

Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (repealed)

COUNCIL REGULATION (EEC) No 1601/91
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laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (repealed)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100a thereof,

Having regard to the proposal from the Commission⁽¹⁾,

In cooperation with the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas there are at present no specific Community rules governing aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails hereinafter called 'aromatized drinks', in particular with regard to the definition of such drinks and the requirements concerning their description and presentation; whereas, given the economic importance of these drinks, it is necessary, in order to assist the functioning of the common market, to lay down common provisions on this subject;

Whereas these aromatized drinks constitute a major outlet for Community agriculture; whereas this outlet is largely the result of the reputation which certain of these drinks have acquired throughout the Community and on the world market; whereas this reputation can be attributed to the quality of the drinks in question; whereas a certain quality standard should therefore be maintained for the drinks in question if this outlet is to be preserved; whereas the appropriate means of maintaining this quality standard is to define the said drinks, taking into account the traditional practices on which their reputation is based; whereas, moreover, the terms thus defined should be used only for drinks of the same quality as traditional drinks so as to prevent their being devalued;

Whereas it is appropriate that an appropriate framework be created for aromatized drinks which are composed for the major part of wine or musts, while allowing for development and innovation as regards such drinks; whereas this objective can be achieved the more easily by creating three categories of drinks on the basis of their wine content, alcoholic strength and whether or not alcohol has been added to them;

Whereas it is appropriate that Community rules should reserve, for certain territories, the use of geographical ascriptions referring thereto, provided that the stages of production during which

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the finished product acquires its characteristics and definitive properties are completed in the geographical area in question;

Whereas the customary means of informing the consumer is to include certain information on the label; whereas the labelling of aromatized drinks is subject to the general rules laid down in Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer⁽⁴⁾, as last amended by Directive 89/395/EEC⁽⁵⁾; whereas, in view of the nature of the drinks in question and so that the consumer may have fuller information, provisions additional to these general rules should be adopted;

Whereas, in the mind of the consumer, the reputation of certain aromatized drinks is closely linked to a traditional origin; whereas, in order to ensure that the consumer is appropriately informed and to take account of these specific cases, it is appropriate to make it compulsory to indicate the origin in cases where the drink does not come from the traditional region of production;

Whereas, in order to enable appropriate information to be given on the composition of the drink, certain labelling rules relating to the nature of the alcohol used should be adopted;

Whereas Council Directive 80/778/EEC of 15 July 1980 relating to the quality of water intended for human consumption⁽⁶⁾, as last amended by Directive 81/858/EEC⁽⁷⁾, and Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters⁽⁸⁾, as last amended by Directive 85/7/EEC⁽⁹⁾, lay down the characteristics of the water which may be used in foodstuffs; whereas reference should be made thereto;

Whereas Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production⁽¹⁰⁾ puts forward definitions of various terms liable to be used in connection with flavouring; whereas the same terminology should be used in this Regulation;

Whereas specific provisions should be adopted concerning description and presentation for imported aromatized drinks, bearing in mind the Community's commitments in its relations with third countries;

Whereas, in order to defend the reputation of Community aromatized drinks on the world market, the same rules should be extended to exported drinks, except where there are contrary provisions, bearing in mind traditional habits and practices;

Whereas it is preferable to act by way of a Regulation in order to ensure the uniform and simultaneous implementation of the measures in question;

Whereas, in order to simplify and expedite the procedure, the Commission should be instructed to adopt implementing measures of a technical nature; whereas, for this purpose, provision should be made for a procedure whereby the Member States and the Commission can cooperate closely within an Implementation Committee;

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Whereas transitional measures are necessary to facilitate the dangeover to the system introduced by this Regulation,

HAS ADOPTED THIS REGULATION:

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- (1) OJ No C 269, 25. 10. 1986, p. 15.
- (2) OJ No C 127, 14. 5. 1984, p. 185 and OJ No C 129, 20. 5. 1991.
- (3) OJ No C 124, 9. 5. 1983, p. 16.
- (4) OJ No L 33, 8. 2. 1979, p. 1.
- (5) OJ No L 186, 30. 6. 1989, p. 17.
- (6) OJ No L 229, 30. 8. 1980, p. 11.
- (7) OJ No L 319, 7. 11. 1981, p. 19.
- (8) OJ No L 229, 30. 8. 1980, p. 1.
- (9) OJ No L 2, 3. 1. 1985, p. 22.
- (10) OJ No L 184, 15. 7. 1988, p. 61.

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