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**NOTE**

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From: General Secretariat of the Council  
To: Delegations  
Subject: Amending Regulation as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products  
– Presidency suggested amendments

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Delegations will find attached the Presidency suggested amendments on the Commission proposal concerning the Amending Regulation as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products. Suggested additions compared to the Commission proposal are marked in **bold** and suggested deletions appear in ~~strike through~~.

*Article 1*

**Amendments to Regulation (EU) No 1308/2013**

Regulation (EU) No 1308/2013 is amended as follows:

(1) Article 62(3) is replaced by the following:

- ‘3. The authorisations referred to in paragraph 1, granted in accordance with Articles 64 and 68, shall be valid for three years from the date on which they were granted. A producer who has not used an authorisation granted in accordance with Articles 64 and 68 during its period of validity shall be subject to administrative penalties as provided for in Article 90a(4).

By way of derogation from the first subparagraph, producers who hold valid authorisations in accordance with Articles 64 and 68 granted before 1 January 2025 shall not be subject to the administrative penalty referred to in Article 90a(4) provided that they inform the competent authorities before the date of expiry of the authorisation and at the latest by 31 December 2026 that they do not intend to make use of their authorisation.

Authorisations granted in accordance with Article 66 on replantings shall be valid for eight years from the ~~date on~~ **end of the wine year in** which they were granted. Producers who have not used an authorisation granted in accordance with Article 66 during its period of validity shall not be subject to the administrative penalty referred to in Article 90a(4).’

(2) Article 63 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. Member States may:

- (a) apply at national level a lower percentage than the percentage set out in paragraph 1;

- (b) limit the issuing of authorisations **up to 0 %** at regional level, for specific areas eligible for the production of wines with a protected designation of origin, for areas eligible for the production of wines with a protected geographical indication, or for areas without a geographical indication
- (c) limit the issuing of authorisations **up to 0 %** for new plantings at regional level, for specific areas where national or Union measures concerning distillation of wine, green harvesting or grubbing up have been implemented in justified cases of crisis.

For the purposes of point (c), ‘green harvesting’ means the total destruction or removal of grape bunches while still in their immature stage, thereby reducing the yield of the relevant area to zero, and excluding non-harvesting comprising of leaving commercial grapes on the plants at the end of the normal production cycle. Member States that limit the issuing of authorisations for new plantings at regional level in accordance with the first subparagraph, points (b) or (c), may require such authorisations to be used in those regions.;

- (b) in paragraph 3, first subparagraph, the introductory sentence is replaced by the following:

‘3. Any of the limitations referred to in paragraph 2 shall contribute to adapting the production potential to the market demand and shall be justified on one or more of the following specific grounds:’

- (3) In Article 66(3), the following second subparagraph is added:

‘A Member State may also subject the granting of the replanting authorisations referred to in paragraph 1 to one or more of the following conditions:

- (a) the authorisation shall be used in the same geographical area, **to be defined by the Member State**, where the corresponding grubbed up vines were located, where maintaining viticulture in that geographical area is justified by socio-economic or environmental reasons;

- (b) only varieties and production methods, *defined by the Member States*, that do not increase the average yield compared to the grubbed up vines or only traditional varieties and production methods of a given region shall be used where the corresponding grubbed up area was located in a production region that the Member State has qualified as affected by a structural market imbalance, or
- (c) the authorisation shall not be used in a production region that is different from the one where the grubbed up area is located where the Member State has qualified that different production region as affected by a structural market imbalance.’

(4) Article 67 is replaced by the following:

‘Article 67

De minimis

The scheme of authorisations for vine plantings established in this Chapter shall not apply in Member States where the vineyard area has not exceeded 10 000 ha in at least three of the previous five marketing years. Where that condition is no longer fulfilled in a Member State, the scheme of authorisations for vine plantings shall apply in that Member State as from the beginning of the marketing year following that in which the condition ceased to be fulfilled.’

(5) Article 119(1) is amended as follows:

(a) point (a) is replaced by the following:

‘(a) the designation for the category of the grapevine product in accordance with Annex VII, Part II. For grapevine product categories defined under Annex VII, Part II, point (1) and points (4) to (9), where a de-alcoholisation treatment in accordance with Annex VIII, Part I, section E, has been applied to the totality or to part of the product, the designation of the category shall be accompanied by:

- (i) the term ‘alcohol-free’ if the actual alcoholic strength of the product does not exceed 0,5 % by volume; accompanied by the expression ‘0,0%~~[0.0 %]~~’, if the actual alcoholic strength of the product does not exceed 0,05% by volume;
- (ii) the term ‘~~alcohol-light~~*low-alcohol*’ if the actual alcoholic strength of the product is above 0,5 % by volume and is at least 30 % below the minimum actual alcoholic strength of the category before de-alcoholisation.’

(b) the following point (k) is added:

‘(k) For grapevine products referred to in point (a), second sentence, the expression ‘produced by de-alcoholisation.’

(6) In Article 122(1), point (d), the following points are added:

- ‘(v) the identification on the package or the label attached thereto of the electronic means referred to in Article 119(4) and (5), including by means of a pictogram or symbol instead of words;
- (vi) the form and layout of the information provided by electronic means, to simplify its presentation, adapt it to future technological progress, to new requirements on information relevant to consumers as provided for by Union or national legislation, or to improve consumer accessibility.’

(7) In Article 167(1), the first subparagraph is replaced by the following:

- ‘1. In order to improve and stabilise the operation of the common market in wines, including the grapes, musts and wines from which they derive, producer Member States may lay down marketing rules to regulate supply, including the setting of maximum yields and setting rules for the management of stocks. Member States ~~shall~~**may** take into account proposals adopted by producer organisations recognised under Articles 152 and 154 or interbranch organisations recognised under Articles 157 and 158, **or producer groups managing protected designations of origin and protected geographical indications in accordance with Article 33 of Regulation (EU) 2024/1143**, when such organisations are considered to be representative for the wine sector, in accordance with Article 164(3), in the economic area or areas where the rules are intended to be applied.’<sup>2</sup>

(8) Article 216 is amended as follows:

- (a) the title is replaced by the following:

‘National payments for distillation of wine, green harvesting or grubbing up in justified cases of crisis’

- (b) paragraph 1 is replaced by the following:

- ‘1. Member States may make national payments to wine producers for the voluntary or mandatory distillation of wine, voluntary green harvesting and voluntary grubbing up of productive vineyards in justified cases of crisis.

For the purposes of this Article, ‘green harvesting’ ~~means the total destruction or removal of grape bunches while still in their immature stage, thereby reducing the yield of the relevant area to zero, and excluding non-harvesting comprising of leaving commercial grapes on the plants at the end of the normal production cycle~~**has the meaning as defined in Article 63(2).**

The payments referred to in the first subparagraph shall not exceed the *aggregate sum of* costs of the product, where relevant, ~~and of the operation concerned,~~ ~~plus~~ *and* an incentive to engage in such operation, ~~to allow for the crisis to be addressed.~~

*Those payments shall be proportionate and shall allow the crisis to be addressed.*

The overall amount of payments available in a Member State in any given year for national payments for distillation and green harvesting shall not exceed 20% of the globally available funds per Member State for that year as laid down in Annex VII to Regulation (EU) 2021/2115.’

(c) paragraph 2 is replaced by the following:

- ‘2. Member States wishing to make use of the national payments referred to in paragraph 1 shall submit a duly substantiated notification to the Commission. In their notifications, Member States shall justify the appropriateness of the measure, its duration and the amounts of support and other modalities on the basis of their specific market circumstances and those of the wine regions in which the measure would be implemented.

The Commission shall decide, without applying the procedure referred to in Article 229(2) or (3), whether the amount, duration and other modalities of the measure are approved and whether the payments to wine producers may be made.’

(d) paragraph 4 is replaced by the following:

- ‘4. The Commission may adopt delegated acts in accordance with Article 227 to supplement this Article by laying down rules concerning minimal requirements for the existence of a crisis situation and concerning the calculation of the national payments.’

- (9) In Part II of Annex VII, the following paragraph is added as second subparagraph to the introductory wording:

‘Grapevine products of the categories set out in:

- 1) points (4), (5) and (8) may and (7) may also be obtained, respectively, by second fermentation of, or by de-alcoholised or partially de-alcoholised wines referred to in point (1),*  
*2) points (7) and (9) may be obtained by the addition of carbon dioxide to, de-alcoholised or partially de-alcoholised wines referred to in point (1).’*

## Article 2

### Amendments to Regulation (EU) No 251/2014

Regulation (EU) No 251/2014 is amended as follows:

- (1) In Article 3, the following paragraph is added:

‘5. By way of derogation from the minimum **actual alcoholic strength and total** alcoholic strength thresholds laid down in paragraph 2, point (g), paragraph 3, point (g), and paragraph 4, point (f), and in Annex II for each product category, aromatised wine products may have a lower actual **and total** alcoholic strength by volume where they are obtained from grapevine products that have undergone in their totality or in part a de-alcoholisation treatment in accordance with Section E of Part I of Annex VIII to Regulation (EU) No 1308/2013.’

- (2) In Article 5, the following paragraph is inserted:

‘1a. Where aromatised wine products have been obtained from grapevine products that have undergone in their totality or in part a de-alcoholisation treatment in accordance with Section E, Part I of Annex VIII to Regulation (EU) No 1308/2013, their sales denominations shall be supplemented by the same terms as those laid down for those grapevine products in Article 119(1), point (a), second sentence, and in Article 119(1), point (k), of Regulation (EU) No 1308/2013 under the same conditions.’

(3) In Article 6a, the following paragraph is added :

‘4a. In order to take into account the specific characteristics of the aromatised wine sector, the Commission shall be empowered to adopt delegated acts in accordance with Article 34(2) to supplement this Regulation by adopting rules on:

- (a) the identification on the package or the label attached thereto of the electronic means referred to in paragraph 2 and 3, including by means of a pictogram or symbol instead of words;
- (b) the form and layout of the information provided by electronic means, to simplify its presentation, adapt it to future technological progress, to new requirements on information relevant to consumers as provided for by Union or national legislation, or to improve consumer accessibility.’

**(3a) In Article 8, paragraph 1 is replaced by the following:**

***‘1. The sales denominations set out in italics in Annex II shall not be translated on the label or in the presentation of aromatised wine products. Additional and mandatory particulars referred to in Articles 6 and Article 6a as well as in Article 5(1a) of this Regulation shall, where expressed in words, appear in one or more official languages of the Union.’***

(4) In Part B of Annex II, point (8) is replaced by the following:

‘(8) *Glühwein*

Aromatised wine-based drink

- which is obtained exclusively from red-~~or~~, white or rosé wine or a combination thereof,
- which is flavoured mainly with cinnamon or cloves, or both, and
- which has an actual alcoholic strength by volume of not less than 7 % vol.;

Without prejudice to the quantities of water resulting from the application of Annex I, point 2, the addition of water is forbidden.

Where it has been prepared *exclusively* from white wine, the sales denomination 'Glühwein' shall be supplemented by words indicating *that it has been obtained from white wine*, such as the word 'white'.

Where it has been prepared exclusively from rosé wine, the sales denomination 'Glühwein' shall be supplemented by words indicating *that it has been obtained from rosé wine*, such as the word 'rosé'. The word 'rosé' shall however not be used where the *Glühwein* is obtained by combining red wine with white wine or any of those wines with rosé wine.

*Where it has been prepared from a combination of red, white or rosé wine, the sales denomination 'Glühwein' shall be supplemented by the words 'made from ...' supplemented with terms indicating the colours of the wine used in the production.*

By way of derogation from Article 5(1) and (3) of this Regulation *and second indent of the first subparagraph of this point*, the sales denomination 'Glühwein' may be used in the presentation and labelling of ~~alcoholic~~ *fermented* beverages produced in accordance with the above requirements, ~~but~~ which have been obtained from ~~fermented beverages obtained from fruits other than grapes~~ *fruit wine, as defined by Member States, in accordance with point (a) of fifth subparagraph in point 1 of Part II of Annex VII to regulation (EU) No 1308/2013, and which have an actual alcoholic strength by volume of not less than 5% vol.* In that case, the sales denomination 'Glühwein' ~~of such fermented beverage may use the term 'Glühwein' that~~ must be supplemented by words indicating that it has been obtained from a fruit wine, *with the word 'fruit' or the name of one of the following terms: 'Heidelbeer-Glühwein', 'Apfel-Glühwein' or 'Frucht-Glühwein' the fruit used for the production of such fruit wine.*''<sup>2</sup>

(4a) *In Part B of Annex II, point (12) is replaced by the following:*

*‘(12) Pelin*

*Aromatised wine-based drink*

*- which is obtained from red, white or rosé wine or from a combination thereof and a specific mixture of herbs;*

*- which has an actual alcoholic strength by volume of not less than 8,5% vol.; and*

*- which has a sugar content expressed as invert sugar of at most 50% grams per litre, and a total acidity of not less than 3 grams per litre expressed as tartaric acid.*

*Where it has been prepared exclusively from white, red or rosé wine, the sales denomination may be supplemented with the words ‘white’, ‘red’ or ‘rosé’, respectively.*

*However, the words ‘rosé’ shall not be used where the product is obtained by combining red wine with white wine or any of these wines with rosé wine.’*

### *Article 3*

## **Amendments to Regulation (EU) 2021/2115**

Regulation (EU) 2021/2115 is amended as follows:

(1) Article 58(1) is amended as follows:

(a) point (i) is replaced by the following:

‘(i) actions undertaken by interbranch organisations recognised by Member States in the wine sector in accordance with Regulation (EU) No 1308/2013 or by producer groups managing protected designations of origin and protected geographical indications in accordance with Regulation (EU) 2024/1143\* aiming at enhancing the reputation of Union vineyards by promoting wine tourism in production regions;

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\* Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).’

(b) the following ~~second~~-subparagraph is inserted after the first subparagraph:

‘For the purposes of the first subparagraph, point (a), Member States may lay down in their CAP Strategic Plans specific agronomic, viticultural or any other kind of conditions which ensure that ~~there is no increase in yield for the vineyard subject to this type of interventions after the~~ varietal conversion, ~~the~~ relocation of the vineyard, ~~the~~ replanting of the vineyard or ~~the~~ improvement of the vineyard management techniques ***undertaken under this type of interventions does not generate an increase in yield in the vineyard be replanted.***’

- (c) the second subparagraph becomes the third subparagraph and is replaced by the following:

‘The first subparagraph, point (k), shall apply only to wines with a protected designation of origin or a protected geographical indication or wines with an indication of the wine grape variety. Promotion and communication operations aimed at the consolidation of market outlets shall be limited to a maximum non-extendable duration of five years and shall concern only the Union quality schemes covering designations of origin and geographical indications.’

- (d) *the following point is added in the first subparagraph:*

*‘(n) actions undertaken to prevent the spread of flavescence dorée by producer organisations recognised under Articles 152 and 154 of Regulation (EU) No 1308/2013 or interbranch organisations recognised by Member States under Articles 157 and 158 of that Regulation or producer groups managing protected designation of origin and protected geographical indicators in accordance with Article 33 of Regulation (EU) 2024/1143.’*

- (2) Article 59 is amended as follows:

- (a) paragraph 2 is replaced by the following:

‘2. The Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (b), shall not exceed:

- (a) 50 % of eligible investment costs in less developed regions;
- (b) 40 % of eligible investments costs in regions other than less developed regions;
- (c) 75 % of eligible investment costs in the outermost regions;
- (d) 65 % of eligible investment costs in the smaller Aegean islands.

The Union financial assistance at the maximum rate set out in the first subparagraph shall only be granted to micro, small and medium-sized enterprises within the meaning of Commission Recommendation 2003/361/EC\*\* and to producer organisations recognised under Regulation (EU) No 1308/2013. However, it may be granted to all enterprises in the outermost regions and in the smaller Aegean islands.

For enterprises, other than producer organisations recognised under Regulation (EU) No 1308/2013, which are not covered by Article 2(1) of the Annex to Recommendation 2003/361/EC, with fewer than 750 employees or with an annual turnover of less than EUR 200 million, the maximum levels of Union financial assistance set out in the first subparagraph shall be halved.

By way of derogation from the first subparagraph, the Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (b), may be increased to up to 80% of eligible investment costs for investments linked to the objective of contributing to climate change mitigation and adaptation set out in Article 57, point (b).

No Union financial assistance shall be granted to enterprises in difficulty within the meaning of the Commission Communication ‘Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty\*\*\*.

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\*\* Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: <http://data.europa.eu/eli/reco/2003/361/oj>).

\*\*\* OJ C 249, 31.7.2014, p. 1, ELI: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0731\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0731(01)).

(b) in paragraph 4, the following subparagraph is added:

‘However, the Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (m), may be increased to up to 80% of eligible investment costs for investments linked to the objective of contributing to climate change mitigation and adaptation set out in Article 57, point (b).;’

(c) paragraph 6 is replaced by the following:

‘6. The Union financial assistance for innovation referred to in Article 58(1), first subparagraph, point (e), shall not exceed:

- (a) 50 % of eligible investment costs in less developed regions;
- (b) 40 % of eligible investment costs in regions other than less developed regions;
- (c) 80 % of eligible investment costs in the outermost regions;
- (d) 65 % of eligible investment costs in the smaller Aegean islands.

The Union financial assistance at the maximum rate set out in the first subparagraph shall only be granted to micro, small and medium-sized enterprises within the meaning of Commission Recommendation 2003/361/EC and to producer organisations recognised under Regulation (EU) No 1308/2013. However, it may be granted to all enterprises in the outermost regions and in the smaller Aegean islands.

For enterprises, other than producer organisations recognised under Regulation (EU) No 1308/2013, which are not covered by Article 2(1) of the Annex to Recommendation 2003/361/EC, with fewer than 750 employees or with an annual turnover of less than EUR 200 million, the maximum levels of Union financial assistance set out in the first subparagraph shall be halved.

By way of derogation from the first subparagraph, the Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (e), may be increased to up to 80% of eligible investment costs for investments linked to the objective of contributing to climate change mitigation and adaptation set out in Article 57, point (b).

No Union financial assistance shall be granted to enterprises in difficulty within the meaning of the Commission Communication ‘Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty’.’’

*(ca) after paragraph 7, paragraph 7a is inserted:*

*‘7a. The Union financial assistance for actions against flavescence dorée referred to in Article 58(1), first subparagraph, point (n) may reach 100% of the eligible costs.’*

#### *Article 4*

#### **Transitional provision**

Grapevine products which have been labelled in accordance with Article 119(1), point (a), second sentence, of Regulation (EU) No 1308/2013 prior to [specific date - 18 months from the date of entry into force] may continue to be placed on the market until stocks are exhausted.

*Article 5*

**Entry into force and application**

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

However, Article 1(5) shall apply from [specific date – 18 months from the date of entry into force].

Done at Brussels,

*For the European Parliament*  
*The President*

*For the Council*  
*The President*

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