

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of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (repealed)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

GENERAL, TRANSITIONAL AND FINAL PROVISIONS

f¹ Article 70a

Method applicable to communications between the Commission, the Member States, third countries and other operators

1 As regards the present paragraph, the documents and information required for the implementation of this Regulation shall be communicated to the Commission in accordance with the following method:

- a for the competent authorities of Member States, through the intermediary of the information system made available to them by the Commission in accordance with the provisions of Regulation (EC) No 792/2009;
- b for the competent authorities and representative trade organisations of third countries, as well as natural or legal persons who have a legitimate interest under this Regulation, through electronic means, using the methods and forms made available to them by the Commission and made accessible under the conditions specified in Annex XVIII to this Regulation.

However, paper-based communication is also possible, using those forms.

The filing of an application and the content of the communications is a matter for the competent authorities designated by the third countries, or the representative trade organisations, or the legal or natural persons that are involved, as the case may be.

2 Information shall be communicated and made available by the Commission to the authorities and persons affected by this Regulation and, where applicable, to the public, through the information systems put in place by the Commission.

The authorities and persons affected by this Regulation may contact the Commission, in accordance with Annex XIX, in order to obtain information on the practicalities of accessing the information systems, of communication and of making information available.

3 Article 5(2) and Articles 6, 7 and 8 of Regulation (EC) No 792/2009 apply *mutatis mutandis* to the communication and making available of information, referred to in paragraph 1(b) and paragraph 2 of this Article.

4 As regards the implementation of paragraph 1(b), the rights to access the information systems for the competent authorities and the representative trade organisations of third countries, as well as for natural or legal persons who have a legitimate interest under this Regulation, shall be assigned by those responsible for the information systems in the Commission.

Status: Point in time view as at 01/07/2013.

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

Those who are responsible for the information systems in the Commission shall approve access rights, as appropriate, on the basis of:

- a information regarding the competent authorities designated by the third country with their contact points and e-mail addresses, held by the Commission under international agreements or communicated to the Commission in accordance with these agreements;
- b an official request from a third country specifying information regarding the authorities responsible for the communication of the documents and information required for the implementation of paragraph 1(b), as well as the contact points and e-mail addresses of the authorities concerned;
- c a request from a representative trade organisation in a third country or a legal or natural person, with proof of identity, evidence of its legitimate interest and an e-mail address.

After access rights have been approved, they shall be activated by those responsible for the information systems in the Commission.

Textual Amendments

- F1** Inserted by [Commission Implementing Regulation \(EU\) No 670/2011 of 12 July 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.](#)

Article 70b

Communication and provision of information regarding the authorities responsible for examining applications at national level

1 Member States shall communicate to the Commission before 1 October 2011, in accordance with Article 70a(1), the name, address and contact points, including e-mail addresses of the authorities responsible for the implementation of Article 118f(2) of Regulation (EC) No 1234/2007 as well as any changes to these details.

2 The Commission shall draw up and maintain a list containing the names and addresses of the competent authorities of the Member States or third countries on the basis of information communicated by the Member States in accordance with paragraph 1 or by third countries in accordance with international agreements concluded with the EU. The Commission shall make this list known to the public.]

Textual Amendments

- F1** Inserted by [Commission Implementing Regulation \(EU\) No 670/2011 of 12 July 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.](#)

Status: Point in time view as at 01/07/2013.

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

[^{F2}Article 71

Wine names protected under Regulation (EC) No 1493/1999

1 The documents referred to in Article 118s(2) of Regulation (EC) No 1234/2007, hereinafter ‘the file’ and the amendments to a product specification referred to in Article 73(1) (c) and (d) and 73(2) of this Regulation, shall be sent by the Member States in accordance with Article 70a(1) of this Regulation in accordance with the following rules and procedures:

- a the Commission shall confirm receipt of the file or of the amendment, as indicated in Article 9 of this Regulation;
- b the file or amendment shall be considered as admissible on the date on which it is received by the Commission, under the conditions set out in Article 11 of this Regulation and provided that they are received by the Commission at the latest on 31 December 2011;
- c the Commission shall confirm the registration of the designation of origin or the geographical indication in question in the register in accordance with Article 18 of this Regulation, with any amendments, and assigns it a file number;
- d the Commission shall examine the validity of the application file, taking account where applicable of the amendments received, in accordance with the time-limit laid down in Article 12(1) of this Regulation.

2 The Commission may decide to withdraw the designation of origin or geographical indication concerned in accordance with Article 118s(4) of Regulation (EC) No 1234/2007 on the basis of the documents available to it under Article 118s(2) of that Regulation.]

[^{F3} By way of derogation from Article 2(2) of this Regulation, in respect of the transmission of the technical files as referred to in point (a) of Article 118s(2) of Regulation (EC) No 1234/2007 the authorities of the Member States may be considered as applicants for the purpose of the application of point (b) of Article 118c(1) of that Regulation.]

Textual Amendments

- F2** Substituted by [Commission Implementing Regulation \(EU\) No 670/2011 of 12 July 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.](#)
- F3** 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.](#)

Article 72

Temporary labelling

1 By way of derogation from Article 65 of this Regulation, wines bearing a designation of origin or a geographical indication, whose designation of origin or geographical indication concerned meet the requirements as referred to in Article 38(5) of Regulation (EC) No 479/2008, shall be labelled in accordance with the provisions laid down in Chapter IV of this Regulation.

Status: Point in time view as at 01/07/2013.

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

2 Where the Commission decides not to confer protection to a designation of origin or geographical indication pursuant to Article 41 of Regulation (EC) No 479/2008, wines labelled in accordance with paragraph 1 of this Article shall be withdrawn from the market or re-labelled in accordance with Chapter IV of this Regulation.

[^{F2}Article 73

Transitional provisions

1 The procedure set out in Article 118s of Regulation (EC) No 1234/2007 shall apply in the following cases:

- a for any wine designation submitted to a Member State as a designation of origin or geographical indication and approved by that Member State before 1 August 2009;
- b for any wine designation submitted to a Member State as a designation of origin or geographical indication before 1 August 2009, and approved by that Member State before 31 December 2011;
- c for any modification to the product specification submitted to a Member State before 1 August 2009 and sent to the Commission by that Member State before 31 December 2011;
- d for any minor modification to the product specification submitted to a Member State on or after 1 August 2009 and sent to the Commission by that Member State before 31 December 2011.

2 The procedure set out in Article 118q of Regulation (EC) No 1234/2007 does not apply to amendments to a product specification submitted to a Member State on or after 1 August 2009 and sent to the Commission by that Member State before 30 June 2014, where these amendments are concerned exclusively with bringing the product specification sent to the Commission under Article 118s(2) of Regulation (EC) No 1234/2007 into compliance with Article 118c of Regulation (EC) No 1234/2007 of this Regulation.

3 Wines placed on the market or labelled before 31 December 2010 that comply with the relevant provisions applicable before 1 August 2009 may be marketed until stocks are exhausted.

[^{F4} Wines produced in Croatia before 30 June 2013, that comply with the relevant provisions applicable in Croatia on that date, may be marketed until stocks are exhausted. These products may be labelled under the provisions applicable in Croatia on 30 June 2013.]]

Textual Amendments

- F2** Substituted by Commission Implementing Regulation (EU) No 670/2011 of 12 July 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.
- F4** Inserted by Commission Implementing Regulation (EU) No 753/2013 of 2 August 2013 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), CHAPTER V. (See end of Document for details)

Article 74

Repeal

Regulations (EC) No 1607/2000 and (EC) No 753/2002 are hereby repealed.

Article 75

Entry into force

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

It shall apply from 1 August 2009.

Status:

Point in time view as at 01/07/2013.

Changes to legislation:

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