

Commission Regulation (EC) No 1607/2000 of 24 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine, in particular the Title relating to quality wine produced in specified regions (repealed)

*Article 1*

**Purpose**

This Regulation lays down detailed rules for implementing the provisions of Regulation (EC) No 1493/1999 relating to quality wine produced in specified regions (quality wine psr).

TITLE I

**RULES RELATING TO SPECIFIED REGIONS**

*Article 2*

**Demarcation of areas in immediate proximity to a specified region**

Notwithstanding the rule in point 1(b) of paragraph D of Annex VI to Regulation (EC) No 1493/1999, but pursuant to point 3 of paragraph D of Annex VI to that Regulation, the area in immediate proximity to a specified region where a quality wine psr may be obtained or manufactured shall be demarcated by each Member State concerned and for each quality wine psr concerned. The Member State shall take account, among other things, of the geographical situation, administrative structures and traditional situations prior to demarcation.

The Member States shall notify the Commission of such demarcation decisions taken, and the Commission shall publicise such decisions in all Member States by appropriate means.

TITLE II

**RULES RELATING TO ALCOHOLIC STRENGTH**

*Article 3*

**List of quality white wines psr whose total alcoholic strength by volume may be less than 9 % vol. but not less than 8,5 % vol.**

The lists referred to in point 5 of paragraph F of Annex VI to Regulation (EC) No 2493/1999 are set out in Annex I hereto.

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*Changes to legislation: There are currently no known outstanding effects for the Commission Regulation (EC) No 1607/2000 (repealed). (See end of Document for details)*

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#### *Article 4*

##### **List of quality liqueur wines psr whose natural alcoholic strength by volume may be less than 12 % vol.**

The list referred to in point 3(a) of paragraph L of Annex VI to Regulation (EC) No 1493/1999 is set out in paragraph A of Annex II hereto.

#### *Article 5*

##### **List of quality liqueur wines psr whose total alcoholic strength by volume may be less than 17,5 % vol. but not less than 15 % vol.**

The list referred to in point 4 of paragraph L of Annex VI to Regulation (EC) No 1493/1999 is set out in paragraph B of Annex II hereto.

#### *Article 6*

##### **List of varieties which can be used to make quality liqueur wines psr using the special traditional indications ‘vino dulce natural’, ‘vino dolce naturale’, ‘vinho doce natural’ and ‘οίνος γλυκός φυσικός’**

The list referred to in point 5 of paragraph L of Annex VI to Regulation (EC) No 1493/1999 is set out in Annex III hereto.

#### *Article 7*

##### **List of cuvées intended for the manufacture of quality sparkling wines psr, and of quality sparkling wines psr, whose alcoholic strength may be less than 9,5 % vol. but not less than 8,5 % vol.**

The lists referred to in points 2 and 3 of paragraph K of Annex VI to Regulation (EC) No 1493/1999 are set out in Annex IV hereto.

### TITLE III

## **RULES GOVERNING ANALYTICAL AND ORGANOLEPTIC TESTS**

#### *Article 8*

##### **General rules**

1 For the purposes of applying point (d) of the second paragraph of Article 58 of Regulation (EC) No 1493/1999, each producer Member State shall set up one or more boards to carry out organoleptic tests of the quality wines psr produced on its territory.

When such boards are set up pursuant to the above provision and to point 1(b) of paragraph J of Annex VI to Regulation (EC) No 1493/1999, the Member States shall ensure that interested parties are represented thereon.

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2 The Member States shall lay down rules to ensure that analytical and organoleptic tests are carried out systematically for all quality wines psr produced on their territory. However, for wines from the 2000/2001 wine year, the tests may be carried out by sampling.

They shall ensure that each sample taken is representative of each of the quality wines psr held by the producer.

3 For all wines liable to become quality wines psr, the tests referred to in paragraph 2 shall be carried out at the production stage before the wine is classified as a quality wine psr.

4 Wine may be classified as a quality wine psr only where:

- a the results of the analytical tests carried out in accordance with the methods referred to in Article 46 of Regulation (EC) No 1493/1999 prove that the wine falls within the required limits referred to in point 1(a) of paragraph J of Annex VI to that Regulation, and
- b the organoleptic test shows that the wine possesses all the appropriate features.

#### *Article 9*

#### **Use of wine that does not pass the analytical and organoleptic tests**

Where the analytical and organoleptic tests show that the wine is not suitable to be classified as the quality wine psr claimed, then the wine may, if it has the required characteristics, be classified:

- (a) as another quality wine psr, if the conditions for its classification as such are met, or
- (b) as table wine, provided that enrichment, if any, has been carried out in accordance with Article 43(2) of and paragraphs C and G of Annex V to Regulation (EC) No 1493/1999, or
- (c) as wine of another category, as referred to in Annex I to Regulation (EC) No 1493/1999.

#### TITLE IV

#### **RULES APPLICABLE TO DOWNGRADING**

#### *Article 10*

#### **Conditions for certain cases of downgrading quality wines psr at the marketing stage**

1 For the purposes of applying Article 56 of Regulation (EC) No 1493/1999, 'the downgrading of a quality wine psr' means 'prohibiting the use for the wine concerned of any reference to Community or national indications reserved for a quality wine psr'.

2 For the purposes of applying Article 56(3) of that Regulation, a quality wine psr shall be deemed to have undergone a change such as to justify downgrading in particular when it is found that:

- a it no longer meets the requirements for at least one of the features referred to in point 1(a) of paragraph J of Annex VI to the Regulation, or

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- b it no longer has at least one of the characteristics of quality wine psr from the region whose name it bears.
- 3 Downgrading of quality wine psr at the marketing stage shall be declared by the competent body referred to, as applicable, in Article 12(1) or (3) of this Regulation.
- 4 The procedure for downgrading a quality wine psr shall be initiated by:
- a the competent body referred to in Article 56(1) and (2) of the Regulation, at the time of any appropriate check, or
  - b the trader holding the wine if he observes that the wine fulfils the conditions referred to in paragraph 2 above.
- 5 Member States shall notify the Commission of the names and addresses of the competent bodies authorised by them to downgrade quality wines psr. The Commission shall take all appropriate steps to publish the notifications in all Member States.
- 6 Where necessary, any competent body may declare that the accompanying document issued for a downgraded wine is in breach of the rules.

Stock movement registers kept by the holder of a downgraded wine shall specify that the wine has been downgraded from a quality wine psr.

#### *Article 11*

##### **Notification by Member States of the downgrading of quality wines psr**

For each wine marketing year, the Member States shall collect data on quantities of quality wine psr downgraded on their territory.

They shall notify these data to the Commission no later than 1 November following the wine year in which downgrading is declared.

The data shall distinguish between wine downgraded from quality wine psr

- (a) at the production stage:
  - (i) on the initiative of the competent body, or
  - (ii) at the request of the producer;
- (b) at the marketing stage:
  - (i) on the initiative of the competent body, or
  - (ii) at the request of the trader.

They shall indicate the quantities broken down by product category resulting from the downgrading.

## Article 12

### **Direct collaboration of the Member States' competent bodies as regards the downgrading of quality wine psr**

1 The competent body in a Member State that has on its territory a quality wine psr being considered for downgrading shall inform the competent body of the Member State on whose territory the wine was produced ('the Member State of origin') accordingly.

The exchange of information may be accompanied by:

- a dispatch of samples to an official laboratory in the Member State of origin at the request of one of the Member States concerned; where the wine is a quality wine psr in containers holding no more than 60 litres, the sample shall bear the labelling under which the wine was put into circulation,
- b presence of a qualified expert from the Member State of origin at checks,
- c participation of different Member States in concerted tests,
- d verification of the documents and register entries laid down pursuant to Article 70 of Regulation (EC) No 1493/1999.

2 The competent body to which the request is addressed shall promptly inform the competent body sending the request of its decision on downgrading.

3 When the total quantity of wine involved does not exceed two hectolitres, the competent body of the Member State that has on its territory a quality wine psr liable to be downgraded may itself decide to downgrade the wine.

4 Any natural or legal person or group of persons affected by a decision taken under paragraph 2 or 3 above may ask the competent body of the Member State that has on its territory the quality wine psr concerned to reconsider the decision. If that body finds that the request to reconsider the decision is founded, it shall request the competent body of the Member State of origin of the quality wine psr concerned to reconsider the decision, or, in the case referred to in paragraph 3, it shall itself reconsider the decision.

5 Member States that have downgraded a quality wine psr originating in another Member State in the course of a year shall, by 31 March of the following year, notify the Commission and the Member States of origin of the quality wines psr concerned of the volume of each quality wine psr downgraded.

## TITLE V

### **FINAL PROVISIONS**

## Article 13

### **Repeal**

Regulations (EEC) No 1698/70, (EEC) No 2236/73, (EEC) No 2082/74 and (EEC) No 2903/79 are repealed.

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#### *Article 14*

##### **Entry into force**

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 August 2000.

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

**Status:**

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**Changes to legislation:**

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