

Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91

CHAPTER IV

**GENERAL, TRANSITIONAL AND FINAL PROVISIONS**

*Article 31*

**Checks and verification of aromatised wine products**

1 Member States shall be responsible for the checks of aromatised wine products. They shall take the measures necessary to ensure compliance with the provisions of this Regulation and in particular they shall designate the competent authority or authorities responsible for checks in respect of the obligations established by this Regulation in accordance with Regulation (EC) No 882/2004.

2 The Commission shall, when necessary, by means of implementing acts, adopt the rules concerning administrative and physical checks to be conducted by the Member States with regard to the respect of obligations resulting from the application of this Regulation.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

*Article 32*

**Exchange of information**

1 Member States and the Commission shall notify each other of any information necessary for the application of this Regulation and for complying with the international obligations concerning the aromatised wine products. That information may, where appropriate, be transmitted or made available to the competent authorities of third countries and may be made public.

2 In order to make the notifications referred to in paragraph 1 fast, efficient, accurate, and cost effective, the Commission shall be empowered to adopt delegated acts in accordance with Article 33 to lay down:

- a the nature and type of the information to be notified;
- b the methods of notification;
- c the rules related to the access rights to the information or information systems made available;
- d the conditions and means of publication of the information.

3 The Commission shall, by means of implementing acts, adopt:

- a rules on providing the information necessary for the application of this Article;
- b arrangements for the management of the information to be notified, as well as rules on content, form, timing, frequency and deadlines of the notifications;

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*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: There are outstanding changes not yet made to Regulation (EU) No 251/2014 of the European Parliament and of the Council. 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)*

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- c arrangements for transmitting or making information and documents available to the Member States, the competent authorities in third countries, or the public.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 34(2).

### Article 33

#### Exercise of the delegation

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Articles 4(2), 28, 32(2) and 36(1) shall be conferred on the Commission for a period of five years from 27 March 2014. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Articles 4(2), 28, 32(2) and 36(1) may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect the day following the publication in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of the delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Articles 4(2), 28, 32(2) and 36(1) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months on the initiative of the European Parliament or the Council.

### Article 34

#### Committee procedure

1 The Commission shall be assisted by the Committee on aromatised wine products. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

In the case of implementing acts referred to in the first subparagraph of Article 4(3) and Article 29(1)(b), where the Committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

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## Article 35

### Repeal

Regulation (EEC) No 1601/91 is hereby repealed as from 28 March 2015.

References made to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table set out in Annex III to this Regulation.

## Article 36

### Transitional measures

1 In order to facilitate the transition from the rules provided for in Regulation (EEC) No 1601/91 to those established by this Regulation, the Commission shall be empowered to adopt, where appropriate, delegated acts in accordance with Article 33 concerning the adoption of measures to amend or derogate from this Regulation, which shall remain in force until 28 March 2018.

2 Aromatised wine products not meeting the requirements of this Regulation but which have been produced in accordance with Regulation (EEC) No 1601/91 prior to [X128 March 2015] may be placed on the market until stocks are exhausted.

3 Aromatised wine products which comply with Articles 1 to 6 and Article 9 of this Regulation and which have been produced prior to [X128 March 2015] may be placed on the market until stocks are exhausted, provided that such products comply with Regulation (EEC) No 1601/91 in respect of all aspects not regulated by Articles 1 to 6 and Article 9 of this Regulation.

#### Editorial Information

- X1** Substituted by [Corrigendum to Regulation \(EU\) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation \(EEC\) No 1601/91 \(Official Journal of the European Union L 84 of 20 March 2014\)](#).

## Article 37

### Entry into force

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

It shall apply from 28 March 2015. However, Article 36(1) and (3) shall apply from 27 March 2014.

**Status:**

Point in time view as at 31/01/2020.

**Changes to legislation:**

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