

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 1

Regulation (EC) No 607/2009 is amended as follows:

1. Article 18(1) is replaced by the following:
 1. The “Register of protected designations of origin and protected geographical indications” maintained by the Commission as provided for in Article 118n of Council Regulation (EC) No 1234/2007⁽¹⁾, hereinafter referred to as “the Register”, is included in the electronic database “E-Bacchus”.
2. Article 24 is replaced by the following:

Article 24

Notification of operators

Each operator wishing to participate in all or part of the production or packaging of a product with a protected designation of origin or geographical indication shall be notified to the competent control authority referred to in Article 118o of Regulation (EC) No 1234/2007.;

3. Article 25 is amended as follows:
 - (a) in paragraph 1,
 - (i) the second subparagraph is replaced by the following:

The annual verification shall be conducted in the Member State in which production took place in accordance with the product specification and shall be carried out either through:

 - (a) random checks based on a risk analysis; or
 - (b) sampling; or
 - (c) systematically; or
 - (d) a combination of any of the above.;
 - (ii) the fifth subparagraph is deleted;
 - (b) paragraph 4, point (a) is replaced by the following:
 - (a) the results of the testing referred to in paragraph 1, first subparagraph, points (a) and (b) and in paragraph 2 prove that the product in question complies with the conditions in the specification and possesses all the appropriate characteristics of the designation of origin or geographical indication concerned.;

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 401/2010. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

4. In Article 56, paragraph 1 is amended as follows:
 - (a) point (a) is replaced by the following:
 - (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) point (f) is replaced by the following:
 - (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.;
5. Article 63 is amended as follows:
 - (a) in paragraph 2, the fourth subparagraph is replaced by the following:

The costs of the certification shall be borne by the operators subject to it, save where Member States decide otherwise.;
 - (b) in paragraph 7 the following fourth subparagraph is added:

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.;
6. In Article 64, paragraph 4 is replaced by the following:
 4. 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.;
7. In Article 67, paragraph 2, the first subparagraph is replaced by the following:

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.;
8. Annex XII is replaced by the text set out in Annex I to this Regulation;
9. Annex XV is replaced by the text set out in Annex II to this Regulation;
10. In Annex XVII, paragraph (b) of Point 4, the first and the second indents are replaced by the following:

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 401/2010. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- Tokaj,
- Vinohradnícka oblasť Tokaj.

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(1) [OJ L 299, 16.11.2007, p. 1.](#)'

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Changes and effects yet to be applied to :

- Regulation implicit repeal by [EUR 2019/33](#) Regulation