

Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files

*Article 10*

**Conditions governing the holding, circulation and use of products not complying with Article 80 of Regulation (EU) No 1308/2013 or this Regulation**

1 Products referred to in the first subparagraph of Article 80(2) of Regulation (EU) No 1308/2013 shall not be marketed and shall be destroyed. However, Member States may authorise under certain conditions the use of certain of such products, the characteristics of which they shall determine, by distilleries or vinegar factories or for industrial purposes.

2 Such products may not be held without legitimate cause by producers or traders and they may be moved only to distilleries, vinegar factories, or establishments using them for industrial purposes or products or to elimination plants.

3 Member States may have denaturing agents or indicators added to wines referred to in paragraph 1 in order to make them more easily identifiable. Where justified, they may also prohibit the uses provided for in paragraph 1 and have the products destroyed.

4 Wine produced before 1 August 2009 may be offered or supplied for direct human consumption provided that it complies with the Union or national rules in force prior to that date.

### Changes to legislation:

There are outstanding changes not yet made to Commission Delegated Regulation (EU) 2019/934. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

#### Changes and effects yet to be applied to :

- Art. 10(1) words substituted by [S.I. 2020/1637 reg. 29\(6\)\(a\)](#)
- Art. 10(3) substituted by [S.I. 2020/1637 reg. 29\(6\)\(b\)](#)
- Art. 10(4) words substituted by [S.I. 2020/1637 reg. 29\(6\)\(c\)](#)

#### Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2020/1637 reg. 29\(11\)](#)
- Annex 1 Pt. A Appendix 1 point 1 omitted by [S.I. 2021/632 reg. 10\(5\)\(c\)](#)
- Annex 1 Pt. A Appendix 2 omitted by [S.I. 2021/632 reg. 10\(5\)\(d\)](#)
- Annex 1 Pt. A Appendix 3 words omitted by [S.I. 2021/632 reg. 10\(5\)\(e\)\(i\)](#)
- Annex 1 Pt. A Appendix 4 words omitted by [S.I. 2021/632 reg. 10\(5\)\(f\)\(ii\)](#)
- Annex 1 Pt. A Appendix 3 words substituted by [S.I. 2021/632 reg. 10\(5\)\(e\)\(ii\)](#)
- Annex 1 Pt. A Appendix 4 words substituted by [S.I. 2021/632 reg. 10\(5\)\(f\)\(i\)\(aa\)](#)
- Annex 1 Pt. A Appendix 4 words substituted by [S.I. 2021/632 reg. 10\(5\)\(f\)\(i\)\(bb\)](#)
- Annex 1 Pt. A Appendix 8 point 7 words substituted by [S.I. 2021/632 reg. 10\(5\)\(g\)](#)
- Annex 1 Pt. B Appendix 8s. A point 3 omitted by [S.I. 2021/632 reg. 10\(6\)\(a\)\(ii\)](#)
- Annex 1 Pt. B Appendix 8s. A point 2(c) substituted for Pt. B s. A(2)(c)-(e) by [S.I. 2021/632 reg. 10\(6\)\(a\)\(i\)](#)
- Annex 1 Pt. B Appendix 8s. A point 5 word substituted by [S.I. 2021/632 reg. 10\(6\)\(a\)\(iv\)\(bb\)](#)
- Annex 1 Pt. B Appendix 8s. A point 4 words substituted by [S.I. 2021/632 reg. 10\(6\)\(a\)\(iii\)\(aa\)](#)
- Annex 1 Pt. B Appendix 8s. A point 4 words substituted by [S.I. 2021/632 reg. 10\(6\)\(a\)\(iii\)\(bb\)](#)
- Annex 1 Pt. B Appendix 8s. A point 4 words substituted by [S.I. 2021/632 reg. 10\(6\)\(a\)\(iii\)\(cc\)](#)
- Annex 1 Pt. B Appendix 8s. A point 5 words substituted by [S.I. 2021/632 reg. 10\(6\)\(a\)\(iv\)\(aa\)](#)
- Annex 1 Pt. B Appendix 8s. C point 2 words substituted by [S.I. 2021/632 reg. 10\(6\)\(b\)\(i\)](#)
- Annex 1 Pt. B Appendix 8s. C point 2 words substituted by [S.I. 2021/632 reg. 10\(6\)\(b\)\(ii\)](#)
- Annex 3 s. A point 2(b) omitted by [S.I. 2021/632 reg. 10\(14\)\(b\)](#)
- Annex 3 s. A point 4(c) omitted by [S.I. 2021/632 reg. 10\(14\)\(d\)\(ii\)](#)
- Annex 3 s.B omitted by [S.I. 2021/632 reg. 10\(15\)](#)
- Annex 3 Appendix 1-3 omitted by [S.I. 2021/632 reg. 10\(15\)](#)
- Annex 3 s. A point 2(a) word omitted by [S.I. 2021/632 reg. 10\(14\)\(a\)](#)
- Annex 3 s. A point 4(a) words omitted by [S.I. 2021/632 reg. 10\(14\)\(d\)\(i\)](#)
- Annex 3 s. A point 3 words substituted by [S.I. 2021/632 reg. 10\(14\)\(c\)](#)
- Annex 2 s. C point 2 omitted by [S.I. 2021/632 reg. 10\(12\)\(b\)](#)
- Annex 2 s. A point 4(d) substituted by [S.I. 2021/632 reg. 10\(10\)\(b\)](#)
- Annex 2 s. A point 4 word inserted by [S.I. 2021/632 reg. 10\(10\)\(a\)\(ii\)](#)
- Annex 2 s. B point 2 word substituted by [S.I. 2021/632 reg. 10\(11\)\(a\)\(ii\)](#)
- Annex 2 s. B point 4(a) words omitted by [S.I. 2021/632 reg. 10\(11\)\(b\)](#)
- Annex 2 s. C point 1 words omitted by [S.I. 2021/632 reg. 10\(12\)\(a\)\(i\)](#)
- Annex 2 s. C point 1 words omitted by [S.I. 2021/632 reg. 10\(12\)\(a\)\(ii\)](#)
- Annex 2 s. A point 4 words substituted by [S.I. 2021/632 reg. 10\(10\)\(a\)\(i\)](#)

- Annex 2 s. B point 2 words substituted by S.I. 2021/632 reg. 10(11)(a)(i)
- Art. 1a inserted by S.I. 2020/1637 reg. 29(3)
- Art. 4(1)(a) words inserted by S.S.I. 2022/361 reg. 11(2)(b)
- Art. 4(1)(a) words omitted by S.S.I. 2022/361 reg. 11(2)(a)
- Art. 4(1)(a) words omitted by S.I. 2022/1150 reg. 10(2)
- Art. 4(1)(a) words omitted by S.I. 2022/1215 reg. 7(2)
- Art. 4(1)(c) words substituted by S.I. 2020/1637 reg. 29(5)(a)(ii)(aa)
- Art. 4(1)(c) words substituted by S.I. 2020/1637 reg. 29(5)(a)(ii)(bb)
- Art. 14(6) inserted by S.I. 2020/1637 reg. 29(10)(f)