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### WORKING PAPER

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#### **CONTRIBUTION**

From:	General Secretariat of the Council
To:	Delegations
N° prev. doc.:	7451/1/19 REV 1 + COR 1
N° Cion doc.:	9556/18 + REV 1 (en, de, fr) + COR 1
Subject:	Regulation on common market organisation (CMO) of agricultural products - Polish comments

Delegations will find attached comments from the Polish delegation.

Warsaw, dnia 30 października 2019

RR.wa.0821.2.2019

Concerning additional point to the document 7451/1/19 REV 1 + COR 1

**New sales denomination for aromatised wine-based drinks**

(change of Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91)

Poland would like to introduce new sales denomination for aromatised wine product regulated in regulation No 251/2014.

As defined in Article 3 point 2 of regulation 251/2014 ‘**aromatised wine**’ is a drink:

- (a) obtained from one or more of the grapevine products defined in point 5 of Part IV of Annex II and in points 1 and 3 to 9 of Part II of Annex VII to Regulation (EU) No 1308/2013, with the exception of ‘Retsina’ wine;
- (b) in which the grapevine products referred to in point (a) represent at least 75 % of the total volume;
- (c) to which alcohol may have been added;
- (d) to which colours may have been added;
- (e) to which grape must, partially fermented grape must or both may have been added;
- (f) which may have been sweetened;
- (g) which has an actual alcoholic strength by volume of not less than 14,5 % vol. and less than 22 % vol. and a total alcoholic strength by volume of not less than 17,5 % vol.

Products fulfilling such rules but with actual alcoholic strength equal to 11 % vol. has to be labelled as “Aromatised wine-based drink”, even if it is produced only from wine (90-95% vol.) with addition of herbal flavour and without addition of alcohol. Such innovative, high quality products exists on Polish market.

As defined in Article 3 point 3 of regulation 251/2014 ‘**aromatised wine-based drink**’ is drink:

- (a) obtained from one or more of the grapevine products defined in points 1, 2 and 4 to 9 of Part II of Annex VII to Regulation (EU) No 1308/2013, with the exception of wines produced with the addition of alcohol and ‘Retsina’ wine;
- (b) in which the grapevine products referred to in point (a) represent at least 50 % of the total volume;

- (c) to which no alcohol has been added, except where Annex II provides otherwise;
- (d) to which colours may have been added;
- (e) to which grape must, partially fermented grape must or both may have been added;
- (f) which may have been sweetened;
- (g) which has an actual alcoholic strength by volume of not less than 4,5 % vol. and less than 14,5 % vol.

Product that exists on Polish market in comparison to the definition of “Aromatised wine-based drink” is produced from wine that covers 90-95% of its volume, and is flavoured only with natural flavouring substances as defined in Article 3(2)(c) of Regulation (EC) No 1334/2008 dissolved in wine.

Taking above information into account as well as proper information to the consumer indicating the quality of such product, the introduction on new sales denomination for ‘aromatised wine-based drink’ is needed. Such approach would be also consistent with openness for innovations as well as with consumer need for lower alcoholic products as ‘partly dealcoholized wine’ in document 7451/1/19 REV 1 + COR 1.

**Proposal:**

In Annex II part B point 14 should be added:

(14) ***Wino ziolowe*** [*herbal wine*]

Aromatised wine-based drink:

- which is obtained from wine and in which grapevine products represent at least 85 % of the total volume,
- which is flavoured only with natural flavouring substances coming from herbs,
- which may be flavoured only with natural flavouring substances coming from spices,
- which has not been coloured,
- which has an actual alcoholic strength by volume of not less than 7 % vol.

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