



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 13 December 2007

**Interinstitutional File:
2005/0028 (COD)**

**15505/07
ADD 1 REV 1**

**AGRIFIN 134
AGRIORG 119
CODEC 1314**

REVISED ADDENDUM TO THE NOTE

from : Council Secretariat

to : Council

No. prev. doc.: 10926/07

No. Cion prop. : 15902/05 - COM(2005) 125 final

Subject : Adoption of a Regulation of the European Parliament and the Council on the definition, description, presentation and labelling of spirit drinks
- Agreement with the European Parliament at first reading

STATEMENTS TO BE ENTERED IN THE COUNCIL MINUTES

Commission and Council statement on labelling for sweetening

The Commission and Council agree on the need for the rules for labelling ingredients for spirit drinks as referred to in Directive 2000/13/EC to be adopted as soon as possible.

Commission statement regarding the level of permissible hydrocyanic acid and ethyl carbamate content in relation to the discussion on the proposal regarding spirit drinks

The Commission considers that the question regarding the permissible content of hydrocyanic acid and ethyl carbamate in spirit drinks is a matter of Public Health.

The Commission services will undertake an investigation of this matter as soon as possible with a view to coming forward with scientific data and possible proposals to reconsider the maximum content for hydrocyanic acid and establish a maximum content for ethyl carbamate in stone-fruit marc spirits and stone-fruit spirits.

Statement by Poland on vodka

Protecting the reputation of the sales denomination of every spirit drink of importance to the European Union is in the wider interests of both consumers and undertakings which sell products on the internal market and export products to third countries. It is also essential for ensuring that raw materials originating within the territory of the European Union are used in the production of such drinks.

"Vodka" is the sales denomination of a spirit drink the sale of which accounts for a significant proportion of sales of alcoholic drinks. The spirit drink marketed under the sales denomination "vodka" is currently enjoying a marked increase in popularity among consumers, in particular in OECD countries.

Permission under EU law for the use of the sales denomination "vodka" to describe products manufactured from raw materials other than the cereals and potatoes traditionally employed would undermine the reputation of vodka and have a negative impact on its quality and future market position. Poland regrets the fact that the definition's distinction between two groups of raw materials is not linked to any special and effective legal protection for the sales denomination "vodka" in the case of products manufactured from traditional raw materials, which is after all the fundamental objective of the legal act with regard to all other spirit drinks.

Departing from the sales denomination methodology adopted in the Regulation and simply referring to the horizontal provisions of Directive 2000/13/EC, which apply to all foodstuffs, as regards indicating the name of a non-traditional raw material on the label – Article 13(2) – frustrates the basic aim of the Regulation, which is to lay down special provisions for spirit drinks in a separate legal act. This approach will lead to the possibility of consumers being given inaccurate or indirect information on the raw materials used to produce the alcohol; as a result, consumers could be misled. Such a solution has not been applied to any other spirit drink or to the sales denomination of any other product whose name is specially protected and specifically regulated at Community level.

The definition of vodka which has been adopted does not safeguard the interests of those who produce vodka from traditional raw materials, who produce 98 % of all the vodka produced in the EU (in conformity with other world producers such as Russia, Ukraine and Canada). This means that future producers of new vodkas made from non-traditional raw materials will automatically be able to draw the benefits of the reputation acquired over many years by vodkas produced from traditional raw materials.

This constitutes a licence to experiment and seek out cheap raw materials in the territory of the European Union, or in third countries. The effects of this decision will therefore be felt not only by producers and consumers, but also by producers of ethyl alcohol and by EU farmers who have been supplying the raw materials used to make vodka for many years.

In view of the foregoing, Poland opposes adoption by the Council of the Regulation of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89.
