Council of the
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION establishing the position to be taken on behalf of the European Union with regard to certain resolutions to be voted on at the 21st General Assembly of the International Organisation of Vine and Wine, to be held on 9 June 2023

COUNCIL DECISION (EU) 2023/…

of …

establishing the position to be taken on behalf of the European Union with regard to certain resolutions to be voted on at the 21st General Assembly of the International Organisation of Vine and Wine, to be held on 9 June 2023

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

(1) The International Organisation of Vine and Wine (OIV) will examine and possibly adopt resolutions ('draft OIV resolutions') in its next General Assembly on 9 June 2023. Those resolutions will have legal effects for the purposes of Article 218(9) of the Treaty.

(2) The Union is not a member of the OIV. However, on 20 October 2017, the OIV granted to the Union the particular status provided for in Article 4 of the Rules of Procedure of the OIV.

(3) 20 Member States are members of the OIV. Those Member States have the possibility to propose amendments to the draft OIV resolutions and will be asked to adopt those resolutions in the next OIV General Assembly scheduled for 9 June 2023.

(4) It is appropriate to establish the position to be taken on the Union's behalf at the OIV meetings with regard to the draft OIV resolutions in relation to matters within its competence. That position should be expressed at the OIV meetings by the Member States which are members of the OIV, acting jointly in the interest of the Union.

(5) Pursuant to Regulation (EU) No 1308/2013 of the European Parliament and of the Council[1] and Commission Delegated Regulation (EU) 2019/934[2], certain resolutions adopted and published by the OIV will have legal effects.

(6) Article 80(3)(a) of Regulation (EU) No 1308/2013 provides that the Commission is to take into account the oenological practices and methods of analysis recommended and published by the OIV when authorising oenological practices.

(7) Article 80(5) of Regulation (EU) No 1308/2013 provides that the Commission, when laying down methods of analysis for determining the composition of the products of the wine sector, is to base those methods on any relevant methods recommended and published by the OIV, unless they are ineffective or inappropriate in view of the objective pursued by the Union.

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

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

(8) Article 90(2) of Regulation (EU) No 1308/2013 provides that products of the wine sector imported into the Union are to be produced in accordance with oenological practices authorised by the Union pursuant to that Regulation or, prior to that authorisation, produced in accordance with oenological practices recommended and published by the OIV.

(9) Draft Resolution OENO-SCMA 20-666 establishes a new method of analysis for wines. Draft Resolution OENO-SCMA 21-687 amends the method of analysis used for the determination of sorbic, benzoic and salicylic acid content in wine by the use of high-performance liquid chromatography. In accordance with Article 80(3)(a) and Article 80(5) of Regulation (EU) No 1308/2013, those Resolutions will have legal effects.

(10) Draft Resolution OENO-TECHNO 19-657 replaces an existing oenological practice in wine and draft Resolution OENO-TECHNO 19-658 establishes a new oenological practice in wine vinegar. In accordance with Article 80(3)(a) and Article 90(2) of Regulation (EU) No 1308/2013, those Resolutions will have legal effects.

(11) Those draft OIV resolutions have been extensively discussed between scientific and technical experts of the wine sector. They contribute to the international harmonisation of wine standards and will set a framework which will ensure fair competition in the trading of products of the wine sector. They should therefore be supported.

(12) In order to allow for the necessary flexibility during the negotiations ahead of the OIV General Assembly on 9 June 2023, Member States which are members of the OIV should be authorised to agree to changes to those draft OIV resolutions provided that such changes do not alter the substance thereof,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the OIV General Assembly scheduled for 9 June 2023 is set out in the Annex to this Decision.

Article 2

The position referred to in Article 1 shall be expressed by the Member States which are Members of the OIV, acting jointly in the interest of the Union.

Article 3

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

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

Article 4

This Decision shall enter into force on the date of its adoption.

Done at …, …

For the Council
The President