

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of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (repealed)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

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.

[^{F1}Article 51

Application of certain horizontal rules

1 For the purposes of indicating the ingredients as referred to in Article 6(3a) of Directive 2000/13/EC, the terms concerning sulphites/sulfites, milk and milk-based products and eggs and egg-based products that must be used are those listed in part A of Annex X.

2 The terms referred to in paragraph 1 may be accompanied, as applicable, by one of the pictograms shown in part B of Annex X.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) No 579/2012 of 29 June 2012 amending 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.](#)

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Changes to legislation: There are currently no known outstanding effects for the Commission regulation (EC) No 607/2009 (repealed), SECTION 1. (See end of Document for details)

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.

[^{F23} In case of partially fermented grape must or new wine still in fermentation, the actual and/or total alcoholic strength by volume shall appear on the label. When the total alcoholic strength by volume appears on the label, the figures shall be followed by ‘% vol’ and may be preceded by words ‘total alcoholic strength’ or ‘total alcohol’.]

Textual Amendments

F2 Inserted by [Commission Regulation \(EU\) No 538/2011 of 1 June 2011 amending Regulation \(EC\) No 607/2009 laying down certain detailed rules for the implementation of Council Regulation \(EC\) No](#)

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479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products.

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:

- 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.

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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:

- 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:

- [^{F3}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;
- [^{F3}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

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- (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 where the operation took place and, if it is carried out in another Member State, the name of that State.^[F2] These requirements do not apply where bottling is carried out in a place of immediate proximity to that of the bottler.]

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.

^[F43] The name and address of the producer or vendor shall be supplemented by the terms ‘*producer*’ or ‘*produced by*’ and ‘*vendor*’ or ‘*sold by*’, or equivalent.

Member States may decide to:

- a make compulsory the indication of the producer;
^[F5b] to authorise the replacement of the words ‘*producer*’ or ‘*produced by*’ by the words listed in Annex Xa to this Regulation.]]

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

- F2** Inserted by [Commission Regulation \(EU\) No 538/2011 of 1 June 2011 amending 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.](#)

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- F3** 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.
- F4** Substituted by Commission Regulation (EU) No 538/2011 of 1 June 2011 amending 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.
- F5** Substituted by Commission Implementing Regulation (EU) No 1185/2012 of 11 December 2012 amending 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.

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

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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.

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*’.

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- (1) [OJ L 302, 19.10.1992, p. 1.](#)

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