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WORKING PAPER

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NOTE

From:	Presidency
To:	Special Committee on Agriculture (SCA)
N° Cion doc.:	9556/18 + REV 1 (en, de, fr) + COR 1
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products, (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union and (EU) No 229/2013 laying down specific measures for agriculture in favour of the smaller Aegean islands - Presidency note

With a view to the meeting of the Special Committee on Agriculture on 19 April 2021, delegations will find in the Annex a Presidency note on dealcoholisation .

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At the SCA meeting on 12 April 2021, the Presidency sought agreement on a number of compromise proposals including certain issues relating to wine. Some details and technical matters remained open and the Presidency promised to present the final outcome or seek SCA approval if needed. The issues in question are:

- Dealcoholization of PDO and PGI wines

1. Block 2 - Wine and geographical indications

1.3 Dealcoholization of PDO/ PGI wines – Articles 80, 92 and 119; Annexes VII and VIII

The Presidency informed the SCA on 12 April 2021 (document WK 4670/21) about an agreement reached at the super-trilogue on 26 March 2021 providing that PDO and PGI wines can only be partially dealcoholized and sought validation of this outcome.

After the trilogue, the Commission prepared an alternative text for the relevant articles which reflected the compromise reached. As mentioned already in document WK 4670/21, the Commission's proposal included the redrafting of new Section E of Part I of Annex VIII (of the Commission's initial proposal), which had already been accepted by the Council and the EP, and amended also paragraph 1 of Section A of Part II of Annex VIII to be able to restore water to grapevine products that have been dealcoholized.

These elements of the proposal were discussed at the technical level on 13 April 2021. The Commission referred to recent discussions at the OIV and explained that, in order to rebalance dealcoholized wines and ensure a pleasant taste, it might be necessary to add certain oenological practices not permitted at the moment. It considered that the Commission needed more flexibility to define these oenological practices. Moreover, the Commission explained that Paragraph 1 of Section A of Part II of Annex VIII would need to be amended to allow for the restitution of water to grapevine products that have undergone a dealcoholisation process as this was not covered in the current text. At the same meeting, the European Parliament expressed its support for the Commission proposal.

On the Council side, in a spirit of compromise, the Presidency reconsidered its position and preference for the initial text. Given the position of the Commission and the European Parliament, the Presidency agreed to consult the SCA on 19 April on the following:

- I. amending Article 80 to address the limitations to oenological practices for grapevine products that undergo a dealcoholisation process;
- II. allowing partial dealcoholisation for PGIs and PDOs;
- III. dealing with labelling requirements for dealcoholized wine products in Article 119(1) on compulsory labelling particulars;
- IV. redrafting Part II of annex VII to make clear that dealcoholised wine products are part of the different grapevine products categories and do not constitute separate categories;
- V. redrafting the proposed Section E of Part I of Annex VIII in order set general principles for dealcoholised grapevine products and allowing completion of the list of the dealcoholisation processes through delegated acts¹, and
- VI. amending paragraph 1 of Section A of Part II of Annex VIII to be able to restore water to grapevine products that have been dealcoholised.

As promised, the Presidency will consult the SCA again on 19 April 2021 on the new wording of the compromise proposal.

The changes to the text compared to the text presented in document WK 4670/21 are highlighted in grey (below).

I) Limits of oenological practices in Article 80

(xx) Article 80 is amended as follows:

- a) in paragraph 1, subparagraph 3 is replaced by the following:

‘Authorised oenological practices shall only be used for the purposes of ensuring proper vinification, proper preservation, ~~or~~ proper refinement of the product ~~or proper dealcoholisation~~ **or for the purpose of ensuring best quality of products obtained by dealcoholisation in accordance with the processes to be defined by means of delegated acts pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII.**’

¹ These delegated acts are subject to scrutiny by the Council and Parliament.

a) in paragraph 3, point (d) is replaced by the following:

‘(d) allow the preservation of the natural and essential characteristics of the wine and, **for grapevine products other than those which have undergone a dealcoholisation treatment, in accordance with the processes to be defined by means of delegated acts pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII,** not cause a substantial change in the composition of the product concerned;’

I) Coverage of partially dealcoholised products by PDO/PGI

In Art 1(1) of the draft amending Regulation, the following point (8a) new is added:

(8a) In Article 92(1), the following subparagraph is added:

“**However, rules laid down in this section do not apply to products referred to in points (1), (4) to (6), (8) and (9) of Part II of Annex VII when such products have undergone a total dealcoholisation treatment in accordance with the processes to be defined by means of delegated acts pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII.**”

II) Labelling provision related to dealcoholised wine products

In Art 1(1) of the draft amending Regulation, letter (a) is replaced by a new text in point (18):

(18) Article 119 is amended as follows: *[initial COM proposal on point (a) to be dropped]*

~~(a) — In paragraph 1 the introductory sentence is replaced by the following:~~

~~‘Labelling and presentation of the products referred to in points 1 to 11, 13, 15, 16, 18 and 19 of Part II of Annex VII marketed in the Union or for export shall contain the following compulsory particulars:’~~

(a) In paragraph 1, point (a) is replaced by the following:

“(a) the designation for the category of the grapevine product in accordance with Part II of Annex VII. **For grapevine products categories defined under points (1) and (4) to (9) of Part II of Annex VII, when such products have undergone a dealcoholisation treatment in accordance with the processes to be defined by means of delegated acts**

pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII, the designation of the category is accompanied by:

- (i) the term “dealcoholised” if the product reaches an actual alcoholic strength of no more than 0,5% by volume, and**
- (ii) the term “partially dealcoholised” if the product reaches an actual alcoholic strength above 0,5% by volume and below the minimum actual alcohol strength of the category before dealcoholisation.”**

(b) Paragraph 2 is replaced by the following:

‘2. By way of derogation from point (a) of paragraph 1, **for grapevine products other than those which have undergone a dealcoholisation treatment in accordance with the processes to be defined by means of delegated acts pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII**, the reference to the category of the grapevine product may be omitted for wines whose labels include the name of a protected designation of origin or a protected geographical indication.

(c) The following paragraph 4 is added ...”

III) Rewording of Part II of Annex VII of the CMO

In Art 1(1) point (32) is replaced by the following: *[where the second provision (b) is the relevant for dealcoholised wines. Provision (a) has already been endorsed as A point at the 1st Trilogue of 02/12/2020]*

(32) Annex VII is amended as follows:

(a) in Part I, point III.1(A), the row for the United Kingdom is deleted;

(b) in Part II, the following introductory paragraph is added:

“The categories of grapevine products shall be those listed in points 1 to 17. The categories of grapevine products defined in points (1) and (4) to (9) may undergo a total or partial dealcoholisation treatment in accordance with the processes to be defined by means of delegated acts pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII, after having reached fully their respective

characteristics as described in those points.”

IV) Changes to Part I of Annex VIII to provide for general principles for dealcoholised wines

Annex VIII is amended as follows:

(a) the title of Part I is replaced by:

‘Enrichment, acidification, de-acidification in certain wine-growing zones **and dealcoholisation**’;

E. Dealcoholisation

1. The partial or total dealcoholisation of the grapevine products referred to in points 1 and 4 to 9 of Part II of Annex VII is allowed, provided that:

- 1. the dealcoholisation processes shall not be used on grapevine product presenting organoleptic defects;**
- 2. the elimination of ethanol in grapevine products must not be done in conjunction with the increase of the sugar content in the grape must;**
- 3. the dealcoholisation processes shall not result in organoleptic defects of the grapevine product.**

2. The partial or total dealcoholisation referred to in paragraph 1 shall use processes and practices to be authorised by the Commission by means of delegated acts pursuant to Article 75(2).

V) Allowing the restitution of water lost during dealcoholisation

Paragraph 1 of Section A of Part II of Annex VIII is modified as follows:

“PART II

Restrictions

A. General

1. All authorised oenological practices shall exclude the addition of water, except where required on account of a specific technical necessity or, in the case of grapevine products that undergo the dealcoholisation process to be defined by means of

delegated acts pursuant to Article 75(2) and in accordance with Section E of Part I of Annex VIII, on account of the loss of water resulting from the dealcoholisation process.”

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