

Commission regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (repealed)

CHAPTER IV

LABELLING AND PRESENTATION

Article 49

Common rule to all labelling particulars

Save as otherwise provided for in this Regulation, the labelling of the products referred to in paragraphs 1 to 11, 13, 15 and 16 of Annex IV to Regulation (EC) No 479/2008 (hereinafter 'products') may not be supplemented by any particulars other than those provided for in Article 58 and those regulated in Article 59(1) and 60(1) of that Regulation, unless they satisfy the requirements of Article 2(1)(a) of Directive 2000/13/EC.

SECTION 1

Compulsory particulars

Article 50

Presentation of the compulsory particulars

1 Compulsory particulars referred to in Article 58 of Regulation (EC) No 479/2008 as well as those listed in Article 59 thereof shall appear in the same field of vision on the container, in such a way as to be simultaneously readable without having to turn the container.

However, the compulsory particulars of the lot number and those referred to in Articles 51 and 56(4) of this Regulation may appear outside the visual field in which the other compulsory particulars appear.

2 The compulsory particulars referred to in paragraph 1 and those applicable by virtue of the legal instruments mentioned in Article 58 of Regulation (EC) No 479/2008 shall be presented in indelible characters and shall be clearly distinguishable from surrounding text or graphics.

Article 51

Application of certain horizontal rules

1 Where one or more of the ingredients listed in Annex IIIa to Directive 2000/13/EC are present in one of the products referred to in Annex IV to Regulation (EC) No 479/2008, they must be indicated on the labelling, preceded by the term 'contains'. For sulphites, the following terms may be used: 'sulphites', 'sulfites', 'sulphur dioxide' or 'sulfur dioxide'.

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Changes to legislation: There are currently no known outstanding effects for the Commission regulation (EC) No 607/2009 (repealed), CHAPTER IV. (See end of Document for details)

2 The labelling obligation referred to in paragraph 1 may be accompanied by the use of the pictogram included in Annex X to this Regulation.

Article 52

Marketing and export

1 Products whose label or presentation does not conform to the corresponding conditions as laid down in this Regulation cannot be marketed in the Community or exported.

2 By way of derogation from Chapters V and VI of Regulation (EC) No 479/2008, where the products concerned are to be exported, Member States may allow that particulars, which conflict with labelling rules as provided for by Community legislation, appear on the label of wines for export, when they are required by the legislation of the third country concerned. These particulars may appear in languages other than the official Community languages.

Article 53

Prohibition of lead-based capsules or foil

The closing devices for products as referred to in Article 49 shall not be enclosed in lead-based capsules or foil.

Article 54

Actual alcoholic strength

1 The actual alcoholic strength by volume referred to in Article 59(1)(c) to Regulation (EC) No 479/2008 shall be indicated in percentage units or half units.

The figure shall be followed by ‘% vol’ and may be preceded by ‘*actual alcoholic strength*’, ‘*actual alcohol*’ or ‘*alc*’.

Without prejudice to the tolerances set for the reference analysis method used, the strength shown may not differ by more than 0,5 % vol from that given by analysis. However, the alcoholic strength of products with protected designations of origin or geographical indications stored in bottles for more than three years, sparkling wines, quality sparkling wines, aerated sparkling wines, semi-sparkling wines, aerated semi-sparkling wines, liqueur wines and wines of overripe grapes, without prejudice to the tolerances set for the reference analysis method used, may not differ by more than 0,8 % vol from that given by analysis.

2 The actual alcoholic strength shall appear on the label in characters at least 5 mm high if the nominal volume is over 100 cl, at least 3 mm high if it is equal to or less than 100 cl but more than 20 cl and 2 mm high if it is 20 cl or less.

Article 55

Indication of the provenance

1 The indication of provenance as referred to in Article 59(1)(d) of Regulation (EC) No 479/2008, shall be indicated as follows:

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- a for wines referred to in paragraphs 1, 2, 3, 7 to 9, 15 and 16 of Annex IV to Regulation (EC) No 479/2008, without protected designation of origin or geographical indication, one of the following:
- (i) the words ‘*wine of(...)*’, ‘*produced in (...)*’, or ‘*product of(...)*’, or expressed in equivalent terms, supplemented by the name of the Member State or third country where the grapes are harvested and turned into wine in that territory;

In the case of a trans-border wine produced from certain wine grapes varieties as referred to in Article 60(2)(c) of Regulation (EC) No 479/2008, only the name of one or more Member State(s) or third country(ies) may be mentioned.
 - (ii) either the words ‘*European Community wine*’, or expressed in equivalent terms, or ‘*blend of wines from different countries of the European Community*’ in the case of wine resulting from a blending of wines originating in a number of Member States, or

the words ‘*blend of wines from different countries outside the European Community*’ or ‘*blend from (...)*’ citing the names of the third countries in question, in the case if wine resulting from a blending of wines originating in a number of third countries;
 - (iii) either the words ‘*European Community wine*’, or expressed in equivalent terms, or ‘*wine obtained in (...) from grapes harvested in (...)*’, supplemented by the names of the Member States concerned in the case of wines produced in a Member State from grapes harvested in another Member State, or

the words ‘*wine obtained in (...) from grapes harvested in (...)*’ citing the names of the third countries in question, for wines made in a third country from grapes harvested in another third country;
- b for wines referred to in paragraph 4, 5 and 6 to Annex IV of Regulation (EC) No 479/2008, without protected designation of origin or geographical indication, one of the following:
- (i) the words ‘*wine of(...)*’, ‘*produced in (...)*’, ‘*product of(...)*’ or ‘*sekt of(...)*’, or expressed in equivalent terms, supplemented by the name of the Member State or third country where the grapes are harvested and turned into wine in that territory;
 - (ii) the words ‘*produced in (...)*’, or expressed in equivalent terms, supplemented by the name of the Member State where the second fermentation takes place;
- c for wines with protected designation of origin or geographical indication, the words ‘*wine of(...)*’, ‘*produced in (...)*’ or ‘*product of(...)*’, or expressed in equivalent terms, supplemented by the name of the Member State or third country where the grapes are harvested and turned into wine in that territory.

In the case of a trans-border protected designation of origin or geographical indication, only the name of one or more Member State(s) or third country(ies) shall be mentioned.

This paragraph is without prejudice to Articles 56 and 67.

2 The indication of provenance as referred to in Article 59(1)(d) of Regulation (EC) No 479/2008, on labels of grape must, grape must in fermentation, concentrated grape must or new wine still in fermentation shall be indicated as follows:

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- a ‘*must of (...)*’ or ‘*must produced in (...)*’ or expressed in equivalent terms, supplemented by the name of the Member State, an individual country forming part of the Member State where the product is produced;
 - b ‘*blend made from the produce of two or more European Community countries*’ in case of coupage of products produced in two or more Member States;
 - c ‘*must obtained in (...) from grapes harvested in (...)*’ in case of grape must which has not been made in the Member State where the grapes used were harvested.
- 3 In the case of United Kingdom, the name of the Member State may be replaced by the name of an individual country forming part of United Kingdom.

Article 56

Indication of the bottler, producer, importer and vendor

1 For the purposes of the application of Article 59(1)(e) and (f) of Regulation (EC) No 479/2008 and of this Article:

- [^{F1}a ‘*bottler*’ means a natural or legal person or a group of such persons established in the European Union and carrying out bottling or having bottling carried out on their behalf;]
- b ‘*bottling*’ means putting the product concerned in containers of a capacity *not* exceeding 60 litres for subsequent sale;
- c ‘*producer*’ means a natural or legal person or a group of such persons by whom or on whose behalf the processing of the grapes, grape musts and wine into sparkling wines, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wines is carried out;
- d ‘*importer*’ means a natural or legal person or group of such persons established within the Community assuming responsibility for bringing into circulation non-Community goods within the meaning of Article 4(8) of Council Regulation (EEC) No 2913/92⁽¹⁾;
- e ‘*vendor*’ means a natural or legal person or a group of such persons, not covered by the definition of producer, purchasing and then putting sparkling wines, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wines into circulation;
- [^{F1}f ‘*address*’ means the indications of the local administrative area and the Member State or third country in which the head office of the bottler, producer, vendor or importer is situated.]

- 2 The name and address of the bottler shall be supplemented either,
- a by the words ‘*bottler*’ or ‘*bottled by (...)*’; or
 - b by terms, whose conditions of use are defined by Member States, where bottling of wines with protected designation of origin or geographical indication takes place:
 - (i) on the producer's holding; or
 - (ii) on the premises of a producer group; or
 - (iii) in an enterprise located in the demarcated geographical area or in the immediate proximity of the demarcated geographical area concerned.

In case of contract bottling, the indication of the bottler shall be supplemented by the words ‘*bottled for (...)*’ or, where the name, address of the person who has carried out the bottling on behalf of a third party are indicated, by the words ‘*bottled for (...) by (...)*’.

Where bottling takes place in another place than that of the bottler, the particulars referred to in this paragraph shall be accompanied by a reference to the exact place

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where the operation took place and, if it is carried out in another Member State, the name of that State.

In case of containers other than bottles, the words ‘*packager*’ and ‘*packaged by (...)*’ shall replace the words ‘*bottler*’ and ‘*bottled by (...)*’ respectively, except when the language used does not indicate by itself such a difference.

3 The name and address of the producer or vendor shall be supplemented by the words ‘*producer*’ or ‘*produced by*’ and ‘*vendor*’ or ‘*sold by*’, or equivalent. Member States may make compulsory the indication of the producer.

4 The *name* and address of the importer shall be preceded by the words ‘*importer*’ or ‘*imported by (...)*’.

5 The indications referred to in paragraphs 2, 3 and 4 can be grouped together, if they concern the same natural or legal person.

One of these indications may be replaced by a code determined by the Member State in which the bottler, producer, importer or vendor has its head office. The code shall be supplemented by a reference to the Member State in question. The name and address of another natural or legal person involved in the commercial distribution other than the bottler, producer, importer or vendor indicated by a code shall also appear on the wine label of the product concerned.

6 Where the name or the address of the bottler, producer, importer or vendor consists of or contains a protected designation of origin or geographical indication, it shall appear on the label:

- a in characters which are no more than half the size of those used either for the protected designation of origin or geographical indications or for the designation of the category of the grapevine product concerned; or
- b by using a code as provided for in paragraph 5, second sub-paragraph.

Member States may decide which option applies to products produced in their territories.

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 401/2010 of 7 May 2010 amending and correcting Regulation \(EC\) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation \(EC\) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.](#)

Article 57

Indication of the holding

1 The terms referring to a holding listed in Annex XIII, other than the indication of the name of the bottler, producer or vendor, shall be reserved for wines with protected designation of origin or geographical indication provided that:

- a the wine is made exclusively from grapes harvested in vineyards exploited by that holding;
- b the winemaking is entirely carried out on that holding;
- c Member States regulate the use of their respective terms listed in Annex XIII. Third countries establish the rules on use applicable to their respective terms listed in Annex XIII, including those emanating from representative professional organisations.

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2 The name of a holding may be used by other operators involved in the marketing of the product only where the holding in question agrees to that use.

Article 58

Indication of the sugar content

1 The terms listed in Part A of Annex XIV to this Regulation indicating the sugar content shall appear on the label of the products provided for in Article 59(1)(g) of Regulation (EC) No 479/2008.

2 If the sugar content of the products, expressed in terms of fructose and glucose (including any sucrose), justifies the use of two of the terms listed in Part A of Annex XIV, only one of those two terms shall be chosen.

3 Without prejudice to the conditions of use described in Part A of Annex XIV, the sugar content may not differ by more than 3 grams per litre from what appears on the product label.

Article 59

Derogations

In accordance with Article 59(3)(b) to Regulation (EC) No 479/2008, the terms '*protected designation of origin*' may be omitted for wines bearing the following protected designations of origin, provided this possibility is regulated in the Member State legislation or in the rules applicable in the third country concerned, including those emanating from representative professional organisations:

(a)	Cyprus:	Κουμανδαρία (Commandaria);
(b)	Greece:	Σάμος (Samos);
(c)	Spain:	Cava, Jerez, Xérès or Sherry, Manzanilla;
(d)	France:	Champagne;
(e)	Italy:	Asti, Marsala, Franciacorta;
(f)	Portugal:	Madeira or Madère, Port or Porto.

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Article 60

Specific rules for aerated sparkling wine, aerated semi-sparkling wine and quality sparkling wine

1 The terms ‘*aerated sparkling wine*’ and ‘*aerated semi-sparkling wine*’ as referred to in Annex IV to Regulation (EC) No 479/2008 shall be supplemented in characters of the same type and size by the words ‘*obtained by adding carbon dioxide*’ or ‘*obtained by adding carbon anhydride*’, except when the language used indicates by itself that carbon dioxide has been added.

The words ‘*obtained by adding carbon dioxide*’ or ‘*obtained by adding carbon anhydride*’ shall be indicated even where Article 59(2) of Regulation (EC) No 479/2008 applies.

2 For quality sparkling wines, the reference to the category of the grapevine product may be omitted for wines whose labels include the term ‘*Sekt*’.

SECTION 2

Optional particulars

Article 61

Vintage year

1 The vintage year referred to in Article 60(1)(a) of Regulation (EC) No 479/2008 may appear on the labels of products as referred to in Article 49 provided that at least 85 % of the grapes used to make the products have been harvested in the year in question. This does not include:

- a any quantity of products used in sweetening, ‘*expedition liqueur*’ or ‘*tirage liqueur*’ or
- b any quantity of product as referred to in Annex IV(3)(e) and (f) to Regulation (EC) No 479/2008.

2 For products traditionally obtained from grapes harvested in January or February, the vintage year to appear on the label of wines shall be that of the previous calendar year.

3 Products without protected designation of origin or geographical indication shall also comply with the requirements laid down in paragraphs 1 and 2 of this Article and in Article 63.

Article 62

Name of wine grape variety

1 The names of the wine grape varieties or their synonyms referred to in Article 60(1)(b) of Regulation (EC) No 479/2008 used for the production of products as referred to in Article 49 of this Regulation may appear on the labels of the products concerned under the conditions laid down in points (a) and (b) of this Article.

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- a For wines produced in the European Community, the names of the wine grape varieties or their synonyms shall be those mentioned in the wine grape varieties classification as referred to in Article 24(1) of Regulation (EC) No 479/2008.

For Member States exempted from the classification obligation as provided for in Article 24(2) of Regulation (EC) No 479/2008, the names of the wine grape varieties or synonyms shall be mentioned in the 'International list of vine varieties and their synonyms' managed by the International Organisation of Vine and Wine (OIV).

- b For wines originating in third countries, the conditions of use of the names of the wine grape varieties or their synonyms shall conform with the rules applicable to wine producers in the third country concerned, including those emanating from representative professional organisations and the names of the wine grape varieties or their synonyms are mentioned in at least one of the following lists:

- (i) the International Organisation of Vine and Wine (OIV);
- (ii) the Union for the Protection of Plant Varieties (UPOV);
- (iii) the International Board for Plant Genetic Resources (IBPGR).

- c For products with protected designation of origin or geographical indication or with a geographical indication of a third country, the names of the wine grape varieties or their synonyms may be mentioned:

- (i) if only one wine grape variety or its synonym is named, at least 85 % of the products have been made from that variety, not including:
 - any quantity of products used in sweetening, 'expedition liqueur' or 'tirage liqueur'; or
 - any quantity of product as referred to in Annex IV(3)(e) and (f) to Regulation (EC) No 479/2008;
- (ii) if two or more wine grape varieties or their synonyms are named, 100 % of the products concerned have been made from these varieties, not including:
 - any quantity of products used in sweetening, 'expedition liqueur' or 'tirage liqueur'; or
 - any quantity of product as referred to in Annex IV(3)(e) and (f) of Regulation (EC) No 479/2008.

In the case referred to in point (ii), the wine grape varieties must appear in descending order of the proportion used and in characters of the same size.

- d For products without protected designation of origin or geographical indication, the names of the wine grape varieties or their synonyms may be mentioned provided the requirements laid down in points (a) or (b), and (c) of paragraph 1 and in Article 63 are fulfilled.

2 In the case of sparkling wines and quality sparkling wines, the wine grape variety names used to supplement the description of the product, namely, 'pinot blanc', 'pinot noir', 'pinot meunier' or 'pinot gris' and the equivalent names in the other Community languages, may be replaced by the synonym 'pinot'.

3 By way of derogation from Article 42(3) of Regulation (EC) No 479/2008, the wine grape variety names and their synonyms listed in Part A of Annex XV to this Regulation, that consist of or contain a protected designation of origin or geographical indication may only appear on the label of a product with protected designation of origin or geographical indication or geographical indication of a third country if they were authorised under Community rules in force on 11 May 2002 or on the date of accession of Member States, whichever is later.

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4 The wine grape variety names and their synonyms listed in Part B of Annex XV to this Regulation, that partially contain a protected designation of origin or geographical indication and directly refers to the geographical element of the protected designation of origin or geographical indication in question, may only appear on the label of a product with protected designation of origin or geographical indication or geographical indication of a third country.

Article 63

Specific rules on wine grape varieties and vintage years for wines without protected designation of origin or geographical indication.

1 Member States shall designate the competent authority or authorities responsible for ensuring certification as provided for in Article 60(2)(a) of Regulation (EC) No 479/2008, in accordance with the criteria laid down in Article 4 of Regulation (EC) No 882/2004 of the European Parliament and of the Council⁽²⁾.

2 Certification of wine, at any stage of the production, including during the conditioning of the wine, shall be ensured either by:

- a the competent authority or authorities referred to in paragraph 1; or,
- b one or more control bodies within the meaning of point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004 operating as a product certification body in accordance with the criteria laid down in Article 5 of that Regulation.

The authority or authorities referred to in paragraph 1 shall offer adequate guarantees of objectivity and impartiality, and have at their disposal the qualified staff and resources needed to carry out their tasks.

The certification bodies referred to in point (b) of the first subparagraph shall comply with, and from 1 May 2010 be accredited in accordance with, the European standard EN 45011 or ISO/IEC Guide 65 (General requirements for bodies operating product certification systems).

[^{F1}The costs of the certification shall be borne by the operators subject to it, save where Member States decide otherwise.]

3 The Certification procedure as provided for in Article 60(2)(a) of Regulation (EC) No 479/2008 shall ensure administrative evidence to support the veracity of the wine grape variety(-ies) or the vintage year shown on the label of the wine(s) concerned.

In addition, producing Member States may decide on:

- a an organoleptic test of the wine relating to the odour and the taste with the view to verifying that the essential characteristic of the wine is due to the wine grape variety(-ies) used may be carried out and shall concern anonymous samples;
- b an analytical test in case of a wine made from a single wine grape variety.

The certification procedure shall be carried out by competent authority(-ies) or control body(-ies) as referred to in paragraphs 1 and 2 in the Member State in which production took place.

The certification shall be carried out either through:

- a random checks based on a risk analysis;
- b sampling; or
- c systematically.

In the case of random checks, they shall be based on a control plan pre-established by the authority(-ies) covering different stages of production of the product. The control plan

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shall be known by the operators. Member States shall select randomly the minimum number of operators to be subjected to this check.

In the case of sampling, Member States shall ensure that by their number, nature and frequency controls, they are representative of the whole of their territory and correspond to the volume of wine-sector products marketed or held with a view to their marketing. Random checks may be combined with sampling.

4 As regards Article 60(2)(a) of Regulation (EC) No 479/2008, producing Member States shall ensure that producers of the wines in question are approved by the Member State where the production takes place.

5 As regards control, including traceability, producing Member States shall ensure that Title V of Regulation (EC) No 555/2008 and Regulation (EC) No 606/2009 apply.

6 In case of a trans-border wine as referred to in Article 60(2)(c) of Regulation (EC) No 479/2008, certification can be carried out by either one of the authority(-ies) of the Member States concerned.

7 For wines produced in accordance with Article 60(2) of Regulation (EC) No 479/2008, Member States may decide to use the terms '*varietal wine*' supplemented by the name(s) of:

- a the Member State(s) concerned;
- b the wine grape variety(-ies).

For wines without protected designation of origin, protected geographical indication or geographical indication produced in third countries which bear on labels the name of one or more wine grape varieties or the vintage year, third countries may decide to use the terms '*varietal wine*' supplemented by the name(s) of the third country(ies) concerned. In the case of the indication of the name(s) of the Member State(s) or third country(ies), Article 55 of this Regulation shall not apply.

[^{F2}In the case of United Kingdom, the name of the Member State may be replaced by the name of an individual country forming part of United Kingdom.]

8 Paragraphs 1 to 6 shall apply for products produced from grapes harvested as from and including 2009.

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 401/2010 of 7 May 2010 amending and correcting Regulation \(EC\) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation \(EC\) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.](#)
- F2** Inserted by [Commission Regulation \(EU\) No 401/2010 of 7 May 2010 amending and correcting Regulation \(EC\) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation \(EC\) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.](#)

Article 64

Indication of the sugar content

1 Save as otherwise provided for in Article 58 of this Regulation, the sugar content expressed as fructose and glucose as provided for in Part B of Annex XIV to this Regulation,

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may appear on the label of the products as referred to in Article 60(1)(c) of Regulation (EC) No 479/2008.

2 If the sugar content of the products justifies the use of two of the terms listed in Part B of Annex XIV to this Regulation, only one of those two terms shall be chosen.

3 Without prejudice to the conditions of use described in Part B of Annex XIV to this Regulation, the sugar content may not differ by more than 1 gram per litre from what appears on the product label.

[^{F14} Paragraph 1 shall not apply to products referred to in paragraphs 3, 8 and 9 of Annex XIb to Regulation (EC) No 1234/2007 provided that the conditions of the use of the indication of the sugar content are regulated by the Member State or established in rules applicable in the third country concerned, including, in the case of third countries, rules emanating from representative professional organisations.]

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 401/2010 of 7 May 2010 amending and correcting Regulation \(EC\) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation \(EC\) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.](#)

Article 65

Indication of the Community symbols

1 The Community symbols referred to in Article 60(1)(e) of Regulation (EC) No 479/2008 may appear on labels of wines as laid down in Annex V to Commission Regulation (EC) No 1898/2006⁽⁹⁾. Notwithstanding Article 59, the indications ‘*PROTECTED DESIGNATION OF ORIGIN*’ and ‘*PROTECTED GEOGRAPHICAL INDICATION*’ within the symbols may be replaced by the equivalent terms in another official language of the Community as laid down in the aforesaid Annex.

2 Where the Community symbols or the indications referred to in Article 60(1)(e) of Regulation (EC) No 479/2008 appear on the label of a product, they shall be accompanied by the corresponding protected designation of origin or geographical indication.

Article 66

Terms referring to certain production methods

1 In Accordance with Article 60(1)(f) of Regulation (EC) No 479/2008, wines marketed in the Community may bear indications referring to certain production methods, among others, those which are laid down in paragraphs 2, 3, 4, 5 and 6 of this Article.

2 The indications listed in Annex XVI are the only terms which may be used to describe a wine with protected designations of origin or geographical indications or with a geographical indication of a third country that has been fermented, matured or aged in a wood container. Member States and third countries may, however, establish other indications equivalent to those laid down in Annex XVI for such wines.

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Use of one of the indications referred to in the first subparagraph shall be permitted where the wine has been aged in a wood container in accordance with the national rules in force, even when the ageing process continues in another type of container.

The indications referred to in the first subparagraph may not be used to describe a wine that has been produced with the aid of oak chips, even in association with the use of a wood container or wood containers.

3 The expression '*bottle-fermented*' may be used only to describe sparkling wines with protected designations of origin or geographical indication of a third country or quality sparkling wines provided that:

- a the product was made sparkling by a second alcoholic fermentation in a bottle;
- b the length of the production process, including ageing in the undertaking where the product was made, calculated from the start of the fermentation process designed to make the *cuvée* sparkling, has not been less than nine months;
- c the process of fermentation designed to make the *cuvée* sparkling and the presence of the *cuvée* on the lees lasted at least 90 days; and
- d the product was separated from the lees by filtering in accordance with the racking method or by disgorging.

4 The expressions '*bottle-fermented by the traditional method*' or '*traditional method*' or '*classical method*' or '*classical traditional method*' may be used only to describe sparkling wines with protected designations of origin or with a geographical indication of a third country or quality sparkling wines provided the product:

- a was made sparkling by a second alcoholic fermentation in the bottle;
- b stayed without interruption in contact with the lees for at least nine months in the same undertaking from the time when the *cuvée* was constituted;
- c was separated from the lees by disgorging.

5 The expression '*Crémant*' may only be used for white or '*rosé*' quality sparkling wines with protected designations of origin or with a geographical indication of a third country provided:

- a the grapes shall be harvested manually;
- b the wine is made from must obtained by pressing whole or destemmed grapes. The quantity of must obtained shall not exceed 100 litres for every 150 kg of grapes;
- c the maximum sulphur dioxide content does not exceed 150 mg/l;
- d the sugar content is less than 50 g/l;
- e the wine complies with the requirements laid down in paragraph 4; and
- f without prejudice to Article 67, the term '*Crémant*' shall be indicated on labels of quality sparkling wines in combination with the name of the geographical unit underlying the demarcated area of the protected designation of origin or the a geographical indication of a third country in question.

Points (a) and (f) does not apply to producers who own trademarks containing the term '*crémant*' registered before 1 March 1986.

6 References to the organic production of grapes are governed by Council Regulation (EC) No 834/2007⁽⁴⁾.

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Article 67

Name of a smaller or larger geographical unit than the area underlying the designation of origin or geographical indication and geographical area references

1 As regards Article 60(1)(g) to Regulation (EC) No 479/2008 and without prejudice to Articles 55 and 56 of this Regulation, the name of a geographical unit and geographical area references may only appear on labels of wines with protected designation of origin or geographical indication or with a geographical indication of a third country.

2 ^[F1]For the use of the name of a smaller geographical unit than the area underlying the designation of origin or geographical indication the area of the geographical unit in question shall be well defined. Member States may establish rules concerning the use of these geographical units. At least 85 % of the grapes from which the wine has been produced shall originate in that smaller geographical unit. This does not include:

- a any quantity of products used in sweetening, ‘*expedition liqueur*’ or ‘*tirage liqueur*’; or
- b any quantity of product as referred to in Annex XIb (3) points (e) and (f) of Regulation (EC) No 1234/2007.

The remaining 15 % of the grapes shall originate in the geographical demarcated area of the designation of origin or geographical indication concerned.]

Member States may decide, in the case of registered trademarks or trademarks established by use before 11 May 2002 which contain or consist of a name of a smaller geographical unit than the area underlying the designation of origin or geographical indication and geographical area references of the Member States concerned, not to apply the requirements laid down in the third and fourth sentences of the first subparagraph.

3 The name of a smaller or larger geographical unit than the area underlying the designation of origin or geographical indication or a geographical area references shall consist of:

- a a locality or group of localities;
- b a local administrative area or part thereof;
- c a wine-growing sub-region or part thereof;
- d an administrative area.

Textual Amendments

- F1** Substituted by [Commission Regulation \(EU\) No 401/2010 of 7 May 2010 amending and correcting Regulation \(EC\) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation \(EC\) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.](#)

Status: Point in time view as at 01/08/2009.

Changes to legislation: There are currently no known outstanding effects for the Commission regulation (EC) No 607/2009 (repealed), CHAPTER IV. (See end of Document for details)

SECTION 3

Rules on certain specific bottle shapes and closures and additional provisions laid down by the producer Member States

Article 68

Conditions of use of certain specific bottle shapes

To qualify for inclusion in the list of specific types of bottle set out in Annex XVII, a bottle type shall meet the following requirements:

- (a) it shall have been exclusively, genuinely and traditionally used for the last 25 years for a wine with a particular protected designation of origin or geographical indication; and
- (b) its use shall evoke for consumers a wine with a particular protected designation of origin or geographical indication.

Annex XVII indicates the conditions governing the use of the recognised specific types of bottles.

Article 69

Rules on presentation for certain products

1 Only sparkling wine, quality sparkling wine and quality aromatic sparkling wine shall be marketed or exported in ‘*sparkling wine*’-type glass bottles closed with:

- a for bottles with a nominal volume more than 0,20 litres: a mushroom-shaped stopper made of cork or other material permitted to come into contact with foodstuffs, held in place by a fastening, covered, if necessary, by a cap and sheathed in foil completely covering the stopper and all or part of the neck of the bottle;
- b for bottles with a nominal volume content not exceeding 0,20 litres: any other suitable closure.

2 Member States may decide that the requirement laid down in paragraph 1 applies to:

- a products traditionally bottled in such bottles and which:
 - (i) are listed in Article 25(2)(a) of Regulation (EC) No 479/2008;
 - (ii) are listed in paragraphs 7, 8 and 9 of Annex IV of Regulation (EC) No 479/2008;
 - (iii) are listed in Council Regulation (EEC) No 1601/1991⁽⁵⁾; or
 - (iv) have an actual alcoholic strength by volume no greater than 1,2 % vol;
- b other products than those referred to in point (a) provided that they do not mislead consumers with regard the real nature of the product.

Status: Point in time view as at 01/08/2009.

Changes to legislation: There are currently no known outstanding effects for the Commission regulation (EC) No 607/2009 (repealed), CHAPTER IV. (See end of Document for details)

Article 70

Additional provisions laid down by the producer Member States relating to labelling and presentation

1 For wines with protected designation of origin or geographical indication produced on their territory, the particulars referred to in Articles 61, 62 and 64 to 67 may be rendered compulsory, prohibited or limited as regards their use by introducing conditions stricter than those laid down in this Chapter through the corresponding product specifications of those wines.

2 As regards wines without protected designation of origin or geographical indication produced on their territory, Member States may render compulsory the particulars referred to in Articles 64 and 66.

3 For control purposes, Member States may decide to define and regulate other particulars than those listed in Articles 59(1) and 60(1) of Regulation (EC) No 479/2008 for wines produced in their territories.

4 For control purposes, Member States may decide to render applicable Article 58, 59 and 60 of Regulation (EC) No 479/2008 for wines bottled in their territories but not marketed or exported yet.

Status: Point in time view as at 01/08/2009.

Changes to legislation: There are currently no known outstanding effects for the Commission regulation (EC) No 607/2009 (repealed), CHAPTER IV. (See end of Document for details)

- (1) OJ L 302, 19.10.1992, p. 1.
- (2) OJ L 165, 30.4.2004, p. 1.
- (3) OJ L 369, 23.12.2006, p. 1.
- (4) OJ L 189, 20.7.2007, p. 1.
- (5) OJ L 149, 14.6.1991, p. 1.

Status:

Point in time view as at 01/08/2009.

Changes to legislation:

There are currently no known outstanding effects for the Commission regulation (EC) No 607/2009 (repealed), CHAPTER IV.