



2016/0392(COD)

13.6.2017

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DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks
(COM(2016)0750 – C8-0496/2017 – 2016/0392(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Pilar Ayuso

Symbols for procedures

- * Consultation procedure
 - *** Consent procedure
 - ***I Ordinary legislative procedure (first reading)
 - ***II Ordinary legislative procedure (second reading)
 - ***III Ordinary legislative procedure (third reading)
- (The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	40

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks
(COM(2016)0750 – C8-0496/2017 – 2016/0392(COD))**

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2016)0750),
 - having regard to Article 294(2) and Article 43(2) and Article 114(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0496/2017),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 29 March 2017¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on International Trade and the Committee on Agriculture and Rural Development (A8-0000/2017),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) In order to take into account evolving consumer demands, technological

Amendment

(22) In order to take into account evolving consumer demands, technological

¹ Not yet published in the Official Journal.

progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the traditional ageing processes and, in exceptional cases, the law of the importing third countries, and in order to ensure the protection of geographical indications, ***while taking into account the importance of traditional practices***, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the amendment of or derogations from the technical definitions and requirements of the categories of spirit drinks and the specific rules concerning some of them referred to under Chapter I of this Regulation, the labelling and presentation referred to under Chapter II of this Regulation, the geographical indications referred to under Chapter III of this Regulation and the checks and exchange of information referred under Chapter IV of this Regulation.

Or. en

Justification

Traditional practices is a key element in the spirits drinks sector and should be taken into account.

Amendment 2

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point d – point i – introductory part

Text proposed by the Commission

(i) either directly by using any of the following methods:

Amendment

(i) either directly by using any of the following methods, ***individually or in combination***:

Or. en

Justification

In order to ensure that the flexibility provided by "and/or" of Regulation (EC) No 110/2008 is maintained in the new Regulation.

Amendment 3

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point d – point i – indent 2

Text proposed by the Commission

- the maceration or similar processing of plant materials in ethyl alcohol of agricultural origin, distillates of agricultural origin or spirit drinks or a ***mixture*** thereof within the meaning of this Regulation,

Amendment

- the maceration or similar processing of plant materials in ethyl alcohol of agricultural origin, distillates of agricultural origin or spirit drinks or a ***combination*** thereof within the meaning of this Regulation,

Or. en

Justification

In order to avoid any confusion with the definition of mixture in Article 2 paragraph 1 point 3.

Amendment 4

Proposal for a regulation

Article 2 – paragraph 1 – point 1 – point d – point ii – introductory part

Text proposed by the Commission

(ii) by adding to a spirit drink any of the following:

Amendment

(ii) by adding to a spirit drink any of the following, ***individually or in combination***:

Or. en

Justification

In order to ensure that the flexibility provided by "and/or" of Regulation (EC) No 110/2008 is maintained in the new Regulation.

Amendment 5

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. The alcohol used in the production of ***alcoholic beverages*** and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of ***alcoholic beverages*** shall be ethyl alcohol of agricultural origin.

Amendment

1. The alcohol used in the production of ***spirit drinks*** and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of ***spirit drinks*** shall be ethyl alcohol of agricultural origin.

Or. en

Justification

To be consistent with Regulation (EC) No 110/2008. This Regulation refers to spirit drinks, other alcoholic beverages are subject to sector-specific legislation.

Amendment 6

Proposal for a regulation

Article 3 – paragraph 2

Text proposed by the Commission

2. Distillates used in the production of ***alcoholic beverages*** and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of ***alcoholic beverages*** shall exclusively be of agricultural origin.

Amendment

2. Distillates used in the production of ***spirit drinks*** and to dilute or dissolve colours, flavourings or any other authorised additives used in the preparation of ***spirit drinks*** shall exclusively be of agricultural origin.

Or. en

Justification

To be consistent with Regulation (EC) No 110/2008. This Regulation refers to spirit drinks, other alcoholic beverages are subject to sector-specific legislation.

Amendment 7

Proposal for a regulation

Article 4 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product.

(e) solely be sweetened in accordance with point (3) of Annex I and in order to round off the final taste of the product. ***The particular legislation of the Member States shall be taken into account.***

Or. en

Justification

In order to maintain the status quo of Regulation (EC) No 110/2008.

Amendment 8

**Proposal for a regulation
Article 8 – paragraph 3**

Text proposed by the Commission

Amendment

3. Where a spirit drink meets the requirements of more than one of the categories of spirit drinks **15** to 47 of Part I of Annex II, it may be sold under one or more of the relevant sales denominations provided for under those categories.

3. Where a spirit drink meets the requirements of more than one of the categories of spirit drinks **1** to 47 of Part I of Annex II, it may be sold under one or more of the relevant sales denominations provided for under those categories.

Or. en

Justification

In order to maintain the status quo of Regulation (EC) No 110/2008. If a spirit drink meets the requirements of more than one category, the producer can only register the geographical indication in connection with one category. This possibility to choose which one should be allowed for all categories.

Amendment 9

**Proposal for a regulation
Article 11 – paragraph 3**

Text proposed by the Commission

Amendment

3. A maturation period or age may

3. A maturation period or age may

only be specified in the presentation or labelling of a spirit drink where it refers to the youngest alcoholic component and provided that the spirit drink was aged under supervision of the tax authorities of a Member State or a supervision affording equivalent guarantees..

only be specified in the presentation or labelling of a spirit drink where it refers to the youngest alcoholic component and provided that the spirit drink was aged under supervision of the tax authorities of a Member State or a supervision affording equivalent guarantees. ***An average age expressed in years, together with a reference to the specific ageing system employed, may be stated in the presentation or labelling of those spirit drinks aged using a traditional dynamic ageing system, provided they are subject to a control system authorised by the authority concerned.***

Or. es

Justification

The aim is to entitle producers of brandy aged via the ‘criaderas y solera’ dynamic ageing system to indicate this average age, expressed in years, on their labels. Compliance would be guaranteed by the operator being subject to a control system authorised by the authority concerned.

Amendment 10

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Without prejudice to paragraph 1, in the case of spirit drinks produced in the Union and intended for export, the geographical indications and the terms in italics in Annex II may be repeated in a language other than an official language of the Union when it is a legal requirement of the importing country.

Or. en

Justification

The aim of the amendment is reintroduce Article 14.4 of Regulation (EC) No 110/2008 to

maintain the status quo. At present, when it is a legal obligation in export markets, producers are able to add the local language equivalent of the geographical indication. Remove the existing facility would complicate trade, reduce flexibility and introduce delays into a system that works perfectly well.

Amendment 11

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

The Union symbol for the protected geographical indication may be used for the labelling and presentation of spirit drinks.

Amendment

The Union symbol for the protected geographical indication may be used ***on a voluntary basis*** for the labelling and presentation of spirit drinks.

Or. en

Justification

In order to avoid any confusion between foodstuff "Protected Geographical Indications" (PGI) taking into account that the PGI logo is mandatory for protected food names.

Amendment 12

Proposal for a regulation Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, the Commission ***shall be*** empowered to adopt delegated acts in accordance with Article 43 concerning:

Amendment

1. In order to take into account evolving consumer demands, technological progress, developments in the relevant international standards and the need to improve the economic conditions of production and marketing, ***whilst at the same time ensuring that consumers are protected and taking into account traditional practices***, the Commission ***is*** empowered to adopt delegated acts, ***supplementing this Regulation***, in accordance with Article 43 concerning:

Or. en

Justification

Traditional practice and consumer protection are key elements of the proposal and should be taken into account.

Amendment 13

Proposal for a regulation

Article 19 – paragraph 1 – point f

Text proposed by the Commission

(f) details *establishing the link between a given quality, reputation or other characteristic of the spirit drink and the geographical area referred to in point (d)*;

Amendment

(f) *the details bearing out the link with the geographical environment or the geographical origin*;

Or. en

Justification

To maintain the status quo of Regulation (EC) No 110/2008. A closer and more rigorous link between the environment and the product should be maintained.

Amendment 14

Proposal for a regulation

Article 21 – paragraph 5

Text proposed by the Commission

5. Where the application relates to a geographical area in a third country the application shall be lodged with the Commission, *either directly or* via the authorities of the third country concerned.

Amendment

5. Where the application relates to a geographical area in a third country the application shall be lodged with the Commission via the authorities of the third country concerned.

Or. en

Justification

Applications from third countries should be submitted by the authorities, not directly by the applicant. This will give consistency to the request, since it implies adequate involvement and knowledge of the file by its authorities

Amendment 15

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 21, in order to check that it is justified and that it meets the conditions of this Chapter. This scrutiny should not exceed a period of **12** months. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.

Amendment

The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 21, in order to check that it is justified and that it meets the conditions of this Chapter. This scrutiny should not exceed a period of **6** months. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.

Or. en

Justification

To be consistent with the administrative procedures when applying for the registration of other foodstuffs, article 50 of Regulation 1151/2012. The scrutiny should be more limited and the maximum period should be 6 and not 12 months.

Amendment 16

Proposal for a regulation

Article 27 – paragraph 1

Text proposed by the Commission

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 23(1), the Commission considers that the conditions for registration are not fulfilled, it shall adopt ***implementing acts rejecting the application. Those implementing acts shall be adopted*** in accordance with ***the examination procedure referred to in Article 44(2).***

Amendment

1. Where, on the basis of the information available to the Commission from the scrutiny carried out pursuant to the first subparagraph of Article 23(1), the Commission considers that the conditions for registration are not fulfilled, it shall adopt ***delegated acts supplementing this Regulation***, in accordance with ***Article 43, rejecting the application.***

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 17

Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission

2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 24, it shall adopt ***implementing acts, without applying the procedure referred to in Article 44(2)***, registering the name.

Amendment

2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition under Article 24, it shall adopt ***delegated acts supplementing this Regulation, in accordance with Article 43***, registering the name.

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 18

Proposal for a regulation
Article 27 – paragraph 3 – point a

Text proposed by the Commission

(a) if an agreement has been reached, ***register the name by means of implementing acts adopted without applying the procedure referred to in Article 44(2)***, and, if necessary, amend the information published pursuant to Article 23(2) provided such amendments are not substantial; or

Amendment

(a) if an agreement has been reached, ***adopt delegated acts supplementing this Regulation, in accordance with Article 43, to register the name*** and, if necessary, amend the information published pursuant to Article 23(2) provided such amendments are not substantial; or

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 19

Proposal for a regulation

Article 27 – paragraph 3 – point b

Text proposed by the Commission

(b) if an agreement has not been reached, adopt ***implementing acts deciding on the registration. Those implementing acts shall be adopted*** in accordance with ***the examination procedure referred to in Article 44(2).***

Amendment

(b) if an agreement has not been reached, adopt ***delegated acts supplementing this Regulation***, in accordance with ***Article 43, deciding on the registration.***

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 20

Proposal for a regulation

Article 29 – paragraph 1 – introductory part

Text proposed by the Commission

The Commission ***may***, on its own initiative or at the request of any natural or legal person having a legitimate interest, ***adopt implementing acts*** to cancel the registration of a geographical indication in the following cases:

Amendment

The Commission ***is empowered to adopt delegated acts supplementing this Regulation, in accordance with Article 43***, on its own initiative or at the request of any natural or legal person having a legitimate interest, ***in order*** to cancel the registration of a geographical indication in the following cases:

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 21

Proposal for a regulation

Article 29 – paragraph 3

Text proposed by the Commission

Amendment

The implementing acts referred to in the first paragraph shall be adopted in accordance with the examination procedure referred to in Article 44(2).

deleted

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 22

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

Amendment

The Commission shall adopt ***implementing*** acts, ***without applying the procedure referred to in Article 44(2)***, establishing and maintaining a publicly accessible updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register').

The Commission shall adopt ***delegated*** acts, ***supplementing this Regulation, in accordance with Article 43***, establishing and maintaining a publicly accessible updated electronic register of geographical indications of spirit drinks recognised under this scheme ('the Register').

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 23

Proposal for a regulation

Article 32 – paragraph 3

Text proposed by the Commission

Amendment

3. A name shall not be protected as a geographical indication if the ***production or preparation*** steps which are compulsory for the relevant category of spirit drink, do not take place in the relevant geographical area.

3. A name shall not be protected as a geographical indication if the steps which are compulsory for the relevant category of spirit drink, do not take place in the relevant geographical area.

Or. en

Justification

To avoid confusion because there is no so distinction between production or preparation in the spirit drink sector.

Amendment 24

Proposal for a regulation
Article 34 – title

Text proposed by the Commission

Amendment

Implementing powers with respect to existing protected geographical indications

Powers with respect to existing protected geographical indications

Or. en

Justification

To be consistent with the deletion of paragraph 2 of article 34.

Amendment 25

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

Amendment

1. ***Without prejudice to paragraph 2,*** geographical indications of spirit drinks protected under Regulation (EC) No 110/2008, shall automatically be protected as geographical indications under this Regulation. The Commission shall list

1. Geographical indications of spirit drinks protected under Regulation (EC) No 110/2008, shall automatically be protected as geographical indications under this Regulation. The Commission shall list

them in the Register.

them in the Register.

Or. en

Justification

To be consistent with the deletion of paragraph 2 of article 34.

Amendment 26

Proposal for a regulation

Article 34 – paragraph 2

Text proposed by the Commission

Amendment

2. *For a period of up to two years following the entry into force of this Regulation, the Commission, by means of implementing acts, may, on its own initiative, cancel the protection of geographical indications referred to in Article 20 of Regulation (EU) No 110/2008 if they do not comply with point (6) of Article 2(1). Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 44(2).* *deleted*

Or. en

Justification

A Geographical indication which is included in Annex III of Regulation (EC) 110/2008, and once the application period of article 9 of Regulation (EU) 716/2013 has passed, already complies with the conditions established under article 2, paragraph 1, indent 6) of the proposal, and therefore shall be automatically protected under the new regulation and it shall not be possible to cancel the protection after its entry into force.

Amendment 27

Proposal for a regulation

Article 35 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) *control* body within the meaning of (b) *delegated* body within the meaning

point 5 of *the second subparagraph of* Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council,¹⁹ operating as a product certification body.

¹⁹ Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the *verification of compliance with* feed and food law, animal health and *animal* welfare *rules* (OJ L 165, 30.4.2004, p. 1).

of point 5 of Article 3 of Regulation (EU) 2017/625 of the European Parliament and of the Council¹⁹, operating as a product certification body.

¹⁹ Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls *and other official activities* performed to ensure *the application of* food and feed law, *rules on* animal health and welfare, *plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation)* (OJ L 95, 7.4.2017, p. 1).

Or. enJustification

The aim of the amendment is to be in accordance with the new Regulation (EU) 2017/625 of 15 of March 2017 on official controls and other official activities.

Amendment 28

Proposal for a regulation Article 37 – paragraph 1

Text proposed by the Commission

1. Procedures and requirements laid down in Regulation (EC) No 882/2004

Amendment

1. Procedures and requirements laid down in Regulation (EU) 2017/625 shall

shall apply mutatis mutandis to the checks provided for in Articles 35 and 36 of this Regulation.

apply mutatis mutandis to the checks provided for in Articles 35 and 36 of this Regulation.

Or. en

Justification

The aim of the amendment is to be in accordance with the new Regulation (EU) 2017/625 of 15 of March 2017 on official controls and other official activities.

Amendment 29

**Proposal for a regulation
Article 37 – paragraph 2**

Text proposed by the Commission

2. Member States shall ensure that activities for the control of obligations under this Chapter are specifically included in a separate section within the multi-annual national control plans in accordance with Articles **41 to 43** of Regulation (EC) **No 882/2004**.

Amendment

2. Member States shall ensure that activities for the control of obligations under this Chapter are specifically included in a separate section within the multi-annual national control plans in accordance with Articles **109 to 111** of Regulation (EU) **2017/625**.

Or. en

Justification

The aim of the amendment is to be in accordance with the new Regulation (EU) 2017/625 of 15 of March 2017 on official controls and other official activities.

Amendment 30

**Proposal for a regulation
Article 37 – paragraph 3**

Text proposed by the Commission

3. The annual reports referred to in Article **44(1)** of Regulation (EC) **No 882/2004** shall include in a separate section the information referred to in that provision concerning the control of the obligations

Amendment

3. The annual reports referred to in Article **113(1)** of Regulation (EU) **2017/625** shall include in a separate section the information referred to in that provision concerning the control of the obligations

established by this Regulation.

established by this Regulation.

Or. en

Justification

The aim of the amendment is to be in accordance with the new Regulation (EU) 2017/625 of 15 of March 2017 on official controls and other official activities.

Amendment 31

Proposal for a regulation Article 40 – paragraph 1

Text proposed by the Commission

1. Member States shall be responsible for checks on spirit drinks. They shall take the measures necessary to ensure compliance with this Regulation and designate the competent authorities responsible on compliance with this Regulation.

Amendment

1. Member States shall be responsible for checks on spirit drinks, ***in accordance with Regulation (EU) 2017/625***. They shall take the measures necessary to ensure compliance with this Regulation and designate the competent authorities responsible on compliance with this Regulation.

Or. en

Amendment 32

Proposal for a regulation Article 43 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Articles 5, 16, 38, 41 and 46(2) shall be conferred on the Commission for ***an indeterminate*** period of ***time from*** the entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Articles 5, 16, ***27, 29, 30***, 38, 41 and 46(2) shall be conferred on the Commission for ***a*** period of ***five years from ... [OJ please insert the date of the entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the***

***European Parliament or the Council
opposes such extension not later than
three months before the end of each
period.***

Or. en

Amendment 33

Proposal for a regulation

Annex I – paragraph 1 – point 2 – paragraph 2

Text proposed by the Commission

Where reference is made to the raw materials used, the distillate must be obtained exclusively from ***that*** raw materials.

Amendment

Where reference is made to the raw materials used, the distillate must be obtained exclusively from ***those*** raw materials.

Or. en

Justification

In order to clarify that distillates of agricultural origin can be made from any agricultural raw material.

Amendment 34

Proposal for a regulation

Annex I – paragraph 1 – point 3 – point f

Text proposed by the Commission

(f) any other natural ***carbohydrate*** substances having a similar effect to the products referred to in points (a) to (e).

Amendment

(f) any other natural ***agricultural*** substances having a similar effect to the products referred to in points (a) to (e).

Or. en

Justification

In order to allow the use of low-calorie agricultural substances, such as Stevia.

Amendment 35

Proposal for a regulation

Annex II – Part I – point 2 – title

Text proposed by the Commission

Amendment

2. **Whisky or Whiskey**

2. *Whisky or Whiskey*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 36

Proposal for a regulation

Annex II – Part I – point 2 – point c

Text proposed by the Commission

Amendment

(c) No addition of alcohol as defined in point (54) of Annex I, diluted or not, shall take place.

(c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.

Or. en

Justification

Correction of a typographical error in the proposal.

Amendment 37

Proposal for a regulation

Annex II – Part I – point 3 – point b

Text proposed by the Commission

Amendment

(b) With the exception of ‘Korn’, the minimum alcoholic strength by volume of grain spirit shall be 37 %.

(b) With the exception of ‘Korn’, the minimum alcoholic strength by volume of grain spirit shall be 35 %.

Or. en

Justification

Correction of a typographical error in the proposal.

Amendment 38

Proposal for a regulation

Annex II – Part I – point 5 – title

Text proposed by the Commission

Amendment

5. **Brandy or Weinbrand**

5. *Brandy or Weinbrand*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 39

Proposal for a regulation

Annex II – Part I – point 8 – title

Text proposed by the Commission

Amendment

8. **Raisin spirit or raisin brandy**

8. *Raisin spirit or raisin brandy*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 40

Proposal for a regulation

Annex II – Part I – point 12 – title

Text proposed by the Commission

Amendment

12. **Hefebrand**

12. ***Hefebrand or lees spirit***

(The words “or lees spirit” is to appear in plain bold text if this amendment is adopted.)

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation. The purpose of the second part of the amendment is to add the full name of the category which is missing in the Commission proposal.

Amendment 41

Proposal for a regulation

Annex II – Part I – point 13 – title

Text proposed by the Commission

Amendment

13. **Bierbrand or eau de vie de bière**

13. ***Bierbrand or eau de vie de bière***

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 42

Proposal for a regulation

Annex II – Part I – point 14 – title

Text proposed by the Commission

Amendment

14. **Topinambur**

14. ***Topinambur or Jerusalem
artichoke spirit***

(The words “or Jerusalem artichoke

spirit” is to appear in plain bold text if this amendment is adopted.)

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation. The purpose of the second part of the amendment is to add the full name of the category which is missing in the Commission proposal.

Amendment 43

Proposal for a regulation

Annex II – Part I – point 15 – point d

Text proposed by the Commission

(d) The description, presentation or labelling of vodka not produced exclusively from potatoes or cereals shall bear the indication ‘produced from ..’, supplemented by the name of the raw materials used to produce the ethyl alcohol of agricultural origin.

Amendment

(d) The description, presentation or labelling of vodka not produced exclusively from potatoes or cereals **or both** shall bear the indication ‘produced from ..’, supplemented by the name of the raw materials used to produce the ethyl alcohol of agricultural origin.

Or. en

Justification

The Commission proposal deleted all the references to and/or in the text. The amendment seeks to maintain current production methods.

Amendment 44

Proposal for a regulation

Annex II – Part I – point 16 – point a – point i

Text proposed by the Commission

(i) produced by maceration of fruit or berries listed under point (ii), whether partially fermented or unfermented, with the possible addition of a maximum of 20 litres of ethyl alcohol of agricultural origin

Amendment

(i) produced by maceration of fruit or berries listed under point (ii), whether partially fermented or unfermented, with the possible addition of a maximum of 20 litres of ethyl alcohol of agricultural origin

or of spirit or of distillate deriving from the same fruit, or of a **mixture** thereof, per 100 kg of fermented fruit or berries, followed by distillation at less than 86 % vol.;

or of spirit or of distillate deriving from the same fruit, or of a **combination** thereof, per 100 kg of fermented fruit or berries, followed by distillation at less than 86 % vol.;

Or. en

Justification

In order to avoid any confusion with the definition of mixture on Article 2 paragraph 1 point 3.

Amendment 45

Proposal for a regulation

Annex II – Part I – point 17 – title

Text proposed by the Commission

17. Geist (with the name of the fruit or the raw materials used)

Amendment

17. *Geist* (with the name of the fruit or the raw materials used)

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 46

Proposal for a regulation

Annex II – Part I – point 19 – point a

Text proposed by the Commission

(a) Juniper-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin or grain spirit or grain distillate or a **mixture** thereof with juniper (*Juniperus communis* L. or *Juniperus oxicedrus* L.) berries.

Amendment

(a) Juniper-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin or grain spirit or grain distillate or a **combination** thereof with juniper (*Juniperus communis* L. or *Juniperus oxicedrus* L.) berries.

Justification

In order to avoid any confusion with the definition of mixture on Article 2 paragraph 1 point 3.

Amendment 47

Proposal for a regulation

Annex II – Part I – point 20 – title

Text proposed by the Commission

Amendment

20. **Gin**

20. *Gin*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 48

Proposal for a regulation

Annex II – Part I – point 21 – title

Text proposed by the Commission

Amendment

21. **Distilled gin**

21. *Distilled gin*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 49

Proposal for a regulation

Annex II – Part I – point 21 – point a – point ii

Text proposed by the Commission

(ii) the ***mixture*** of the product of such distillation and ethyl alcohol of agricultural origin with the same composition, purity and alcoholic strength; flavouring substances or flavouring preparations as specified in point (c) of category 20 or both may also be used to flavour distilled gin.

Amendment

(ii) the ***combination*** of the product of such distillation and ethyl alcohol of agricultural origin with the same composition, purity and alcoholic strength; flavouring substances or flavouring preparations as specified in point (c) of category 20 or both may also be used to flavour distilled gin.

Or. en

Justification

In order to avoid any confusion with the definition of mixture on Article 2 paragraph 1 point 3.

Amendment 50

Proposal for a regulation

Annex II – Part I – point 22 – title

Text proposed by the Commission

22. **London Gin**

Amendment

22. *London Gin*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 51

Proposal for a regulation

Annex II – Part I – point 24 – title

Text proposed by the Commission

Amendment

24. **Akvavit or aquavit**

24. *Akvavit or aquavit*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 52

Proposal for a regulation

Annex II – Part I – point 26 – title

Text proposed by the Commission

Amendment

26. **Pastis**

26. *Pastis*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 53

Proposal for a regulation

Annex II – Part I – point 27 – title

Text proposed by the Commission

Amendment

27. **Pastis de Marseille**

27. *Pastis de Marseille*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 54

Proposal for a regulation

Annex II – Part I – point 28 – title

Text proposed by the Commission

Amendment

28. **Anis**

28. *Anis*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 55

Proposal for a regulation

Annex II – Part I – point 28 – point b

Text proposed by the Commission

Amendment

(b) The minimum alcoholic strength by volume of anis shall be **37** %.

(b) The minimum alcoholic strength by volume of anis shall be **35** %.

Or. en

Justification

Correction of a typographical error in the proposal.

Amendment 56

Proposal for a regulation

Annex II – Part I – point 29 – title

Text proposed by the Commission

Amendment

29. **Distilled anis**

29. Distilled *anis*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 57

Proposal for a regulation

Annex II – Part I – point 30 – title

Text proposed by the Commission

30. **Bitter-tasting spirit drinks or bitter**

Amendment

30. Bitter-tasting spirit drinks or *bitter*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 58

Proposal for a regulation

Annex II – Part I – point 30 – point a

Text proposed by the Commission

(a) Bitter-tasting spirit drinks or bitter are spirit drinks with a predominantly bitter taste produced by flavouring ethyl alcohol of agricultural origin with flavouring substances.

Amendment

(a) Bitter-tasting spirit drinks or *bitter* are spirit drinks with a predominantly bitter taste produced by flavouring ethyl alcohol of agricultural origin with flavouring substances *or flavouring preparations or both*.

Or. en

Justification

Correction of an omission in the proposal.

Amendment 59

Proposal for a regulation

Annex II – Part I – point 32 – point a – point ii

Text proposed by the Commission

(ii) produced using ethyl alcohol of agricultural origin or a distillate of agricultural origin or one or more spirit drinks or a ***mixture*** thereof, which has been sweetened and to which one or more flavourings, products of agricultural origin or foodstuffs have been added.

Amendment

(ii) produced using ethyl alcohol of agricultural origin or a distillate of agricultural origin or one or more spirit drinks or a ***combination*** thereof, which has been sweetened and to which one or more flavourings, products of agricultural origin or foodstuffs have been added.

Or. en

Justification

In order to avoid any confusion with the definition of mixture on Article 2 paragraph 1 point 3.

Amendment 60

Proposal for a regulation

Annex II – Part I – point 34 – title

Text proposed by the Commission

34. **Crème de cassis**

Amendment

34. *Crème de cassis*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 61

Proposal for a regulation

Annex II – Part I – point 35 – title

Text proposed by the Commission

Amendment

35. **Guignolet**

35. *Guignolet*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 62

Proposal for a regulation

Annex II – Part I – point 36 – title

Text proposed by the Commission

Amendment

36. **Punch au rhum**

36. *Punch au rhum*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 63

Proposal for a regulation

Annex II – Part I – point 37 – title

Text proposed by the Commission

Amendment

37. **Sloe gin**

37. *Sloe gin*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 64

Proposal for a regulation

Annex II – Part I – point 38 – title

Text proposed by the Commission

Amendment

38. ‘Sloe-aromatised spirit drink or Pacharán’

31a. ‘Sloe-aromatised spirit drink or Pacharán’

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation. The position of this category within Annex II is not correct. The categories following “Category 32. Liquor” are all liquors, and in this case is not always so, it depends on how much sugar it contains may or may not liqueur.

Amendment 65

Proposal for a regulation

Annex II – Part I – point 39 – title

Text proposed by the Commission

Amendment

39. Sambuca

39. Sambuca

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 66

Proposal for a regulation

Annex II – Part I – point 39 – point a – point ii

Text proposed by the Commission

Amendment

(ii) it has a minimum sugar content of **370** grams per litre expressed as invert sugar;

(ii) it has a minimum sugar content of **350** grams per litre expressed as invert sugar;

Or. en

Justification

Correction of a typographical error in the proposal.

Amendment 67

Proposal for a regulation

Annex II – Part I – point 40 – title

Text proposed by the Commission

Amendment

40. **Maraschino, Marrasquino or Maraskino**

40. *Maraschino, Marrasquino or Maraskino*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 68

Proposal for a regulation

Annex II – Part I – point 41 – title

Text proposed by the Commission

Amendment

41. **Nocino**

41. *Nocino*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 69

Proposal for a regulation

Annex II – Part I – point 42 – title

Text proposed by the Commission

42. **Egg liqueur or advocaat or avocat or advokat**

Amendment

42. Egg liqueur or *advocaat* or *avocat* or *advokat*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 70

Proposal for a regulation

Annex II – Part I – point 42 – point a

Text proposed by the Commission

(a) Egg liqueur or advocaat or avocat or advokat is a spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit, or a **mixture** thereof, the ingredients of which are quality egg yolk, egg white and sugar or honey. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar. The minimum content of pure egg yolk must be 140 grams per litre of the final product.

Amendment

(a) Egg liqueur or advocaat or avocat or advokat is a spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit, or a **combination** thereof, the ingredients of which are quality egg yolk, egg white and sugar or honey. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar. The minimum content of pure egg yolk must be 140 grams per litre of the final product.

Or. en

Justification

In order to avoid any confusion with the definition of mixture on Article 2 paragraph 1 point 3.

Amendment 71

Proposal for a regulation

Annex II – Part I – point 43 – point a

Text proposed by the Commission

(a) Liqueur with egg is a spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit drink, or a ***mixture*** thereof, the characteristic ingredients of which are quality egg yolk, egg white and sugar or honey. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar. The minimum egg yolk content must be 70 grams per litre of the final product.

Amendment

(a) Liqueur with egg is a spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit drink, or a ***combination*** thereof, the characteristic ingredients of which are quality egg yolk, egg white and sugar or honey. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar. The minimum egg yolk content must be 70 grams per litre of the final product.

Or. en

Justification

In order to avoid any confusion with the definition of mixture on Article 2 paragraph 1 point 3.

Amendment 72

Proposal for a regulation

Annex II – Part I – point 44 – title

Text proposed by the Commission

44. **Mistrà**

Amendment

44. *Mistrà*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in

Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 73

Proposal for a regulation

Annex II – Part I – point 45 – title

Text proposed by the Commission

Amendment

45. **Väkevä glögi or spritglögg**

45. *Väkevä glögi or spritglögg*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

Amendment 74

Proposal for a regulation

Annex II – Part I – point 46 – title

Text proposed by the Commission

Amendment

46. **Berenburg or Beerenburg**

46. *Berenburg or Beerenburg*

Or. en

Justification

The purpose of the amendment is to write the name of the category of the spirit drinks in Italics with the view of the application of Article 13 of the draft Regulation.

EXPLANATORY STATEMENT

The Commission published its draft regulation on spirit drinks in December 2016 with the aim of aligning the current legal framework to the Treaty on the Functioning of the European Union (TFEU).

The rapporteur is in favour of aligning the legislation on spirit drinks to the Treaty of Lisbon. However she considers it important that the prerogatives Parliament already had under legislation in force be maintained in any alignment process. The rapporteur welcomes the work done by the Commission but feels that amendments are necessary at certain specific points in order to safeguard these rights. She also feels that the delegation powers granted to the Commission should be restricted to a renewable period of five years.

The legal basis is the one area in the proposal where there is a significant change to the Regulation in force. The rapporteur feels that the introduction of Article 43(2) TFEU is a very wise choice that draws attention to the agricultural roots of this legislation. While spirit drinks represent a very important outlet for the EU's farm production on account of their quantity and quality, the ethyl alcohol used in the production of spirit drinks must also be agricultural in origin.

As regards the modification of Chapter III on geographical indications, the rapporteur agrees with the Commission that the different schemes for geographical indications in the European Union need to be harmonised. However, she feels that account must be taken of the specificities of the spirit drinks sector. Furthermore, existing geographical indications, for which a corresponding technical file has already been presented, must be automatically protected as geographical indications by the new Regulation and there must not be any way in which they could lose their protection after the new Regulation comes into force.

With harmonisation in mind, the proposal replaces Annex III of Regulation (EC) 110/2008 on geographical indications with an electronic register, similar to the one established for protected designations of origin and protected geographical indications for wine and foodstuffs. While the rapporteur is able to support this move and understands the Commission's reasons for removing Annex III, she considers that, given the register's importance, Parliament must be involved in any changes made to said register.

Article 13 of the proposal stipulates that the terms appearing in italics in Annex II shall not be translated either on the label or in the presentation of the spirit drink. Technical amendments have been introduced, adjusting the titles of categories of spirit drinks in Annex II, in the interests of greater clarity when complying with the requirements of Article 13.

Finally, technical amendments have been introduced in Annex II to rectify omissions or inconsistencies in the Regulation in force.