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► **B** **COMMISSION REGULATION (EEC) No 1014/90**
of 24 April 1990
laying down detailed implementing rules on the definition, description and presentation of spirit drinks
(OJ L 105, 25.4.1990, p. 9)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Regulation (EEC) No 1180/91 of 6 May 1991	L 115	5	8.5.1991
► <u>M2</u> Commission Regulation (EEC) No 1781/91 of 19 June 1991	L 160	5	25.6.1991
► <u>M3</u> Commission Regulation (EEC) No 3458/92 of 30 November 1992	L 350	59	1.12.1992
► <u>M4</u> Commission Regulation (EC) No 2675/94 of 3 November 1994	L 285	5	4.11.1994
► <u>M5</u> Commission Regulation (EC) No 1712/95 of 13 July 1995	L 163	4	14.7.1995
► <u>M6</u> Commission Regulation (EC) No 2626/95 of 10 November 1995	L 269	5	11.11.1995
► <u>M7</u> Commission Regulation (EC) No 2523/97 of 16 December 1997	L 346	46	17.12.1997
► <u>M8</u> Commission Regulation (EC) No 2140/98 of 6 October 1998	L 270	9	7.10.1998

Corrected by:

- **C1** Corrigendum, OJ L 166, 20.6.1992, p. 38 (1014/90)
- **C2** Corrigendum, OJ L 308, 2.12.1994, p. 19 (2675/94)
- **C3** Corrigendum, OJ L 24, 1.2.1995, p. 133 (2675/94)



COMMISSION REGULATION (EEC) No 1014/90

of 24 April 1990

laying down detailed implementing rules on the definition, description and presentation of spirit drinks

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks ⁽¹⁾, and in particular Article 1 (4) (f) (1) (a), (g), (i) (1) (d), (i) (2), (i) (1) and (i) (1) (b) and (r) (1) thereof,

Whereas detailed rules of application of Regulation (EEC) No 1576/89 must be adopted to provide essential clarifications of the principles laid down in the abovementioned Regulation and supplementary rules thereto;

Whereas these clarifications and additional rules should in the first instance take account of the criteria followed when Regulation (EEC) No 1576/89 itself was adopted; whereas it is also appropriate to use as a basis the traditions and customs of the various Community regions, at least insofar as these are compatible with the single market; whereas another criterion should be that of avoiding all possible sources of confusion in the information given on labels and guaranteeing that the consumer is given the fullest and clearest information possible where labelling is concerned;

Whereas this Regulation should apply without prejudice to the transitional provisions provided for in Commission Regulation (EEC) No 3773/89 of 14 December 1989 laying down transitional measures relating to spirituous beverages ⁽²⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the implementation Committee for Spirit Drinks,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 1 (4) (f) (1) (a) of Regulation (EEC) No 1576/89 the quantity of lees that may be added to grape marc in the preparation of grape marc spirit may not exceed 25 kg of lees per 100 kg of grape marc used. The quantity of alcohol derived from the lees may not exceed 35 % of the total quantity of alcohol in the finished product.

Article 2

For the purpose of Article 1 (4) (g) of Regulation (EEC) No 1576/89 fruit marc spirit is the spirit drink obtained solely by fermentation and distillation at less than 86 % vol. of fruit marc except grape marc. Redistillation at the same alcoholic strength is authorized.

The minimum quantity of volatile substances shall be 200 g per hectolitre of alcohol at 100 % vol.

The maximum methyl alcohol content shall be 1 500 g per hectolitre of alcohol at 100 % vol.

The maximum hydrocyanic acid content shall be 10 g per hectolitre of alcohol at 100 % vol. in the case of stone-fruit marc spirit.

⁽¹⁾ OJ No L 160, 12. 6. 1989, p. 1.

⁽²⁾ OJ No L 365, 15. 12. 1989, p. 48.

▼B

The sales designation shall be the name of the fruit followed by ‘marc spirit’. If marcs of several different fruits are used, the sales designation shall be ‘fruit marc spirit’.

Article 3

For the purpose of Article 1 (4) (i) (1) (d) of Regulation (EEC) No 1576/89 the name of the fruit may replace ‘spirit’ preceded by the name of the fruit solely in the case of the following fruits:

- mirabelle (*Prunus domestica* L. var. *syriaca*),
- plum (*Prunus domestica* L.),
- quetsch (*Prunus domestica* L.),
- arbutus (*Arbutus unedo* L.),
- Golden Delicious apple.

Should there be a risk that the final consumer does not easily understand one of these designations, the labelling shall include the word ‘spirit’, possibly supplemented by an explanation.

Article 4

Spirit drinks as referred to in Article 1 (4) (i) (2) of Regulation (EEC) No 1576/89 may be designated by ‘spirit’ preceded by the name of the fruit if the label also bears the words ‘produced by ‘maceration and distillation’.

The preceding paragraph covers spirit drinks obtained from the following fruits:

- blackberry (*Rubus fruticosus* L.),
- strawberry (*Fragaria* L.),
- bilberry (*Vaccinium myrtillus* L.),
- raspberry (*Rubus idaeus* L.),
- redcurrant (*Ribes vulgare* Lam.),
- sloe (*Prunus spinosa* L.),
- rowanberry (*Sorbus domestica* L.),
- service-berry (*Sorbus domestica* L.),
- hollyberry (*Ilex cassine* L.),
- checkerberry (*Sorbus turterminalis* L.),
- elderberry (*Sambucus nigra* L.),
- rosehip (*Rosa canina* L.),
- blackcurrant (*ribes nigrum* L.).

▼M4

The first paragraph also covers, for products produced in the French overseas territories and departments, spirit drinks obtained from the following fruits:

- banana (*Musa paradisiaca*),
- passion fruit (*Passiflora edulis*),
- ambarella (*Spondias dulcis*),
- hog plum (*spondias mombin*).

▼B*Article 5***▼C1**

For the purpose of Article 1 (4) (L) (1) of Regulation (EEC) No 1576/89 the quantity of fruit used shall be a minimum of five kg per 20 litres of alcohol at 100 % vol., used.

▼M3*Article 6*

1. Pursuant to Article 1 (4) (i) (1) (b) of Regulation (EEC) No 1576/89, the maximum methyl alcohol content of fruit spirits shall be 1 500

▼M3

grams per hectolitre of alcohol at 100 % vol obtained from the following fruits:

- plum (*Prunus domestica* L.),
- mirabelle (*Prunus domestica* L. var *syriaca*),
- quetsch (*Prunus domestica* L.),
- apple (*Malus domestica* Borkh.),
- pear (*Pyrus communis* L.).

▼M6

2. The maximum methyl alcohol content of fruit spirits derived from the fruits listed in paragraph 1 shall be:

- 1 350 grams per hectolitre of alcohol at 100 % volume, from 1 January 1998, and
- 1 200 grams per hectolitre of alcohol at 100 % volume from 1 January 2000, with the exception of that derived from Williams pears (*Pyrus communis Williams*).

3. Community and imported products referred to in paragraph 1, bottled, as the case may be, before 1 January 1998 or 1 January 2000, which comply with the rules on methyl alcohol content in force before those dates may be held for sale, released into circulation and exported.

▼M7

4. Pursuant to Article 1 (4) (i) (1) (b) of Regulation (EEC) No 1576/89, the maximum methyl alcohol content of fruit spirits prepared from redcurrants and blackcurrants (*Ribes* species), service berries (*Sorbus aucuparia*) and elderberries (*Sambucus nigra*) shall be 1 350 g per hectolitre of alcohol at 100 % vol. and the maximum methyl alcohol content of fruit spirits prepared from raspberries (*Rubus idaeus* L.) and blackberries (*Rubus fruticosus* L.) shall be 1 200 g per hectolitre of alcohol at 100 % vol.

5. The fruit spirits referred to in paragraph 4, prepared in Austria and held at 31 December 1997 for sale to the final user in accordance with the provisions on methanol content in force at that date in Austria may be put on the market and exported until stocks are exhausted.

▼B*Article 7*

By way of derogation from Article 1 (4) (r) (1) of Regulation (EEC) No 1576/89, the minimum sugar content of 100 g per litre laid down for liqueurs is hereby reduced to:

- 80 g per litre for gentian liqueurs prepared with gentian as the sole aromatic substance;
- 70 g per litre per cherry liqueurs the ethyl alcohol of which consists solely of cherry spirit.

▼M1*Article 7a*

The terms additional to the sales designation that are indicated in the Annex hereto shall be reserved for the products defined thereunder.

Spirit drinks not meeting the specifications adopted for the products defined in the Annex may not be designated by the terms indicated for the defined products.

▼M2*Article 7b*

1. Pursuant to Article 6 (1), second indent, of Regulation (EEC) No 1576/89, the use of a generic term in a compound term shall be prohibited in the presentation of a spirit drink unless the alcohol in that drink originates exclusively from the spirit drink cited.

▼M2

2. However, in line with the situation at the time of entry into force of this Regulation only the following compound terms may be used in the presentation of liqueurs produced in the Community:

prune brandy,

orange brandy,

apricot brandy,

cherry brandy,

solbaerrom, also called blackcurrant rum.

3. As regards the labelling and presentation of the liqueurs indicated in paragraph 2, the compound term must appear on the labelling in one line in type of a single fount and colour and the word 'liqueur' must appear in immediate proximity in characters no smaller than this fount.

If the alcohol does not come from the spirit drink indicated its origin must be shown on the labelling in the same visual field as the compound term and 'liqueur' either by stating the type of agricultural alcohol or as by the words 'agricultural alcohol' preceded on each occasion by 'made from' or 'made using'.

▼M4*Article 7c*

Where a spirit drink listed in Article 9 of Regulation (EEC) No 1576/89 is mixed with:

- one or more spirit drinks, whether or not defined in Article 1 (4) of Regulation (EEC) No 1576/89, and/or
- one or more distillates of agricultural origin,

the sales description 'spirit' or 'spirit drink' must be shown clearly and visibly, without any other qualifying term, in a prominent position on the label.

The first paragraph shall not apply to the description and presentation of such mixtures when they meet one of the definitions laid down in Article 1 (4) of Regulation (EEC) No 1576/89 and save as otherwise provided for in Article 7b.

Without prejudice to the provisions of Council Directive 79/112/EEC⁽¹⁾ on the labelling of ingredients of spirit drinks, the labelling and presentation of the products resulting from the abovementioned mixtures may only show one of the generic terms listed in Article 1 (4) of Regulation (EEC) No 1576/89 if the term does not form part of the sales the proportions of all the alcoholic ingredients contained in the mixture, preceded by the words 'mixed spirit drink'. The above must be in uniform characters of the same typeface and colour as those used in the sales ►C2 description but falls within the same visual field, in a list showing description. ◀ They must be no larger than half the size of the characters used for the sales descriptions.

The proportion of each alcoholic ingredient shall be equal to the percentage by volume of pure alcohol it represents in the total pure alcohol content by volume of the mixture. It shall be expressed in '% vol' in descending order of quantities used.

▼B*Article 8*

This Regulation shall enter into force on 1 May 1990.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 1.

▼M1

ANNEX

1. 'Vruchtenjenever' or 'Jenever met vruchten': a liqueur or other spirit drink
 - obtained by flavouring 'jenever' with fruit, plants or parts thereof or by adding fruit juice, distillates of concentrated flavours extracted from fruit or plants, or other distillates,
 - that may be given additional flavouring by natural or nature-identical flavours,
 - that may be sweetened,
 - with the organoleptic characteristics of the fruit concerned,
 - with a minimum alcoholic strength by volume of 20 %.

The name of the fruit concerned may replace 'vruchten'.
2. 'Berenburg' or 'Beerenburg': a spirit drink
 - produced using ethyl alcohol of agricultural origin,
 - macerating with fruit or plants or parts thereof,
 - containing as specific flavour distillate of gentian root (*Gentiana lutea* L.), of juniper berries (*Juniperus communis* L.) and of laurel leaves (*Laurus nobilis* L.),
 - varying in colour from light to dark brown,
 - that may be sweetened to a maximum content equivalent to 20 grammes per litre of invert sugar,
 - with a minimum alcoholic strength by volume of 30 %.
3. 'Guignolet':

a liqueur obtained by maceration of cherries in ethyl alcohol of agricultural origin.
4. 'Punch au rhum':

a liqueur with alcohol content provided exclusively by 'rhum'.
5. 'Pastis de Marseille':

a pastis with an anethole content of 2 grammes per litre and an alcoholic strength by volume of 45 %.
6. 'Sloe gin':

a liqueur produced by maceration of sloes in gin with the possible addition of sloe juice,

 - produced using natural flavouring substances only,
 - with a minimum alcoholic strength by volume of 25 %.
7. 'Topinambur':

a spirit drink produced solely by fermentation of Jerusalem artichoke tubers (*Helianthus tuberosus* L.), with a minimum alcoholic strength by volume of 38 %.
8. 'Hefebrand':

a spirit drink produced from lees of wine or of fermented fruit, with a minimum alcoholic strength by volume of 38 %.

The term 'Hefebrand' may be supplemented by the name of the basic material used.
9. 'Sambuca':

a colourless aniseed-flavoured liqueur

 - containing distillates of anise (*Pimpinella anisum* L.), star anise (*Illicium verum* L.) or other aromatic herbs,
 - with a minimum alcoholic strength by volume of 38 %,
 - with a minimum sugar content equivalent to 350 grammes per litre of invert sugar,
 - with a natural anethole content of not less than 1 gramme and not more than 2 grammes per litre.
10. 'Mistrà':

a colourless liqueur flavoured with aniseed or natural anethole

 - with an anethole content of not less than 1 gramme and not more than 2 grammes per litre,
 - that may also contain a distillate of aromatic herbs,

▼ M1

- with an alcoholic strength by volume of not less than 40 % and not more than 47 %,
- containing no added sugar.

11. 'Maraschino' or 'Marrasquino':

a colourless liqueur the flavour of which is given mainly by a distillate of marasca cherries or of the product of macerating cherries or parts of cherries in alcohol

- with a minimum alcoholic strength by volume of 24 %,
- with a minimum sugar content equivalent to 250 grammes per litre of invert sugar.

12. 'Nocino':

a liqueur the flavour of which is given mainly by maceration and/or distillation of whole green walnut kernels (*Jugians regia* L.).

- with a minimum alcoholic strength by volume of 30 %,
- with a minimum sugar content equivalent to 100 grammes per litre of invert sugar.

▼ M8

13. 'Bierbrand' or 'Eau de vie de bière:' a spirit drink:

- obtained exclusively by direct distillation of fresh beer with an alcoholic strength by volume of less than 86 % such that the distillate obtained has organoleptic characteristics resulting from the beer,
- with a minimum alcoholic strength by volume of 38 %, for supply for human consumption in the Community.