

Commission Regulation (EC) No 606/2009 of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions (repealed)

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, amending Regulations (EC) No 1493/1999, (EC) No 1782/2003, (EC) No 1290/2005, (EC) No 3/2008 and repealing Regulations (EEC) No 2392/86 and (EC) No 1493/1999⁽¹⁾, and in particular Articles 25(3) and 32 thereof,

Whereas:

- (1) The definition of wine given in the first indent of point (c) of the second subparagraph of paragraph 1 of Annex IV to Regulation (EC) No 479/2008 listing the categories of grapevine products provides for a total alcoholic strength of not more than 15 % vol. However, that limit may be increased to 20 % vol. for wines produced without enrichment in certain wine-growing areas that should be defined.
- (2) Chapter II of Title III of Regulation (EC) No 479/2008 and Annexes V and VI thereto lay down general rules on oenological practices and processes and refer for the rest to detailed implementing rules to be adopted by the Commission. The permitted oenological practices should be defined clearly and precisely, including the methods for sweetening wines, and limits on the use of certain substances and the conditions for using certain of those substances should be laid down.
- (3) Annex IV to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine⁽²⁾ listed authorised oenological practices. That list of authorised oenological practices, described more clearly and more coherently and supplemented to take account of technical progress, should be kept in a single annex.
- (4) Annex V A to Regulation (EC) No 1493/1999 lays down maximum levels of sulphites in wines produced in the Community that are higher than the limits laid down by the International Organisation of Vine and Wine (OIV). The limits should be aligned with those of the OIV, which are recognised internationally, and the derogations required for certain sweet wines produced in small quantities because of their higher sugar content and to ensure their good conservation should be kept. In the light of current scientific studies into the reduction and replacement of sulphites in wine and the sulphite intake

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from wine in the human diet, provision must be made for re-examining the maximum limits at a later date with a view to reducing them.

- (5) The procedures by means of which the Member States may authorise certain oenological practices and processes not provided for by Community rules for a definite period and for experimental purposes should be laid down.
- (6) The production of sparkling wines, quality sparkling wines and quality aromatic sparkling wines requires a number of specific practices in addition to the oenological practices permitted elsewhere. For reasons of clarity, those practices should be listed in a separate annex.
- (7) The production of liqueur wines requires a number of specific practices in addition to the oenological practices permitted elsewhere and the production of liqueur wines with a protected designation of origin has certain particularities. For reasons of clarity, those practices and restrictions should be listed in a separate annex.
- (8) Coupage is a widespread oenological practice and, in view of its possible consequences for the quality of wine, its use must be strictly defined and regulated in order to prevent abuse and to ensure high quality wines at the same time as promoting a more competitive sector. As far as rosé wine production is concerned, for the reasons mentioned above, this practice must be regulated more particularly for certain wines which are not subject to specifications.
- (9) Purity and identification specifications of a large number of substances used in oenological practices are already laid down in the Community rules on foodstuffs and in the International Oenological Codex of the OIV. For the purposes of harmonisation and clarity, those specifications should be used in the first instance, while providing for additional rules specific to the situation in the Community.
- (10) Wine products that do not comply with the provisions of Chapter II of Title III of Regulation (EC) No 479/2008 or those to be laid down in this Regulation may not be placed on the market. However, some of these products may be used for industrial purposes and the conditions for their use should be laid down so as to ensure adequate monitoring of their final use. In addition, to avoid financial losses for operators with stocks of certain products produced before the date of application of that Regulation, it should be laid down that products made in accordance with the rules in force before that date may be released for consumption.
- (11) In accordance with paragraph 4 of point D of Annex V to Regulation (EC) No 479/2008, all enrichment, acidification and deacidification operations must be notified to the competent authorities. This also holds for quantities of sugar, concentrated grape must and rectified concentrated grape must held by the natural or legal persons undertaking such operations. The purpose of such notification is to allow the operations in question to be monitored. Notifications must therefore be addressed to the competent authority of the Member State on whose territory the operation is to take place and must be as accurate as possible. Where an increase in alcoholic strength is involved, the competent authority must be notified in sufficient time to permit it to carry out an effective check.

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- (12) In the case of acidification and deacidification, a check after the operation is sufficient. For that reason and to simplify administrative procedures, it must therefore be possible to make such notification, except for the first notification in the wine year, by updating records regularly verified by the competent authority. In certain Member States, the competent authorities carry out systematic analytical checks of all batches of products turned into wine. As long as this continues to be the case, declarations of intention to enrich wine are not absolutely necessary.
- (13) Notwithstanding the general rule laid down in point D of Annex VI to Regulation (EC) No 479/2008, the pouring of wine [or grape must onto lees or grape marc or pressed ‘aszú’ or ‘výber’ pulp is an essential characteristic of the production of certain Hungarian and Slovak wines. The particular rules for that practice must be laid down in accordance with the national provisions in force in the Member States concerned on 1 May 2004.
- (14) Article 31 of Regulation (EC) No 479/2008 lays down that the analysis methods for establishing the composition of the products covered by that Regulation and the rules for checking whether those products have been subjected to processes in violation of authorised oenological practice are those recommended and published by the OIV in the Compendium of International Methods of Analysis of Wines and Musts. Where specific analysis methods are necessary for certain Community wine products and they have not been established by the OIV, those Community methods should be described.
- (15) So as to ensure greater transparency, a list of the analysis methods concerned and their description should be published at Community level.
- (16) Consequently, Commission Regulations (EEC) No 2676/90 of 17 September 1990 determining Community methods for the analysis of wines⁽³⁾ and (EC) No 423/2008 of 8 May 2008 laying down certain detailed rules for implementing Council Regulation (EC) No 1493/1999 and establishing a Community code of oenological practices and processes⁽⁴⁾ should be repealed.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee established by Article 113(2) of Regulation (EC) No 479/2008,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 148, 6.6.2008, p. 1.
- (2) OJ L 179, 14.7.1999, p. 1.
- (3) OJ L 272, 3.10.1990, p. 1.
- (4) OJ L 127, 15.5.2008, p. 13.

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