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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks - Revised Presidency suggested amendments

With a view to the meeting of the Working Party on Wines and Alcohol on 12-13 October 2017, delegations will find in Annex a **revised version of the amendments suggested by the Presidency**. It takes on board in so far as possible the comments made by delegates, orally and in writing, during the technical examination carried out by the Working Party on 11-12 July, 12-13 and 25 September 2017.

The changes compared to the text of the Commission proposal (document 15121/16 + ADD 1) are marked in **bold** (and **underlined** in titles) and ~~striketrough~~. The new changes compared to the Presidency text (document 10886/17 + ADD 1) are, where possible, **grey-shaded**.

Note: new changes related to the Chapter III on geographical indications are set out in the Addendum to this document (to be circulated at a later stage).

Proposal for a Draft

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the definition, description, presentation and labelling of spirit drinks, the use of the names
of spirit drinks in the presentation and labelling of other foodstuffs, ~~and~~ the protection of
geographical indications for spirit drinks, the use of ethyl alcohol and distillates of
agricultural origin in alcoholic beverages, and repealing Regulation (EU) No 110/2008**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Articles 43(2) and 114(1) thereof,

Having regard to the proposal from the European Commission,¹

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee,²

Acting in accordance with the ordinary legislative procedure,³

Whereas: [*Recitals to be amended at a later stage*]

¹ OJ C [...], [...], p. [...].

² OJ C , , p. .

³ OJ C [...], [...], p. [...].

HAVE ADOPTED THIS REGULATION:

CHAPTER I

SCOPE, DEFINITIONS, ~~AGRICULTURAL ORIGIN OF ETHYL ALCOHOL AND DISTILLATES AND CATEGORIES~~ CLASSIFICATION OF SPIRIT DRINKS

Article 1

Subject matter and scope

1. This Regulation lays down rules on the definition, **description**, presentation and labelling of spirit drinks, as well as on the protection of geographical indications ~~of~~ for spirit drinks.

This Regulation ~~shall also apply~~ **lays down rules on:**

- ~~to~~ the use of ethyl alcohol **of agricultural origin and** ~~or~~ distillates of agricultural origin in the production of **alcoholic beverages** and
 - ~~to~~ the use of **the legal names of** spirit drinks² ~~names~~ in the presentation and labelling of other foodstuffs.
2. This Regulation ~~shall apply~~ **applies** to the products referred to in paragraph 1 **that are** placed on the Union market whether produced in the Union or in third countries, as well as to those produced in the Union for export.

Article 2

~~Definitions~~ Definition and requirements for spirit drinks

~~1. For the purpose of this Regulation, the following definitions shall apply:~~

~~(1)~~ **‘A spirit drink² means is** an alcoholic beverage which complies with the following requirements:

- (a) it is intended for human consumption;
- (b) it possesses particular organoleptic qualities;

- (c) **with the exception of spirit drinks listed in category 42 of Annex II**, it has a minimum alcoholic strength **by volume** of 15 % vol., ~~except for spirit drinks listed in category 42 of Part I of Annex II;~~
- (d) it has been produced **either**:
- (i) ~~either~~ directly by using any of the following methods, **individually or in combination**:
- distillation, with or without added flavourings, of ~~naturally~~ fermented products,
 - the maceration or similar processing of plant materials in ethyl alcohol of agricultural origin, distillates of agricultural origin or spirit drinks or a **mixture combination** thereof ~~within the meaning of this Regulation~~,
 - the addition to ethyl alcohol of agricultural origin, distillates of agricultural origin or spirit drinks of any of the following **individually or in combination**:
 - flavourings,
 - colours,
 - **other authorised additives**,
 - sugars or other sweetening products,
 - other agricultural products,
 - foodstuffs; or

(ii) by adding to a spirit drink any of the following **individually or in combination**:

- other spirit drinks,
- ethyl alcohol of agricultural origin,
- distillates of agricultural origin,
- other foodstuffs;

(da) it has been diluted only by addition of water;

(e) it does not fall within CN codes 2203, 2204, 2205, 2206 and 2207.;

Article 2a

Definitions

For the purposes of this Regulation, the following definitions apply:

(2) ~~'sales denomination-legal name'~~ means the name **under which a spirit drink is sold placed on the market**;

~~(3) 'mixture' means a spirit drink listed in Part I of Annex II or corresponding to a geographical indication mixed with any of the following:~~

~~(a) other spirit drinks which do not belong to the same category listed in Part I of Annex II;~~

~~(b) distillates of agricultural origin;~~

- (4) ‘compound term’ means, **in relation to the presentation and labelling of an alcoholic beverage**, the combination **either of the legal name** ~~of the terms of a sales denomination of a spirit drink~~ provided **under a category of spirit drinks set out in** ~~for~~ **in Part I of Annex II or the terms of a geographical indication, describing for** a spirit drink, from which all the alcohol of the final product originates, with any of the following:
- (a) the name of one or more foodstuffs other than those used for the production of that spirit drink in accordance with Annex II, or adjectives deriving from those names;
 - (b) the term ‘liqueur’;
- (5) ‘allusion’ means the direct or indirect reference **in the presentation or labelling of a foodstuff** to one or more **legal names provided for under the category of** spirit drinks ~~listed set out~~ **in Part I of** Annex II or geographical indications **for spirit drinks**, other than the reference in a compound term or list of ingredients referred to in Article 8(6);
- (5a) ‘mixture’ means a spirit drink that either corresponds to a category set out in Annex II or corresponds to a geographical indication that is mixed with one or more of the following:**
- (a) other spirit drinks which do not belong to the same category set out in Annex II;**
 - (b) distillates of agricultural origin;**
 - (c) ethyl alcohol of agricultural origin;**
- (6) ‘geographical indication’ means ~~an indication~~ **a name that has been registered in accordance with this Regulation**, which identifies a spirit drink as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of that spirit drink is essentially attributable to its geographical origin;

- (7) ‘product specification’ means a file attached to the application for the protection of a geographical indication setting out the specifications which the spirit drink must comply with;
- (7a) ‘group’ means any association, irrespective of legal form, mainly composed of producers or processors working with the spirit drinks concerned;**
- (7b) ‘generic name’ means the name of a spirit drink which, although it relates to the place or the region where this product was originally produced or marketed, has become the common name of a spirit drink in the Union;**
- (7c) ‘long-standing production methods’ means production methods related to ageing and flavouring that have been in use for more than 20 years;**
- (7d) ‘description’ means the terms used in the labelling, in the presentation and on the packaging; on the documents accompanying the transport of a spirit drink; on the commercial documents, particularly the invoices and delivery notes; and in its advertising;**
- (8) ‘presentation’ means the terms used ~~in on~~ the labelling and on the packaging, ~~including~~ **as well as** in advertising and sales promotion, in images or such like, as well as on the container, including the bottle and the closure;
- (9) ‘labelling’ means any word, particulars, trademarks, brand name, pictorial matter or symbol relating to a spirit drink and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such spirit drink;
- (10) ‘label’ means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to the packaging or container of food;
- (10a) ‘packaging’ means the protective wrappings, cartons, cases, containers and bottles used in the transport or sale of spirit drinks;**

(10b) 'visual field' means field of vision as defined in point (k) of Article 2(2) of Regulation (EU) No 1169/2011.

~~(11) 'name that has become generic' means the name of a spirit drink which, although it relates to the place or the region where this product was originally produced or marketed, has become the common name of a spirit drink in the Union;~~

~~2. The technical definitions laid down in Annex I shall also apply.~~

Article 2b

Technical requirements

For the purposes of this Regulation, the following technical requirements apply:

- (1) 'ethyl alcohol' is ethyl alcohol of agricultural origin or ethyl alcohol obtained from beer (CN 2203) or bread (CN 1905). It possesses the following properties:**
- (a) organoleptic characteristics: no detectable taste other than that of the raw materials used in its production;**
 - (b) minimum alcoholic strength by volume: 96,0 %;**
 - (c) maximum level of residues:**
 - (i) total acidity, expressed in grams of acetic acid per hectolitre of 100 % vol. alcohol: 1,5;**
 - (ii) esters expressed in grams of ethyl acetate per hectolitre of 100 % vol. alcohol: 1,3;**
 - (iii) aldehydes expressed in grams of acetaldehyde per hectolitre of 100 % vol. alcohol: 0,5;**
 - (iv) higher alcohols expressed in grams of methyl2 propanol1 per hectolitre of 100 % vol. alcohol: 0,5;**

- (v) methanol expressed in grams per hectolitre of 100 % vol. alcohol: 30;
- (vi) dry extract expressed in grams per hectolitre of 100 % vol. alcohol: 1,5;
- (vii) volatile bases containing nitrogen expressed in grams of nitrogen per hectolitre of 100 % vol. alcohol: 0,1;
- (viii) furfural: not detectable;

(2) 'ethyl alcohol of agricultural origin' is ethyl alcohol obtained exclusively from products listed in Annex I to the Treaty;

(3) 'distillate of agricultural origin' means an alcoholic liquid which is the result of the distillation, after alcoholic fermentation, of products listed in Annex I to the Treaty which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of the raw materials used.

Where reference is made in the description, presentation or labelling to the raw materials used, the distillate must be obtained exclusively from those raw materials;

(4) 'wine distillate' means the result of the distillation exclusively of wine as defined in point 1 of part II of Annex VII to Regulation (EU) No 1308/2013. By derogation from the otherwise applicable minimum actual alcoholic strength, where the wine spirit or brandy has a geographical indication the wine may have an actual alcoholic strength of not less than 4,5 % vol.;

(5) 'distillation' means a thermal separation process intended to achieve certain characteristic organoleptic properties in the product by one or more consecutive separation steps, depending on the distilling device used;

(6) ‘blending’ means combining two or more spirit drinks of the same category, distinguished only by minor differences in composition due to one or more of the following factors:

- (a) the method of preparation;**
- (b) the stills employed;**
- (c) the period of maturation or ageing;**
- (d) the geographical area of production.**

The spirit drink so produced shall be of the same category of spirit drink as the original spirit drinks before blending;

(7) ‘sweetening’ means using one or more of the following products in the preparation of spirit drinks:

- (a) semi-white sugar, white sugar, extra-white sugar, dextrose, fructose, glucose syrup, sugar solution, invert sugar solution, invert sugar syrup, as defined in Council Directive 2001/111/EC⁴;**
- (b) rectified concentrated grape must, concentrated grape must, fresh grape must;**
- (c) burned sugar, which is the product obtained exclusively from the controlled heating of sucrose without bases, mineral acids or other chemical additives;**
- (d) honey as defined in Council Directive 2001/110/EC⁵;**
- (e) carob syrup;**
- (f) any other natural carbohydrate substances having a similar effect to the products referred to in points (a) to (e);**

⁴ Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption (OJ L 10, 12.1.2002, p. 53).

⁵ Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).

- (8)** ‘addition of alcohol’ means the addition of ethyl alcohol or of distillates of agricultural origin or both to a spirit drink. The use of alcohol for dilution or dissolution of colours, flavourings or any other authorised additives used in the preparation of spirit drinks shall not be considered as addition of alcohol;
- (9)** ‘addition of water’ means the addition of water, which may be distilled, demineralised, permuted or softened, in the preparation of spirit drinks. This addition is authorised provided that:
- (a)** the quality of the water is in conformity with Council Directive 98/83/EC⁶ and Directive 2009/54/EC of the European Parliament and of the Council⁷; and
 - (b)** the alcoholic strength of the spirit drink, after the addition, still complies with the minimum alcoholic strength by volume provided for under the relevant category of spirit drink;
- (10)** ‘maturation’ or ‘ageing’ means the process of developing certain reactions naturally, in appropriate containers, with the purpose of giving the spirit drink in question organoleptic qualities previously absent;
- (11)** ‘flavouring’ means adding flavourings or food ingredients with flavouring properties in the preparation of a spirit drink;
- (12)** ‘flavourings’ mean flavourings as defined in point (a) of Article 3(2) of Regulation (EC) No 1334/2008;
- (13)** ‘flavouring substance’ means flavouring substance as defined in point (b) of Article 3(2) of Regulation (EC) No 1334/2008;
- (14)** ‘natural flavouring substance’ means natural flavouring substance as defined in point (c) of Article 3(2) of Regulation (EC) No 1334/2008;

⁶ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

⁷ Directive 2009/54/EC of the European Parliament and of the Council of 18 June on the exploitation and marketing of natural mineral waters (OJ L 164, 26.6.2009, p. 45).

- (15) 'flavouring preparation' means flavouring preparation as defined in point (d) of Article 3(2) of Regulation (EC) No 1334/2008;
- (16) 'other flavouring' means other flavouring as defined in point (h) of Article 3(2) of Regulation (EC) No 1334/2008;
- (17) 'food ingredient with flavouring properties' means food ingredient with flavouring properties as defined in point (i) of Article 3(2) of Regulation (EC) No 1334/2008;
- (18) 'colouring' means using one or more colours in the preparation of a spirit drink;
- (19) 'colours' mean colours as defined in point 2 of Annex I to Regulation (EC) No 1333/2008 of the European Parliament and of the Council⁸;
- (20) 'other authorised additives' means food additives authorised under Regulation (EC) No 1333/2008 other than colours and flavourings;
- (21) 'alcoholic strength by volume' means the ratio of the volume of pure alcohol present in the product in question at 20 C° to the total volume of that product at the same temperature;
- (23) 'volatile substances content' means the quantity of volatile substances, other than ethyl alcohol and methanol, contained in a spirit drink obtained exclusively by distillation;

Article 3

Origin of ethyl alcohol and distillates used in alcoholic beverages

- No alcohol shall be used** ~~The alcohol used~~ in the production of alcoholic beverages ~~and or~~ to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages **other than shall be** ethyl alcohol ~~of agricultural origin~~ **or distillates of agricultural origin.**

⁸ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

2. ~~Distillates used in the production of alcoholic beverages and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of alcoholic beverages shall exclusively be of agricultural origin.~~ **The ethyl alcohol and the distillates of agricultural origin used to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of spirit drinks shall only be used in the dose strictly necessary for that purpose.**

Article 4

Categories ~~Classification~~ of spirit drinks

- 1. Spirit drinks shall be classified into categories in accordance with general rules as referred to in this Article and specific rules set out in Annex II.**

1. Without prejudice to the specific rules laid down for each of the categories of spirit drinks 1 to 14 ~~of Part I~~ of Annex II, the spirit drinks of those categories shall:
- (a) be produced by the alcoholic fermentation and distillation exclusively obtained from the raw material provided for under the relevant category;
 - (b) have no addition of alcohol ~~as defined in point (4) of Annex I~~, whether diluted or not;
 - (c) not contain flavourings, ~~as defined in point (8) of Annex I~~;
 - (d) ~~only~~ **not contain colour other than plain caramel (E 150a), which may only be used for adjusting the colour of spirit drinks which have been aged for at least six months in receptacles made of wood** ~~as a means to adapt colour~~;
 - (e) ~~solely~~ **not** be sweetened ~~except in accordance with point (3) of Annex I and in order to round off the final taste of the product.~~

2. Without prejudice to the specific rules laid down for each of the categories of spirit drinks 15 to 47 of ~~Part I~~ of Annex II, the spirit drinks of those categories may:
- (a) be obtained from any agricultural raw material listed in Annex I to the Treaty;
 - (b) have addition of alcohol as defined in point (4) of Annex I;
 - (c) contain flavourings as defined in point (8) of Annex I;
 - (d) contain **colours** colouring as defined in point (14) of Annex I;
 - (e) be sweetened to correspond to particular product characteristics and in accordance with point (3) of Annex I and taking into account the relevant **national** legislation of the Member States.
3. Without prejudice to the specific rules laid down in ~~Part II~~ of Annex ~~III H~~, other spirit drinks which do not comply with the specific rules laid down for each of the categories **set out** listed in ~~Part I~~ of Annex II may:
- (a) be obtained from any agricultural raw material listed in Annex I to the Treaty or from **any** foodstuff ~~suitable for human consumption~~ or both;
 - (b) have addition of alcohol as defined in point (4) of Annex I;
 - (c) contain flavourings as defined in point (8) of Annex I;
 - (d) contain colours as defined in point (13) of Annex I;
 - (e) be sweetened to correspond to particular product characteristics and in accordance with point (3) of Annex I.

Article 5

Delegated powers

~~1.—The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:~~

~~(a) the amendment of the technical definitions provided for in Annex I;~~

~~(b) the amendment of the requirements of the categories of spirit drinks provided for in Part I of Annex II and the specific rules concerning certain spirit drinks listed in Part II of Annex II.~~

~~The delegated acts referred to in points (a) and (b) of the first subparagraph shall be limited to meeting demonstrated needs resulting from evolving consumer demands, technological progress, developments in relevant international standards or needs for product innovation.~~

~~2.—The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the addition of new categories of spirit drinks in Annex II.~~

~~A new category may be added under the following conditions:~~

~~(a) the marketing of a spirit drink under a particular name and in accordance with uniform technical specifications is economically and technically necessary to protect the interests of consumers and producers;~~

~~(b) a spirit drink has a significant market share in at least one Member State;~~

~~(c) the name chosen for the new category shall either be a widely used name or where this is not possible be of a descriptive nature, in particular, by referring to the raw material used for the production of the spirit drink;~~

~~(d) the technical specifications for the new category shall be laid down and based on an evaluation of existing quality and production parameters used on the Union market. When laying down the technical specifications, the applicable Union consumer protection legislation shall be respected and account shall be taken of any relevant international standards. They shall ensure fair competition amongst union producers as well as the high reputation of Union spirit drinks.~~

3. The Commission ~~is shall, in exceptional cases where the law of the importing third country so requires, also be empowered to adopt delegated acts in accordance with Article 43. Such~~ **delegated acts may, in exceptional cases, where the law of the importing third country so requires, supplement this Regulation by derogating from the technical requirements under Article 2a, concerning derogations from the requirements under the technical definitions provided for in Annex I, the requirements under the categories of spirit drinks set out provided for in Part I of Annex II and the specific rules concerning certain spirit drinks set out in listed in Part II of Annex III H.**

CHAPTER II

DESCRIPTION, PRESENTATION AND LABELLING OF SPIRIT DRINKS AND USE OF THE NAMES OF SPIRIT DRINKS IN THE PRESENTATION AND LABELLING OF OTHER FOODSTUFFS

Article 6

Presentation and labelling Labelling

Spirit drinks ~~Products referred to in Article 1(1)~~ placed on the Union market must comply with the **presentation and the** labelling requirements set out in Regulation (EU) No 1169/2011, unless otherwise provided **for** in this Regulation.

Article 7

Legal names of spirit drinks Sales denomination

- 1. Spirit drinks shall bear **legal names** ~~sales denominations~~ in their **description**, presentation and labelling.

Article 8

General rules concerning sales denominations

1. ~~The sales denominations of spirit~~ **Spirit drinks that comply with** ~~which meet the requirements laid down for the categories of spirit drinks set out in listed in Part I of Annex II shall use be the name names of the corresponding category as their legal name relevant categories, unless the corresponding category provides for an alternative legal name other sales denominations are provided for under those categories.~~
2. The **legal name** ~~sales denomination~~ of a spirit drink **that does not comply** ~~complying with the requirements laid down for any of the categories of spirit drinks set out in listed in Part I of Annex II shall be 'spirit drink'.~~
3. Where a spirit drink meets the requirements **for** ~~of~~ more than one **category** ~~of the categories~~ of spirit drinks **set out in 15 to 47 of Part I of Annex II**, it may be **placed on the market sold** under one or more of the **legal names** ~~relevant sales denominations~~ provided for under those categories **in Annex II**.

4. **Legal names** ~~Sales denominations~~ shall not be replaced or altered. ~~They may only be either:~~

By way of derogation from the first subparagraph, the legal name may be:

- (a) supplemented or replaced by a geographical indication referred to in Chapter III. **In this case the geographical indication may only be supplemented by terms regulated under national legislation or by any terms permitted by the relevant product specification;**~~;~~~~or~~
- (aa) supplemented in accordance with national provisions by another geographical **reference** ~~indication~~, provided that this does not mislead the consumer; or
- (b) replaced by a compound term that includes the term ‘liqueur’ provided that the final product complies with the requirements set out in **any of categories category 32 to 41** of ~~Part I~~ of Annex II.

~~If a sales denomination is supplemented or replaced in accordance with point (a) of the first subparagraph, the geographical indication referred to in that point may only be supplemented either:~~

- ~~(a) by terms already in use on 20 February 2008 for existing geographical indications within the meaning of Article 34(1); or~~
- ~~(b) by terms indicated in the relevant product specification.~~

5. Without prejudice to paragraph 6 and Articles 9 and 10, the **legal names** ~~sales denominations~~ referred to in paragraph 1 or geographical indications shall not be used in the presentation or labelling of **any beverage beverages that does not comply with meeting** the requirements of the relevant categories **set out in listed in Part I** of Annex II or relating to the relevant geographical indications, ~~including not even~~ by associating words or phrases such as ‘like’, ‘type’, ‘style’, ‘made’, ‘flavour’ or any other **term** similar ~~terms with to~~ those **legal names** ~~sales denominations~~ or geographical indications.

The **legal names** ~~sales denominations~~ referred to in paragraph 1 supplemented by the term ‘flavour’ or any other similar terms may only be used to refer to flavourings that imitate a spirit drink **when they are used** ~~or their use~~ in the production of a foodstuff other than a beverage. Geographical indications shall not be used to describe flavourings.

6. The **legal names sales denominations** referred to in paragraph 1 may be included in a list of ingredients for foodstuffs provided that the list is in accordance with Articles 18 to 21 of Regulation (EU) No 1169/2011.

By way of derogation from the first subparagraph, the use of the names of raw materials as legal names of spirit drinks is without prejudice to the use of the names of those raw materials in the presentation and labelling of foodstuffs. The names of such raw materials may be used in the description, presentation or labelling of other spirit drinks, provided tha such use does not mislead the consumer.

Article 9

Compound terms ~~and allusions~~

1. In the presentation and labelling of **an alcoholic beverage a foodstuff**, the use **in a compound term of either a legal name sales denomination** provided for under **a category the categories of spirit drink drinks set out in** listed in Part I of Annex II or of a geographical indication **in a compound term or the allusion to any of them** shall be authorised under the **following** conditions **that**:
- (a) the alcohol used in the production of the foodstuffs originates exclusively from the spirit **drink drinks** referred to in the compound term **or in the allusion(s)**, except for **the ethyl** alcohol that **may be present in flavourings used for the production of that foodstuff**,
 - (aa) without prejudice to Regulation (EU) No 251/2014, if a spirit drink is added to an alcoholic beverage, the added alcohol originates exclusively from the spirit drink referred to in the compound term; and**
 - (b) the spirit **drink drinks used in the production of the foodstuff shall not** have not been diluted **by addition of merely with water only**, so that **its the** alcoholic strength is **reduced to** below the minimum strength provided for under the relevant category of spirit drinks **set out in** listed in Part I of Annex II.
2. The **term terms** 'spirit drink' **and 'water'** shall not be part of a compound term describing an alcoholic beverage.

3. ~~A compound term describing an alcoholic beverage shall not consist of a combination of the term ‘liqueur’ with the sales denominations provided for under one of the categories 33 to 41 of Part I of Annex II.~~
4. The compound term describing an alcoholic beverage shall appear in uniform characters of the same font, size and colour **and** ~~it~~ shall not be interrupted by any textual or pictorial element which does not form part of it. **The name of the foodstuff or foodstuffs in the compound term** ~~and~~ shall not appear in a ~~larger~~ font size **which is larger** than that of the **legal name of the spirit drink** ~~sales denomination~~.
5. ~~The allusion to any spirit drink category or geographical indication, for the presentation of a foodstuff, shall not be in the same line as the sales denomination. Without prejudice to the second subparagraph of Article 10(3), for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than those used for the sales denomination and compound term.~~

Article 9a

Allusions

1. **In the presentation and labelling of a foodstuff other than a spirit drink, the allusion to the legal names provided for under one or more categories of spirit drinks set out in Annex II or one or more geographical indications shall be authorised under the conditions that:**
- (i) **the alcohol used in the production of the foodstuffs originates exclusively from the spirit drink or spirit drinks referred to in the allusion;**
 - (ii) **without prejudice to Regulation (EU) No 251/2014, if a spirit drink or spirit drinks are alluded to in the presentation or labelling of an alcoholic beverage, the added alcohol originates exclusively from the spirit drink or spirit drinks referred to in the allusion.**
2. **In the presentation of a foodstuff, the allusion to any legal name provided for under a category set out in Annex II or to a geographical indication shall not be on the same line as the name of the foodstuff.**

Without prejudice to the second subparagraph of Article 10(3), for the presentation of alcoholic beverages, the allusion shall appear in a font size smaller than that used for the legal name or compound term.

Article 10

Description, presentation ~~Presentation~~ and labelling of mixtures

1. A mixture shall bear the **legal name** ~~sales denomination~~ 'spirit drink'.

In addition to the legal name 'spirit drink', a A mixture may show, in its **description,** presentation or labelling, the **legal names provided for under a category for spirit drinks set out in** ~~listed in Part I of~~ Annex II or the geographical indications corresponding to the spirit drinks that were used in the mixture under the following conditions:

- (a) those **legal** names or geographical indications appear exclusively in a list of all the alcoholic ingredients contained in the mixture, preceded by the term 'mixed spirit drink'; and
- (b) the term 'mixed spirit drink' appears in the same visual field as the **legal name 'spirit drink'** ~~sales denomination~~, in uniform characters of the same font and colour as those used for the **legal name 'spirit drink'** ~~sales denomination~~ and in a **font size** characters which ~~is are~~ no larger than half the **font** size of those used for the **legal name 'spirit drink'** ~~sales denomination~~.

2. **Notwithstanding** ~~By way of derogation from~~ paragraph 1, if a mixture meets the requirements of one of the categories **set out in** ~~of~~ Annex II, the mixture shall bear the **legal name** ~~sales denomination~~ provided for under the relevant category.

In the case referred to in the first subparagraph, the **description,** presentation ~~and~~ or labelling of the mixture may show the **legal names provided for under a category for spirit drinks set out in** ~~listed in Part I of~~ Annex II or geographical indications corresponding to the **spirit** ~~spirits~~ drinks that were mixed, provided that these names appear:

- (a) exclusively in a list of all the alcoholic ingredients contained in the mixture; and
- (b) in the same visual field as the **legal name** ~~sales denomination~~ referred to in the first **subparagraph,** at least once.

2a. Notwithstanding paragraph 1, if a mixture only contains spirit drinks, the legal name 'spirit drink' may be replaced by the combination of the legal names provided for under a category of spirit drinks set out in Annex II or the geographical indications corresponding to the spirit drinks that were used in the mixture, with or without other descriptive terms.

3. The list of alcoholic ingredients referred to in paragraphs 1 and 2 shall ~~indicate, at least once, the percentage by volume of pure alcohol that each alcoholic ingredient represents in the total pure alcohol content by volume of the mixture. The alcoholic ingredients shall be listed in descending order of that percentage.~~

~~The list of alcoholic ingredients shall~~ appear in uniform characters of the same font and colour as those used for the ~~sales denomination~~ **legal name of the mixture as referred to in paragraphs 1 and 2** and in a **font size** characters which ~~is~~ are no larger than half the **font size** of the ~~font size characters~~ used for the **legal name of the mixture as referred to in paragraphs 1 and 2** ~~sales denomination~~.

4. The legal name referred to in paragraphs 1 and 2 shall be shown clearly and visibly in a prominent position on the label and shall not be replaced or altered.

Article 11

Additional rules on description, presentation and labelling and ~~presentation~~

1. ~~Where the~~ **The description**, presentation or labelling of a spirit drink ~~may refer to~~ indicates the raw material used to produce the ethyl alcohol **of agricultural origin or distillates of agricultural origin used in the production of that spirit drink. In such a case**, each type of ethyl alcohol of agricultural origin **or distillate of agricultural origin** shall be mentioned in descending order of quantity ~~used~~.
2. The **description**, presentation or labelling of a spirit drink may be supplemented by the term 'blend', 'blending' or 'blended' only where the spirit drink has undergone blending, ~~as defined in point (6) of Annex I.~~

3. A maturation period or age may only be specified in the **description**, presentation or labelling of a spirit drink where it refers to the youngest alcoholic component **of the spirit drink** and provided that the spirit drink was aged under **revenue** supervision ~~of the tax authorities~~ of a Member State or a supervision **ensuring** ~~affording~~ equivalent guarantees.
4. **By way of derogation from paragraph 3, in the case of brandy that has been aged using the dynamic ageing system or "criaderas y soleras" system, the average age may be mentioned in the description, presentation or labelling only if the ageing of the brandy has been subjected to a control system authorised by the competent authority. The average age shall be calculated in accordance with the formula set out in Annex IV and it shall be expressed in years.**

Where the average age is indicated in the description, presentation or labelling of brandy according to subparagraph 1, it shall be accompanied by the mention "criaderas y soleras system" and "average age".

The above derogation only applies to brandy originating in Spain or Portugal for which a geographical indication has been registered in accordance with Chapter III.

5. **The legal name of the spirit drink shall be indicated in the electronic accompanying document referred to in Commission Regulation (EC) No 684/2009. Where a maturation period or age is indicated in the description, presentation or labelling of the spirit drink, it shall also be mentioned in that accompanying document.**

Article 12

Indication of origin

1. Where the origin of a spirit drink is indicated **in its description, presentation or labelling**, it shall correspond to the **place or region where the stage in the production process of the finished product which conferred on the spirit drink its character and essential definitive qualities took place.** ~~country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council⁹.~~
2. The indication of the country **of origin or place of provenance** ~~or territory of origin~~ of the ingredients shall not be required for spirit drinks.

Article 13

Language used for the names of spirit drinks

The terms in italics in Annex II **and Annex III** and ~~the~~ geographical indications shall **not** ~~neither~~ be translated **either** on the label **or** ~~nor~~ in the presentation of the spirit drink.

By way of derogation from the first paragraph, in the case of spirit drinks produced in the Union and destined for export, such terms and geographical indications may be accompanied by translations, provided that such terms and geographical indications in the original language are not obscured.

Article 14

Use of a Union symbol for ~~protected~~ geographical indications

The Union symbol for the protected geographical ~~indication~~ **adopted under Article 12(7) of Regulation (EU) No 1151/2012** may be used for the **description, presentation labelling and labelling presentation** of spirit drinks **with a geographical indication.**

⁹ ~~Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).~~

Article 15

Prohibition of lead-based capsules ~~and~~ or ~~lead-based~~ foil

Spirit drinks shall not be held with a view to sale or be placed on the market in containers fitted with closing devices covered by lead-based capsules or **lead-based** foil.

Article 15a

Union reference methods for the analysis of spirit drinks

Where spirit drinks are to be analysed to verify that they comply with this Regulation, such analysis shall be in accordance with Union reference methods for the analysis of spirit drinks so as to determine the alcoholic strength of spirit drinks, their chemical and physical composition, their organoleptic properties and the concentration of their ingredients.

Article 16

Delegated powers

~~1. In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the~~ **The Commission is shall be empowered to adopt delegated acts in accordance with Article 43. Such delegated acts may, in order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing concerning:**

- (a) **amend this Regulation as regards amendments to the rules on indications on the label of spirits drinks concerning compound terms or allusions provided for in Article 9;**
- (b) **amend this Regulation as regards amendments to the rules on the description, presentation and labelling of mixtures provided for in Article 10, ~~and~~**
- ~~(c) updating and completing Union reference methods for the analysis of spirit drinks.~~

- ~~2. In order to take into account traditional ageing processes in the Member States, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from Article 11(3) concerning the specification of a maturation period or age in the presentation or labelling of a spirit drink.~~
- ~~3. In exceptional cases where the law of the importing third country so requires, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from the provisions on presentation and labelling contained in this Chapter.~~

Article 17

Implementing powers

The Commission may, by means of implementing acts, adopt:

- (a) rules on the ~~modalities for the use of the Union symbol referred to in Article 14 in the~~ **description**, presentation and labelling of spirit drinks;
- (b) rules on the **uniform conditions** ~~modalities for indicating, when used,~~ the country or territory of origin on the label of spirit drinks **referred to in Article 12;**
- (c) **detailed technical rules on the Union reference methods for the analysis of spirit drinks referred to in Article 15a.**

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

CHAPTER III
GEOGRAPHICAL INDICATIONS

(see Addendum 1 to this document)

CHAPTER IV

CHECKS, EXCHANGE OF INFORMATION, MEMBER STATES' LEGISLATION

Article 40

Checks on spirit drinks

1. Member States shall be responsible for checks on spirit drinks. They shall take the measures necessary to ensure compliance with this Regulation and designate the competent authorities responsible **for ensuring** ~~on~~ compliance with this Regulation.
2. The Commission shall ensure the uniform application of this Regulation and, where necessary, shall, 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 the obligations resulting from the application of this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Article 41

Exchange of information

1. Member States and the Commission shall communicate to each other the information necessary for the application of this Regulation.
- ~~2. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the nature and type of information to be exchanged.~~
3. The Commission ~~may~~ **shall be empowered** to adopt implementing acts concerning the **nature and the type of the information to be exchanged and the methods for exchanging** information.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).

Article 42

Member States' legislation

1. In applying a quality policy for spirit drinks produced in their own territory and in particular for geographical indications listed in the **register** ~~Register~~ or for the protection of new geographical indications, Member States may lay down rules on production, **description**, presentation and labelling stricter than those set out in Annex II **and Annex III** in so far as they are compatible with Union law.
2. **However**, Member States shall not prohibit or restrict the import, sale or consumption of spirit drinks **produced in other Member States or third countries** which comply with this Regulation.

CHAPTER V

DELEGATION OF POWER, IMPLEMENTING PROVISIONS, ~~REPEAL AND AMENDMENT~~, TRANSITIONAL AND FINAL PROVISIONS

SECTION 1

DELEGATION OF POWER AND IMPLEMENTING PROVISIONS

Article 43

Exercise of the delegation

1. The power to adopt delegated acts shall be conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 5, 16 ~~and~~, 38, ~~41~~ and 46(2) shall be conferred on the Commission for ~~a an indeterminate~~ period of **seven years** ~~time~~ from ... [*date of the entry into force of this Regulation*]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-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.**

The power to adopt delegated acts referred to in Article 46 shall be conferred on the Commission for a period of three years from ... [date of the entry into force of this Regulation].

3. The delegation of power referred to in Articles 5, 16, 38, ~~41~~ and 46(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Articles 5, 16, 38, ~~41~~ and 46~~(2)~~ shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council 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 at the initiative of the European Parliament or the Council.

Article 44

Committee procedure

1. The Commission shall be assisted by the Committee for Spirit Drinks established by Council Regulation (EEC) No 1576/89.¹⁰ 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.

¹⁰ Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks (OJ L 160, 12.6.1989, p. 1).

SECTION 2

REPEAL, TRANSITIONAL AND FINAL PROVISIONS

Article 45

Repeal

Without prejudice to Article 46, Regulation (EC) No 110/2008 is repealed **with effect from ... [the date of application of this Regulation]**.

However, Article 20 of Regulation (EC) No 110/2008 shall continue to apply until ... [two years from the entry into force of this Regulation].

Annex III to Regulation (EC) No 110/2008 shall continue to apply until the register referred to in Article 30 has been established.

Without prejudice to the validity of any other provisions of Commission Implementing Regulation (EU) No 716/2013, Article 9 thereof shall continue to apply until ... [two years from the entry into force of this Regulation].

References to Regulation (EC) No 110/2008 shall be construed as references to this Regulation **and be read in accordance with the correlation table set out in Annex V.**

Article 46

Transitional measures

1. Spirit drinks which meet the requirements of Regulation (EC) No 110/2008 and were produced before ... *[the date of application of this Regulation]* may continue to be placed on the market until stocks are exhausted.
2. **The Commission is empowered to adopt, where appropriate, delegated acts in accordance with Article 43. Such delegated acts may amend this Regulation or supplement it, including by derogating from it, so as ~~in order~~ to facilitate the transition from the rules provided for in Regulation (EC) No 110/2008 to those established by this Regulation, ~~the Commission, where appropriate, may, by means of delegated acts, adopt measures to amend or derogate from this Regulation, by 3 years after the date of application.~~**

3. Articles 19 to 23, 28 and 29 shall **not** apply to ~~the applications for registration or protection,~~ ~~applications for amendment and to the requests for cancellation~~ **cancellations which are pending on submitted** after the date of application of this Regulation. **The relevant provisions of Regulation (EC) No 110/2008 shall continue to apply.**

~~The relevant provisions of Regulation (EC) No 110/2008 shall continue to apply in respect of the applications for protection and for amendment of product specification and to the requests for cancellation which are pending at the date of entry into force of this Regulation.~~

The provisions on the opposition procedure referred to in Articles 24, **25 and** ~~to~~ 26 shall **not** apply to the **applications for registration and** ~~procedures for application for protection,~~ ~~for the application for amendment for which the main specifications of the technical file or an~~ ~~and for request of cancellation for which the single document, the amendment application for~~ **amendment has already** ~~or the request of cancellation have not been published for~~ **opposition in the *Official Journal of the European Union* on** ~~at~~ the date of entry into force of this Regulation. The relevant provisions of Regulation (EC) No 110/2008 shall continue to apply to ~~the procedures for application for protection, for application for amendment and for request of cancellation for which the single document, the amendment application or the request of cancellation have been published at the date of entry into force of this Regulation.~~

The provisions on the opposition procedure referred to in Articles 24, 25 and 26 shall not apply either to a request of cancellation which has been already deemed admissible according to Article 19 of Regulation (EU) No 716/2013 on the date of entry into force of this Regulation. The relevant provisions of Regulation (EC) No 110/2008 shall continue to apply.

4. In respect of geographical indications registered in accordance with Regulation (EC) No 110/2008 the Commission shall, at the request of a Member State, publish a single document submitted by that Member State in the *Official Journal of the European Union*. That publication shall be accompanied by the publication reference of the product specification and shall not be followed by an opposition procedure

Article 47

Entry into force and application

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 [...]. **However, Articles [...] shall apply from [...].**

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament

The President

For the Council

The President

ANNEX I

TECHNICAL DEFINITIONS

The technical definitions, as referred to in Article 2(2), are the following:

- (1) ~~‘Ethyl alcohol of agricultural origin’ means an alcoholic liquid which possesses the following properties:~~
- ~~(a) organoleptic characteristics: no detectable taste other than that of the raw materials used in its production;~~
 - ~~(b) minimum alcoholic strength by volume: 96.0 %;~~
 - ~~(c) maximum level of residues:
 - ~~(i) total acidity, expressed in grams of acetic acid per hectolitre of 100 % vol. alcohol: 1.5;~~
 - ~~(ii) esters expressed in grams of ethyl acetate per hectolitre of 100 % vol. alcohol: 1.3;~~
 - ~~(iii) aldehydes expressed in grams of acetaldehyde per hectolitre of 100 % vol. alcohol: 0.5;~~
 - ~~(iv) higher alcohols expressed in grams of methyl2 propanol1 per hectolitre of 100 % vol. alcohol: 0.5;~~
 - ~~(v) methanol expressed in grams per hectolitre of 100 % vol. alcohol: 30;~~
 - ~~(vi) dry extract expressed in grams per hectolitre of 100 % vol. alcohol: 1.5;~~
 - ~~(vii) volatile bases containing nitrogen expressed in grams of nitrogen per hectolitre of 100 % vol. alcohol: 0.1;~~
 - ~~(viii) furfural: not detectable.~~~~

~~(2) ‘Distillate of agricultural origin’ means an alcoholic liquid which is obtained by the distillation, after alcoholic fermentation, of agricultural products listed in Annex I to the Treaty which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of the raw materials used.~~

~~Where reference is made to the raw materials used, the distillate must be obtained exclusively from that raw materials.~~

~~(3) ‘Sweetening’ means using one or more of the following products in the preparation of spirit drinks:~~

~~(a) semi-white sugar, white sugar, extra-white sugar, dextrose, fructose, glucose syrup, sugar solution, invert sugar solution, invert sugar syrup, as defined in Council Directive 2001/111/EC¹¹;~~

~~(b) rectified concentrated grape must, concentrated grape must, fresh grape must;~~

~~(c) burned sugar, which is the product obtained exclusively from the controlled heating of sucrose without bases, mineral acids or other chemical additives;~~

~~(d) honey as defined in Council Directive 2001/110/EC¹²;~~

~~(e) carob syrup;~~

~~(f) any other natural carbohydrate substances having a similar effect to the products referred to in points (a) to (e).~~

~~(4) ‘Addition of alcohol’ means the addition of ethyl alcohol of agricultural origin or distillates of agricultural origin or both to a spirit drink.~~

¹¹— Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption (OJ L 10, 12.1.2002, p. 53).

¹²— Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).

~~(5) ‘Addition of water’ means addition of water which may be distilled, demineralised, permuted or softened in the preparation of spirit drinks. This addition is authorised provided that the quality of the water is in conformity with Council Directive 98/83/EC¹³ and Directive 2009/54/EC of the European Parliament and of the Council¹⁴ and that the alcoholic strength of the spirit drink, after the addition, still complies with the minimum alcoholic strength by volume provided for under the relevant category of spirit drink.~~

~~(6) ‘Blending’ means combining two or more spirit drinks of the same category, distinguished only by minor differences in composition due to one or more of the following factors:~~

~~(a) the method of preparation;~~

~~(b) the stills employed;~~

~~(c) the period of maturation or ageing;~~

~~(d) the geographical area of production.~~

~~The spirit drink so produced shall be of the same category of spirit drink as the original spirit drinks before blending.~~

~~(7) ‘Maturation or ageing’ means the process of developing certain reactions naturally, in appropriate containers, with the purpose of giving the spirit drink in question organoleptic qualities previously absent.~~

~~(8) ‘Flavourings’ mean ‘flavourings’ as defined in point (a) of Article 3(2) of Regulation (EC) No 1334/2008.~~

~~(9) ‘Flavouring substance’ means ‘flavouring substance’ as defined in point (b) of Article 3(2) of Regulation (EC) No 1334/2008.~~

¹³ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

¹⁴ Directive 2009/54/EC of the European Parliament and of the Council of 18 June on the exploitation and marketing of natural mineral waters (OJ L 164, 26.6.2009, p. 45).

- (10) ~~‘Natural flavouring substance’ means ‘natural flavouring substance’ as defined in point (c) of Article 3(2) of Regulation (EC) No 1334/2008.~~
- (11) ~~‘Flavouring preparation’ means ‘flavouring preparation’ as defined in point (d) of Article 3(2) of Regulation (EC) No 1334/2008.~~
- (12) ~~‘Other flavouring’ means ‘other flavouring’ as defined in point (h) of the Article 3(2) of Regulation (EC) No 1334/2008.~~
- (13) ~~‘Colours’ mean ‘colours’ as defined in point 2 of Annex I to Regulation (EC) No 1333/2008 of the European Parliament and of the Council¹⁵.~~
- (14) ~~‘Colouring’ means using in the preparation of a spirit drink one or more colours, as defined in point 2 of Annex I to Regulation (EC) No 1333/2008.~~
- (15) ~~‘Alcoholic strength by volume’ means the ratio of the volume of pure alcohol present in the product in question at 20 C° to the total volume of that product at the same temperature.~~
- (16) ~~‘Volatile substances content’ means the quantity of volatile substances other than ethyl alcohol and methanol contained in a spirit drink obtained exclusively by distillation, as a result solely of the distillation or re-distillation of the raw materials used.~~
- (17) ~~‘Packaging’ means the protective wrappings, cartons, cases, containers and bottles used in the transport or sale of spirit drinks.~~

¹⁵ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

ANNEX II

CATEGORIES OF SPIRIT DRINKS

PART I

Categories of spirit drinks

1. Rum

- (a) Rum is a **spirit drink produced exclusively by one of the following**:
- (i) ~~a spirit drink produced exclusively by~~ alcoholic fermentation and distillation, either from molasses or syrup produced in the manufacture of cane sugar or from sugar-cane juice itself, and distilled at less than 96 % vol., so that the distillate has the discernible specific organoleptic characteristics of rum; **or**
 - (ii) ~~a spirit drink produced exclusively by~~ alcoholic fermentation and distillation of sugar-cane juice **so that the distillate which** has the aromatic characteristics specific to rum and a volatile substances content equal to or exceeding 225 grams per hectolitre of 100 % vol. alcohol. ~~This spirit drink~~ **Such rum** may **only** be placed on the market with the word ‘agricultural’ qualifying the **sales denomination legal name** ‘rum’ **when** accompanied by **any registered a geographical indication indications** of the French Overseas Departments **and or** the Autonomous Region of Madeira.
- (b) The minimum alcoholic strength by volume of rum shall be 37,5 %.
- ~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~
- ~~(d) Rum shall not be flavoured.~~
- ~~(e) Rum may only contain added caramel as a means to adapt colour.~~
- (ea) Rum may be sweetened in order to round off the final taste. However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.**

- (f) The word ‘*traditionnel*’ may supplement any registered geographical indications for this category where the rum is produced by distillation at less than 90 % vol., after alcoholic fermentation of alcohol-producing materials originating exclusively **from** ~~in~~ the place of production considered. This rum must have a volatile substances content equal to or exceeding 225 grams per hectolitre of 100 % vol. alcohol and must not be sweetened. ~~The use of the word ‘*traditionnel*’ may accompany does not prevent the use of the~~ terms ‘from sugar production’ or ‘agricultural’, which may be added to the **legal name sales denomination** ‘rum’ accompanying the geographical indications referred to in point (a)(ii).

This provision **is without prejudice to** ~~shall not affect~~ the use of the word ‘*traditionnel*’ for all products not covered by this category, according to their own specific criteria.

2. Whisky ~~Whisky~~ or whiskey ~~Whiskey~~

- (a) *Whisky* or *whiskey* is a spirit drink produced exclusively by carrying out all of the following production operations:
- (i) distillation of a mash made from malted cereals **other than rice** with or without whole grains of ~~other~~ **unmalted** cereals **other than rice**, which has been:
 - saccharified by the diastase of the malt contained therein, with or without other natural enzymes,
 - fermented by the action of yeast;
 - (ii) ~~one or more distillations~~ **distillation shall be carried out** at less than 94,8 % vol., so that the distillate has an aroma and taste derived from the raw materials used;
 - (iii) maturation of the final distillate for at least three years in wooden casks not exceeding 700 litres capacity.
- The final distillate, to which only water and plain caramel (for colouring) may be added, shall retain its colour, aroma and taste derived from the production process referred to in points (i), (ii) and (iii).
- (b) The minimum alcoholic strength by volume of *whisky* or *whiskey* shall be 40 %.

~~(c) No addition of alcohol as defined in point (54) of Annex I, diluted or not, shall take place.~~

~~(d) Whisky or whiskey shall not be sweetened or flavoured, nor contain any additives other than plain caramel used for colouring.~~

(e) The legal name of 'whisky' or 'whiskey' may be supplemented by the term 'single malt' only if it has been distilled from malted barley at a single distillery.

3. Grain spirit

(a) Grain spirit is a spirit drink produced exclusively by the distillation of a fermented mash of whole grain cereals and having organoleptic characteristics derived from the raw materials used.

(b) With the exception of 'Korn', the minimum alcoholic strength by volume of grain spirit shall be 35 %.

~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

~~(d) Grain spirit shall not be flavoured.~~

~~(e) Grain spirit may only contain added caramel as a means of adapting colour.~~

(ea) Grain spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 10 g of sweetening products per litre, expressed as invert sugar equivalent.

(f) A grain spirit may bear the legal name sales denomination 'grain brandy' if it has been obtained by distillation at less than 95 % vol. from a fermented mash of whole grain cereals, presenting organoleptic features deriving from the raw materials used.

(g) In the legal name 'grain spirit' or 'grain brandy', the word 'grain' may be replaced with the name of the cereal or of the cereals used in the production of the spirit drink.

4. Wine spirit

(a) Wine spirit is a spirit drink which meets the following **requirements** ~~conditions~~:

- (i) it is produced exclusively by the distillation at less than 86 % vol. of wine, **wine fortified for distillation** or wine **distillate** ~~fortified for distillation or by the re-distillation of a wine distillate at less than 86 % vol.~~;
- (ii) it contains a quantity of volatile substances equal to or exceeding 125 grams per hectolitre of 100 % vol. alcohol;
- (iii) it has a maximum methanol content of 200 grams per hectolitre of 100 % vol. alcohol;

(b) The minimum alcoholic strength by volume of wine spirit shall be 37,5 %.

~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

(d) Wine spirit shall not be flavoured. This shall not exclude **traditional long-standing** production methods.

~~(e) Wine spirit may only contain added caramel as a means to adapt colour.~~

(ea) Wine spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.

(f) Where wine spirit has been matured, it may continue to be placed on the market as 'wine spirit' provided **that** it has been matured for as long as, or longer than, the maturation period **provided** ~~foreseen~~ for the spirit drink defined under category 5.

(g) The legal name 'wine spirit' may be supplemented by the name of the grape variety accounting for at least 85% of the grapes used to produce the wine, wine fortified for distillation or wine distillate used in the production of the spirit drink.

- (h) This Regulation is without prejudice to the use of the term '*Branntwein*' in combination with the term '*essig*' in the presentation and labelling of vinegar.

5. **Brandy Brandy or Weinbrand Weinbrand**

- (a) *Brandy* or *Weinbrand* is a spirit drink which meets the following requirements conditions:
- (i) it is produced from wine spirit to which wine distillate may be added, provided that that wine distillate has been ~~, whether or not wine distillate has been added,~~ distilled at less than 94,8 % vol. and ~~, provided that wine distillate does not~~ exceed a maximum of 50 % of the alcoholic content of the finished product;
 - (ii) it ~~has~~ is matured for at least:
 - one year in oak receptacles **with a capacity of at least 1 000 litres each**; or
 - ~~for at least~~ six months in oak casks with a capacity of less than 1 000 litres each;
 - (iii) it contains a quantity of volatile substances equal to or exceeding 125 grams per hectolitre of 100 % vol. alcohol, and derived exclusively from the distillation ~~or re-distillation~~ of the raw materials used;
 - (iv) it has a maximum methanol content of 200 grams per hectolitre of 100 % vol. alcohol;
- (b) The minimum alcoholic strength by volume of *brandy* or *Weinbrand* shall be 36 %.
- ~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~
- (d) *Brandy* or *Weinbrand* shall not be flavoured. This shall not exclude **traditional long-standing** production methods.
- ~~(e) *Brandy* or *Weinbrand* may only contain added caramel as a means of adapting colour.~~

- (f) *Brandy* or *Weinbrand* may be sweetened in order to round off the final taste. However, the final product may not contain more than 35 g of sweetening products per litre, expressed as invert sugar equivalent.
- (g) The legal name '*brandy*' or '*Weinbrand*' may be supplemented by the name of the grape variety accounting for at least 85% of the grapes used to produce the wine spirit and wine distillate used in the production of the spirit drink.

6. Grape marc spirit or grape marc

- (a) Grape marc spirit or grape marc is a spirit drink which meets the following conditions:
- (i) it is produced exclusively from grape marc fermented and distilled either directly by water vapour or after water has been added;
- the first distillation shall be carried out in the presence of the marc itself;
 - distillation shall be carried out at less than 86 % vol.;
- (ii) a quantity of lees may be added to the grape marc that does not exceed 25 kg of lees per 100 kg of grape marc used;
- (iii) the quantity of alcohol derived from the lees shall not exceed 35 % of the total quantity of alcohol in the finished product;
- ~~(iv) the distillation shall be carried out in the presence of the marc itself at less than 86 % vol.;~~
- ~~(v) re-distillation at the same alcoholic strength is authorised;~~
- (vi) it contains a quantity of volatile substances equal to or exceeding 140 grams per hectolitre of 100 % vol. alcohol and has a maximum methanol content of 1 000 grams per hectolitre of 100 % vol. alcohol.
- (b) The minimum alcoholic strength by volume of grape marc spirit or grape marc shall be 37,5 %.

- ~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~
- (d) Grape marc spirit or grape marc shall not be flavoured. This shall not exclude **traditional long-standing** production methods.
- ~~(e) Grape marc spirit or grape marc may only contain added caramel as a means of adapting colour.~~
- (f) **Grape marc spirit or grape marc may be sweetened in order to round off the final taste. However, the final product may not contain more than 10 g of sweetening products per litre, expressed as invert sugar equivalent.**
- (g) The legal name 'grape marc spirit' or 'grape marc' may be supplemented by the name of the grape variety accounting for at least 85% of the grape marc and lees used in the production of the spirit drink.**

7. Fruit marc spirit

- (a) Fruit marc spirit is a spirit drink which meets the following conditions:
- (i) it is obtained exclusively by fermentation and distillation **of fruit marc other than grape marc** ~~at less than 86 % vol. of fruit marc except grape marc;~~
- ~~–~~ **the first distillation shall be carried out in the presence of the marc itself;**
 - ~~–~~ **distillation shall be carried out at less than 86 % vol.;**
- (ii) it contains a minimum quantity of volatile substances of 200 grams per hectolitre of 100 % vol. alcohol;
- (iii) the maximum methanol content shall be 1 500 grams per hectolitre of 100 % vol. alcohol;
- (iv) the maximum hydrocyanic acid content shall be 7 grams per hectolitre of 100 % vol. alcohol in the case of stone-fruit marc spirit;
- ~~(v) re-distillation at the same alcoholic strength according to point (i) is authorised.~~

(b) The minimum alcoholic strength by volume of fruit marc spirit shall be 37,5 %.

~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

~~(d) Fruit marc spirit shall not be flavoured.~~

~~(e) Fruit marc spirit may only contain added caramel as a means to adapt colour.~~

(ea) Fruit marc spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 10 g of sweetening products per litre, expressed as invert sugar equivalent.

(f) The **legal name sales denomination** shall consist of the name of the fruit followed by 'marc spirit'. If marcs of several different fruits are used, the **legal name sales denomination** shall be 'fruit marc spirit' **and may be supplemented by the name of each fruit in decreasing order of the quantity used.**

8. Raisin spirit or *raisin brandy* ~~raisin brandy~~

(a) Raisin spirit or *raisin brandy* is a spirit drink produced exclusively by the distillation of the product obtained by the alcoholic fermentation of extract of dried grapes of the 'Corinth Black' or Moscatel of the Alexandria varieties, distilled at less than 94,5 % vol., so that the distillate has an aroma and taste derived from the raw materials used.

(b) The minimum alcoholic strength by volume of raisin spirit or *raisin brandy* shall be 37,5 %.

~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

~~(d) Raisin spirit or *raisin brandy* shall not be flavoured.~~

~~(e) Raisin spirit or *raisin brandy* may only contain added caramel as a means to adapt colour.~~

- (f) **Raisin spirit or *raisin brandy* may be sweetened in order to round off the final taste. However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.**
- (g) **The legal name '*raisin spirit*' or '*raisin brandy*' may be supplemented by the name of the grape variety accounting for at least 85% of the grapes used in the production of the spirit drink.**

9. Fruit spirit

- (a) Fruit spirit is a spirit drink which meets the following **requirements conditions**:
- (i) it is produced exclusively by the alcoholic fermentation and distillation, **with or without stones**, of **fresh and** fleshy fruit, **including bananas**, or must of such fruit, berries or vegetables, ~~with or without stones~~;
 - (ii) it is distilled at less than 86 % vol. so that the distillate has an aroma and taste derived from the raw materials distilled;
 - (iii) it has a quantity of volatile substances equal to or exceeding 200 grams per hectolitre of 100 % vol. alcohol;
 - (iv) in the case of stone-fruit spirits, it has a hydrocyanic acid content not exceeding 7 grams per hectolitre of 100 % vol. alcohol.
- (b) The maximum methanol content of fruit spirit shall be 1 000 grams per hectolitre of 100 % vol. alcohol.
- (i) However, in **the** case of fruit spirits obtained from the fruits or berries mentioned below, the maximum methanol content shall be 1 200 grams per hectolitre of 100 % vol. alcohol:
 - **apple (*Malus domestica* Borkh.),**
 - **apricots (*Prunus armeniaca* L.),**
 - **plum (*Prunus domestica* L.),**

- quetsch (*Prunus domestica* L.),
 - mirabelle (*Prunus domestica* L. subsp. *syriaca* (Borkh.) Janch. ex Mansf.),
 - peach (*Prunus persica* (L.) Batsch),
 - pear (*Pyrus communis* L.) except for Williams pears (*Pyrus communis* L. cv ‘Williams’),
 - blackberry (*Rubus fruticosus* auct. aggr.),
 - raspberry (*Rubus idaeus* L.).
- ~~— plum (*Prunus domestica* L.);~~
 - ~~— mirabelle (*Prunus domestica* L. subsp. *syriaca* (Borkh.) Janch. ex Mansf.);~~
 - ~~— quetsch (*Prunus domestica* L.);~~
 - ~~— apple (*Malus domestica* Borkh.);~~
 - ~~— pear (*Pyrus communis* L.) except for Williams pears (*Pyrus communis* L. cv ‘Williams’);~~
 - ~~— raspberries (*Rubus idaeus* L.);~~
 - ~~— blackberries (*Rubus fruticosus* auct. aggr.);~~
 - ~~— apricots (*Prunus armeniaca* L.);~~
 - ~~— peaches (*Prunus persica* (L.) Batsch);~~

(ii) In **the** case of fruit spirits obtained from the fruits or berries mentioned below, the maximum methanol content shall be 1 350 grams per hectolitre of 100 % vol. alcohol:

- **quince** (*Cydonia oblonga* Mill.),
 - **juniper berry** (*Juniperus communis* L. or *Juniperus oxicedrus* L.),
 - **Williams pear** (*Pyrus communis* L. cv ‘Williams’),
 - **blackcurrant** (*Ribes nigrum* L.),
 - **redcurrant** (*Ribes rubrum* L.),
 - **rosehip** (*Rosa canina* L.)
 - **elderberry** (*Sambucus nigra* L.),
 - **rowanberry** (*Sorbus aucuparia* L.),
 - **sorb apple** (*Sorbus domestica* L.),
 - **checkerberry** (*Sorbus terminalis* L.).
- ~~— Williams pears (*Pyrus communis* L. cv ‘Williams’),~~
- ~~— redcurrants (*Ribes rubrum* L.),~~
- ~~— blackcurrants (*Ribes nigrum* L.),~~
- ~~— rowanberries (*Sorbus aucuparia* L.),~~
- ~~— elderberries (*Sambucus nigra* L.),~~
- ~~— quinces (*Cydonia oblonga* Mill.),~~
- ~~— juniper berries (*Juniperus communis* L. or *Juniperus oxicedrus* L.).~~

(c) The minimum alcoholic strength by volume of fruit spirit shall be 37,5 %.

~~(d) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

~~(e) Fruit spirit shall not be flavoured.~~

(ea) Fruit spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 10 g of sweetening products per litre, expressed as invert sugar equivalent.

(f) The **legal name** ~~sales denomination~~ of fruit spirit shall be ‘spirit’ preceded by the name of the fruit, berry or vegetable, such as: ~~cherry spirit, which may also be named *kirsch*, plum spirit, which may also be named *slivovitz*, mirabelle, peach, apple, pear, apricot, fig, citrus or grape spirit or other fruit spirits.~~ **This legal name may be expressed by the name of the fruit supplemented by a suffix when expressed in the Czech, Croatian, Greek, Polish, Slovak, Slovenian and Romanian languages.**

Alternatively, that legal name ~~it~~ may also be called ‘*wasser*’, used together with the name of the fruit.

Alternative legal names may be used in the following cases:

- ‘*kirsch*’ for cherry spirit (*Prunus avium* or *Prunus cerasus*);
- ‘*plum*’, ‘*quetsch*’ or ‘*slivovitz*’ for plum spirit (*Prunus domestica* L.);
- ‘*mirabelle*’ for mirabelle spirit (*Prunus domestica* L. subsp. *syriaca* (Borkh.) Janch. ex Mansf.);
- ‘*fruit of arbutus*’ for fruit of arbutus spirit (*Arbutus unedo* L.);
- ‘Golden Delicious’ for apple spirit (*Malus domestica* var. ‘Golden Delicious’);
- ‘*Obstler*’ for a fruit spirit produced exclusively from different varieties of apples, pears or both.

The name of the fruit may replace 'spirit' preceded by the name of the fruit, in the case of the following fruits:

~~— mirabelle (*Prunus domestica* L. subsp. *syriaca* (Borkh.) Janch. ex Mansf.);~~

~~— plum (*Prunus domestica* L.);~~

~~— quetsch (*Prunus domestica* L.);~~

~~— fruit of arbutus (*Arbutus unedo* L.);~~

~~— 'Golden Delicious' apple.~~

The name Williams may be used only to sell pear spirit produced solely from pears of the 'Williams' variety.

If there is a risk that the final consumer does not easily understand one of those **legal names** sales denominations not containing the word 'spirit', the labelling and presentation shall include the word 'spirit', which may be supplemented by an explanation.

- ~~(g) The name *Williams* may be used only to sell pear spirit produced solely from pears of the 'Williams' variety.~~
- (h) Whenever two or more fruits, berries or vegetables are distilled together, the product shall be sold under the **legal** name 'fruit spirit', or 'vegetable spirit' or **'fruit and vegetable spirit'**, as appropriate. The **legal** name may be supplemented by that of each fruit, berry or vegetable, in decreasing order of the quantity used.

10. Cider spirit, perry spirit and cider and perry spirit

- (a) Cider spirit, **perry spirit** and **cider and perry spirit** are spirit drinks which meet the following **requirements** ~~conditions~~:
- (i) they are produced exclusively by the distillation at less than 86 % vol. of cider or perry so that the distillate has an aroma and taste derived from the fruits;
 - (ii) they have a quantity of volatile substances equal to or exceeding 200 grams per hectolitre of 100 % vol. alcohol;
 - (iii) they have a maximum methanol content of 1 000 grams per hectolitre of 100 % vol. alcohol.
- (b) The minimum alcoholic strength by volume of cider spirit, **perry spirit** and **cider and** ~~of~~ perry spirit shall be 37,5 %.
- ~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~
- (d) ~~Neither cider~~ **Cider spirit**, ~~nor~~ perry spirit **and cider and perry spirit** shall be flavoured. **This shall not exclude long-standing production methods.**
- ~~(e) Cider spirit and perry spirit may only contain added caramel as a means of adapting colour.~~
- (f) **Cider spirit, perry spirit and cider and perry spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 15 g of sweetening products per litre, expressed as invert sugar equivalent.**
- (g) The legal name shall be 'cider spirit' for spirit drinks exclusively obtained by the distillation of cider, 'perry spirit' for spirit drinks exclusively obtained by the distillation of perry, and 'cider and perry spirit' for spirit drinks obtained by the distillation of cider and perry.**

11. Honey spirit

- (a) Honey spirit is a spirit drink which meets the following **requirements** ~~conditions~~:
- (i) it is produced exclusively by fermentation and distillation of honey mash;
 - (ii) it is distilled at less than 86 % vol. so that the distillate has the organoleptic characteristics derived from the raw materials used.
- (b) The minimum alcoholic strength by volume of honey spirit shall be 35 %.

~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

~~(d) Honey spirit shall not be flavoured.~~

~~(e) Honey spirit may only contain added caramel as a means to adapt colour.~~

- (f) Honey spirit may only be sweetened with honey. **However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.**

12. Hefebrand ~~Hefebrand~~ or lees spirit

- (a) *Hefebrand* or lees spirit is a spirit drink produced exclusively by the distillation at less than 86 % vol. of lees of wine, **lees of beer** or of **lees of** fermented fruit.
- (b) The minimum alcoholic strength by volume of *Hefebrand* or lees spirit shall be 38 %.

~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~

~~(d) *Hefebrand* or lees spirit shall not be flavoured.~~

~~(e) *Hefebrand* or lees spirit may only contain added caramel as a means to adapt colour.~~

- (ea) *Hefebrand* or lees spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.
- (f) The legal name sales denomination '*Hefebrand*' or '*lees spirit*' shall be supplemented by the name of the raw materials used.

13. Beer spirit ~~*Bierbrand* or *eau de vie de bière*~~

- (a) **Beer spirit** ~~*Bierbrand* or *eau de vie de bière*~~ is a spirit drink obtained exclusively by direct distillation under normal pressure of fresh beer with an alcoholic strength by volume of less than 86 % so that the **resulting** distillate ~~obtained~~ has organoleptic characteristics deriving from the beer.
- (b) The minimum alcoholic strength by volume of **beer spirit** ~~*Bierbrand* or *eau de vie de bière*~~ shall be 38 %.
- ~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~
- ~~(d) *Bierbrand* or *eau de vie de bière* shall not be flavoured.~~
- ~~(e) *Bierbrand* or *eau de vie de bière* may only contain added caramel as a means to adapt colour.~~
- (f) **Beer spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.**

14. Topinambur or Jerusalem artichoke spirit ~~Topinambur~~

- (a) *Topinambur* or Jerusalem artichoke spirit is a spirit drink produced exclusively by fermentation and distillation at less than 86 % vol. of Jerusalem artichoke tubers (*Helianthus tuberosus* L.).
- (b) The minimum alcoholic strength by volume of *topinambur* or Jerusalem artichoke spirit shall be 38 %.
- ~~(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.~~
- ~~(d) *Topinambur* or Jerusalem artichoke spirit shall not be flavoured.~~
- ~~(e) *Topinambur* or Jerusalem artichoke spirit may only contain added caramel as a means of adapting colour.~~
- (f) ***Topinambur* or Jerusalem artichoke spirit may be sweetened in order to round off the final taste. However, the final product may not contain more than 20 g of sweetening products per litre, expressed as invert sugar equivalent.**

15. **Vodka**

- (a) Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:
- potatoes or cereals or both,
 - other agricultural raw materials,
 - distilled ~~or rectified or both~~ so that the organoleptic characteristics of the raw materials used and by-products formed in fermentation are selectively reduced.

This process may be followed by **additionally distillation** ~~re-distillation~~ or treatment with appropriate processing aids or both, including treatment with activated charcoal, to give it special organoleptic characteristics.

Maximum levels of residue for **the** ethyl alcohol of agricultural origin **used to produce vodka** shall meet those set out in point (2+) of **Article 2a Annex I**, except that the methanol content shall not exceed 10 grams per hectolitre of 100 % vol. alcohol.

- (b) The ~~minimum~~ alcoholic strength by volume of vodka shall be **no less than** 37,5 %.
- (c) The only flavourings which may be added are natural flavouring compounds present in distillate obtained from the fermented raw materials. In addition, the product may be given special organoleptic characteristics, other than a predominant flavour.

(ca) Vodka may not contain colour.

- (d) The description, presentation or labelling of vodka not produced exclusively from potatoes or cereals **or both** shall **prominently** bear the indication ‘produced from ...’, supplemented by the name of the raw materials used to produce the ethyl alcohol of agricultural origin. **This indication shall appear in the same visual field as the legal name.**
- (e) **Vodka may be sweetened in order to round off the final taste. However, the final product may not contain more than 5 g of sweetening substances per litre, expressed as invert sugar equivalent.**
- (f) **Alternatively, the legal name may be ‘vodka’ in any Member State.**

16. Spirit (~~preceded supplemented~~ by the name of the fruit, **berries or nuts) obtained by maceration and distillation**

- (a) Spirit (~~preceded supplemented~~ by the name of the fruit) obtained by maceration and distillation is a spirit drink which meets the following ~~conditions~~ **requirements**:
 - (i) produced by maceration of fruit, ~~or~~ berries **or nuts** listed under point (ii), whether partially fermented or unfermented, with the possible addition of a maximum of 20 litres of ethyl alcohol of agricultural origin or of **a** spirit or ~~of~~ distillate deriving from the same fruit, **berries or nuts**, or of a **combination mixture** thereof, per 100 kg of fermented fruit, ~~or~~ berries **or nuts**, followed by distillation at less than 86 % vol.;

(ii) obtained from the following fruits, ~~or~~ berries **or nuts**:

- chokeberry (*Aronia Medik. nom cons.*),
- black chokeberry (*Aronia melanocarpa*),
- chestnut (*Castanea sativa* L.),
- citrus fruits (*Citrus* spp. L.),
- hazelnut (*Corylus avellana* L.),
- crowberry (*Empetrum nigrum* L.),
- strawberry (*Fragaria* spp.),
- sea-buckthorn (*Hippophae rhamnoides* L.),
- hollyberry (*Ilex aquifolium* and *Ilex cassine* L.),
- walnut (*Juglans regia* L.),
- banana (*Musa* spp.),
- myrtle (*Myrtus communis* L.),
- prickly pear (*Opuntia ficus-indica*)
- passion fruit (*Passiflora edulis* Sims),
- cherry (*Prunus avium* or *Prunus cerasus*),
- bird cherry (*Prunus padus* L.).
- sloe (*Prunus spinosa* L.),
- blackcurrant (*Ribes nigrum* L.),
- white currant (*Ribes niveum* Lindl.),
- redcurrant (*Ribes rubrum* L.),

- gooseberry (*Ribes uva-crispa* L. syn. *Ribes grossularia*),
- rosehip (*Rosa canina* L.),
- arctic bramble (*Rubus arcticus* L.),
- cloudberry (*Rubus chamaemorus* L.),
- blackberry (*Rubus fruticosus* auct. aggr.),
- raspberry (*Rubus idaeus* L.),
- elderberry (*Sambucus nigra* L.),
- rowanberry (*Sorbus aucuparia* L.),
- sorb apple (*Sorbus domestica* L.),
- checkerberry (*Sorbus torminalis* (L.) Crantz),
- ambarella (*Spondias dulcis* Sol. ex Parkinson),
- hog plum (*Spondias mombin* L.),
- high bush blueberry (*Vaccinium corymbosum* L.),
- cranberry (*Vaccinium* L. subgenus *Oxycoccus*),
- bilberry/blueberry (*Vaccinium myrtillus* L.),
- lingonberry (*Vaccinium vitis-idaea* L.).
- ~~— blackberry (*Rubus fruticosus* auct. aggr.);~~
- ~~— strawberry (*Fragaria* spp.);~~
- ~~— bilberry/blueberry (*Vaccinium myrtillus* L.);~~
- ~~— raspberry (*Rubus idaeus* L.);~~
- ~~— redcurrant (*Ribes rubrum* L.);~~

- ~~— white currant (*Ribes niveum* Lindl.);~~
- ~~— blackcurrant (*Ribes nigrum* L.);~~
- ~~— sloe (*Prunus spinosa* L.);~~
- ~~— rowanberry (*Sorbus aucuparia* L.);~~
- ~~— service berry (*Sorbus domestica* L.);~~
- ~~— hollyberry (*Ilex aquifolium* and *Ilex cassine* L.);~~
- ~~— checkerberry (*Sorbus torminalis* (L.) Crantz);~~
- ~~— elderberry (*Sambucus nigra* L.);~~
- ~~— gooseberry (*Ribes uva-crispa* L. syn. *Ribes grossularia*);~~
- ~~— cranberry (*Vaccinium* L. subgenus *Oxycoccus*);~~
- ~~— lingonberry (*Vaccinium vitis-idaea* L.);~~
- ~~— high bush blueberry (*Vaccinium corymbosum* L.);~~
- ~~— sea buckthorn (*Hippophae rhamnoides* L.);~~
- ~~— rosehip (*Rosa canina* L.);~~
- ~~— cloudberry (*Rubus chamaemorus* L.);~~
- ~~— crowberry (*Empetrum nigrum* L.);~~
- ~~— arctic bramble (*Rubus arcticus* L.);~~
- ~~— myrtle (*Myrtus communis* L.);~~
- ~~— banana (*Musa* spp.);~~
- ~~— passion fruit (*Passiflora edulis* Sims);~~
- ~~— ambarella (*Spondias dulcis* Sol. ex Parkinson);~~

—hog plum (*Spondias mombin* L.);

—walnut (*Juglans regia* L.);

—hazelnut (*Corylus avellana* L.);

—chestnut (*Castanea sativa* L.);

—citrus fruits (*Citrus* spp. L.);

—prickly pear (*Opuntia ficus-indica*).

- (b) The minimum alcoholic strength by volume of a **spirit Spirit** (~~preceded~~ **supplemented** by the name of the fruit) obtained by maceration and distillation shall be 37,5 %.
- (c) Spirit (~~preceded~~ **supplemented** by the name of the fruit) obtained by maceration and distillation shall not be flavoured.
- (d) As regards the labelling and presentation of **spirit Spirit** (~~preceded~~ **supplemented** by the name of the fruit) obtained by maceration and distillation, the wording ‘obtained by maceration and distillation’ must appear in the **description**, presentation or labelling in characters of the same font, size and colour and in the same visual field as the wording ‘**spirit Spirit** (~~preceded~~ **supplemented** by the name of the fruit)’ and, in the case of bottles, on the front label.

17. Geist Geist (supplemented by with** the name of the fruit or the raw materials used)**

- (a) *Geist* (**supplemented by with** the name of the fruit or the raw materials used) is a spirit drink obtained by maceration of unfermented fruits and berries listed in point (a) (ii) of category 16 or vegetables, nuts, ~~or~~ other plant materials, such as herbs or rose petals, **or mushrooms** in ethyl alcohol of agricultural origin, followed by distillation at less than 86 % vol.
- (b) The minimum alcoholic strength by volume of *Geist* (**supplemented by with** the name of the fruit or the raw materials used) shall be 37,5 %.

- (c) *Geist* (**supplemented by with** the name of the fruit or the raw materials used) shall not be flavoured.

(ca) *Geist* may not contain colour.

18. Gentian

- (a) Gentian is a spirit drink produced from a distillate of gentian, itself obtained by the fermentation of gentian roots with or without the addition of ethyl alcohol of agricultural origin.
- (b) The minimum alcoholic strength by volume of gentian shall be 37,5 %.
- (c) Gentian shall not be flavoured.

19. Juniper-flavoured spirit drinks

- (a) Juniper-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin or **of a grain** spirit or **grain** distillate **produced from grain or fruit** or a **combination** ~~mixture~~ thereof with juniper (*Juniperus communis* L. or *Juniperus oxicedrus* L.) berries.
- (b) The minimum alcoholic strength by volume of juniper-flavoured spirit drinks shall be 30 %.
- (c) Flavouring substances, flavouring preparations, ~~aromatic~~ plants **with flavouring properties** or parts of ~~aromatic~~ plants **with flavouring properties** or a combination **thereof** ~~them~~ may be used in addition **to juniper berries**, but the organoleptic characteristics of juniper shall be discernible, even if they are sometimes attenuated.
- (d) Juniper-flavoured spirit drinks may bear the **legal names** ~~sales denominations~~ *Wacholder* or *genebra*.

20. Gin ~~Gin~~

- (a) *Gin* is a juniper-flavoured spirit drink produced by flavouring organoleptically suitable ethyl alcohol of agricultural origin with juniper berries (*Juniperus communis* L.).
- (b) The minimum alcoholic strength by volume of *gin* shall be 37,5 %.
- (c) Only flavouring substances or flavouring preparations or both shall be used for the production of gin so that the taste is predominantly that of juniper.
- (d) The term '*gin*' may be supplemented by the term '*dry*' if it **is not sweetened** ~~does not contain added sweetening exceeding in excess of 0,1 gram of sweetening products~~ **sugars** per litre of the final product, **expressed as invert sugar equivalent**.

21. Distilled gin ~~gin~~

- (a) Distilled *gin* is one of the following:
 - (i) a juniper-flavoured spirit drink produced exclusively by **distilling** ~~re-distilling~~ organoleptically suitable ethyl alcohol of agricultural origin **of an appropriate quality with an initial alcoholic strength of at least 96 % vol. in stills traditionally used for *gin***, in the presence of juniper berries (*Juniperus communis* L.) and of other natural botanicals provided that the juniper taste is predominant;
 - (ii) the **combination** ~~mixture~~ of the product of such distillation and ethyl alcohol of agricultural origin with the same composition, purity and alcoholic strength; flavouring substances or flavouring preparations as specified in point (c) of category 20 or both may also be used to flavour distilled gin.
- (b) The minimum alcoholic strength by volume of distilled *gin* shall be 37,5 %.
- (c) *Gin* obtained simply by adding essences or flavourings to ethyl alcohol of agricultural origin shall not be considered as distilled *gin*.

- (d) The term ‘distilled *gin*’ may be supplemented by the term ‘*dry*’ if it **is not sweetened in excess of** ~~does not contain added sweetening exceeding~~ 0,1 gram of **sweetening products** ~~sugars~~ per litre of the final product, **expressed as invert sugar equivalent**.

22. London gin ~~London gin~~

- (a) *London gin* is ~~a type of~~ distilled *gin* **which meets the following requirements:**
- (i) **it is** obtained exclusively from ethyl alcohol of agricultural origin, with a maximum methanol content of 5 grams per hectolitre of 100 % vol. alcohol, the flavour of which is introduced exclusively through the **distillation** ~~re-distillation in traditional stills~~ of ethyl alcohol of agricultural origin in the presence of all the natural plant materials used;
 - (ii) the **resulting** ~~resultant~~ distillate ~~of which~~ contains at least 70 % alcohol by vol.;
 - (iii) ~~where~~ any further ethyl alcohol of agricultural origin **that is added it must shall have** ~~comply with the requirements laid down in point (1) of Annex I, but with~~ a maximum methanol content of 5 grams per hectolitre of 100 % vol. alcohol;
 - (iv) ~~it which~~ does not contain ~~added sweetening exceeding 0.1 gram of sugars per litre of the final product nor~~ colours;
 - (iva) **it is not sweetened in excess of 0,1 gram of sweetening products per litre of the final product, expressed as invert sugar equivalent;**
 - (v) ~~it which~~ does not contain any **other added** ~~ingredients other~~ than water.
- (b) The minimum alcoholic strength by volume of *London gin* shall be 37,5 %.
- (c) The term *London gin* may be supplemented by the term ‘*dry*’.

23. Caraway-flavoured spirit drinks or Kümmel

- (a) Caraway-flavoured spirit drinks or Kümmel are spirit drinks produced by flavouring ethyl alcohol of agricultural origin with caraway (*Carum carvi* L.).
- (b) The minimum alcoholic strength by volume of caraway-flavoured spirit drinks or Kümmel shall be 30 %.
- (c) Flavouring substances or flavouring preparations or both may additionally be used but there must shall be a predominant taste of caraway.

24. Akvavit ~~Akvavit~~ or aquavit ~~aquavit~~

- (a) *Akvavit* or *aquavit* is a spirit drink flavoured with caraway or dill seeds or both, produced by using ethyl alcohol of agricultural origin flavoured with a distillate of plants or spices.
- (b) The minimum alcoholic strength by volume of *akvavit* or *aquavit* shall be 37,5 %.
- (c) Natural flavouring substances or flavouring preparations or both may additionally be used, but the flavour of these drinks shall be largely attributable to distillates of caraway (*Carum carvi* L.) or dill (*Anethum graveolens* L.) seeds or both, the use of essential oils being prohibited.
- (d) The bitter substances must shall not obviously dominate the taste; the dry extract content shall not exceed 1,5 grams per 100 millilitres.

25. Aniseed-flavoured spirit drinks

- (a) Aniseed-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin with natural extracts of star anise (*Illicium verum* Hook f.), anise (*Pimpinella anisum* L.), fennel (*Foeniculum vulgare* Mill.), or any other plant which contains the same principal aromatic constituent, using one of the following processes or a combination thereof:
- (i) maceration or distillation or both;
 - (ii) **distillation** ~~re-distillation~~ of the alcohol in the presence of the seeds or other parts of the plants specified above;
 - (iii) addition of natural distilled extracts of aniseed-flavoured plants.
- ~~(b) The minimum alcoholic strength by volume of aniseed-flavoured spirit drinks shall be 15 %.~~
- (c) **Aniseed-flavoured spirit drinks may only be flavoured with flavouring preparations and** ~~Only natural flavouring substances and flavouring preparations may be used in the preparation of aniseed-flavoured spirit drinks.~~
- (d) Other natural plant extracts or aromatic seed may also be used, but the aniseed taste must remain predominant.

26. Pastis Pastis

- (a) *Pastis* is an aniseed-flavoured spirit drink which also contains natural extracts of liquorice root (*Glycyrrhiza* spp.), which implies the presence of the colorants known as ‘chalcones’ as well as glycyrrhizic acid, the minimum and maximum levels of which must be 0,05 and 0,5 grams per litre, respectively.
- (b) The minimum alcoholic strength by volume of *pastis* shall be 40 %.
- (c) ***Pastis* may only be flavoured with flavouring preparations and** ~~Only natural flavouring substances and flavouring preparations may be used in the preparation of *pastis*.~~

- (d) *Pastis* contains less than 100 grams of **sweetening products** sugars per litre, expressed as invert sugar **equivalent**, and has a minimum and maximum anethole level of 1,5 and 2 grams per litre, respectively.

27. Pastis de Marseille ~~Pastis de Marseille~~

- (a) *Pastis de Marseille* is a *pastis* with **a pronounced anise taste with** an **approximate** anethole content of 2 grams per litre.
- (b) The minimum alcoholic strength by volume of *pastis de Marseille* shall be 45 %.
- (c) ***Pastis de Marseille* may only be flavoured with flavouring preparations and** ~~Only~~ natural flavouring substances ~~and flavouring preparations may be used in the preparation of *pastis de Marseille*.~~

28. Anis ~~Anis~~

- (a) *Anis* is an aniseed-flavoured spirit drink whose characteristic flavour is derived exclusively from anise (*Pimpinella anisum* L.), star anise (*Illicium verum* Hook f.) or fennel (*Foeniculum vulgare* Mill.) or a combination of them.
- (b) The minimum alcoholic strength by volume of *anis* shall be **35** ~~37~~ %.
- (c) ***Anis* may only be flavoured with flavouring preparations and** ~~Only~~ natural flavouring substances ~~and flavouring preparations may be used in the preparation of *anis*.~~

29. Distilled anis ~~anis~~

- (a) Distilled *anis* is *anis* which contains alcohol distilled in the presence of the seeds referred to in point (a) of category 28 and in the case of geographical indications mastic and other aromatic seeds, plants or fruits, provided such alcohol constitutes at least 20 % of the alcoholic strength of the distilled *anis*.
- (b) The minimum alcoholic strength by volume of distilled *anis* shall be 35 %.

- (c) **Distilled *anis* may only be flavoured with flavouring preparations and** ~~Only natural flavouring substances and flavouring preparations may be used in the preparation of distilled *anis*.~~

30. Bitter-tasting spirit drinks or ***bitter***

- (a) Bitter-tasting spirit drinks or *bitter* are spirit drinks with a predominantly bitter taste produced by flavouring ethyl alcohol of agricultural origin **or distillate of agricultural origin** with flavouring substances **or flavouring preparations or both**.
- ~~(b) The minimum alcoholic strength by volume of bitter-tasting spirit drinks or *bitter* shall be 15 %.~~
- (c) **Without prejudice to the use of such terms in the presentation and labelling of foodstuffs other than spirit drinks, bitter-tasting** ~~Bitter-tasting~~ spirit drinks or *bitter* may also be sold under the names ~~'amer'~~ **'bitter'** or '*bitter*' with or without another term.
- (d) Notwithstanding point (c), the terms 'bitter' or '*bitter*' may be used in the description, presentation and labelling of bitter-tasting liqueurs.**

31. Flavoured vodka

- (a) Flavoured vodka is vodka which has been given a predominant flavour other than that of the raw materials **used to produce the vodka**.
- (b) The minimum alcoholic strength by volume of flavoured vodka shall be 37,5 %.
- (c) **When sweetened, the final product may not contain more than 50 g of sweetening products per litre, expressed as invert sugar equivalent.** ~~Flavoured vodka may be sweetened, blended, flavoured, matured or coloured.~~
- (d) **The legal name of flavoured** ~~Flavoured~~ vodka may also be sold under the name of any predominant flavour **combined** with the word 'vodka'. **The term 'vodka' in any official Union language may be replaced by '*vodka*'.**

31a. Sloe-aromatised spirit drink or *Pacharán*

Sloe-aromatised spirit drink or *Pacharán* is a spirit drink:

- (a) which has a predominant sloe taste and is obtained by the maceration of sloes (*Prunus spinosa*) in ethyl alcohol of agricultural origin, with the addition of natural extracts of anise or distillates of anise or both;
- (b) which has a minimum alcoholic strength by volume of 25 %;
- (c) for the production of which a minimum quantity of 125 grams of sloe fruits per litre of final product has been used;
- (d) which has sugar content, expressed as invert sugar equivalent between 80 and 250 grams per litre of the final product;
- (e) the organoleptic characteristics, colour and taste of which are provided exclusively by the fruit used and the anise.

The term '*Pacharán*' may be used as a legal name only when the product is produced in Spain. When the product is produced outside Spain, '*Pacharán*' may only be used to supplement the legal name 'Sloe-aromatised spirit drink', provided that it is accompanied by the words: 'produced in ...', followed by the name of the Member State or third country of production.

32. Liqueur

- (a) Liqueur is a spirit drink:
 - (i) having a minimum sugar content, expressed as invert sugar **equivalent**, of:
 - 70 grams per litre for cherry liqueurs the ethyl alcohol of which consists exclusively of cherry spirit,
 - 80 grams per litre for **liqueurs whose sole aromatic substance is** gentian or similar **plants or wormwood** ~~liqueurs prepared with gentian or similar plants as the sole aromatic substance,~~
 - 100 grams per litre in all other cases;

- (ii) produced using ethyl alcohol of agricultural origin or a distillate of agricultural origin or one or more spirit drinks or a **combination** ~~mixture~~ thereof, which has been sweetened and to which one or more flavourings, products of agricultural origin or foodstuffs have been added.

~~(b) The minimum alcoholic strength by volume of liqueur shall be 15 %.~~

(c) ~~Flavouring substances and flavouring preparations may be used in the preparation of liqueur. However,~~ **The following liqueurs may only be flavoured with flavouring preparations, food ingredients with flavouring properties and** natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:

(i) fruit liqueurs:

- **pineapple (*Ananas*),**
- **citrus fruit (*Citrus* L.),**
- **sea buckthorn (*Hippophae rhamnoides* L.),**
- **mulberry (*Morus alba*, *Morus rubra*),**
- **cherry (*Prunus avium* or *Prunus cerasus*),**
- **blackcurrant (*Ribes nigrum* L.),**
- **arctic bramble (*Rubus arcticus* L.),**
- **cloudberry (*Rubus chamaemorus* L.),**
- **raspberry (*Rubus idaeus* L.),**
- **cranberry (*Vaccinium* L. subgenus *Oxycoccus*),**
- **bilberry (*Vaccinium myrtillus* L.),**
- **lingonberry (*Vaccinium vitis-idaea* L.);**

~~blackcurrant,~~
~~cherry,~~
~~raspberry,~~
~~mulberry,~~
~~bilberry,~~
~~citrus fruit,~~
~~cloudberry,~~
~~arctic bramble,~~
~~cranberry,~~
~~lingonberry,~~
~~sea buckthorn,~~
~~pineapple;~~

(ii) plant liqueurs:

– **génépi** (*Artemisia genepi*),
– **gentian** (*Gentiana L.*),
– **mint** (*Mentha L.*),
– **aniseed** (*Pimpinella anisum L.*),
~~mint,~~
~~gentian,~~
~~aniseed,~~
~~génépi,~~

- vulnerary (*Anthyllis vulneraria* L.).

(d) The following compound terms may be used in the presentation of liqueurs produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

- *prune brandy*,
- *orange brandy*,
- *apricot brandy*,
- *cherry brandy*,
- *solbaerrom*, also called blackcurrant rum.

As regards the labelling and presentation of those liqueurs, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word ‘liqueur’ must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word ‘liqueur’ either by stating the type of agricultural alcohol or by the words ‘agricultural alcohol’ preceded on each occasion by ‘made from’ or ‘made using’.

(e) The legal name 'liqueur' may be supplemented by the name of a foodstuff, other than those listed in point (c), that confers the predominant flavour of the spirit drink, provided that only natural flavouring substances, flavouring preparations or of food ingredients with flavouring properties have been used in the production of the spirit drink.

(f) Alternatively, the legal name may be 'liqueur' in any Member State:

– for liqueurs obtained by maceration of cherries (*Prunus avium* or *Prunus cerasus*) in ethyl alcohol of agricultural origin, the legal name may be '*Guignolet*' with or without the term liqueur.

– for liqueurs for which the alcohol content is provided exclusively by rum, the legal name may be '*Punch au rhum*' with or without the term liqueur.

33. ~~*Crème de*~~ ***Crème de* or cream** (followed ~~by~~ **supplemented** by the name of a fruit or ~~the~~ **other** raw material used)

(a) ~~Spirit drinks known as *Crème de Crème de* or cream~~ **Liqueurs** (followed by the name of ~~the~~ a fruit or **any other** ~~the~~ raw material used **conferring on the liquor its predominant flavour**), ~~excluding milk products~~, are liqueurs **which:**

(i) ~~with~~ **have** a minimum sugar content of 250 grams per litre expressed as invert sugar **equivalent; or**

(ii) **contain milk products; however, in this case the names of the milk products may not supplement the legal name.**

(aa) For liqueurs produced with blackcurrant which have a minimum sugar content of 400 grams per litre expressed as invert sugar equivalent, the legal name may be '*Crème de cassis*'.

~~(b) The minimum alcoholic strength by volume of *Crème de* (followed by the name of a fruit or the raw material used) shall be 15 %.~~

~~(c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to this spirit drink.~~

~~(d) The sales denomination may be supplemented by the term 'liqueur'.~~

34. Crème de cassis Crème de cassis

- (a) ~~Crème de cassis is a blackcurrant liqueur with a minimum sugar content of 400 grams per litre expressed as invert sugar equivalent.~~
- (b) ~~The minimum alcoholic strength by volume of *crème de cassis* shall be 15 %.~~
- (c) ~~The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *crème de cassis*.~~
- (d) ~~The sales denomination may be supplemented by the term ‘liqueur’.~~

35. Guignolet Guignolet

- (a) ~~Guignolet is a liqueur obtained by maceration of cherries (*Prunus avium* or *Prunus cerasus*) in ethyl alcohol of agricultural origin.~~
- (b) ~~The minimum alcoholic strength by volume of *guignolet* shall be 15 %.~~
- (c) ~~The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *guignolet*.~~
- (d) ~~The sales denomination may be supplemented by the term ‘liqueur’.~~

36. Punch au rhum Punch au rhum

- (a) ~~Punch au rhum is a liqueur for which the alcohol content is provided exclusively by rum.~~
- (b) ~~The minimum alcoholic strength by volume of *punch au rhum* shall be 15 %.~~
- (c) ~~The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *punch au rhum*.~~
- (d) ~~The sales denomination may be supplemented by the term ‘liqueur’.~~

37. *Sloe gin* ~~Sloe gin~~

- (a) *Sloe gin* is a liqueur produced by maceration of sloes in *gin* with the possible addition of sloe juice.
- (b) The minimum alcoholic strength by volume of *sloe gin* shall be 25 %.
- ~~(c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *sloe gin*.~~
- ~~(d) The sales denomination may be supplemented by the term 'liqueur'.~~

~~38. 'Sloe aromatised spirit drink or Pacharán'~~

~~Sloe aromatised spirit drink or *Pacharán* is a spirit drink:~~

- ~~(a) which has a predominant sloe taste and is obtained by the maceration of sloes (*Prunus spinosa*) in ethyl alcohol of agricultural origin, with the addition of natural extracts of anise or distillates of anise or both;~~
- ~~(b) which has a minimum alcoholic strength by volume of 25 %;~~
- ~~(c) for the production of which a minimum quantity of 125 grams of sloe fruits per litre of final product has been used;~~
- ~~(d) which has sugar content, expressed as invert sugar between 80 and 250 grams per litre of the final product;~~
- ~~(e) the organoleptic characteristics, colour and taste of which are provided exclusively by the fruit used and the anise.~~

~~The term '*Pacharán*' may be used as a sales denomination only when the product is produced in Spain. When the product is produced outside Spain, '*Pacharán*' may only be used to supplement the sales denomination 'Sloe aromatised spirit drink', provided that it is accompanied by the words: 'produced in ...', followed by the name of the Member State or third country of production.~~

39. Sambuca ~~Sambuca~~

- (a) *Sambuca* is a colourless aniseed-flavoured liqueur which meets the following **requirements conditions**:
- (i) it contains distillates of anise (*Pimpinella anisum* L.), star anise (*Illicium verum* L.) or other aromatic herbs;
 - (ii) it has a minimum sugar content of ~~370~~ **350** grams per litre expressed as invert sugar **equivalent**;
 - (iii) it has a natural anethole content of not less than 1 gram and not more than 2 grams per litre.
- (b) The minimum alcoholic strength by volume of *sambuca* shall be 38 %.
- ~~(c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 apply to *sambuca*.~~
- ~~(d) The sales denomination may be supplemented by the term 'liqueur'.~~

40. Maraschino, Marrasquino or Maraskino ~~Maraschino, Marrasquino or Maraskino~~

- (a) *Maraschino, marrasquino* or *maraskino* is a colourless liqueur the flavour of which is given mainly by a distillate of marasca cherries or of the product obtained by macerating cherries or parts of cherries in **ethyl** alcohol of agricultural origin **or in distillates of marasca cherries**, with a minimum sugar content of 250 grams per litre expressed as invert sugar **equivalent**.
- (b) The minimum alcoholic strength by volume of *maraschino, marrasquino* or *maraskino* shall be 24 %.
- ~~(c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *maraschino, marrasquino* or *maraskino*.~~
- ~~(d) The sales denomination may be supplemented by the term 'liqueur'.~~

41. Nocino ~~Nocino~~

- (a) *Nocino* is a liqueur the flavour of which is given mainly by maceration or distillation or both of whole green walnuts (*Juglans regia* L.) ~~with a minimum sugar content of 100 grams per litre expressed as invert sugar.~~
- (b) The minimum alcoholic strength by volume of *nocino* shall be 30 %.
- ~~(c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *nocino*.~~
- ~~(d) The sales denomination may be supplemented by the term 'liqueur'.~~

42. Egg liqueur or advocaat ~~advocaat~~ or avocat ~~avocat~~ or advokat ~~advokat~~

- (a) Egg liqueur or *advocaat* or *avocat* or *advokat* is a **liqueur** ~~spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit, or a mixture thereof,~~ the **characteristic** ingredients of which are quality egg yolk, egg white and sugar or honey **or both**. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar **equivalent**. The minimum content of pure egg yolk must be 140 grams per litre of the final product.
- (b) The minimum alcoholic strength by volume of egg liqueur or *advocaat* or *avocat* or *advokat* shall be 14 %.
- (c) Only flavouring substances, **food ingredients with flavouring properties** and flavouring preparations may be used in the preparation of egg liqueur or *advocaat* or *avocat* or *advokat*.

43. Liqueur with egg

- (a) Liqueur with egg is a **liqueur** ~~spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit drink, or a mixture thereof,~~ the characteristic ingredients of which are quality egg yolk, egg white and sugar or honey **or both**. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar **equivalent**. The minimum egg yolk content must be 70 grams per litre of the final product.

~~(b) The minimum alcoholic strength by volume of liqueur with egg shall be 15 %.~~

(c) Only natural flavouring substances, **food ingredients with flavouring properties** and flavouring preparations may be used in the preparation of liqueur with egg.

44. Mistrà ~~Mistrà~~

(a) *Mistrà* is a colourless spirit drink flavoured with aniseed or natural anethole which meets the following **requirements** ~~conditions~~:

(i) it has an anethole content of not less than 1 gram and not more than 2 grams per litre;

(ii) it may also contain a distillate of aromatic herbs;

(iii) it has **not been sweetened** ~~no added sugar~~.

(b) The minimum alcoholic strength by volume of *mistrà* shall be 40 % and the maximum alcoholic strength by volume shall be 47 %.

(c) ***Mistrà* may only be flavoured with flavouring preparations and** Only natural flavouring substances ~~and flavouring preparations may be used in the preparation of *mistrà*.~~

45. Väkevä glögi ~~Väkevä glögi~~ or spritglögg ~~spritglögg~~

(a) *Väkevä glögi* or *spritglögg* is a spirit drink produced by flavouring **wine and** ethyl alcohol of agricultural origin with flavour of cloves or cinnamon or both, using one of the following processes: Maceration or distillation, **distillation** ~~re-distillation~~ of the alcohol in the presence of parts of the plants specified above, addition of natural flavouring substances of cloves or cinnamon or a combination of these processes.

~~(b) The minimum alcoholic strength by volume of *väkevä glögi* or *spritglögg* shall be 15 %.~~

(c) **Other flavourings may also be used to flavour *väkevä glögi* or *spritglögg*, however** Flavouring substances, flavouring preparations or other flavourings may also be used, ~~but~~ the flavour of the specified spices **specified in point (a) must shall** be predominant.

(d) The content of wine or wine products shall not exceed 50 % of the final product.

46. **Berenburg Berenburg or Beerenburg Beerenburg**

- (a) *Berenburg* or *Beerenburg* is a spirit drink which meets the following **requirements conditions**:
- (i) it is produced using ethyl alcohol of agricultural origin;
 - (ii) it is produced by the maceration of fruit or plants or parts thereof;
 - (iii) it contains as specific flavour distillate of gentian root (*Gentiana lutea* L.), of juniper berries (*Juniperus communis* L.) and of laurel leaves (*Laurus nobilis* L.);
 - (iv) it varies in colour from light to dark brown;
 - (v) it ~~is may~~ be sweetened to a maximum of 20 grams **of sweetening products** per litre expressed as invert sugar **equivalent**.
- (b) The minimum alcoholic strength by volume of *Berenburg* or *Beerenburg* shall be 30 %.
- (c) ***Berenburg* or *Beerenburg* may only be flavoured with flavouring preparations and** ~~Only natural flavouring substances and flavouring preparations may be used in the preparation of *Berenburg* or *Beerenburg*.~~

47. **Honey or mead nectar**

- (a) Honey or mead nectar is a spirit drink produced by flavouring the mixture of fermented honey mash and honey distillate or ethyl alcohol of agricultural origin or both, which contains at least 30 % vol. of fermented honey mash.
- (b) The minimum alcoholic strength by volume of honey or mead nectar shall be 22 %.
- (c) **Honey or mead nectar may only be flavoured with flavouring preparations and** ~~Only natural flavouring substances, and flavouring preparations may be used in the preparation of honey or mead nectar~~ provided that the honey taste is predominant.
- (d) Honey or mead nectar may be sweetened only with honey.

ANNEX III PART II

SPECIFIC RULES CONCERNING CERTAIN SPIRIT DRINKS

OTHER THAN THOSE LISTED IN ANNEX II Part I

1. *Rum-Verschnitt* is produced in Germany and obtained by mixing rum and **ethyl alcohol of agricultural origin**, whereby a minimum proportion of 5 % of the alcohol contained in the final product must come from rum. The minimum alcoholic strength by volume of *Rum-Verschnitt* shall be 37,5 %. As regards the labelling and presentation, the word *Verschnitt* must appear in the **description**, presentation and labelling in characters of the same font, size and colour as, and on the same line as, the word '*Rum*' and, in the case of bottles, on the front label. The **legal name sales denomination** of this product shall be 'spirit drink'. Where this product is sold outside Germany, its alcoholic composition must appear on the label.
2. *Slivovice* is produced in the Czech Republic and obtained by the addition to the plum distillate, before the final distillation, of ethyl alcohol of agricultural origin, whereby a minimum proportion of 70 % of the alcohol contained in the final product must come from plum distillate. The **legal name sales denomination** of this product shall be 'spirit drink'. The name *slivovice* may be added if it appears in the same visual field on the front label. If *slivovice* is sold outside the Czech Republic, its alcoholic composition must appear on the label. This provision is without prejudice to the use of the **legal names name *slivovitz*** for fruit spirits ~~in accordance to category 9 of Part I of this Annex II~~.
3. ***Guignolet Kirsch* is produced in France and obtained by mixing *Guignolet* and *Kirsch*, whereby a minimum proportion of 3% of the total pure alcohol contained in the final product must come from kirsch. The word '*Guignolet*' must appear in the **description**, presentation and labelling in characters of the same font, size and colour as, and on the same line as, the word '*Kirsch*' and, in case of bottles, on the front label. **The legal name of this product shall be 'liqueur'**. Its alcoholic composition must indicate the percentage by volume of pure alcohol that *Guignolet* and *Kirsch* represent in the total pure alcohol content by volume of *Guignolet Kirsch*.**

ANNEX IV

DYNAMIC OR 'CRIADERAS Y SOLERAS' AGEING SYSTEM

The dynamic or 'criaderas y soleras' ageing system consists in the execution of periodical extractions of a portion of the brandy contained in each of the oak casks and containers that form an ageing scale and the corresponding replenishments with brandy extracted from the preceding ageing scale.

Definitions

'Ageing scales' mean each group of oak casks and containers with the same level of maturation, through which the brandy progresses in the course of its ageing process. Each scale is known as 'criadera', except the last one, previous to the expedition of the brandy, known as the 'solera'.

'Extraction' means partial volume of brandy drawn from each oak cask and container in an ageing scale, for its incorporation to the oak casks and containers in the next ageing scale or, in the case of the solera, for its expedition.

'Replenishment' means the volume of brandy from the oak casks and containers of a given ageing scale that is incorporated to and blended with the content of the oak casks and containers of the following scale in terms of age.

'Average age' means the period of time corresponding to the rotation of the total stock of brandy that is undergoing the ageing process, calculated as the fraction between the total volume of brandy contained in all the ageing scales and the volume of the extractions made from the last scale –the solera– in one year.

The average age of the brandy drawn from the solera can be calculated using the following formula: $\bar{t} = Vt / V_e$, in which:

- t is the average age, expressed in years;
- Vt is the total volume of stocks in the ageing system, expressed in litres of pure alcohol;
- Ve is the total volume of product extracted for shipping during a year, expressed in litres of pure alcohol.

In the case of oak casks and containers of less than 1 000 litres, the number of annual extractions and replenishments shall be equal to or lower than twice the number of scales in the system, in order to guarantee that the youngest component has an age equal to or higher than 6 months.

In the case of oak casks and containers of 1.000 litres or more, the number of annual extractions and replenishments shall be equal to or lower **than the number** of scales in the system, in order to guarantee that the youngest component has an age equal to or higher than 1 year.

CORRELATION TABLE

[To be completed at a later stage]
