


Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2011/0231(COD)</p>	Procedure completed
<p>Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications</p> <p>Amended by 2018/0218(COD)</p> <p>Subject</p> <p>2.10.03 Standardisation, EC/EU standards and trade mark, certification, compliance</p> <p>3.10.06.08 Wine, alcoholic and non-alcoholic beverages</p> <p>4.60.02 Consumer information, advertising, labelling</p> <p>4.60.04.04 Food safety</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ENVI Environment, Public Health and Food Safety		18/10/2011
		PPE BARTOLOZZI Paolo	
		Shadow rapporteur	
		S&D PIRILLO Mario	
		ALDE BUŞOI Cristian-Silviu	
		Verts/ALE HASSI Satu	
		ECR ROSBACH Anna	
		EFD ROSSI Oreste	
	Committee for opinion	Rapporteur for opinion	Appointed
	IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
	AGRI Agriculture and Rural Development (Associated committee)		23/11/2011
Council of the European Union		PPE DORFMANN Herbert	
European Commission	Council configuration	Meeting	Date
	Agriculture and Fisheries	3293	17/02/2014
European Economic and Social Committee	Commission DG	Commissioner	
	Agriculture and Rural Development	CIOLOŞ Dacian	

Key events			
31/08/2011	Legislative proposal published	COM(2011)0530	Summary
15/09/2011	Committee referral announced in		

	Parliament, 1st reading		
15/12/2011	Referral to associated committees announced in Parliament		
25/04/2012	Vote in committee, 1st reading		
03/05/2012	Committee report tabled for plenary, 1st reading	A7-0158/2012	Summary
14/01/2014	Results of vote in Parliament		
14/01/2014	Decision by Parliament, 1st reading	T7-0008/2014	Summary
17/02/2014	Act adopted by Council after Parliament's 1st reading		
26/02/2014	Final act signed		
26/02/2014	End of procedure in Parliament		
20/03/2014	Final act published in Official Journal		

Technical information

Procedure reference	2011/0231(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by 2018/0218(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 114-p1
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/7/06854

Documentation gateway

Legislative proposal		COM(2011)0530	31/08/2011	EC	Summary
Committee draft report		PE480.816	08/02/2012	EP	
Amendments tabled in committee		PE485.842	09/03/2012	EP	
Committee opinion	AGRI	PE480.561	29/03/2012	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0158/2012	03/05/2012	EP	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0008/2014	14/01/2014	EP	Summary
Commission response to text adopted in plenary		SP(2014)167	19/02/2014	EC	
Draft final act		00091/2013/LEX	26/02/2014	CSL	
Follow-up document		COM(2019)0434	27/09/2019	EC	Summary

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

Final act	
Regulation 2014/251 OJ L 084 20.03.2014, p. 0014 Summary	
Corrigendum to final act 32014R0251R(01) OJ L 105 08.04.2014, p. 0012 Summary	
Final legislative act with provisions for delegated acts	

Delegated acts	
2017/2549(DEA)	Examination of delegated act

Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

PURPOSE: to lay down rules on the definition, description, presentation and labelling of aromatised wine products as well as on the protection of geographical indications of aromatised wine products.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: Council Regulation (EEC) N° 1601/91 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails and Commission Regulation (EC) No 122/94 have proved successful in regulating the aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, hereinafter called 'aromatised wine products'. However, in the light of technologic innovation, market developments and evolving consumer expectations it is necessary to update the rules applicable to the definition, description, presentation, labelling and protection of geographical indications of certain aromatised wine products, while taking into account traditional production methods.

This proposal replaces [Commission proposal](#) which the Commission decided to withdraw in the [2011 Commission Work Programme](#) which has been communicated to the other institutions.

IMPACT ASSESSMENT: no impact assessment was carried out. The main European producers and national organisations were consulted informally and did not expect significant impacts. A consensus exists among the producers of aromatised wine products to keep the same framework and similar rules; only minor technical adjustments seem to be necessary. Those were communicated to the Commission services by the representatives of the sector.

LEGAL BASIS: Article 43(2) and Article 114 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal simplifies the existing rules by introducing limited changes to improve the readability and clarity of the rules on the definition, description, presentation and labelling of aromatised wine products as well as on the protection of geographical indications of aromatised wine products.

Alignment with the Treaty on the Functioning of the European Union (TFEU): one of the main objectives of the present proposal consists in aligning Council Regulation (EEC)

N° 1601/91 on new comitology rules:

- the objectives and principles and other essential elements regarding the definition, the description, the presentation, the labelling and the protection of geographical indications of aromatised wine products are determined by the Legislator;
- the Commission should be able to adopt, by means of a delegated act, in accordance with Article 290 of the TFEU, the production processes, the methods of analysis, the necessary amendments of the definitions, the requirements, the restrictions, the sales denominations and the descriptions, the necessary rules for the geographical indications and the necessary
- rules for exchange of information;
- the Legislator should grant the Commission the power to adopt implementing acts, in accordance with Article 291(2) of the Treaty, specifically with regard to the uniform application of the rules on aromatised wine products related to geographical indications, to administrative and physical checks and to exchange of information.

Other amendments: the proposal does not change the scope of the existing rules for the sector, and has no significant impact as it corresponds to an adaptation to obligations already taken on by the Union. In particular, the proposal:

- enhances applicability, readability and clarity of the Union legislation on aromatised wine products;
- introduces a well defined quality policy for aromatised wine products based on the present definitions of products;
- updates certain sales denominations, in the light of the possibility to increase the level of wine instead of directly adding alcohol, and so ensuring that the consumer is properly informed;
- adapts the Union rules to new technical requirements;

- adapts the Union rules to WTO requirements, including the Trade-Related Aspects of Intellectual Property Rights agreement (TRIPs agreement).

BUDGETARY IMPLICATIONS: this proposal has no implications for the Union budget.

DELEGATED ACTS: the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission.

Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

The Committee on the Environment, Public Health and Food Safety adopted the report by Paolo BARTOLOZZI (EPP, IT) on the proposal for a regulation of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products.

The Committee on Agriculture and Rural Development, in exercising its prerogatives as an associated committee in accordance with [Article 50 of Parliaments Rules of Procedure](#), was also consulted for an opinion on this report.

The committee recommends that the position of the European Parliament in first reading following the ordinary legislative procedure should amend the Commission proposal as follows:

Aromatised wine products: Members feel that it is important to mention in the definition all aspects of the manufacture of these products (aromatisation, addition of alcohol where applicable, sweetening and colouring), so as to bring the text into line with the content of Annexes I and II. Furthermore, they want to clarify: (i) the addition of alcohol is allowed for aromatised wines but not for other product categories, except those for which a specific exception is made in the definitions set out in Annex II; (ii) organic aromatised wine products may be produced in accordance with Council Regulation (EC) 834/2007.

Sales denominations: in order to ensure legal coherence between the text and the annexes, Members mentioned again: (i) the principle of exclusivity such that only the sales denominations listed in Annex II may be used in the Union; (ii) the possibility of special provisions applicable to certain traditional products, such as the use of more than one sales denomination for the same product. An alcoholic beverage not fulfilling the requirements laid down in the Regulation shall not be described, presented or labelled by graphic components that are liable to mislead the consumer.

Additional terms: Members consider that the terms semi-sweet and sweet may be accompanied by an indication of the sugar content, expressed in grams of invert sugar per litre as proposed by the Commission.

Indication of the place of provenance: if the provenance of a product is given, it must also refer to the provenance of the grapes, in order not to mislead consumers.

Labelling: an amendment stipulates that sales denominations and additional particulars shall appear in a language easily understood by the consumers of the Member States where a wine product is marketed.

Protection: protected geographical indications and aromatised wine products should be protected against any other false or misleading indication as to the provenance, origin, composition, wine and/or alcohol content, production method or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the wine product concerned.

Delegated powers: Members take the view that the updating of sales denominations and descriptions of aromatised wine products is, in fact, an essential element of this Regulation and therefore it should not be made through delegated acts, as the Commission suggests, but through the ordinary legislative procedure.

However, in order to ensure product quality and traceability, the Commission shall be empowered to adopt delegated acts concerning the information to be provided in the product specification with regard to the link between the geographical area and the final product. In addition, checks and verification tasks should be regarded as a non-essential element of the Regulation requiring adoption by means of delegated acts.

Amendment of the Annexes: Members also consider it necessary to amend the annexes in the light of technical and legislative developments in this sector. Specifically, on account of developments in sweetening techniques and practices since 1991, the list of sweetening methods allowed for vermouth should be extended to bring it into line with the practices already provided for in Annex I. Furthermore, the definition of egg-based aromatised wine should be changed in view of the fact that there is no specific method for measuring its cholesterol content.

Lastly, it is important to protect the word Sangria, which originated in Spain and Portugal.

Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

The European Parliament adopted by 609 votes to 72 with 4 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products.

Parliament adopted its position in first reading following the ordinary legislative procedure. The amendments adopted in plenary are the result of an agreement between Parliament and Council. They amend the proposal as follows:

Labelling: [Regulation \(EU\) No 1169/2011](#) on the provision of food information to consumers applies to the presentation and labelling of aromatised wine products, save as otherwise provided for in the Regulation.

Geographical indications: the definition is clarified. Geographical indications should be used to identify aromatised wine products 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 aromatised

wine product is essentially attributable to its geographical origin.

Classification of aromatised wine products: it is clarified that aromatised wine products are products obtained from products of the wine sector as referred to in [Regulation \(EU\) No 1308/2013](#) that have been flavoured. They are classified into the following categories: (a) aromatised wines, (b) aromatised wine-based drinks, (c) aromatised wine-product cocktails.

The amended text defines aromatised wine as a drink:

- obtained from one or more of the grapevine products defined in point 5 of Part II of Annex II and in points 1 and 3 to 9 of Part II of Annex VII to Regulation (EU) No 1308/2013, with the exception of 'Retsina' wine;
- in which the grapevine products referred to in point (a) represent at least 75 % of the total volume;
- to which alcohol may have been added;
- to which colours may have been added;
- to which grape must, partially fermented grape must or both may have been added;
- which may have been sweetened;
- which has an actual alcoholic strength by volume of not less than 4.5 % vol. and less than 14.5 % vol.

Sales denominations: with a view to facilitating consumers' understanding, it should be possible to supplement the sales denominations laid down in the Regulation with the customary name of the product within the meaning of Regulation (EU) No 1169/2011.

Applications for the protection of names as geographical indications: to be eligible for a geographical indication protected under the Regulation a product shall comply with the corresponding product specification which shall include an indication of the main raw material from which the aromatised wine product is obtained.

Delegated acts: the Commission will be empowered to adopt delegated acts in respect of several matters and particularly concerning:

- the establishment of production processes for obtaining aromatised wine products;
- criteria for the demarcation of geographical areas and rules, restrictions and derogations related to production in such areas;
- the conditions under which a product specification may include additional requirements;
- the establishment of the conditions to be complied with in respect of an application for the protection of a geographical indication.

Implementing powers: in order to ensure uniform conditions for the implementation of the Regulation, the Commission will have implementing powers regarding, inter alia:

- the methods of analysis for determining the composition of aromatised wine products;
- decisions on conferring protection on geographical indications and on rejecting applications for such protection;
- decisions on cancelling the protection of geographical indications and of existing geographical designations;
- decisions on approval of application for amendments in the case of minor amendments to the product specifications;
- the information to be provided in the product specification with regard to the definition of geographical indication.

Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

Corrigendum to Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91

[\(Official Journal of the European Union L 84 of 20 March 2014\)](#)

On page 26, Article 36(2) and (3):

for:

?... 27 March 2014 ...',

read:

?... 28 March 2015 ...'.

Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

PURPOSE: to lay down rules on the definition, description, presentation and labelling of aromatised wine products as well as on the protection of geographical indications of aromatised wine products.

LEGISLATIVE ACT: Regulation (EU) n° 251/2014 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91.

CONTENT: the measures applicable to aromatised wine products should contribute to the attainment of a high level of consumer protection, the prevention of deceptive practices and the attainment of market transparency and fair competition.

They must safeguard the reputation that the Unions aromatised wine products have achieved in the internal market and on the world market.

This Regulation on aromatised wine products repeals Council Regulation (EEC) No 1601/91 and aims to:

- simplify the existing rules for the production, description, presentation and labelling of aromatised wine products and provide the consumer with better and clearer information;
- align the existing rules on geographical indications for aromatised wine products to those applicable for wine (regulation No 1308/2013 establishing a common organisation of the markets in agricultural products) in line with the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS);
- align the powers conferred upon the Commission to the delegated and implementing acts procedures under Articles 290 (delegated acts) and 291 (implementing acts) of the TFEU.

The Regulation applies to all aromatised wine products placed on the market in the Union, whether produced in the Member States or in third countries as well as to those produced in the Union for export.

In terms of the Regulation, aromatised wine products are products obtained from products of the wine sector as referred to in Regulation (EU) No 1308/2013 that have been flavoured. They are classified into the following categories: (a) aromatised wines; (b) aromatised wine-based drinks; (c) aromatised wine-product cocktails.

To ensure transparency in Union law governing aromatised wine products, the Regulation clearly defines the products covered by that law, the criteria for the production, description, presentation and labelling of aromatised wine products and in particular, the sales denomination. Specific rules on the voluntary indication of the provenance supplementing those laid down in Regulation (EU) No 1169/2011 should also be laid down. It also lays down a procedure for the registration, compliance, alteration and possible cancellation of third country and Union geographical indications.

With a view to facilitating consumers understanding, the Regulation supplements the sales denominations laid down in the Regulation with the customary name of the product within the meaning of Regulation (EU) No 1169/2011.

To be eligible for a geographical indication protected under this Regulation a product shall comply with the corresponding product specification, which includes an indication of the main raw material from which the aromatised wine product is obtained.

The Regulation stresses that the ethyl alcohol used for the production of aromatised wine products should be exclusively of agricultural origin, so as to meet consumer expectations and conform to traditional quality practices.

ENTRY INTO FORCE: 27.03.2014.

DELEGATED ACTS: the Commission may adopt delegated acts in respect of the establishment of production processes, criteria for the demarcation of geographical areas, the conditions to be complied with in respect of an application for the protection of a geographical indication, the necessary amendments in the definitions, requirements, restrictions, sales denominations and designations and rules for exchange of information.

The power to adopt such acts is conferred on the Commission for a period of five years from 27 March 2014.

The European Parliament or the Council may raise objections with regard to a delegated act within two months of the date of notification (which may be extended by two months). If Parliament or Council raise objections, the delegated act will not enter into force.

Aromatised wine products: definition, description, presentation, labelling, and protection of geographical indications

The Commission presented a report on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products.

Under Regulation (EU) No 251/2014, the Commission is empowered to adopt delegated acts concerning:

- the establishment of authorised production processes for obtaining aromatised wine products;
- criteria for the demarcation of the geographical area, rules, restrictions and derogations related to the production in the demarcated geographical area;
- determine the cases in which a single producer may apply for the protection of a geographical indication; ,
- determine the restrictions governing the type of applicant that may apply for the protection of a geographical indication and establish the conditions to be followed in respect of an application for the protection of a geographical indication, scrutiny by the Commission;
- restrictions on the protected name;
- the nature and type of the information to be notified, the methods of notification and the conditions and means of publication of the information.

The power to adopt delegated acts is conferred on the Commission for a period of five years from 27 March 2014. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power is tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Exercise of Delegation

The Commission has adopted one delegated act: [Commission Delegated Regulation \(EU\) 2017/670](#) which establishes the authorised production processes for obtaining aromatised wine products, taking into account consumers expectations and the production processes

recommended and published by the OIV. Neither the European Parliament nor the Council issued any objection to the Delegated Regulation. After the expiry of the two-month period, the Commission Delegated Regulation (EU) 2017/670 was published in the Official Journal of the European Union and entered into force on 28 April 2017.

The Commission did not use the other empowerments provided for in the Regulation.

With regard to the authorisations provided for in Article 28 of the Regulation, the Commission considered that the priority was to conclude the procedures for the validation of the existing geographical indications first. Then, in view of the limited number of registrations of geographical indications for aromatised wines under Regulation (EU) No 251/2014, the Commission proposed that geographical indications for aromatised wines should be subject to the same legal framework as other agricultural products and foodstuffs.

In conclusion, the Commission has exercised its delegated powers correctly. It cannot be excluded that the empowerments will be needed in future.