bases containing nitrogen  
expressed in grams of nitrogen per  
hectolitre of 100 % vol. alcohol: 0.1;*

*(viii) furfural: not detectable;*

*(2) 'distillate of agricultural origin'  
means an alcoholic liquid which is  
obtained by the distillation, after alcoholic  
fermentation which does not have the  
properties of ethyl alcohol or of a spirit  
drink but still retains the aroma and taste  
of the raw materials used;*

*(3) 'sweetening' means using one or more  
of the following products in the  
preparation of spirit drinks:*

*(a) semi-white sugar, white sugar, extra-  
white sugar, dextrose, fructose, glucose  
syrup, sugar solution, invert sugar  
solution, invert sugar syrup, as defined in  
Council Directive 2001/111/EC<sup>1a</sup>;*

*(b) rectified concentrated grape must,  
concentrated grape must, fresh grape  
must;*

*(c) burned sugar, which is the product  
obtained exclusively from the controlled  
heating of sucrose without bases, mineral  
acids or other chemical additives;*

*(d) honey as defined in Council Directive  
2001/110/EC<sup>1b</sup>;*

*(e) carob syrup;*

*(f) any other natural carbohydrate  
substances having a similar effect to the*

*products referred to in points (a) to (e);*

*(4) ‘addition of alcohol’ means the addition of ethyl alcohol of agricultural origin or distillates of agricultural origin or both to a spirit drink. The use of alcohol of agricultural origin for dilute or dissolution of colours, flavouring or any other authorised additives used in the preparation of spirit drinks shall not be considered as addition of alcohol;*

*(5) ‘addition of water’ means addition of water which may be distilled, demineralised, permuted or softened in the preparation of spirit drinks. This addition is authorised provided that the quality of the water is in conformity with Council Directive 98/83/EC<sup>1c</sup> and Directive 2009/54/EC of the European Parliament and of the Council<sup>1d</sup> and that the alcoholic strength of the spirit drink, after the addition, still complies with the minimum alcoholic strength by volume provided for under the relevant category of spirit drink;*

*(6) ‘blending’ means combining two or more spirit drinks of the same category, distinguished only by minor differences in composition due to one or more of the following factors:*

*(a) the method of preparation;*

*(b) the stills employed;*

*(c) the period of maturation or ageing;*

*(d) the geographical area of production.*

*The spirit drink so produced shall be of the same category of spirit drink as the original spirit drinks before blending;*

*(7) ‘maturation or ageing’ means the process of developing certain reactions naturally, in appropriate containers, with the purpose of giving the spirit drink in question organoleptic qualities previously absent;*

*(8) ‘flavourings’ mean ‘flavourings’ as defined in point (a) of Article 3(2) of*

***Regulation (EC) No 1334/2008;***

***(9) 'flavouring substance' means 'flavouring substance' as defined in point (b) of Article 3(2) of Regulation (EC) No 1334/2008;***

***(10) 'natural flavouring substance' means 'natural flavouring substance' as defined in point (c) of Article 3(2) of Regulation (EC) No 1334/2008;***

***(11) 'flavouring preparation' means 'flavouring preparation' as defined in point (d) of Article 3(2) of Regulation (EC) No 1334/2008;***

***(12) 'other flavouring' means 'other flavouring' as defined in point (h) of Article 3(2) of Regulation (EC) No 1334/2008;***

***(13) 'colours' mean 'colours' as defined in point 2 of Annex I to Regulation (EC) No 1333/2008 of the European Parliament and of the Council<sup>1e</sup>;***

***(14) 'colouring' means using in the preparation of a spirit drink one or more colours, as defined in point 2 of Annex I to Regulation (EC) No 1333/2008;***

***(15) 'alcoholic strength by volume' means the ratio of the volume of pure alcohol present in the product in question at 20 °C to the total volume of that product at the same temperature;***

***(16) 'volatile substances content' means the quantity of volatile substances other than ethyl alcohol and methanol contained in a spirit drink obtained exclusively by distillation, as a result solely of the distillation or re-distillation of the raw materials used;***

***(17) 'packaging' means the protective wrappings, cartons, cases, containers and bottles used in the transport or sale of spirit drinks;***

***(18) 'of agricultural origin' means obtained from agricultural products listed in Annex I to the TFEU or processed***

*foodstuffs originating exclusively from such products, suitable for human consumption.*

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*<sup>1a.</sup> Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption (OJ L 10, 12.1.2002, p. 53).*

*<sup>1b.</sup> Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).*

*<sup>1c.</sup> Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).*

*<sup>1d.</sup> Directive 2009/54/EC of the European Parliament and of the Council of 18 June on the exploitation and marketing of natural mineral waters (OJ L 164, 26.6.2009, p. 45).*

*<sup>1e.</sup> Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).*

Or. en

## **Amendment 182**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1**

##### *Text proposed by the Commission*

1. The alcohol used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall be ethyl alcohol of agricultural origin.

##### *Amendment*

1. The alcohol used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall be ethyl alcohol of ***exclusively*** agricultural origin.

Or. fr



**Amendment 183**  
**Renate Sommer**

**Proposal for a regulation**  
**Article 3 – paragraph 1**

*Text proposed by the Commission*

(1) The alcohol used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall be ethyl alcohol of agricultural origin.

*Amendment*

(1) The alcohol used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall be ethyl alcohol of agricultural origin ***or derived from beer.***

Or. de

**Amendment 184**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 3 – paragraph 1**

*Text proposed by the Commission*

(1) The alcohol used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall be ethyl alcohol of agricultural origin.

*Amendment*

(1) The alcohol used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall be ethyl alcohol of agricultural origin ***or derived from beer.***

Or. de

*Justification*

*Large quantities of alcohol are produced during the manufacture of alcohol-free beers. Beer alcohol is a high-quality alcohol and should be used in the spirit drink industry.*

**Amendment 185**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 3 – paragraph 2**

*Text proposed by the Commission*

(2) Distillates used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall exclusively be of agricultural origin.

*Amendment*

(2) Distillates used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall exclusively be of agricultural origin ***or derived from beer.***

Or. de

*Justification*

*Large quantities of alcohol are produced during the manufacture of alcohol-free beers. Beer alcohol is a high-quality alcohol and should be used in the spirit drink industry.*

**Amendment 186**  
**Renate Sommer**

**Proposal for a regulation**  
**Article 3 – paragraph 2**

*Text proposed by the Commission*

(2) Distillates used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall exclusively be of agricultural origin.

*Amendment*

(2) Distillates used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall exclusively be of agricultural origin ***or derived from beer.***

Or. de

**Amendment 187**  
**Elisabetta Gardini, Herbert Dorfmann**

**Proposal for a regulation**  
**Article 3 – paragraph 2 a (new)**

**2a. Where ethyl alcohol or distillates of agricultural origin are to be marketed, the raw materials from which they have been obtained shall be specified in the electronic accompanying documents.**

Or. it

*Justification*

*This amendment has the purpose of introducing a requirement to specify in the electronic accompanying documents what raw materials were used in the production of ethyl alcohol or distillates of agricultural origin. These products can be used to produce other spirit drinks in which the alcohol or distillates have to be obtained from given raw materials only, as in the case of wine distillate used in the production of brandy. The indication of the raw materials will thus ensure full traceability and prevent the rules from being circumvented.*

**Amendment 188**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 4 – paragraph 1 – point e**

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product.

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product. ***The maximum added sugar contents applicable to individual products shall be laid down for the respective product categories.***

Or. de

*Justification*

*As quality products, distilled drinks whose production involves fermentation should be sweetened only for rounding-off purposes and in limited quantities. Otherwise production faults, particularly in fermentation and distillation, might be concealed and an illusion of higher quality created. These maximum amounts of sweetening should vary depending on the product category, but should be uniform throughout the EU.*

## Amendment 189

Norbert Lins

### Proposal for a regulation

#### Article 4 – paragraph 1 – point e

*Text proposed by the Commission*

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product.

*Amendment*

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product. ***The maximum added sugar contents applicable to individual products shall be laid down for the respective product categories.***

Or. de

#### *Justification*

*As quality products, distilled drinks whose production involves fermentation should be sweetened only for rounding-off purposes and in limited quantities. Otherwise production faults, particularly in fermentation and distillation, might be concealed and an illusion of higher quality created. Hitherto, domestic law has applied to the individual categories, causing distortion of competition on the EU market. These maximum amounts of sweetening should vary depending on the product category, but should be uniform throughout the EU.*

## Amendment 190

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Article 4 – paragraph 2 – point a

*Text proposed by the Commission*

a) ***be obtained from any agricultural raw material listed in Annex I to the Treaty;***

*Amendment*

***deleted***

Or. fr

## Amendment 191

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) contain flavourings as defined in point (8) of Annex I;

*Amendment*

*(Does not affect the English version.)*  
***peuvent contenir*** des substances aromatisantes telles que définies à l'annexe I, point 8);

Or. fr

**Amendment 192**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point d**

*Text proposed by the Commission*

(d) contain colouring as defined in point (14) of Annex I;

*Amendment*

*(Does not affect the English version.)*  
***peuvent contenir des matières colorantes telles que définies*** à l'annexe I, point 14);

Or. fr

**Amendment 193**  
**Renate Sommer**

**Proposal for a regulation**  
**Article 4 – paragraph 2 – point e**

*Text proposed by the Commission*

(e) be sweetened to correspond to particular product characteristics ***and in accordance with point (3) of Annex I and taking into account the relevant legislation of the Member States.***

*Amendment*

(e) be sweetened to correspond to particular product characteristics. ***Taking into account the legislation of the Member States which has been in force hitherto, the Commission shall within three years submit an implementing act establishing uniform maximum levels of sweetening of the categories of spirit drinks referred to in Annex II throughout***

*the EU.*

Or. de

*Justification*

*Up till now completely different rules have applied to the sweetening of spirit drinks in the Member States. This distorts the internal market.*

**Amendment 194**

**Renate Sommer**

**Proposal for a regulation**

**Article 4 – paragraph 2 – point e a (new)**

*Text proposed by the Commission*

*Amendment*

*(ea) if they contain no additional  
sweetening, be advertised accordingly.*

Or. de

**Amendment 195**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point c**

*Text proposed by the Commission*

*Amendment*

(c) contain flavourings as defined in  
point (8) of Annex I;

*(Does not affect the English version.)*  
***peuvent contenir*** des substances  
aromatisantes telles que définies à l'annexe  
I, point 8);

Or. fr

**Amendment 196**

**Renate Sommer**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point e**

*Text proposed by the Commission*

*Amendment*

(e) be sweetened to correspond to particular product characteristics and in accordance with point (3) of Annex I.

(e) be sweetened to correspond to particular product characteristics and in accordance with point (3) of Annex I.  
***Taking into account the legislation in force in the Member States, the Commission shall within three years submit an implementing act establishing uniform maximum levels of sweetening of these spirit drinks throughout the EU.***

Or. de

**Amendment 197**

**Nikos Androulakis, Giorgos Grammatikakis, Manolis Kefalogiannis**

**Proposal for a regulation  
Article 5**

*Text proposed by the Commission*

*Amendment*

***Article 5***

***deleted***

***Delegated powers***

***1. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:***

***(a) the amendment of the technical definitions provided for in Annex I;***

***(b) the amendment of the requirements of the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.***

***The delegated acts referred to in points (a) and (b) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.***

***2. The Commission shall be***

*empowered to adopt delegated acts in accordance with Article 43 concerning the addition of new categories of spirit drinks in Annex II.*

*A new category may be added under the following conditions:*

- (a) the marketing of a spirit drink under a particular name and in accordance with uniform technical specifications is economically and technically necessary to protect the interests of consumers and producers;*
- (b) a spirit drink has a significant market share in at least one Member State;*
- (c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;*
- (d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.*

*3. The Commission shall, in exceptional cases where the law of the importing third country so requires, also be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from the requirements under the technical definitions provided for in Annex I, the requirements under the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.*



**Amendment 198**

**Susanne Melior**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 43 *concerning*:

The Commission shall be empowered to adopt delegated acts in accordance with Article 43 *amending the technical definitions in Annex I.*

Or. de

**Amendment 199**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the amendment of the requirements of the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.*

*deleted*

Or. fr

**Amendment 200**

**Nicola Caputo**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the amendment of the requirements of the categories of spirit*

*deleted*

*drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.*

Or. en

*Justification*

*This area should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: essential articles, such as this one, should be reserved to a transparent co-decision procedure.*

**Amendment 201**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) the amendment of the requirements of the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.* *deleted*

Or. de

*Justification*

*The definitions in Annex II are key components of the Regulation. In accordance with Article 290(1) TFEU the Commission may be empowered to supplement or amend certain non-essential elements of the legislative act by means of delegated acts. Key aspects of the field are reserved for the legislature. Powers therefore must not be delegated.*

**Amendment 202**  
**Norbert Lins**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) *the amendment of the requirements of the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.*** ***deleted***

Or. de

*Justification*

*The definitions of product categories in Annex II are at the heart of the Regulation on spirit drinks, as all the legal consequences are linked to the definitions, and therefore, in the future as hitherto, they should be amended or supplemented by the basic legislator.*

**Amendment 203**

**Boleslaw G. Piecha, Julie Girling**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The delegated acts referred to in points (a) and (b) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

The delegated acts referred to in points (a) and (b) of the first subparagraph shall, ***while allowing for the importance of traditional practice within a Member State***, be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

Or. en

**Amendment 204**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The delegated acts referred to in ***points (a) and (b) of*** the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

*Amendment*

The delegated acts referred to in the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

Or. fr

**Amendment 205**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The delegated acts referred to in ***points (a) and (b) of*** the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

*Amendment*

The delegated acts referred to in the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

Or. de

**Amendment 206**  
**Nicola Caputo**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The delegated acts referred to in ***points (a) and (b) of*** the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international

*Amendment*

The delegated acts referred to in ***point (a)*** of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product

standards or needs for product innovation.

innovation.

Or. en

*Justification*

*Point (b) should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: essential points, such as this one, should be reserved to a transparent co-decision procedure.*

**Amendment 207**

**Norbert Lins**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The delegated acts referred to in **points** (a) **and** (b) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

*Amendment*

The delegated acts referred to in **point** (a) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

Or. de

*Justification*

*The definitions of product categories in Annex II are at the heart of the Regulation on spirit drinks, as all the legal consequences are linked to the definitions, and therefore, in the future as hitherto, they should be amended or supplemented by the basic legislator.*

**Amendment 208**

**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**

**Article 5 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The delegated acts referred to in points (a)

*Amendment*

The delegated acts referred to in points (a)

and (b) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.

and (b) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation, *whilst taking into account the importance of traditional practices.*

Or. en

#### *Justification*

*Traditional practices is a key element in the spirits drinks sector and should be taken into account. This amendment would be consistent with the reference to traditional practices in the recitals.*

**Amendment 209**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**(2) The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the addition of new categories of spirit drinks in Annex II.**

***deleted***

***A new category may be added under the following conditions:***

- (a) the marketing of a spirit drink under a particular name and in accordance with uniform technical specifications is economically and technically necessary to protect the interests of consumers and producers;***
- (b) a spirit drink has a significant market share in at least one Member State;***
- (c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by***

*referring to the raw material used for the production of the spirit drink;*

*(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.*

Or. de

#### *Justification*

*The definitions in Annex II are key components of the Regulation. In accordance with Article 290(1) TFEU the Commission may be empowered to supplement or amend certain non-essential elements of the legislative act by means of delegated acts. Key aspects of the field are reserved for the legislature. Powers therefore must not be delegated.*

#### **Amendment 210**

**Nicola Caputo**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2.      *The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the addition of new categories of spirit drinks in Annex II.***      ***deleted***

*A new category may be added under the following conditions:*

*(a) the marketing of a spirit drink under a particular name and in accordance with uniform technical specifications is economically and technically necessary to protect the*

*interests of consumers and producers;*

*(b) a spirit drink has a significant market share in at least one Member State;*

*(c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;*

*(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.*

Or. en

#### *Justification*

*This area should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: essential articles, such as this one, should be reserved to a transparent co-decision procedure.*

#### **Amendment 211**

**Norbert Lins**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the addition of new categories of spirit drinks in Annex II.* **deleted**



*Justification*

*The definitions of product categories in Annex II are at the heart of the Regulation on spirit drinks, and this applies particularly to the adoption of new definitions, as new categories could damage competition with regard to product categories in force. New definitions should therefore be adopted only by the basic legislator.*

**Amendment 212****Ulrike Müller****Proposal for a regulation****Article 5 – paragraph 2 – subparagraph 1***Text proposed by the Commission**Amendment*

*The Commission shall be empowered to  
adopt delegated acts in accordance with  
Article 43 concerning the addition of new  
categories of spirit drinks in Annex II.*

*deleted**Justification*

*The introduction of a new category of spirits would be a significant change. Any addition of categories to Annex II of the Regulation should be undertaken by the Parliament and the Council.*

**Amendment 213****Norbert Lins****Proposal for a regulation****Article 5 – paragraph 2 – subparagraph 2***Text proposed by the Commission**Amendment*

*A new category may be added under the  
following conditions:*

*deleted*

*(a) the marketing of a spirit drink  
under a particular name and in  
accordance with uniform technical  
specifications is economically and*

*technically necessary to protect the interests of consumers and producers;*

*(b) a spirit drink has a significant market share in at least one Member State;*

*(c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;*

*(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.*

Or. de

#### *Justification*

*The definitions of product categories in Annex II are at the heart of the Regulation on spirit drinks, and this applies particularly to the adoption of new definitions, as new categories could damage competition with regard to product categories in force. New definitions should therefore be adopted only by the basic legislator.*

#### **Amendment 214**

**Ulrike Müller**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*A new category may be added under the following conditions:*

*deleted*

- (a) *the marketing of a spirit drink under a particular name and in accordance with uniform technical specifications is economically and technically necessary to protect the interests of consumers and producers;*
- (b) *a spirit drink has a significant market share in at least one Member State;*
- (c) *the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;*
- (d) *the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.*

Or. en

#### *Justification*

*The introduction of a new category of spirits would be a significant change. Any addition of categories to Annex II of the Regulation should be undertaken by the Parliament and the Council.*

#### **Amendment 215**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

**Article 5 – paragraph 2 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) a spirit drink has a significant **market** share in at least one Member State;

(b) a spirit drink has an **objectively** significant share **of the market for spirit drinks** in at least one Member State;

Or. fr

**Amendment 216**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 5 – paragraph 2 – subparagraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the name chosen for the new category shall either be a widely used **name** or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;

(c) the name chosen for the new category shall either be a **name** widely used **in the reference Member State** or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;

Or. fr

**Amendment 217**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 5 – paragraph 2 – subparagraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;

(c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the **main agricultural** raw material used for the production of the spirit drink;

Or. fr

## Amendment 218

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Article 5 – paragraph 2 – subparagraph 2 – point d

##### *Text proposed by the Commission*

(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.

##### *Amendment*

(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks, ***particularly thanks to the use of traditional production methods which guarantee a high standard of quality of the product concerned.***

Or. fr

## Amendment 219

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Article 5 – paragraph 2 – subparagraph 2 – point d

##### *Text proposed by the Commission*

(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of

##### *Amendment*

(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards ***and of the requirements of this Regulation.*** They shall ensure fair competition amongst

Union spirit drinks.

union producers as well as the high reputation of Union spirit drinks.

Or. fr

#### **Amendment 220**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

#### **Article 5 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The Commission shall, in exceptional cases where the law of the importing third country so requires, also be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from the requirements under the technical definitions provided for in Annex I, the requirements under the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.**

**deleted**

Or. fr

#### **Amendment 221**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011, unless otherwise provided in this Regulation.

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011, **which exempts alcoholic beverages containing more than 1.2% alcohol from food and energy labelling requirements**, unless otherwise provided in this Regulation.

**Amendment 222**

**Renate Sommer**

**Proposal for a regulation**

**Article 6 – paragraph 1**

*Text proposed by the Commission*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011, *unless otherwise provided in this Regulation.*

*Amendment*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011.

Or. de

**Amendment 223**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 6 – paragraph 1**

*Text proposed by the Commission*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011, *unless otherwise provided in this Regulation.*

*Amendment*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011.

Or. fr

**Amendment 224**

**Bart Staes, Margrete Auken**

**Proposal for a regulation**

**Article 6 – paragraph 1**

*Text proposed by the Commission*

Products referred to in Article 1(1) placed

*Amendment*

Products referred to in Article 1(1) placed

on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011, *unless otherwise provided in this Regulation*.

on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011.

Or. en

#### **Amendment 225**

**Jytte Guteland, Daciana Octavia Sârbu**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 1**

##### *Text proposed by the Commission*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011, *unless otherwise provided in this Regulation*.

##### *Amendment*

Products referred to in Article 1(1) placed on the Union market must comply with the labelling requirements set out in Regulation (EU) No 1169/2011.

Or. en

#### **Amendment 226**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

#### **Article 6 – paragraph 1 a (new)**

##### *Text proposed by the Commission*

##### *Amendment*

*For the purposes of the application of Regulation (EU) No 1169/2011, greater flexibility is needed for alcoholic beverages containing more than 1.2% alcohol in comparison with other foodstuffs subject to that Regulation with respect, in particular, to labelling and information to the final consumer. In that regard, it should be borne in mind that the requirements, on the one hand, concerning the analysis needed in order to determine the energy content of alcoholic beverages and, on the other hand, concerning labelling may give rise*



*to significant costs for businesses in the alcoholic beverages sector and that, for this reason, it is appropriate that the industries in this sector should determine, by means of industry self-regulation, the conditions and details of this labelling.*

Or. fr

**Amendment 227**

**Matteo Salvini**

**Proposal for a regulation**

**Article 7 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The sales denomination of a spirit drink shall be specified in the electronic accompanying documents.*

Or. it

**Amendment 228**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 8 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The sales denominations of spirit drinks which meet the requirements laid down for the categories of spirit drinks listed in Part I of Annex II shall be the names of the relevant categories, *unless* other sales denominations *are* provided for under those categories.

1. The sales denominations of spirit drinks which meet the requirements laid down for the categories of spirit drinks listed in Part I of Annex II shall be the names of the relevant categories; other sales denominations *may be* provided for under those categories *on condition that such denominations make it possible to inform consumers clearly about the nature of the product and are therefore in no way of a nature to mislead consumers.*

Or. fr

## Amendment 229

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

### Proposal for a regulation

#### Article 8 – paragraph 1

##### *Text proposed by the Commission*

1. The sales denominations of spirit drinks which meet the requirements laid down for the categories of spirit drinks listed in Part I of Annex II shall be the names of the relevant categories, unless other sales denominations are provided for under those categories.

##### *Amendment*

1. The sales denominations of spirit drinks which meet the requirements laid down for the categories of spirit drinks listed in Part I of Annex II shall be the names of the relevant categories: ***no other mark, appellation or invented name may be substituted for them*** unless other sales denominations are provided for under those categories

Or. fr

## Amendment 230

Susanne Melior

### Proposal for a regulation

#### Article 8 – paragraph 1 a (new)

##### *Text proposed by the Commission*

##### *Amendment*

***(1a) The names of raw materials or plant names which are reserved for the designation of drinks belonging to certain spirit drink product categories may be used in the description and presentation of all foods, including spirit drinks, provided that, in particular in the case of spirits, it is ensured that consumers are not misled.***

Or. de

##### *Justification*

*EU law on spirit drinks reserves the designations ‘gentian’, ‘Kirsch’ and ‘Kümmel’, for example, for certain categories of spirit drinks. Raw materials or plant names are used for a*

*range of foodstuffs which are not spirit drinks, such as gentian tea and cherry cake. Within the spirits sector too, it must be possible, for example, for gentian to be indicated on the label as an ingredient if it is used in the production of a herbal liqueur.*

#### **Amendment 231**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 2**

##### *Text proposed by the Commission*

2. The sales denomination of a spirit drink not complying with the requirements laid down for the categories of spirit drinks listed in Part I of Annex II shall be ‘spirit drink’.

##### *Amendment*

2. The sales denomination of a spirit drink not complying with the requirements laid down for the categories of spirit drinks listed in Part I of Annex II shall be ‘spirit drink’. ***Under no circumstances may it be supplemented by words or phrases suggesting an association with a sales denomination or a protected geographical indication specified by this Regulation which is liable to mislead the consumer.***

Or. fr

#### **Amendment 232**

**Lynn Boylan**

#### **Proposal for a regulation**

#### **Article 8 – paragraph 4 – subparagraph 2 – point b**

##### *Text proposed by the Commission*

(b) by terms ***indicated in*** the relevant product specification.

##### *Amendment*

(b) by ***any*** terms ***permitted by*** the relevant product specification.

Or. en

##### *Justification*

*Section 9 of the Irish Poteen/Irish Poitín Technical File allows for the use of either Irish Poitín or Irish Poteen. This amendment is in order to be consistent with the technical file and keep this option of using the either spelling.*

**Amendment 233**  
**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**  
**Article 8 – paragraph 4 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) by terms ***indicated in*** the relevant product specification.

(b) by ***any*** terms ***permitted by*** the relevant product specification.

Or. en

*(See Article 9 - Paragraph 6 of Regulation 110/2008.)*

*Justification*

*The current Regulation permits the use of supplementary labelling terms as set out in the Technical Files (or ‘Product Specifications’ in the new proposal) for every geographical indication spirit. Some of the terms in Technical Files/Product Specifications are specified directly while others are permitted by a general facility to use descriptive or marketing terms. For the avoidance of ambiguity, the new law should continue to enable labels to show all terms that are currently permitted.*

**Amendment 234**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Article 8 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.*

*deleted*

Or. fr

**Amendment 235**  
**Herbert Dorfmann**

**Proposal for a regulation**

**Article 8 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.*

*deleted*

Or. it

**Amendment 236**

**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**

**Article 8 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.*

*deleted*

Or. en

*Justification*

*The proposal was never a part of any previous legislation on spirit drinks. It would permit misleading practices by allowing a spirit name to be used even when the spirit is not present. Current rules provide a legal redress if consumers are misled by labels. The proposal in the new law would remove that right and allow consumers to be misled. This new provision provides no benefits and would be damaging for consumers and producers.*

**Amendment 237**

**Julie Girling**

**Proposal for a regulation**

**Article 8 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*The sales denominations referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.* *deleted*

Or. en

*Justification*

*This deletion would ensure that consumers aren't being misled as they expect the product they purchase to contain the spirit drink indicated.*

**Amendment 238**

**Matteo Salvini**

**Proposal for a regulation**

**Article 8 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The sales denominations referred to in paragraph 1 *supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage.* Geographical indications shall not be used to describe flavourings.

The sales denominations referred to in paragraph 1 **and** geographical indications shall not be used to describe flavourings.

Or. it

**Amendment 239**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

## Proposal for a regulation

### Article 9 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), ***except for ethyl alcohol that may be present in flavourings used for the production of that foodstuff***; et

*Amendment*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s); et

Or. fr

## Amendment 240

Ulrike Müller, Frédérique Ries

## Proposal for a regulation

### Article 9 – paragraph 1 – point a

*Text proposed by the Commission*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), except for ethyl alcohol that may be ***present in*** flavourings used for the production of that foodstuff; and

*Amendment*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), except for ethyl alcohol ***of agricultural origin*** that may be ***used as a carrier for*** flavourings used for the production of that foodstuff; and

Or. en

### *Justification*

*It should be specifically ensured that only ethyl alcohol of agricultural origin that can be used as the carrier for any flavourings used in the production of the foodstuff as well as that it is only permitted as a carrier for flavourings and cannot be used per se.*

## Amendment 241

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

**Proposal for a regulation**  
**Article 9 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), except for ethyl alcohol that may be present in flavourings used for the production of that foodstuff; and

*Amendment*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), ***and the alcoholic strength of each spirit drink referred to in the compound term corresponds to the standard alcoholic strength of the spirit drink concerned and is at all events not significantly lower or higher***; except for ethyl alcohol that may be present in flavourings used for the production of that foodstuff; and

Or. fr

**Amendment 242**  
**Mairead McGuinness, Seán Kelly**

**Proposal for a regulation**  
**Article 9 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), except for ethyl alcohol that may be ***present in*** flavourings used for the production of that foodstuff; and

*Amendment*

(a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit drinks referred to in the compound term or in the allusion(s), except for ethyl alcohol ***of agricultural origin*** that may be ***used as a carrier for*** flavourings used for the production of that foodstuff; and

Or. en

**Amendment 243**  
**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**  
**Article 9 – paragraph 3**



*Text proposed by the Commission*

3. A compound term describing an alcoholic beverage shall not consist of a combination of the term ‘liqueur’ with the sales denominations provided for under one of the categories 33 to 41 of Part I of Annex II.

*Amendment*

3. A compound term describing an alcoholic beverage shall not consist of a combination of the term ‘liqueur’ with the sales denominations provided for under one of the categories 33 to 41 of Part I of Annex II ***or with a protected geographical origin.***

Or. fr

**Amendment 244**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 9 – paragraph 5**

*Text proposed by the Commission*

***5. The allusion to any spirit drink category or geographical indication, for the presentation of a foodstuff, shall not be in the same line as the sales denomination. Without prejudice to the second subparagraph of Article 10(3), for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than those used for the sales denomination and compound term.***

*Amendment*

***deleted***

Or. fr

**Amendment 245**

**Ulrike Müller, Frédérique Ries**

**Proposal for a regulation**

**Article 9 – paragraph 5**

*Text proposed by the Commission*

5. The allusion to any spirit drink category or geographical indication, for the presentation of a foodstuff, shall not be in

*Amendment*

***5. Without prejudice to Article 13(1) of Regulation (EU) No 1169/2011, the allusion to any spirit drink category or***

the same line as the sales denomination.  
Without prejudice to the second subparagraph of Article 10(3), for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than those used for the sales denomination and compound term.

geographical indication, for the presentation of a foodstuff, shall not be in the same line as the sales denomination.  
Without prejudice to the second subparagraph of Article 10(3) **of this Regulation**, for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than those used for the sales denomination and compound term.

Or. en

### *Justification*

*See wording of Article 13, Paragraph 1 of Regulation (EU) 1169/2011. The proposed text is in conflict with requirements of the Food Information to Consumers Regulation, which explicitly requires that the mandatory food information (within others the name of the food/sales denomination) shall not in any way be interrupted. In this case the allusion has to be placed in the same line as the sales denomination. This adaption would provide legal certainty to food business operators.*

## **Amendment 246** **Susanne Melior**

### **Proposal for a regulation** **Article 9 – paragraph 5**

#### *Text proposed by the Commission*

(5) The allusion to any spirit drink category or geographical indication, for the presentation of a foodstuff, shall not be in the same line as the sales denomination.  
Without prejudice to the second subparagraph of Article 10(3), for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than those used for the sales denomination and compound term.

#### *Amendment*

(5) ***Without prejudice to Article 13(1) of Regulation (EU) No 1169/2011***, the allusion to any spirit drink category or geographical indication, for the presentation of a foodstuff, shall not be in the same line as the sales denomination.  
Without prejudice to the second subparagraph of Article 10(3), for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than those used for the sales denomination and compound term.

Or. de

### *Justification*

*There is a conflict with the Food Information Regulation (1169/2011) as regards the sales denomination. If the reference to a category of spirit drink forms part of a sales denomination, there must be no compulsory interruption of the denomination by carriage returns or a change of font size, having regard to Regulation (EU) No 1169/2011.*

#### **Amendment 247**

**Susanne Melior**

#### **Proposal for a regulation**

##### **Article 9 a (new)**

*Text proposed by the Commission*

*Amendment*

##### **Article 9a**

##### ***Labelling in the case of added alcohol***

***Where there has been addition of alcohol, as defined in Annex I(4), diluted or not, to a spirit drink listed in categories 1 to 14 of Annex II, that spirit drink shall bear the sales denomination ‘spirit drink’. It may not bear a name reserved in categories 1 to 14.***

Or. de

### *Justification*

*This corresponds to the current legal situation in accordance with Article 11(1) of Regulation (EC) No 110/2008, according to which, if neutral alcohol is added to spirit drinks whose production involves fermentation, the term reserved for such spirit drinks may not be used anywhere in the labelling.*

#### **Amendment 248**

**Julie Girling**

#### **Proposal for a regulation**

##### **Article 10 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

A mixture shall bear the sales denomination ‘spirit drink’.

A mixture shall bear the sales denomination ‘spirit drink’ ***which shall be***

*displayed clearly in a prominent place on the label.*

Or. en

*Justification*

*This change ensures the sales denomination will be displayed clearly, something that was in the previous Regulation (110/2008).*

**Amendment 249**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 10 – paragraph 1 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) those names ***or geographical indications*** appear exclusively in a list of all the alcoholic ingredients contained in the mixture, preceded by the term ‘mixed spirit drink’; and

*Amendment*

(a) those names appear exclusively in a list of all the alcoholic ingredients contained in the mixture, preceded by the term ‘mixed spirit drink’; and

Or. fr

**Amendment 250**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 10 – paragraph 1 – subparagraph 2 – point b**

*Text proposed by the Commission*

(b) the term ‘mixed spirit drink’ appears in the same visual field as the sales denomination, in uniform characters of the same font and colour as those used for the sales denomination and in characters which are no larger than half the size of those used for the sales denomination.

*Amendment*

(b) the term ‘mixed spirit drink’ appears ***in a clear and visible manner and, in particular,*** in the same visual field as the sales denomination, in uniform characters of the same font and colour as those used for the sales denomination and in characters which are no larger than half the size of those used for the sales denomination.

Or. fr

**Amendment 251**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 10 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*By way of derogation from paragraph 1, if a mixture meets the requirements of one of the categories of Annex II, the mixture shall bear the sales denomination provided for under the relevant category.* **deleted**

Or. fr

**Amendment 252**

**Susanne Melior**

**Proposal for a regulation**

**Article 10 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*By way of derogation from paragraph 1, if a mixture meets the requirements of one of the categories of Annex II, the mixture shall bear the sales denomination provided for under the relevant category.* **Article 10 shall not apply to the description, presentation and labelling of mixtures if they meet the requirements of one of the categories of Annex II. These shall bear the description provided for in Annex II.**

Or. de

*Justification*

*Some spirit drink product categories, such as liqueurs, are by their nature mixtures and should not be subject to the specific rules on labelling of mixtures of spirit drinks. This applies in particular to liqueurs that are rounded off with certain spirits, e.g. cream liqueur infused with whisky. The status quo should be maintained for such products.*

**Amendment 253**

**Susanne Melior**

**Proposal for a regulation**  
**Article 10 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

*In the case referred to in the first subparagraph, the presentation or labelling of the mixture may show the names listed in Part I of Annex II or geographical indications corresponding to the spirits drinks that were mixed, provided that these names appear:*

*deleted*

*(a) exclusively in a list of all the alcoholic ingredients contained in the mixture; and*

*(b) in the same visual field as the sales denomination at least once.*

Or. de

**Amendment 254**

**Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

**Proposal for a regulation**

**Article 10 – paragraph 2 – subparagraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

In the case referred to in the first subparagraph, the presentation or labelling of the mixture may show the names listed in Part I of Annex II *or geographical indications corresponding to* the spirits drinks that were mixed, provided that these names appear:

In the case referred to in the first subparagraph, the presentation or labelling of the mixture may show the names listed in Part I of Annex II *for* spirits drinks that were mixed, provided that these names appear:

Or. fr

**Amendment 255**

**Susanne Melior**

**Proposal for a regulation**

**Article 10 – paragraph 2 – subparagraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) exclusively in a list of all the alcoholic ingredients contained in the mixture; and*

*deleted*

Or. de

**Amendment 256**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 10 – paragraph 2 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) in the same visual field as the sales denomination at least once.*

*deleted*

Or. de

**Amendment 257**  
**Susanne Melior**

**Proposal for a regulation**  
**Article 10 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The list of alcoholic ingredients referred to in paragraphs 1 and 2 shall indicate, at least once, the percentage by volume of pure alcohol that each alcoholic ingredient represents in the total pure alcohol content by volume of the mixture. The alcoholic ingredients shall be listed in descending order of that percentage.

The list of alcoholic ingredients referred to in paragraphs 1 and 2 shall indicate, at least once, the percentage by volume of pure alcohol that each alcoholic ingredient represents in the total pure alcohol content by volume of the mixture. The alcoholic ingredients shall be listed in descending order of that percentage. ***Products referred to in Article 10 shall not be subject to the labelling requirements set out in Article 9(1)(d) of Regulation (EU) No 1169/2011.***

Or. de

## Justification

*Für Spirituosenmischungen sollte wie bisher eine spezialrechtliche Kennzeichnungsregelung gelten, die lediglich verlangt, dass die einzelnen Mengen der alkoholischen Zutaten angegeben werden. Bei Spirituosenmischungen gibt es eine Konkurrenzsituation zwischen der spezialrechtlichen Angabe ausschließlich der alkoholischen Zutaten bezogen auf den Gesamtalkoholgehalt gemäß EU-Spirituosenrecht und der horizontalen mengenmäßigen Angaben von hervorgehobenen Zutaten bezogen auf das Fertigerzeugnis gemäß Verordnung (EU) Nr. 1169/2011. Bei Spirituosenmischungen sollte ausschließlich die spezialrechtliche Regelung Anwendung finden, um Verbraucher mit unterschiedlichen Prozentsatzangaben nicht zu verwirren.*

### Amendment 258

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

#### Proposal for a regulation

##### Article 10 – paragraph 3 – subparagraph 2

###### *Text proposed by the Commission*

The list of alcoholic ingredients shall appear in uniform characters of the same font and colour as those used for the sales denomination ***and in characters which are no larger than half the size of the characters used for the sales denomination.***

###### *Amendment*

The list of alcoholic ingredients shall appear in uniform characters of the same font and colour as those used for the sales denomination.

Or. fr

### Amendment 259

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

#### Proposal for a regulation

##### Article 10 – paragraph 3 – subparagraph 2

###### *Text proposed by the Commission*

The list of alcoholic ingredients shall appear in uniform characters of the same font and colour as those used for the sales denomination and in characters which are no larger than half the size of the characters used for the sales denomination.

###### *Amendment*

The list of alcoholic ingredients shall appear ***in a clear and visible manner*** in uniform characters of the same font and colour as those used for the sales denomination and in characters which are no larger than half the size of the characters used for the sales denomination.



