



Council of the
European Union

Brussels, 24 June 2021
(OR. en)

9610/21

**Interinstitutional File:
2021/0130 (NLE)**

**AGRI 267
AGRIORG 59
OIV 5**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION establishing the position to be taken on behalf of the European Union with regard to certain resolutions to be voted at the 19th General Assembly of the International Organisation of Vine and Wine (OIV), to be held on 12 July 2021

COUNCIL DECISION (EU) 2021/...

of ...

**establishing the position to be taken on behalf of the European Union
with regard to certain resolutions to be voted at the 19th General Assembly
of the International Organisation of Vine and Wine (OIV),
to be held on 12 July 2021**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43
in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The International Organisation of Vine and Wine (OIV) will examine and possibly adopt draft resolutions ('draft OIV resolutions') in its next General Assembly on 12 July 2021. Those resolutions will have legal effects for the purposes of Article 218(9) of the Treaty.
- (2) The Union is not a member of the OIV. However, on 20 October 2017 the OIV granted to the Union the particular status provided for in Article 4 of the Rules of Procedure of the OIV.
- (3) 20 Member States are members of the OIV. Those Member States have the possibility to propose amendments to the draft OIV resolutions and will be asked to adopt those resolutions in the next OIV General Assembly on 12 July 2021.
- (4) It is appropriate to establish the position to be taken on the Union's behalf at the OIV meetings with regard to the draft OIV resolutions in relation to matters within its competence. That position should be expressed at the OIV meetings by the Member States which are members of the OIV, acting jointly in the interest of the Union.

- (5) Pursuant to Regulation (EU) No 1308/2013 of the European Parliament and of the Council¹ and Commission Delegated Regulation (EU) 2019/934², certain resolutions adopted and published by the OIV will have legal effects.
- (6) Article 80(3)(a) of Regulation (EU) No 1308/2013 provides that the Commission is to take into account the oenological practices and methods of analysis recommended and published by the OIV when authorising oenological practices.
- (7) Article 80(5) of Regulation (EU) No 1308/2013 provides that the Commission, when laying down methods of analysis for determining the composition of the products of the wine sector, is to base those methods on any relevant methods recommended and published by the OIV unless they would be ineffective or inappropriate in view of the objective pursued by the Union.

¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).

² Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files (OJ L 149, 7.6.2019, p. 1).

- (8) Article 90(2) of Regulation (EU) No 1308/2013 provides that products of the wine sector imported into the Union are to be produced in accordance with oenological practices authorised by the Union pursuant to that Regulation or, prior to that authorisation, produced in accordance with oenological practices recommended and published by the OIV.
- (9) Article 9(1) of Delegated Regulation (EU) 2019/934 provides that, where they are not laid down by the Commission, the purity and identification specifications of substances used in oenological practices are to be those referred to in column 4 of Table 2 of Part A of Annex I to that Regulation, which refer to OIV recommendations.
- (10) Draft Resolutions OENO-TECHNO 14-541A, 14-541B and 15-581A establish new oenological practices. In accordance with Article 80(3)(a) and Article 90(2) of Regulation (EU) No 1308/2013, those Resolutions will have legal effects.
- (11) Draft Resolutions OENO-SPECIF 17-625 and 17-629 establish new identification specifications for certain substances used in wine production. Draft Resolution OENO-SPECIF 20-673 updates the identification specifications for a substance used in wine production. Draft Resolution OENO-SPECIF 20-682 updates the OIV texts referring to certain wine-making processes. In accordance with Article 80(3)(a) and Article 90(2) of Regulation (EU) No 1308/2013, and with Article 9(1) of Delegated Regulation (EU) 2019/934, those Resolutions will have legal effects.

- (12) Draft Resolution OENO-MICRO 18-632 updates the analytical and microbiological control techniques for some oenological practices. In accordance with Article 80(3)(a) and Article 90(2) of Regulation (EU) No 1308/2013, that Resolution will have legal effects.
- (13) Draft Resolutions OENO-SCMA 16-601A, 16-601B, 18-636, 18-637 and 19-661 establish new methods of analysis. In accordance with Article 80(3)(a) and Article 80(5) of Regulation (EU) No 1308/2013, those Resolutions will have legal effects.
- (14) Those draft OIV resolutions have been extensively discussed between scientific and technical experts of the wine sector. They contribute to the international harmonisation of wine standards and will set a framework which will ensure fair competition in the trading of products of the wine sector. They should therefore be supported.
- (15) In order to allow for the necessary flexibility during the negotiations ahead of the OIV General Assembly on 12 July 2021, Member States which are members of the OIV should be authorised to agree to changes to those draft OIV resolutions provided that such changes do not alter the substance thereof,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf is set out in the Annex to this Decision and shall be expressed at the 19th OIV General Assembly on 12 July 2021 by the Member States which are Members of the OIV, acting jointly in the interest of the Union.

Article 2

1. Where the position referred to in Article 1 is likely to be affected by new scientific or technical information presented before or during the OIV meetings, Member States which are Members of the OIV shall request that the voting in the OIV General Assembly be postponed until the position to be taken on the Union's behalf is established on the basis of the new information.

2. Following coordination meetings and without further decision of the Council establishing the position to be taken on the Union's behalf, the Member States which are Members of the OIV, acting jointly in the interest of the Union, may agree to changes to the draft OIV resolutions referred to in the Annex to this Decision which do not alter the substance thereof.

Article 3

This Decision is addressed to the Member States.

Done at ...,

For the Council

The President

ANNEX

The Member States acting jointly in the interest of the Union shall support, and subject to any future review on the basis of new developments, only the following draft resolutions at step 7 on oenological practices, purity and identification specifications of substances used in oenological practices and methods of analysis for determining the composition of the products of the wine sector:

- OENO-TECHNO 14-541A - Use of Aspergillopepsin I to remove haze-forming proteins in grape must
- OENO-TECHNO 14-541B - Use of Aspergillopepsin I to remove haze-forming proteins in wine
- OENO-TECHNO 15-581A - Treatment with fumaric acid in wine to inhibit malolactic fermentation
- OENO-SPECIF 17-625 - Comparative evaluation of protease activity (aspergillopepsin I) in enzyme preparations
- OENO-SPECIF 17-629 - Monograph on depth filter sheets
- OENO-SPECIF 20-673 - Update to the monograph on potassium caseinate (E-COEI-1-POTCAS)

- OENO-SPECIF 20-682 - Removal from OIV texts of references and data relating to galactanase activity
 - OENO-MICRO 18-632 - Analytical and microbiological control techniques analyses common to all monographs
 - OENO-SCMA 16-601A - Revision of the method OIV-MA-AS2-01A 'Density and specific gravity at 20 °C'
 - OENO-SCMA 16-601B - Revision of the method OIV-MA-AS312-01A: Alcoholic strength by volume at 20 °C
 - OENO-SCMA 18-636 - Qualitative determination of sweeteners in wine by liquid chromatography coupled with mass spectrometry (LC-MS)
 - OENO-SCMA 18-637 - Simultaneous Analysis of Iron, Copper, Potassium, Calcium and Manganese in Wines, using microwave-induced plasma atomic emission spectrometry
 - OENO-SCMA 19-661 - Collaborative study Method validation for the determination of free sulphur dioxide, OIV-MA-AS323-04A (update) Update to the method validation for the determination of total sulphur dioxide, OIV-MA-AS323-04A (update)
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