



2016/0392(COD)

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AMENDMENTS

260 - 520

Draft report

Pilar Ayuso

(PE604.847v01-00)

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

Proposal for a regulation

(COM(2016)0750 – C8-0496/2016 – 2016/0392(COD))

Amendment 260
Norbert Lins

Proposal for a regulation
Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) Products listed in Annex II, Part I, points 1 to 14, including products with a registered geographical indication, which are not sweetened for rounding off, may have this quality characteristic indicated on the labelling by means of expressions such as ‘without added sugar’.

Or. de

Justification

Nach wie vor werden einige Brände wie z.B. Obstbrand oder Getreidebrand in vielen EU-Mitgliedstaaten, darunter in Deutschland, ohne Zuckerzusatz zur Geschmacksabrundung hergestellt. Dies stellt ein Qualitätsmerkmal dar, was dem Verbraucher auch mitgeteilt werden sollte. Nach der Health Claims Verordnung (EG) Nr. 1924/2006 ist es jedoch untersagt, bei Spirituosen Auslobungen wie „ohne Zuckerzusatz“ zu verwenden. Andererseits sind Spirituosen derzeit und bis auf weiteres von der Angabe eines Zutatenverzeichnisses befreit. Die Hersteller haben derzeit keine Möglichkeit, die Verbraucher isoliert und alleine darüber zu informieren, wenn Brände nicht zur Geschmacksabrundung gezuckert wurden. Diese Kennzeichnungsmöglichkeit sollte daher spezialrechtlich geschaffen werden, da die Verbraucher bei Spirituosen Auslobungen wie z.B. „ohne Zuckerzusatz“ nicht für eine Nährwertangabe halten.

Amendment 261
Susanne Melior

Proposal for a regulation
Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(1a) Products listed in Annex II, Part I, points 1 to 14, including products with a registered geographical indication, which are not sweetened for rounding off, may have this quality characteristic indicated on the labelling by means of expressions

such as ‘without added sugar’.

Or. de

Justification

Some spirits such as fruit spirit and grain brandy are still made without added sugar for rounding off in many Member States. This is a quality indicator which consumers should be made aware of.

Amendment 262

Lynn Boylan

Proposal for a regulation

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The label of the spirit drink shall include its nutrition declaration, with all the relevant elements, as set out in Article 30 of Regulation (EU) No 1169/2011.

Or. en

Justification

In the 'Report regarding the mandatory labelling of the list of ingredients and the nutrition declaration of alcoholic beverage' COM (2017) 58, it is clear that citizens have a lack of knowledge regarding the nutritional content of the different drinks they purchase and consume and they wish to be informed on this. The spirit sector is also of the opinion that consumers would benefit from clearer and more meaningful nutritional information on the labels of drinks. The European Parliament in its Resolution (on Alcohol Strategy of the 29 April 2015), calls on the European Commission to present a legislative proposal requiring nutritional content to be labelled given the nature of alcohol-related diseases.

Amendment 263

Elisabetta Gardini, Herbert Dorfmann

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

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.

Amendment

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 ***all the operations to age*** the spirit drink ***took place*** under supervision of the tax authorities of a Member State or supervision affording equivalent guarantees. ***The Commission shall adopt a public register listing the bodies appointed by each Member State to supervise ageing processes.***

Or. it

Justification

This amendment seeks to make it clear that checks on aged products should be carried out on an ongoing basis and effectively, rather than being sporadic or based on samples. The object is to curb counterfeiting involving aged products, bearing in mind that ageing confers added value and a provision of this kind safeguards legality and fair competition and protects the ultimate consumers.

Amendment 264
Matteo Salvini

Proposal for a regulation
Article 11 – paragraph 3

Text proposed by the Commission

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.***

Amendment

3. ***Provided that the spirit drink was aged under supervision of the tax authorities of a Member State or a supervision affording equivalent guarantees, a maturation period or age may only be specified in the presentation or labelling of a spirit drink where:***

(a) it refers to the youngest alcoholic component; or

(b) it refers to the oldest alcoholic component, provided that the ageing

method used is clearly explained.

Or. it

Amendment 265

Matteo Salvini

Proposal for a regulation

Article 11 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The maturation period or age, where mentioned pursuant to the previous paragraph, shall be specified in the electronic accompanying documents relating to the spirit drink.

Or. it

Amendment 266

Pilar Ayuso

Proposal for a regulation

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. By way of derogation from paragraph 3 of this Article, in the case of brandy that has been aged using the dynamic ageing system or "criaderas y solera" system, the average age, calculated as described in Annex IIa, may only be mentioned in the presentation or labelling provided that the ageing of the brandy has been subjected to a control system authorised by the competent authority. The average age in the labelling of brandy shall be expressed in years and shall include a reference to the "criaderas y solera" system.

Or. en

Justification

The aim is to allow producers of brandy aged using 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 267

Ulrike Müller, Frédérique Ries

Proposal for a regulation

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Products listed in paragraphs 1 to 14 of Part I of Annex II, including products with a registered geographical indication that are not sweetened in order to round off the final taste of the product, may voluntarily indicate this quality characteristic on the label with terms such as e.g. "without added sugar".

Or. en

Justification

In many Member States some spirits such as fruit- or grain-spirits are produced without the addition of sugar to round off the final taste. This is a quality characteristic that is relevant for the consumer and therefore a corresponding labelling should be admissible. However, it is currently forbidden by the Health Claims Regulation (EG) 1924/2006.

Amendment 268

Elisabetta Gardini, Herbert Dorfmann

Proposal for a regulation

Article 11 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Where a maturation or ageing period is stated in the presentation or labelling of a spirit drink, it shall also be stated in the electronic accompanying

document.

Or. it

Justification

This amendment was tabled with a view to ensuring that important information about a spirit drink, for example the sales denomination or the maturation period, is stated in the accompanying documents in order to make for greater traceability and prevent improper practices that might distort competition among operators or mislead consumers.

Amendment 269
Christofer Fjellner

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall *correspond to the country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council*¹⁶.

¹⁶ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Amendment

1. Where the origin of a spirit drink is indicated, it shall *mean the place or region in the production process where the spirit drink gets its character and essential definitive qualities.*

Or. en

Amendment 270
Ulrike Müller, Frédérique Ries

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall *correspond to the*

Amendment

1. Where the origin of a spirit drink is indicated, it shall *mean the place or region*

country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council¹⁶ .

where the stage in the production process of the finished product which conferred on the spirit drink its character and essential definitive qualities took place.

¹⁶ *Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).*

Or. en

(See Annex I, Point 13 of Regulation 110/2008.)

Justification

Current rules for the definition and protection of EU geographical indication spirits are compatible with the WTO's TRIPS requirements. However, the proposal introduces rules on origin from the EU's customs code for tariff purposes. This is not appropriate for determining origin for labelling purposes and could undermine protection, mislead consumers and cause significant problems for the EU's most important GIs. The suggested amendment seeks to reinstate current wording.

Amendment 271 **Lynn Boylan**

Proposal for a regulation **Article 12 – paragraph 1**

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall correspond to the ***country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council¹⁶ .***

Amendment

1. Where the origin of a spirit drink is indicated, it shall correspond to the ***place or region where the stage in the production process of the finished product which conferred on the spirit drink its character and essential qualities took place.***

¹⁶ *Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p.*

1).

Or. en

Amendment 272

Bolesław G. Piecha, Julie Girling

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. Where the origin of a spirit drink is indicated, it shall correspond to the ***country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council***¹⁶.

¹⁶ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Amendment

1. Where the origin of a spirit drink is indicated, it shall correspond to the ***place where the character and essential qualities were conferred on the spirit drink during the production process.***

Or. en

Amendment 273

Matteo Salvini

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. ***Where the*** origin of a spirit drink ***is*** indicated, ***it*** shall correspond to the country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council¹⁶.

¹⁶ Regulation (EU) No 952/2013 of the

Amendment

1. ***The*** origin of a spirit drink ***shall be*** indicated ***and*** shall correspond to the country or territory of origin in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council¹⁶.

¹⁶ Regulation (EU) No 952/2013 of the

European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

Or. it

Amendment 274
Renate Sommer

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

(2) The indication of the country or territory of origin of the ingredients shall not be required for spirit drinks.

Amendment

(2) The indication of the country or territory of origin of the ingredients shall not be required for spirit drinks, ***unless this is a requirement to satisfy other provisions at European or national level. The rules on designation of origin set out in Regulation (EU) No 1169/2011 shall take precedence over the present Regulation.***

Or. de

Amendment 275
Matteo Salvini

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The indication of the country or territory of origin of the ingredients shall ***not*** be required for spirit drinks.

Amendment

2. The indication of the country or territory of origin of the ingredients shall be required for spirit drinks.

Or. it

Amendment 276
Jytte Guteland

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The indication of the country or territory of origin of the ingredients shall **not** be required for spirit drinks.

Amendment

2. The indication of the country or territory of origin of the ingredients shall be required for spirit drinks.

Or. en

Amendment 277
Margrete Auken, Bart Staes

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The indication of the country or territory of origin of the ingredients shall **not** be required for spirit drinks.

Amendment

2. The indication of the country or territory of origin of the ingredients shall be required for spirit drinks.

Or. en

Amendment 278
Younous Omarjee

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The indication of the country or territory of origin of the ingredients shall **not** be required for spirit drinks.

Amendment

2. The indication of the country or territory of origin of the ingredients shall be required for spirit drinks.

Or. fr

Amendment 279
Matteo Salvini

Proposal for a regulation
Article 12 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. *The origin of a spirit drink and of its ingredients shall be specified in the electronic accompanying documents relating to that spirit drink.*

Or. it

Amendment 280
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission

Amendment

The terms in italics in Annex II and the geographical indications shall neither be translated on the label nor in the presentation of the spirit drink.

The terms in italics in Annex II and the geographical indications shall neither be translated on the label nor in the presentation of the spirit drink. *To meet requirements for the export of spirit drinks, certain labelling information may be duplicated in another language, including one which is not a European Union official language, so that end users in the country to which the product concerned is exported can easily understand essential information, thus serving to make the product more commercially attractive.*

Or. fr

Amendment 281
Christofer Fjellner

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In the case of spirit drinks produced in the Union and intended for export, the geographical indications and the terms indicated in italics in Annex II may be repeated in a language other than an official language of the European Union when it is a legal requirement of the importing country.

Or. en

Amendment 282

Lynn Boylan

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Without prejudice to the first paragraph, in the case of spirit drinks produced in the Union and intended for export, the particulars provided for in this Regulation may be supplemented in a language easily understood by the final consumer.

Or. en

Justification

Whilst the GI name must be stated on the product, some markets may require an additional translation of the GI.

Amendment 283

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In the case of spirit drinks originating in third countries and marketed in the European Union, essential information shall be included on the label and must, without fail, be translated into the language of the Member State in which the spirit drinks concerned are marketed, so that end users can easily understand essential information about them.

Or. fr

Amendment 284

Ulrike Müller, Frédérique Ries

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

In the case of spirit drinks produced in the Union and intended for export, the geographical indications and the terms indicated in italics in Annex II may be repeated in a language other than an official language of the European Union when it is a legal requirement of the importing country.

Or. en

Justification

At present, when it is a legal obligation in export markets, producers are able to add the local language equivalent of the geographical indication. The proposed new Regulation removes the existing facility, however, and instead allows it only if the Commission adopts a delegated act. That would complicate trade, reduce flexibility and introduce delays into a system that works perfectly well. The proposed new wording seeks to maintain the status quo.

Amendment 285

Pilar Ayuso

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Without prejudice to the first paragraph, in 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 accompanied by translations when it is a legal requirement of the importing country.

Or. en

Amendment 286
Bolesław G. Piecha, Julie Girling

Proposal for a regulation
Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Without prejudice to the first paragraph, in the case of spirit drinks produced in the Union and intended for export, the particulars provided for in this Regulation may be repeated in a language other than an official language of the European Union.

Or. en

Amendment 287
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

Amendment

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

The Union symbol for the ***relevant*** protected geographical indication may be used for the labelling and presentation of

drinks.

spirit drinks *covered by that protected indication of origin*.

Or. fr

Amendment 288
Christofer Fjellner

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 ***voluntarily*** for the labelling and presentation of spirit drinks.

Or. en

Amendment 289
Mairead McGuinness, Seán Kelly

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 consumer protection and taking into account traditional practice***, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

Or. en

Amendment 290
Ulrike Müller, Frédérique Ries

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 consumer protection and taking into account traditional practice***, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

Or. en

Justification

Traditional practices is a key element in the spirits drinks sector and should be taken into account. This amendment would be consistent with the reference to traditional practices in the recitals.

Amendment 291
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 16 – paragraph 1 – point a

Text proposed by the Commission

(a) ***amendments to the rules on indications on the label of spirits drinks concerning compound terms or allusions;***

Amendment

deleted

Or. fr

Amendment 292
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) amendments to the rules on the presentation and labelling of mixtures; and

deleted

Or. fr

Amendment 293
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) updating and completing Union reference methods for the analysis of spirit drinks.

(c) updating and completing Union reference methods for the analysis of spirit drinks, *in the light of technical progress and provided that such updating does not substantively change the reference methods and does not generate additional costs for producers.*

Or. fr

Amendment 294
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 16 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) updating *and completing* Union reference methods for the analysis of spirit drinks.

(c) updating Union reference methods for the analysis of spirit drinks.

Or. fr

Amendment 295

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to take into account ~~deleted~~
traditional ageing processes in the
Member States, the Commission shall be
empowered to adopt delegated acts in
accordance with Article 43 concerning
derogations from Article 11(3) concerning
the specification of a maturation period or
age in the presentation or labelling of a
spirit drink.*

Or. fr

Amendment 296

Matteo Salvini

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to take into account ~~deleted~~
traditional ageing processes in the
Member States, the Commission shall be
empowered to adopt delegated acts in
accordance with Article 43 concerning
derogations from Article 11(3) concerning
the specification of a maturation period or
age in the presentation or labelling of a
spirit drink.*

Or. it

Amendment 297

Nikos Androulakis, Manolis Kefalogiannis, Giorgos Grammatikakis

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to take into account ~~deleted~~
traditional ageing processes in the
Member States, the Commission shall be
empowered to adopt delegated acts in
accordance with Article 43 concerning
derogations from Article 11(3) concerning
the specification of a maturation period or
age in the presentation or labelling of a
spirit drink.*

Or. en

Amendment 298

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation Article 16 – paragraph 3

Text proposed by the Commission

Amendment

3. *In exceptional cases where the law ~~deleted~~
of the importing third country so requires,
the Commission shall be empowered to
adopt delegated acts in accordance with
Article 43 concerning derogations from
the provisions on presentation and
labelling contained in this Chapter.*

Or. fr

Amendment 299

Boleslaw G. Piecha, Julie Girling

Proposal for a regulation Article 16 – paragraph 3

Text proposed by the Commission

Amendment

3. *In exceptional cases where the law ~~deleted~~
of the importing third country so requires,
the Commission shall be empowered to
adopt delegated acts in accordance with*

Article 43 concerning derogations from the provisions on presentation and labelling contained in this Chapter.

Or. en

Amendment 300

Ulrike Müller

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

Amendment

3. *In exceptional cases where the law of the importing third country so requires, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from the provisions on presentation and labelling contained in this Chapter.* ***deleted***

Or. en

Justification

To be consistent with proposed addition following Article 13 - Paragraph 1.

Amendment 301

Christofer Fjellner

Proposal for a regulation

Article 16 – paragraph 3

Text proposed by the Commission

Amendment

3. *In exceptional cases where the law of the importing third country so requires, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning derogations from the provisions on presentation and labelling contained in this Chapter.* ***deleted***

Amendment 302

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 17 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) rules on the modalities for indicating, when used, the country or territory of origin on the label of spirit drinks.

deleted

Or. fr

Amendment 303

Matteo Salvini

Proposal for a regulation

Article 17 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) rules on the modalities for indicating, *when used*, the country or territory of origin on the label of spirit drinks.

(b) rules on the modalities for indicating the country or territory of origin on the label of spirit drinks.

Or. it

Amendment 304

Matteo Salvini

Proposal for a regulation

Article 17 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) derogations from Article 11(3) concerning the specification of a maturation period or age in the

*presentation or labelling of a spirit drink,
in order to take into account traditional
ageing processes in the Member States.*

Or. it

Amendment 305

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 18 – paragraph 2 – point a – point i

Text proposed by the Commission

(i) by comparable products not complying with the product specification of the protected name; or

Amendment

(i) by comparable products not complying with the product specification ***and not covered by the registration*** of the protected name; or

Or. fr

Amendment 306

Ulrike Müller, Frédérique Ries

Proposal for a regulation

Article 18 – paragraph 2 – point c

Text proposed by the Commission

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, ***on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container*** liable to convey a false impression as to its origin;

Amendment

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, ***used on its presentation or labelling and*** liable to convey a false impression as to its origin;

Or. en

Justification

(See Article 16 - Point c of Regulation 110/2008.) The wording in the proposal is restrictive than the present rules. To avoid any ambiguity, it would be preferable to simplify the wording and bring it back to the provision which exists in the current Regulation.

Amendment 307

Julie Girling

Proposal for a regulation

Article 18 – paragraph 2 – point c

Text proposed by the Commission

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

Amendment

(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the ***labelling of the product, on the*** inner or outer packaging, advertising material or documents relating to the product concerned, and the packing of the product in a container liable to convey a false impression as to its origin;

Or. en

Justification

This change would introduce the requirement that geographical indications are protected against false or misleading information on the actual labelling of the product as was the case with the previous Regulation (110/2008)

Amendment 308

Julie Girling

Proposal for a regulation

Article 18 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The protection of geographical indications referred to in the first subparagraph extends to goods and packaging that enter the Union from third countries, for the purposes of trade, but

which are not released for trade within the Union and which bear, without authorisation, a geographical indication that is identical or which cannot be distinguished in its essential aspects.

Or. en

Justification

This addition introduces similar rules to those found in the EU trademark regulation (2015/2424).

Amendment 309
Christofer Fjellner

Proposal for a regulation
Article 18 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In the course of trade, protection for geographical indications referred to in paragraph 2 shall be extended to goods brought into the Union without being released for free circulation, where such goods, including packaging, come from third countries.

Or. en

Amendment 310
Ulrike Müller, Frédérique Ries

Proposal for a regulation
Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. *The protection for geographical indications referred to in paragraph 2 shall be extended to goods brought, in the course of trade, into the Union without being released for free circulation, where*

such goods, including packaging, come from third countries.

Or. en

Justification

Customs are currently only able to intercept fake geographical indications in transit through the EU if there is sufficient grounds for suspecting that the goods will be diverted into the EU market. This amendment is consistent with the proposed amendment to recital 17.

Amendment 311

Pilar Ayuso

Proposal for a regulation

Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Protection referred to in paragraph 2 is applicable also with reference to goods entering the customs territory of the Union without being released for free circulation there.

Or. en

Justification

This amendment seeks to enlarge the protection to spirit drinks in transit through the EU territory.

Amendment 312

Angélique Delahaye, Michel Dantin, Françoise Grossetête

Proposal for a regulation

Article 18 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States may apply the provisions laid down in Articles 61 to 72 of 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 to areas where wines suitable for producing spirit drinks with a geographical indication are produced. For the purposes of those provisions, the areas concerned may be treated as areas where wines with a protected designation of origin or protected geographical indication may be produced.

Or. fr

Justification

Aligns the regulation with the draft opinion on the so-called Omnibus proposal for a regulation of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, as adopted by the European Parliament Committee on Agriculture and Rural Development on 3 May 2017.

Amendment 313

György Hölvényi

Proposal for a regulation

Article 19 – paragraph 1 – point e

Text proposed by the Commission

(e) a description of the method of obtaining the spirit drink and, where appropriate, the authentic and unvarying local methods as well as information on packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

Amendment

(e) a description of the method of obtaining the spirit drink and, where appropriate, the authentic and unvarying local methods as well as information on packaging, if the applicant **or applicant** group (**hereinafter referred to together as “applicant”**) so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

Or. en

Justification

The production of spirit drinks is different from the production of agricultural products and foodstuff, therefore it is necessary to allow single applicants to apply for a geographical indications. The Article 23. point 1.;Article 24. point 3. subparagraph 3. and 5. refer to applicant.

Amendment 314

Ulrike Müller, Frédérique Ries

Proposal for a regulation

Article 19 – paragraph 1 – point e

Text proposed by the Commission

(e) a description of the method of ***obtaining*** the spirit drink and, where appropriate, the authentic and unvarying local methods as well as information on packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

Amendment

(e) a description of the method of ***producing*** the spirit drink and, where appropriate, the authentic and unvarying local methods as well as information on packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

Or. en

Justification

In the context of spirit drinks and the product specification for geographical indications, it would be clearer and reflect more closely the industry practices to refer to 'producing'.

Amendment 315

Matteo Salvini

Proposal for a regulation

Article 19 – paragraph 1 – point f

Text proposed by the Commission

(f) details establishing the link

Amendment

(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);

between a given quality or other characteristic of the spirit drink and the geographical area referred to in point (d);

Or. it

Amendment 316

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 19 – paragraph 1 – point h

Text proposed by the Commission

(h) any specific labelling rule for the spirit drink in question.

Amendment

(h) **any additional information, in particular** any specific labelling rule for the spirit drink in question.

Or. fr

Amendment 317

György Hölvényi

Proposal for a regulation

Article 20 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) the names and addresses of the applicant **group** and of the authorities or, if available, the bodies verifying compliance with the provisions of the product specification;

Amendment

(a) the names and addresses of the applicant and of the authorities or, if available, the bodies verifying compliance with the provisions of the product specification;

Or. en

Justification

The production of spirit drinks is different from the production of agricultural products and foodstuff, therefore it is necessary to allow single applicants to apply for a geographical indications. The Article 23. point 1.;Article 24. point 3. subparagraph 3. and 5. refer to applicant.

Amendment 318

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 20 – paragraph 1 – subparagraph 1 – point c – point i

Text proposed by the Commission

(i) the main points of the product specification: the name, a description of the spirit drink, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area;

Amendment

(i) the main points of the product specification: the name, a description of the spirit drink, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area *in question*;

Or. fr

Amendment 319

Ulrike Müller

Proposal for a regulation

Article 20 – paragraph 1 – subparagraph 1 – point c – point i

Text proposed by the Commission

(i) the main points of the product specification: the name, a description of the spirit drink, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area;

Amendment

(i) the main points of the product specification: the name, *category*, a description of the spirit drink, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area;

Or. en

Justification

In the presentation of the product specification for a geographical indication, the category of spirit drink should also be clearly identified.

Amendment 320

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 20 – paragraph 1 – subparagraph 1 – point c – point i

Text proposed by the Commission

(i) the main points of the product specification: the name, a description of the spirit drink, including, where appropriate, specific rules concerning packaging and labelling, and a **concise** definition of the geographical area;

Amendment

(i) the main points of the product specification: the name, a description of the spirit drink, including, where appropriate, specific rules concerning packaging and labelling, and a definition of the geographical area;

Or. fr

Amendment 321

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 20 – paragraph 1 – subparagraph 1 – point c – point i a (new)

Text proposed by the Commission

Amendment

(ia) **any relevant additional information about production methods or about specific rules on, for example, labelling;**

Or. fr

Amendment 322

György Hölvényi

Proposal for a regulation

Article 20 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the name and address of the applicant **group**;

(a) the name and address of the applicant;

Or. en

Justification

The production of spirit drinks is different from the production of agricultural products and foodstuff, therefore it is necessary to allow single applicants to apply for a geographical indications. The Article 23. point 1.;Article 24. point 3. subparagraph 3. and 5. refer to applicant.

Amendment 323

György Hölvényi

Proposal for a regulation

Article 20 – paragraph 2 – point c

Text proposed by the Commission

(c) a declaration by the Member State that it considers that the application lodged by the applicant **group** and qualifying for the favourable decision meets the conditions of this Regulation and the provisions adopted pursuant thereto;

Amendment

(c) a declaration by the Member State that it considers that the application lodged by the applicant and qualifying for the favourable decision meets the conditions of this Regulation and the provisions adopted pursuant thereto;

Or. en

Justification

The production of spirit drinks is different from the production of agricultural products and foodstuff, therefore it is necessary to allow single applicants to apply for a geographical indications. The Article 23. point 1.;Article 24. point 3. subparagraph 3. and 5. refer to applicant.

Amendment 324

György Hölvényi

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Text proposed by the Commission

A joint application shall be submitted to the Commission by a Member State concerned, or by an applicant **group** in a third country concerned, directly or through the authorities of that third country. It shall include the declaration

Amendment

A joint application shall be submitted to the Commission by a Member State concerned, or by an applicant in a third country concerned, directly or through the authorities of that third country. It shall include the declaration referred to in point

referred to in point (c) of Article 20(2) from all the Member States concerned. The requirements laid down in Article 20 shall be fulfilled in all Member States and third countries concerned.

(c) of Article 20(2) from all the Member States concerned. The requirements laid down in Article 20 shall be fulfilled in all Member States and third countries concerned.

Or. en

Justification

The production of spirit drinks is different from the production of agricultural products and foodstuff, therefore it is necessary to allow single applicants to apply for a geographical indications. The Article 23. point 1.; Article 24. point 3. subparagraph 3. and 5. refer to applicant.

Amendment 325

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 21 – paragraph 1 – subparagraph 3

Text proposed by the Commission

A joint application shall be submitted to the Commission by **a Member State** concerned, or by an applicant group in a third country concerned, directly or through the authorities of that third country. It shall include the declaration referred to in point (c) of Article 20(2) from all the Member States concerned. The requirements laid down in Article 20 shall be fulfilled in all Member States and third countries concerned.

Amendment

A joint application shall be submitted to the Commission by **the Member States** concerned, or by an applicant group in a third country concerned, directly or through the authorities of that third country. It shall include the declaration referred to in point (c) of Article 20(2) from all the Member States concerned. The requirements laid down in Article 20 shall be fulfilled in all Member States and third countries concerned.

Or. fr

Amendment 326

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 21 – paragraph 4 – subparagraph 1

Text proposed by the Commission

If, after assessment of any opposition received, the Member State considers that the requirements of this Chapter are met, it may take a favourable decision and lodge an application dossier with the Commission. ***It shall in such case inform the Commission of admissible oppositions received from a natural or legal person that have legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 3.*** Member States shall also keep the Commission informed of the national judicial proceedings possibly affecting the registration procedure.

Amendment

If, after assessment of any opposition received, the Member State considers that the requirements of this Chapter are met, it may take a favourable decision and lodge an application dossier with the Commission. Member States shall also keep the Commission informed of the national judicial proceedings possibly affecting the registration procedure.

Or. fr

Amendment 327

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 21 – paragraph 4 – subparagraph 1

Text proposed by the Commission

If, after assessment of any opposition received, the Member State considers that the requirements of this Chapter are met, it may take a favourable decision and lodge an application dossier with the Commission. It shall in such case inform the Commission of admissible oppositions received from a natural or legal person that have legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 3. Member States shall ***also*** keep the Commission informed of the national judicial proceedings possibly affecting the registration

Amendment

If, after assessment of any opposition received, the Member State considers that the requirements of this Chapter are met, it may take a favourable decision and lodge an application dossier with the Commission. It shall in such case inform the Commission of admissible oppositions received from a natural or legal person that have legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 3. Member States shall keep the Commission informed of the national judicial proceedings possibly affecting the registration procedure.

procedure.

Or. fr

Amendment 328

Julie Girling

Proposal for a regulation

Article 22

Text proposed by the Commission

Amendment

Article 22

deleted

Transitional national protection

1. A Member State may, on a transitional basis only, grant protection to a name under this Regulation at national level, with effect from the date on which an application is lodged with the Commission.

2. Such national protection shall cease on the date on which either a decision on registration under this Regulation is taken or the application is withdrawn.

3. Where a name is not registered under this Chapter, the consequences of such national protection shall be the sole responsibility of the Member State concerned.

4. The measures taken by Member States under paragraph 1 shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.

Or. en

Justification

This deletion removes a provision which calls for transitional national protection at an EU level. A geographical indication can be protected in national law already, both on a permanent and transitional basis.

Amendment 329
Ulrike Müller

Proposal for a regulation
Article 22

Text proposed by the Commission

Amendment

Article 22

deleted

Transitional national protection

- 1. A Member State may, on a transitional basis only, grant protection to a name under this Regulation at national level, with effect from the date on which an application is lodged with the Commission.***
- 2. Such national protection shall cease on the date on which either a decision on registration under this Regulation is taken or the application is withdrawn.***
- 3. Where a name is not registered under this Chapter, the consequences of such national protection shall be the sole responsibility of the Member State concerned.***
- 4. The measures taken by Member States under paragraph 1 shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.***

Or. en

Justification

Many GI spirits have long been protected at EU and national level. This dual protection is considered to be critical to their success. There is no need for this new restriction because it is for the Member States to decide if national protection for spirit drinks should be transitional or permanent.

Amendment 330

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 22 – paragraph 4

Text proposed by the Commission

Amendment

4. *The measures taken by Member States under paragraph 1 shall produce effects at national level only, and they shall have no effect on intra-Union or international trade.* *deleted*

Or. fr

Amendment 331

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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 12 months. Where this period is exceeded, the Commission shall indicate in writing to the applicant the reasons for the delay.***

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, ***within 12 months.***

Or. fr

Amendment 332

Ulrike Müller

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The Commission shall scrutinise by

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.

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 ***shall consist of a check that there are no manifest errors in the application*** and 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 for other foodstuffs (Article 50 of Regulation 1151/2012) and to avoid excessively long processes, the scrutiny should be more limited and the maximum period should be reduced to 6 months.

Amendment 333 **Matteo Salvini**

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 ***shall be exercised within*** a period of **18** months.

Or. it

Amendment 334 **Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh**

Proposal for a regulation **Article 23 – paragraph 1 – subparagraph 1 a (new)**

The 12-month deadline shall be a strict one which the Commission may not exceed unless there is a compelling reason to do so. The Commission must, without fail and at the earliest possible date, indicate to the applicant in writing the reason for any delay in the scrutiny procedure and how much additional time it is expected to take. That additional time shall be strictly fixed and may not be exceeded.

Or. fr

Amendment 335

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 23 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The Commission shall, at least each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission.

The Commission shall, at least each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission, ***in particular by publishing the list on a public internet platform which it has set up for that purpose.***

Or. fr

Amendment 336

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 23 – paragraph 2

Text proposed by the Commission

Amendment

2. Where, ***based on the scrutiny carried out*** pursuant to the first

2. Where ***the scrutiny which the Commission carries out*** pursuant to the

subparagraph of paragraph 1, *the Commission considers* that the conditions laid down in this Chapter are fulfilled, *it* shall publish in the Official Journal of the European Union the single document referred to in point (c) of Article 20(1) and the reference to the publication of the product specification.

first subparagraph of paragraph 1 *leads to the conclusion* that the conditions laid down in this Chapter are fulfilled, *the Commission* shall publish in the Official Journal of the European Union the single document referred to in point (c) of Article 20(1) and the reference to the publication of the product specification.

Or. fr

Amendment 337

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 24 – paragraph 1 – subparagraph 5

Text proposed by the Commission

The Commission shall forward the notice of opposition to the authority or body that lodged the application *without delay*.

Amendment

The Commission shall forward the notice of opposition to the authority or body that lodged the application *at the earliest possible date*.

Or. fr

Amendment 338

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 24 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Within two months after the receipt of an admissible reasoned statement of opposition, the Commission shall invite the authority or person that lodged the opposition and the authority or body that lodged the application to engage in appropriate consultations for a period that shall not exceed three months. This deadline shall start on the date when the invitation *to the interested parties* is *delivered* by electronic means.

Amendment

Within two months after the receipt of an admissible reasoned statement of opposition, the Commission shall invite the authority or person that lodged the opposition and the authority or body that lodged the application to engage in appropriate consultations for a period that shall not exceed three months. This deadline shall start on the date when the invitation, *which shall be sent by the Commission by post and* by electronic

means *at the earliest possible date, is received by the abovementioned authority or body.*

Or. fr

Amendment 339

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 24 – paragraph 3 – subparagraph 3

Text proposed by the Commission

When the interested parties reach an agreement, the authorities of the Member State or of the third country from which the application was lodged shall notify the Commission *of all the factors which enabled that* agreement *to be* reached, *including* the opinions of the applicant and of the authorities of a Member State or of a third country or other natural and legal persons having lodged an opposition.

Amendment

When the interested parties reach an agreement, the authorities of the Member State or of the third country from which the application was lodged shall notify the Commission *that the* agreement *has been* reached, *advising it in particular of* the opinions of the applicant and of the authorities of a Member State or of a third country or other natural and legal persons having lodged an opposition.

Or. fr

Amendment 340

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 24 – paragraph 3 – subparagraph 5

Text proposed by the Commission

At any time during these three months, the Commission *may, at the request of the applicant* extend the deadline for the consultations by a maximum of three months.

Amendment

At any time during these three months, the Commission *must, if the applicant requests it to do so*, extend the deadline for the consultations by a maximum of three months.

Or. fr

Amendment 341

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 25 – paragraph 1 – point c

Text proposed by the Commission

(c) the registration of the name proposed would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in Article 23(2).

Amendment

(c) the registration of the name proposed would jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication provided for in Article 23(2), *or would, in any event, be likely to mislead the consumer.*

Or. fr

Amendment 342

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 26

Text proposed by the Commission

Article 26

Transitional periods for use of geographical indications

1. Without prejudice to Article 18, the Commission may adopt implementing acts granting a transitional period of up to five years to enable spirit drinks originating in a Member State or a third country the name of which contravenes Article 18(2) to continue to use the designation under which it was marketed on condition that an admissible statement of opposition under Article 21(3) or Article 24 shows that the registration of the name would jeopardise the existence of:

(a) an entirely identical name or of a compound name, one term of which is

Amendment

deleted

identical to the name to be registered; or

(b) other names similar to the name to be registered which refer to spirit drinks which have been legally on the market for at least five years preceding the date of the publication provided for in Article 23(2).

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

2. *Without prejudice to Article 33, the Commission may adopt implementing acts extending the transitional period mentioned in paragraph 1 of this Article or allowing continued use in duly justified cases where it is shown that:*

(a) the designation referred to in paragraph 1 has been in legal use consistently and fairly for at least 25 years before the application for protection was submitted to the Commission;

(b) the purpose of using the designation referred to in paragraph 1 has not, at any time, been to profit from the reputation of the registered name and it is shown that the consumer has not been nor could have been misled as to the true origin of the product.

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

3. *When using a designation referred to in paragraphs 1 and 2, the indication of country of origin shall clearly and visibly appear on the labelling.*

Or. fr

Amendment 343

Ulrike Müller, Frédérique Ries

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 344

Ulrike Müller, Frédérique Ries

**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 345
Ulrike Müller, Frédérique Ries

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 346
Ulrike Müller, Frédérique Ries

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 347
Ulrike Müller

Proposal for a regulation
Article 28 – paragraph 3

Text proposed by the Commission

3. The scrutiny of the application shall ***focus on*** the proposed amendment.

Amendment

3. The scrutiny of the application shall ***only address*** the proposed amendment.

Or. en

Justification

To avoid re-opening entire files which have already been approved and if only small-scale adjustments are needed, only the proposed amendments should be subject to the Commission's procedures.

Amendment 348
Matteo Salvini

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 may, ***at the request of the Member State concerned – through the latter's competent authority as referred to in Article 40(1) – or*** 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:

Or. it

Amendment 349
Ulrike Müller, Frédérique Ries

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 350

Matteo Salvini

Proposal for a regulation

Article 29 – paragraph 1 – point b

Text proposed by the Commission

(b) where no product is placed on the market under the geographical indication for at least seven years.

Amendment

deleted

Or. it

Amendment 351

Ulrike Müller, Frédérique Ries

Proposal for a regulation

Article 29 – paragraph 3

Text proposed by the Commission

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

Amendment

deleted

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 352

Ulrike Müller, Frédérique Ries

Proposal for a regulation**Article 30 – paragraph 1***Text proposed by the Commission*

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').

Amendment

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'). ***The Register [insert footnote with a direct link to the relevant site] will provide direct access to all product specifications for spirit drinks registered as geographical indications.***

Justification

Delegated Acts are introduced to safeguard the existing EP rights. Further, this amendment seeks to ensure the same legal protection as a list in an Annex to the Regulation. It also seeks to ensure added value of moving the list of GIs to an electronic register by making the product specifications more easily accessible.

Amendment 353

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation**Article 30 – paragraph 1**

Text proposed by the Commission

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').

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'), ***in addition to Annex III to this Regulation establishing the official and exhaustive list of such indications in the European Union.***

Or. fr

Amendment 354

Lynn Boylan

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

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').

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 Register will provide direct access to all product specifications for spirit drinks registered as geographical indications.***

Or. en

Amendment 355

Susanne Melior

Proposal for a regulation

Article 30 – paragraph 1

Text proposed by the Commission

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').

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 register shall contain all product specifications for spirits which are registered as geographical indications.***

Or. de

Justification

The online register thus provides considerable added value in comparison with the old regime.

Amendment 356

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 30 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The abovementioned electronic register shall serve to make the list of protected geographical indications more accessible for public consultation. It may not, however, replace Annex III to this Regulation establishing the official and exhaustive list of the protected geographical indications.

Or. fr

Amendment 357

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 30 – paragraph 3

Text proposed by the Commission

Amendment

Geographical indications of spirit drinks produced in third countries that are protected in the Union pursuant to an international agreement to which the Union is a contracting party may be entered in the Register as geographical indications.

deleted

Or. fr

Amendment 358
Ulrike Müller, Frédérique Ries

Proposal for a regulation
Article 30 – paragraph 3

Text proposed by the Commission

Amendment

Geographical indications of spirit drinks produced in third countries that are protected in the Union pursuant to an international agreement to which the Union is a contracting party may be entered in the Register as geographical indications.

Geographical indications of spirit drinks produced in third countries that are protected in the Union pursuant to an international agreement to which the Union is a contracting party may be entered in the Register as geographical indications *only after the Commission has adopted a delegated act to that effect.*

Or. en

Justification

Delegated Acts are introduced to safeguard the existing EP rights.

Amendment 359
Matteo Salvini

Proposal for a regulation
Article 31 – paragraph 2

Text proposed by the Commission

2. ***A homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name is accurate as far as the actual territory, region or place of origin of those products is concerned.***

Amendment

2. ***Without prejudice to paragraph 3, a homonymous name shall be registered as long as it is accurate as far as the actual territory, region or place of origin of those products is concerned.***

Or. it

Amendment 360

Julie Girling

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

1. The registration of a trademark ***which contains or consists of a geographical indication listed in the Register shall be refused or invalidated*** if its use would lead to any of the situations referred to in Article 18(2).

Amendment

1. The registration of a trademark shall be ***denied*** if its use would lead to any of the situations referred to in Article 18(2).

Or. en

Justification

This change removes an unnecessary reference to geographical indications. Article 18(2) of the draft Regulation calls for geographical indications to be to be protected from "indirect" means of exploitation which may not cite the specific geographical indication's name. It is therefore inconsistent to refer specifically to "contains or consists of geographical indications" here.

Amendment 361

Ulrike Müller, Frédérique Ries

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 **registered** geographical indications

Or. en

Justification

Consistent with the deletion of paragraph 2 of Article 34.

Amendment 362

Ulrike Müller, Frédérique Ries

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 them in the Register.

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.

Or. en

Justification

Consistent with the deletion of paragraph 2 of Article 34.

Amendment 363

Nikos Androulakis, Giorgos Grammatikakis, Manolis Kefalogiannis

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

1. Geographical indications of spirit drinks protected under Regulation (EC) No

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.

110/2008, shall automatically be protected as geographical indications under this Regulation. The Commission shall list them in the Register.

Or. en

Amendment 364
Matteo Salvini

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

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 them in the Register.

Amendment

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.

Or. it

Amendment 365
Matteo Salvini

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

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***

Amendment

deleted

Article 44(2).

Or. it

Amendment 366

Ulrike Müller, Frédérique Ries

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

Currently the technical files / product specifications for all EU spirits with geographical indications are being assessed. By the time the new Regulation takes effect that process should be complete. There is no justification for the Commission to cancel GI spirits thereafter, especially without any involvement of other institutions or the sector concerned.

Amendment 367

Nikos Androulakis, Giorgos Grammatikakis, Manolis Kefalogiannis

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 *deleted*

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).

Or. en

Amendment 368

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 34 – paragraph 2

Text proposed by the Commission

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).*

Amendment

2. For a period of up to two years following the entry into force of this Regulation, *and subject to the agreement of the reference Member State*, the Commission may 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).

Or. fr

Amendment 369

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 34 – paragraph 2

Text proposed by the Commission

2. For a period of up to two years

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).*

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 *the Commission and the Member State concerned agree that* they do not comply with point (6) of Article 2(1).

Or. fr

Amendment 370

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 34 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. In order for the Commission to cancel the protection of a protected indication of origin it is a binding requirement that the competent national authorities should agree to the cancellation.

Or. fr

Amendment 371

Matteo Salvini

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 point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council¹⁹, operating as a product certification body.

deleted

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).

Or. it

Amendment 372

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 35 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) control body within the meaning of point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council¹⁹, 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).

Amendment

(b) control body within the meaning of point 5 of the second subparagraph of Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council, operating as a product certification body ***recognised and accredited as such by the reference Member State.***

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).

Or. fr

Amendment 373

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 35 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

Notwithstanding the national legislation of Member States, the costs of such verification of compliance with the product specification shall be borne by the food business operators which are subject to those controls.

The costs of such verification of compliance with the product specification shall, ***in the absence of provision to the contrary in the law of the reference Member State***, be borne by the food business operators which are subject to those controls.

Or. fr

Amendment 374

Matteo Salvini

Proposal for a regulation

Article 35 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) product certification body.

deleted

Or. it

Amendment 375

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 35 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) product certification body.

***(b) product certification body
recognised and accredited by the third
country.***

Or. fr

Amendment 376

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 35 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Member States shall make public the names and addresses of the authorities and bodies referred to in paragraph 1, and update that information **periodically**.

Amendment

Member States shall make public the names and addresses of the authorities and bodies referred to in paragraph 1, and update that information **as necessary**.

Or. fr

Amendment 377
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 35 – paragraph 5

Text proposed by the Commission

5. The competent authorities or bodies referred to in paragraphs 1 and 2 verifying compliance of the protected geographical indication with the product specification shall be objective and impartial. **They** shall have at their disposal the qualified staff and resources necessary to carry out their tasks.

Amendment

5. The competent authorities or bodies, referred to in paragraphs 1 and 2, verifying compliance of the protected geographical indication with the product specification ***shall fulfil conditions set by the Member States in question for their accreditation as control and certification bodies; in particular, they shall*** be objective and impartial **and** shall have at their disposal the qualified staff and resources necessary to carry out their tasks.

Or. fr

Amendment 378
Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

1. In order to take account of the specificities of the production in the demarcated geographical area, the

Amendment

deleted

Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning:

(a) the additional criteria for the demarcation of the geographical area; and

(b) the restrictions and derogations related to the production in the demarcated geographical area.

Or. fr

Amendment 379

Ulrike Müller

Proposal for a regulation Article 38 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to take account of the specificities of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning: *deleted*

(a) the additional criteria for the demarcation of the geographical area; and

(b) the restrictions and derogations related to the production in the demarcated geographical area.

Or. en

Justification

This Article would allow the Commission direct involvement in Member States' policy regarding national rules for geographical indications without any obvious benefit.

Amendment 380

Julie Girling

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to take account of the specificities of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning: **deleted**

(a) the additional criteria for the demarcation of the geographical area; and

(b) the restrictions and derogations related to the production in the demarcated geographical area.

Or. en

Justification

This deletion ensures that the draft Regulation remains completely consistent with the rules on Member States' legislation laid out in Article 42 as well as their existing powers in this area.

Amendment 381
Matteo Salvini

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to take account of the specificities of the production in the demarcated geographical area, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning: **deleted**

(a) the additional criteria for the demarcation of the geographical area; and

(b) the restrictions and derogations related to the production in the

demarcated geographical area.

Or. it

Amendment 382

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the additional criteria for the demarcation of the geographical area; and *deleted*

Or. fr

Amendment 383

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the restrictions and derogations related to the production in the demarcated geographical area. *deleted*

Or. fr

Amendment 384

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. In order to ensure product quality and traceability, the Commission may, by means of delegated acts adopted in *deleted*

accordance with Article 43, provide for the conditions under which the product specification may include information concerning packaging as referred to in point (e) of Article 19 or any specific labelling rule as referred to in point (h) of Article 19.

Or. fr

Amendment 385
Julie Girling

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. *In order to ensure product quality and traceability, the Commission may, by means of delegated acts adopted in accordance with Article 43, provide for the conditions under which the product specification may include information concerning packaging as referred to in point (e) of Article 19 or any specific labelling rule as referred to in point (h) of Article 19.* **deleted**

Or. en

Justification

This deletion ensures that the draft Regulation remains completely consistent with the rules on Member States' legislation laid out in Article 42 as well as their existing powers in this area.

Amendment 386
Ulrike Müller

Proposal for a regulation
Article 38 – paragraph 2

2. In order to ensure product quality and traceability, the Commission may, by means of delegated acts adopted in accordance with Article 43, provide for the conditions under which the product specification may include information concerning packaging as referred to in point (e) of Article 19 or any specific labelling rule as referred to in point (h) of Article 19. *deleted*

Or. en

Justification

This Article would allow the Commission direct involvement in Member States' policy regarding packaging and labelling rules specific to a geographical indication without any obvious benefit, as national policy already needs to comply with the Regulation.

Amendment 387

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 3

3. In order to ensure the rights or legitimate interests of producers or food business operators, the Commission may, by means of delegated acts adopted in accordance with Article 43, set out: *deleted*

(a) in which cases a single producer may apply for the protection of a geographical indication;

(b) the conditions to be followed in respect of an application for the protection of a geographical indication, preliminary national procedures, scrutiny by the Commission, the opposition procedure and the cancellation of geographical indications, including in cases where the geographical area covers

more than one country.

Or. fr

Amendment 388

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) in which cases a single producer may apply for the protection of a geographical indication; *deleted*

Or. fr

Amendment 389

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the conditions to be followed in respect of an application for the protection of a geographical indication, preliminary national procedures, scrutiny by the Commission, the opposition procedure and the cancellation of geographical indications, including in cases where the geographical area covers more than one country. *deleted*

Or. fr

Amendment 390

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 4

Text proposed by the Commission

4. In order to ensure that product specifications provide relevant and succinct information, the Commission shall be empowered to adopt delegated acts, in accordance with Article 43, laying down rules which limit the information contained in the product specification, where such a limitation is necessary to avoid excessively voluminous applications for registration.

Amendment

4. In order to ensure that product specifications provide relevant and succinct information, the Commission shall be empowered to adopt delegated acts, in accordance with Article 43, laying down rules which limit the information contained in the product specification, ***exclusively*** where such a limitation is necessary to avoid excessively voluminous applications for registration ***and where it will not result in certain categories of product being given a competitive advantage at the expense of others.***

Or. fr

Amendment 391

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 5

Text proposed by the Commission

5. In order to facilitate the administrative process of an amendment application, ***including*** where the amendment consists in a temporary change of the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or linked to natural disasters or adverse weather conditions ***formally*** recognised by the competent authorities, the Commission shall be empowered to adopt delegated acts, in accordance with Article 43, to establish conditions and requirements for the procedure concerning the amendments to be approved both by the Member States and by the Commission.

Amendment

5. In order to facilitate the administrative process of an amendment application, where the amendment consists in a temporary change of the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or linked to natural disasters or adverse weather conditions recognised by the competent ***national*** authorities, the Commission shall be empowered to adopt delegated acts, in accordance with Article 43, to establish conditions and requirements for the procedure concerning the amendments to be approved both by the Member States and by the Commission.

Or. fr

Amendment 392

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 38 – paragraph 6

Text proposed by the Commission

6. In order to prevent the unlawful use of geographical indications, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the appropriate actions to be implemented by the Member States in this respect.

Amendment

6. In order to prevent the unlawful use of geographical indications, the Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the appropriate actions to be implemented by the Member States in this respect. ***Member States may take additional measures, including measures stricter than those adopted by the Commission.***

Or. fr

Amendment 393

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 39 – paragraph 1 – point a

Text proposed by the Commission

(a) the form of the specification and ***measures on the information*** to be provided in the product specification ***with regard to the link between the geographical area and the final product;***

Amendment

(a) the form of the specification and ***main items of information*** to be provided in the product specification;

Or. fr

Amendment 394

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 41 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 43 concerning the nature and type of information to be exchanged.

deleted

Or. fr

**Amendment 395
Matteo Salvini**

**Proposal for a regulation
Article 42 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. In order to take account of the specificities of the production in certain demarcated geographical areas in their own territory, Member States may establish rules concerning:

***(a) the additional criteria for the demarcation of the geographical area;
and***

(b) the restrictions and derogations related to the production in the demarcated geographical area.

Or. it

**Amendment 396
Bart Staes**

**Proposal for a regulation
Chapter 5 – title**

Text proposed by the Commission

Amendment

delegation of power, implementing provisions, repeal and amendment, transitional and final provisions

Reporting and reviewing, delegation of power, implementing provisions, repeal and amendment, transitional and final

Amendment 397

Bart Staes

Proposal for a regulation

Article 42 a (new)

Text proposed by the Commission

Amendment

SECTION -1

Reporting and review

Article 42a

***Reporting and review as regards labelling
for alcoholic drinks***

***The Commission shall prepare a report
assessing any self-regulatory proposals by
the alcoholic beverages industry to
provide information on ingredients and
nutrition of all alcoholic beverages by the
31st of July 2018. That report shall in
particular assess whether any self-
regulatory proposal ensures that, as a
minimum, ingredients and nutritional
information is provided on-label and that
such information complies with the
voluntary food information required
under Chapter V of Regulation (EU) No
1169/2011. If appropriate, the
Commission shall accompany that report
by a legislative proposal determining the
rules for a list of ingredients or a
mandatory nutrition declaration for all
alcoholic beverages including spirit
drinks.***

Or. en

Justification

This AM should be a new Article 42a, under a new section (-1) in Chapter V.

Amendment 398

Matteo Salvini

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, 38, 41 and 46(2) shall be conferred on the Commission for a five-year period of time from 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 identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

Or. it

Amendment 399

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

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, 38, 41 and 46(2) shall be conferred on the Commission for ***a five-year period of time*** from the entry into force of this Regulation.

Or. fr

Amendment 400

Lynn Boylan

Proposal for a regulation

Article 43 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The power to adopt delegated acts referred to in Article 16 (2) shall be conferred on the Commission for a 4-year period from ... [OJ: please insert the entry into force of this Regulation].

Or. en

Justification

Par.16 (2) is about traditional ageing processes in the MS and derogations concerning the maturation period and the supervision of authorities (art.11(3)) Those are existing traditional regional and local processes and methods, therefore they shouldn't change based on the consumers' demand or technological and international developments. A limited time period shall be granted to the EC to establish them, so the producers can operate without regulatory uncertainties, especially in a sector where maturation years are very important

Amendment 401

Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh

Proposal for a regulation

Article 46 – paragraph 2

Text proposed by the Commission

Amendment

2. In order to facilitate the transition from the rules provided for in Regulation (EC) No 110/2008 to those established by this Regulation, the Commission, where appropriate, may, by means of delegated acts, adopt measures to amend or derogate from this Regulation, by 3 years after the date of application.

deleted

Or. fr

Amendment 402

Lynn Boylan

Proposal for a regulation

Article 46 – paragraph 3 – subparagraph 1

Text proposed by the Commission

Articles 19 to 23, 28 and 29 shall apply to applications for protection, applications for amendment and cancellations submitted after the date of application of this Regulation.

Amendment

Articles 19 to 23, 28 and 29 shall apply to applications for protection, applications for amendment and cancellations submitted after the date of application of this Regulation. ***Reference to product specifications as defined in point 7 of Article 2(1) shall also be taken to include the technical files of spirit drinks protected under Regulation (EC) No 110/2008 where appropriate and, in particular, with respect to this Article Articles 18, 28, 29, 35, 38, 39 of this Regulation.***

Or. en

Amendment 403

Ulrike Müller, Frédérique Ries

Proposal for a regulation

Article 46 – paragraph 3 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Reference to product specifications as defined in point 7 of Article 2(1) shall also be taken to include the technical files of spirit drinks protected under Regulation (EC) No 110/2008 where appropriate and, in particular, with respect to this Article and Articles 18, 28, 29, 35, 38, 39 of this Regulation.

Or. en

Justification

Under the current Regulation spirit drinks with geographical indications are required to

submit a 'Technical File'. The new proposal introduces the term 'Product Specification' which is consistent with that used for other foodstuffs. To avoid any confusion, a direct link needs to be made between the term used until now and the new one. This will ensure that references to Product Specifications in this Regulation will also include Technical Files for established GIs where appropriate.

Amendment 404
Matteo Salvini

Proposal for a regulation
Annex I – paragraph 1 – point 2 – paragraph 1

Text proposed by the Commission

‘Distillate of agricultural origin’ means ***an*** alcoholic liquid which is obtained by the distillation, after alcoholic fermentation, of agricultural products listed in Annex I to the Treaty which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of the raw ***materials*** used.

Amendment

‘Distillate of agricultural origin’ means ***the*** alcoholic liquid which is obtained by the distillation, after alcoholic fermentation, of ***an*** agricultural ***product or*** products listed in Annex I to the Treaty which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of the raw ***material(s)*** used.

Or. it

Justification

See Regulation (EC) No 110/2008, Annex I, point 2.

Amendment 405
Bolesław G. Piecha

Proposal for a regulation
Annex I – paragraph 1 – point 2 – paragraph 1

Text proposed by the Commission

‘Distillate of agricultural origin’ means an alcoholic liquid which is obtained by the distillation, after alcoholic fermentation, ***of agricultural products listed in Annex I to the Treaty*** which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of

Amendment

‘Distillate of agricultural origin’ means an alcoholic liquid which is obtained by the distillation, after alcoholic fermentation, which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of the raw materials used.

the raw materials used.

Or. en

Amendment 406
Matteo Salvini

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 **material** used, the distillate must be obtained exclusively from that raw **material**.

Or. it

Justification

See Regulation (EC) No 110/2008, Annex I, point 2.

Amendment 407
Susanne Melior

Proposal for a regulation
Annex I – paragraph 1 a (new)

Text proposed by the Commission

Amendment

‘Distillation’ a procedure whereby a mixture of substances containing alcohol or an alcoholic liquid is heated and the resulting steam is then condensed again (liquefied). This thermal procedure aims either to separate substances in the original mixture or to strengthen certain sensory characteristics of the alcoholic liquid. Distillation is carried out either once or more than once, depending on the product category, production method or the equipment used.

Justification

In Regulation 110/2008 which is currently in force, the individual product categories sometimes specify whether single or multiple distillation may be used. This caused some legal uncertainty when the current Spirit Drinks Regulation was implemented over whether single or multiple distillation is authorised for categories where simply distillation was mentioned. Double distillation is the traditional method and is still used in many product categories.

Amendment 408
Bolesław G. Piecha

Proposal for a regulation
Annex I – paragraph 1 a (new)

Text proposed by the Commission

Amendment

'of agricultural origin' means obtained from agricultural products listed in Annex I to the Treaty or processed foodstuffs originating exclusively from such products, suitable for human consumption.'

Or. en

Amendment 409
Ulrike Müller, Frédérique Ries

Proposal for a regulation
Annex I – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2a) In the context of this Regulation, the general term “distillation” is used for both single and multiple distillation or re-distillation.

Or. en

Justification

Multiple distillation is traditionally used and common practice also for categories of spirit drinks where this is not specifically mentioned in the requirements for the category in Annex II. For reasons of legal certainty a clarification of the term distillation is necessary to guarantee producers the legality of their traditional production methods.

Amendment 410

Mairead McGuinness, Seán Kelly

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 ***substances or agricultural raw materials*** having a similar effect to the products referred to in points (a) to (e).

Or. en

Amendment 411

Boleslaw G. Piecha

Proposal for a regulation

Annex I – paragraph 1 – point 4

Text proposed by the Commission

(4) 'Addition of alcohol' means the addition of ethyl alcohol of agricultural origin or distillates of agricultural origin or both to a spirit drink.

Amendment

(4) 'Addition of alcohol' means the addition of ethyl alcohol of agricultural origin or distillates of agricultural origin or both to a spirit drink. ***The use of alcohol of agricultural origin for dilute or dissolution of colours, flavouring or any other authorised additives used in the preparation of spirit drinks shall not be considered as addition of alcohol.***

Or. en

Amendment 412
Ulrike Müller, Frédérique Ries

Proposal for a regulation
Annex I – paragraph 1 – point 14

Text proposed by the Commission

(14) ‘Colouring’ means using in the ***preparation*** of a spirit drink one or more colours, as defined in point 2 of Annex I to Regulation (EC) No 1333/2008.

Amendment

(14) ‘Colouring’ means using in the ***production*** of a spirit drink one or more colours, as defined in point 2 of Annex I to Regulation (EC) No 1333/2008.

Or. en

Justification

As spirit drinks are produced rather than prepared, this adjustment will clarify the definition of colouring.

Amendment 413
Nikos Androulakis, Giorgos Grammatikakis, Manolis Kefalogiannis

Proposal for a regulation
Annex I – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘Packaging’ means the protective wrappings, ***cartons, cases, containers and bottles*** used in the transport ***or*** sale of ***spirit drinks***.

Amendment

(17) ‘Packaging’ means the protective wrappings, ***such as papers, envelopes of all kinds, cartons and cases***, used in the transport ***and/or*** sale of ***one or more containers***.

Or. en

Justification

According to the relevant horizontal legislation in force, bottling is a different process than packaging and therefore the concept of bottling should not be included in the definition of packaging. The proposed definition is the same as this of the Regulation currently in force (Reg. EC 110/2008)

Amendment 414
Younous Omarjee

Proposal for a regulation
Annex II – section 1 – part 1 – point a – point ii

Text proposed by the Commission

(ii) a spirit drink produced exclusively by alcoholic fermentation and distillation of sugar-cane juice which has the aromatic characteristics specific to rum and a volatile substances content equal to or exceeding 225 grams per hectolitre of 100 % vol. alcohol. This spirit drink may be placed on the market with the word ‘agricultural’ qualifying the ***sales denomination*** ‘rum’ accompanied by ***any*** registered geographical indications of the French Overseas Departments and the Autonomous Region of Madeira.

Amendment

(ii) a spirit drink produced exclusively by alcoholic fermentation and distillation of sugar-cane juice which has the aromatic characteristics specific to rum and a volatile substances content equal to or exceeding 225 grams per hectolitre of 100% vol. alcohol. This spirit may be placed on the market with the word ‘agricultural’ qualifying the ***legal name*** ‘rum’ ***only when it is*** accompanied by ***one of the*** registered geographical indications of the French Overseas Departments and the Autonomous Region of Madeira.

Or. fr

Amendment 415
Angélique Delahaye, Michel Dantin, Françoise Grossetête

Proposal for a regulation
Annex II – section 1 – part 1 – point a – point ii

Text proposed by the Commission

(ii) a spirit drink produced exclusively by alcoholic fermentation and distillation of sugar-cane juice which has the aromatic characteristics specific to rum and a volatile substances content equal to or exceeding 225 grams per hectolitre of 100 % vol. alcohol. This spirit drink may be placed on the market with the word ‘agricultural’ qualifying the ***sales denomination*** ‘rum’ accompanied by ***any*** registered geographical indications of the French Overseas Departments and the Autonomous Region of Madeira.

Amendment

(ii) a spirit drink produced exclusively by alcoholic fermentation and distillation of sugar-cane juice which has the aromatic characteristics specific to rum and a volatile substances content equal to or exceeding 225 grams per hectolitre of 100% vol. alcohol. This spirit may be placed on the market with the word ‘agricultural’ qualifying the ***legal name*** ‘rum’ ***only when it is*** accompanied by ***one*** of the registered geographical indications of the French Overseas Departments and the Autonomous Region of Madeira.

Or. fr

Amendment 416
Younous Omarjee

Proposal for a regulation
Annex II – section 1 – part 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) Rum may be sweetened by up to 20 g per litre of final product, expressed as invert sugar, in order to round off the final taste.

Or. fr

Amendment 417
Angélique Delahaye, Michel Dantin, Françoise Grossetête

Proposal for a regulation
Annex II – section 1 – part 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) Rum may be sweetened by up to 20 g per litre of final product, expressed as invert sugar, in order to round off the final taste.

Or. fr

Justification

Certain rums under European geographical indications are limited in their sweetening. They compete with imported spirits using the same name but with a much higher proportion of sweetening. In order to restore fair competition, to enhance European geographical indications and to provide consumers with good information, the rapporteur proposes setting the limit of 20 g of sugar per litre for rum.

Amendment 418
Bolesław G. Piecha

Proposal for a regulation
Annex II – section 1 – part 2 – point d

Text proposed by the Commission

Amendment

(d) Whisky or whiskey shall not be sweetened or flavoured, nor contain any additives other than plain caramel used for colouring.

(d) Whisky or whiskey shall not be sweetened or flavoured, nor contain any additives other than plain caramel (**E150a**) used for colouring.

Or. en

Amendment 419
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 3 – point a a (new)

Text proposed by the Commission

Amendment

(aa) Grain spirit may only be sweetened by up to 10g per litre of final product, expressed as invert sugar, in order to round off the final taste.

Or. de

Justification

Grain spirit and grain brandy are still sweetened for rounding off either not at all or only minimally throughout the EU. To ensure a high standard of quality, the sweetening of grain spirit for rounding off should be limited to 10g per litre of final product, expressed as invert sugar.

Amendment 420
Matteo Salvini

Proposal for a regulation
Annex II – section 1 – part 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**%.

(See Regulation (EC) No 110/2008, Annex II, point 3)

Amendment 421

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 4 – point a a (new)

Text proposed by the Commission

Amendment

(aa) The term ‘wine spirit’ in connection with ‘vinegar’ is still authorised for the description, presentation and labelling of vinegar.

Or. de

Justification

Spirit vinegar (Branntweinessig) is a traditional term in Germany for a vinegar made not from wine spirit (a product as detailed in Annex II Part I point 4) but from agricultural alcohol. A description as ‘spirit vinegar’ would not be permissible because of the regulations on spirits concerning compound terms.

Amendment 422

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 4 – point d

Text proposed by the Commission

Amendment

(d) Wine spirit shall not be flavoured. This shall not exclude traditional production *methods*.

(d) Wine spirit shall not be flavoured. This shall not exclude ***the addition of substances traditionally used in its production. The Commission shall specify which substances are authorised EU-wide by means of delegated acts and shall be guided in so doing by traditional production processes in the individual Member States.***

Or. de

Justification

The addition of such additives has in the past been regulated by national law. This causes a distortion of competition in the internal market. In order to ensure a level playing-field and transparency for consumers, there should be EU-wide harmonisation of the authorised additives.

Amendment 423

Angélique Delahaye, Michel Dantin, Françoise Grossetête

Proposal for a regulation

Annex II – section 1 – part 5 – point a – point i

Text proposed by the Commission

(i) it is produced from wine spirit, whether or not wine distillate has been added, distilled at less than 94.8% vol., provided that wine distillate does not exceed a maximum of 50% of the alcoholic content of the finished product;

Amendment

(i) it is produced from wine spirit, whether or not wine ***and/or grape*** distillate has been added, distilled at less than 94.8% vol., provided that wine distillate does not exceed a maximum of 50% of the alcoholic content of the finished product;

Or. fr

Amendment 424

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 5 – point d

Text proposed by the Commission

(d) Brandy or Weinbrand shall not be flavoured. This shall not exclude traditional production ***methods***.

Amendment

(d) *Brandy or Weinbrand* shall not be flavoured. This shall not exclude ***the addition of substances traditionally used in their production. The Commission shall specify which substances are authorised EU-wide by means of delegated acts and shall be guided in so doing by traditional production processes in the individual Member States.***

Or. de

Justification

The addition of such additives has in the past been regulated by national law. This causes a distortion of competition in the internal market. In order to ensure a level playing-field and transparency for consumers, there should be EU-wide harmonisation of the authorised additives.

Amendment 425

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 5 – point d

Text proposed by the Commission

(d) *Brandy or Weinbrand* shall not be flavoured. This shall not exclude traditional production methods.

Amendment

(d) *Brandy or Weinbrand* shall not be flavoured. This shall not exclude traditional production methods ***which have an approval in at least one member state.***

Or. en

Justification

Only actually applied traditional production methods should be taken into account.

Amendment 426

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 7 – point a – point iv

Text proposed by the Commission

(iv) the maximum hydrocyanic acid content shall be **7** grams per hectolitre of 100 % vol. alcohol in the case of stone-fruit marc spirit;

Amendment

(iv) the maximum hydrocyanic acid content shall be **1** gram per hectolitre of 100% vol. alcohol in the case of stone-fruit marc spirit; ***In the case of stone-fruit marc spirit, the ethyl carbamate content of the final product shall not exceed 1mg/l.***

Or. de

Justification

Hydrocyanic acid is a precursor in the formation of ethyl carbamate, which is carcinogenic. If the target value of 1 mg/l of final product is to be met, the maximum hydrocyanic acid content must be reduced from 7 to 1 gram per hectolitre of 100% vol. alcohol. Ethyl carbamate is a very toxic carcinogenic substance. On the basis of the relevant recommendations in the Codex Alimentarius, the Commission has published recommendations for action to reduce the ethyl carbamate content to the target value of 1 mg per litre of final product.

Amendment 427

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 9 – title

Text proposed by the Commission

9. Fruit spirit

Amendment

9. Fruit spirit ***or Obstler***

(The term ‘Obstler’ should be protected and therefore written in italics only in German)

Or. de

Amendment 428

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 9 – point a – point iv

Text proposed by the Commission

(iv) in the case of stone-fruit spirits, it has a hydrocyanic acid content not exceeding 7 grams per hectolitre of 100 % vol. alcohol.

Amendment

(iv) in the case of stone-fruit spirits, a hydrocyanic acid content 1 gram per hectolitre of 100 % vol. alcohol A. shall not be exceeded ***In the case of stone-fruit spirits, the ethyl carbamate content of the final product shall not exceed 1 mg/l.***

Or. de

Justification

Hydrocyanic acid is a precursor in the formation of ethyl carbamate, which is carcinogenic. If the target value of 1 mg/l of final product is to be met, the maximum hydrocyanic acid content must be reduced from 7 to 1 gram per hectolitre of 100% vol. alcohol. Ethyl carbamate is a very toxic carcinogenic substance. On the basis of the relevant recommendations in the Codex Alimentarius, the Commission has published recommendations for action to reduce the ethyl carbamate content to the target value of 1 mg per litre of final product.

Amendment 429
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 9 – point a – point iv a (new)

Text proposed by the Commission

Amendment

(iva) The sales denomination ‘Obstler’ is reserved for fruit spirit made exclusively from apples and pears.

Or. de

Justification

The term ‘Obstler’ is a traditional name in German-speaking countries. The term ‘Obstler’ should be protected and therefore written in italics only in German.

Amendment 430
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 9 – point a a (new)

Text proposed by the Commission

Amendment

(aa) Fruit spirit may only be sweetened by up to 10g per litre of final product, expressed as invert sugar, in order to round off the final taste.

Or. de

Justification

Fruit spirits are still sweetened for rounding off either not at all or only minimally throughout the EU. To ensure a high standard of quality, the sweetening of fruit spirit for rounding off should be limited to 10g per litre of final product, expressed as invert sugar.

Amendment 431

Matteo Salvini

Proposal for a regulation

Annex II – section 1 – part 9 – point b – introductory part

Text proposed by the Commission

(b) The maximum methanol content of fruit spirit shall be 1 000 grams per hectolitre of 100 % vol. alcohol.

Amendment

(b) The maximum methanol content of fruit spirit shall be 1 000 grams per hectolitre of 100 % vol. alcohol.

However for the following fruit spirits the maximum methanol content shall be:

Or. it

(See Regulation (EC) No 110/2008, Annex II, point 9)

Amendment 432

Matteo Salvini

Proposal for a regulation

Annex II – section 1 – part 9 – point b – point i – introductory part

Text proposed by the Commission

(i) ***However, in case of fruit spirits obtained from the fruits or berries mentioned below, the maximum methanol content shall be*** 1 200 grams per hectolitre of 100 % vol. alcohol:

Amendment

(i) 1 200 grams per hectolitre of 100 % vol. alcohol ***obtained from the following fruits or berries:***

Or. it

(See Regulation (EC) No 110/2008, Annex II, point 9)

Amendment 433
Matteo Salvini

Proposal for a regulation

Annex II – section 1 – part 9 – point b – point ii – introductory part

Text proposed by the Commission

Amendment

(ii) *In case of fruit spirits obtained from the fruits or berries mentioned below, the maximum methanol content shall be 1 350 grams per hectolitre of 100 % vol. alcohol:*

(ii) 1 350 grams per hectolitre of 100 % vol. alcohol *obtained from the following fruits or berries:*

Or. it

(See Regulation (EC) No 110/2008, Annex II, point 9)

Amendment 434
Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 9 – point b – point ii – indent 7 a (new)

Text proposed by the Commission

Amendment

– — *checkerberry (Sorbus torminalis (L.) Crantz),*

Or. de

Justification

In terms of raw materials, the authorised maximum methanol content for checkerberries (Sorbus torminalis (L.) Crantz) should be increased to 1.350g/hl of pure alcohol, which will enable the production of high-quality products with a distinctive aroma and taste.

Amendment 435
Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 9 – point b – point ii – indent 7 b (new)

Text proposed by the Commission

Amendment

— — **sorb (*Sorbus domestica* L.),**

Or. de

Justification

*In terms of raw materials, the authorised maximum methanol content for sorbs (*Sorbus domestica* L.) should be increased to 1.350g/hl of pure alcohol, which will enable the production of high-quality products with a distinctive aroma and taste.*

Amendment 436

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 9 – point b – point ii – indent 7 c (new)

Text proposed by the Commission

Amendment

— — **rosehip (*Rosa canina* L.),**

Or. de

Justification

*In terms of raw materials, the authorised maximum methanol content for rosehips (*Rosa Canina* L.) should be increased to 1.350g/hl of pure alcohol, which will enable the production of high-quality products with a distinctive aroma and taste.*

Amendment 437

Norbert Lins

Proposal for a regulation

Annex II – section 1 – part 9 – point b – point ii a (new)

Text proposed by the Commission

Amendment

(*ii*a) — **checkerberry (*Sorbus torminalis* (L.) Crantz),**
— — **sorb (*Sorbus domestica* L.),**
— — **rosehip (*Rosa canina* L.),**

Justification

In terms of raw materials, the authorised maximum methanol content for these fruits should be increased to 1.350g/hl of pure alcohol, which will enable the production of high-quality products with a distinctive aroma and taste. There is no health risk, as the higher maximum methanol content is already in place for a number of other fruits and berries.

Amendment 438

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 9 – point f – paragraph 3 – indent 5 a (new)

Text proposed by the Commission

Amendment

– ***‘Obstler’ for a fruit spirit produced exclusively from apples, pears or both.***

Or. en

Justification

The name ‘Obstler’ is a traditional name in German-speaking countries.

Amendment 439

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 9 – point f – paragraph 3 a (new)

Text proposed by the Commission

Amendment

Fruit spirits made from apples and/or pears may be given the name ‘Obstler’;
(The term ‘Obstler’ should be protected and therefore written in italics only in German)

Or. de

Justification

The name ‘Obstler’ is traditionally used in German-speaking countries for fruit spirits made from these fruits.

Amendment 440

Norbert Lins

Proposal for a regulation

Annex II – section 1 – part 9 – point h

Text proposed by the Commission

(h) Whenever two or more fruits, berries or vegetables are distilled together, the product shall be sold under the name ‘fruit spirit’ or ‘vegetable spirit’, ***as appropriate***. The name may be supplemented by that of each fruit, berry or vegetable, in decreasing order of the quantity used.

Amendment

(h) Whenever two or more fruits, berries or vegetables are distilled together, the product shall be sold under the name ‘fruit ***and vegetable*** spirit’ or ‘vegetable ***and fruit*** spirit’, ***according to whether mashes from mainly fruit or berries or mashes from vegetables are distilled together***. The name may be supplemented by that of each fruit, berry or vegetable, in decreasing order of the quantity used.

The term ‘Obstler’ is reserved for fruit spirit made exclusively from apples and pears.

Or. de

Justification

The amendment in the first paragraph is more informative for consumers. ‘Obstler’ has for decades been a common term used for fruit spirit made from apples and pears in German-speaking countries (Germany, Austria, Switzerland). The term ‘Obstler’ should be protected and therefore written in italics only in German.

Amendment 441

Norbert Lins

Proposal for a regulation

Annex II – section 1 – part 9 a (new)

Text proposed by the Commission

Amendment

9a. Fruit spirit may only be sweetened by up to 10g per litre of final product, expressed as invert sugar, in order to round off the final taste.

Or. de

Justification

Fruit spirits are still sweetened for rounding off either not at all or only minimally throughout the EU. To ensure a high standard of quality, the sweetening of fruit spirit for rounding off should be limited to 10g per litre of final product, expressed as invert sugar.

Amendment 442
Boleslaw G. Piecha

Proposal for a regulation
Annex II – section 1 – part 12 – point a

Text proposed by the Commission

Amendment

(a) *Hefebrand* or lees spirit is a spirit drink produced exclusively by the distillation at less than 86 % vol. of lees of wine or of fermented fruit.

(a) *Hefebrand* or lees spirit is a spirit drink produced exclusively by the distillation at less than 86 % vol. of lees of wine or of **lees of** fermented fruit.

Or. en

Amendment 443
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 15 – title

Text proposed by the Commission

Amendment

Vodka

Vodka

The word ‘or’ is to appear in plain bold text if this amendment is adopted and the word ‘vodka’ is to appear in plain italic

text if this amendment is adopted.

Or. xm

Justification

The English spelling 'vodka' should be left in italics as a sales denomination in all other language versions. 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 444

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 15 – title

Text proposed by the Commission

Amendment

Vodka

Vodka

The word 'or' is to appear in plain bold text if this amendment is adopted and the word 'vodka' is to appear in plain italic text if this amendment is adopted.

Or. xm

Justification

Does not apply to English version.

Amendment 445

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 15 – point a – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:

Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:

Amendment 446
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 15 – point a – paragraph 1 – introductory part

Text proposed by the Commission

Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:

Amendment

Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:

Or. de

Justification

Does not apply to English version.

Amendment 447
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 15 – point a – paragraph 1 – introductory part

Text proposed by the Commission

Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:

Amendment

Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:

Or. de

Justification

Does not apply to English version.

Amendment 448
Matteo Salvini

Proposal for a regulation
Annex II – section 1 – part 15 – point a – paragraph 2

Text proposed by the Commission

This process may be followed by re-distillation or treatment with appropriate processing aids or both, including treatment with activated charcoal, to give it special organoleptic characteristics.

Amendment

This process may be followed by re-distillation **and**/or treatment with appropriate processing aids or both, including treatment with activated charcoal, to give it special organoleptic characteristics.

Or. it

(See Regulation (EC) No 110/2008, Annex II, point 15)

Amendment 449
Bolesław G. Piecha

Proposal for a regulation
Annex II – section 1 – part 15 – point a – paragraph 3

Text proposed by the Commission

Maximum levels of residue for ethyl alcohol of agricultural origin shall meet those set out in point (1) of Annex I, except that the methanol content shall not exceed 10 grams per hectolitre of 100 % vol. alcohol.

Amendment

Maximum levels of residue for ethyl alcohol of agricultural origin ***used to produce vodka*** shall meet those set out in point (1) of Annex I, except that the methanol content shall not exceed 10 grams per hectolitre of 100 % vol. alcohol.

Or. en

Amendment 450
Bolesław G. Piecha

Proposal for a regulation
Annex II – section 1 – part 15 – point b

Text proposed by the Commission

Amendment

(b) The ***minimum*** alcoholic strength by volume of vodka shall be **37.5 %**.

(b) The alcoholic strength by volume of vodka shall be ***not less than 37.5 % and no more than 80 %***.

Or. en

Amendment 451
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 15 – point b

Text proposed by the Commission

Amendment

(b) The minimum alcoholic strength by volume of vodka shall be 37.5 %.

(b) The minimum alcoholic strength by volume of *vodka* shall be 37.5 %.

Or. de

Justification

Does not apply to English version.

Amendment 452
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 15 – point b

Text proposed by the Commission

Amendment

(b) The minimum alcoholic strength by volume of vodka shall be 37.5 %.

(b) The minimum alcoholic strength by volume of *vodka* shall be 37.5 %.

Or. de

Amendment 453
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 15 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of vodka shall be 37.5 %.

Amendment

(b) The minimum alcoholic strength by volume of *vodka* shall be 37.5 %.

Or. de

Justification

Does not apply to English version.

Amendment 454
Matteo Salvini

Proposal for a regulation
Annex II – section 1 – part 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 shall bear the indication ‘produced from ...’, supplemented by the name of the raw materials used to produce the ethyl alcohol of agricultural origin. ***The labelling shall be in accordance with Article 13(2) of Directive 2000/13/EC.***

Or. it

(See Regulation (EC) No 110/2008, Annex II, point 15)

Amendment 455
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 15 – point d

Text proposed by the Commission

Amendment

(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.

(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.

Or. de

Justification

Does not apply to English version.

Amendment 456
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 15 – point d

Text proposed by the Commission

Amendment

(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.

(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.

Or. de

Amendment 457
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 15 – point d

Text proposed by the Commission

Amendment

(d) The description, presentation or labelling of vodka not produced

(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.

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.

Or. de

Justification

Does not apply to English version.

Amendment 458
Boleslaw G. Piecha

Proposal for a regulation
Annex II – section 1 – part 15 a (new)

Text proposed by the Commission

Amendment

15a. Vodka may be sweetened in order to round off the final taste. However, the final product may not contain more than 10 g of sweetening substances per litre, expressed as invert sugar equivalent.

Or. en

Amendment 459
Boleslaw G. Piecha

Proposal for a regulation
Annex II – section 1 – part 15 b (new)

Text proposed by the Commission

Amendment

15b. Vodka cannot be coloured.

Or. en

Amendment 460
Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 16 – point a – point ii – indent 9

Text proposed by the Commission

Amendment

– rowanberries (*Sorbus aucuparia* L.),

– *Does not affect the English version.*

Or. de

Justification

Does not affect the English version.

Amendment 461

Norbert Lins

Proposal for a regulation

Annex II – section 1 – part 16 – point a – point ii – indent 9

Text proposed by the Commission

Amendment

– rowanberries (*Sorbus aucuparia* L.),

– *Does not affect the English version.*

Or. de

Justification

Does not affect the English version.

Amendment 462

Norbert Lins

Proposal for a regulation

Annex II – section 1 – part 16 – point a – point ii – indent 10

Text proposed by the Commission

Amendment

– service-berry (*Sorbus domestica*
L.),

– *Does not affect the English version.*

Or. de

Justification

Does not affect the English version.

Amendment 463

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 16 – point a – point ii – indent 10

Text proposed by the Commission

Amendment

– service-berry (*Sorbus domestica*
L.),

– *Does not affect the English version.*

Or. de

Justification

Does not affect the English version.

Amendment 464

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 16 – point a – point ii – indent 32 a (new)

Text proposed by the Commission

Amendment

- *Aronia (chokeberry),*
- *bird cherry (Prunus domestica L.),*

Or. de

Justification

The raw materials indicated should be included in the list of fruits or berries authorised for this product category.

Amendment 465

Norbert Lins

Proposal for a regulation

Annex II – section 1 – part 16 – point a – point ii a (new)

Text proposed by the Commission

Amendment

(üia) - *Aronia (chokeberry),*
- *bird cherry (Prunus domestica L.),*

Or. de

Justification

The raw materials indicated should be included in the list of fruits or berries authorised for this product category.

Amendment 466

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 17 – point a

Text proposed by the Commission

Amendment

(a) Geist (with the name of the fruit or the raw materials used) is a spirit drink obtained by maceration of unfermented fruits and berries listed in point (a) (ii) of category 16 or vegetables, nuts, or other plant materials such as herbs or rose petals in ethyl alcohol of agricultural origin, followed by distillation at less than 86 % vol.

(a) Geist (with the name of the fruit or the raw materials used) is a spirit drink obtained by maceration of unfermented fruits and berries listed in point (a) (ii) of category 16 or vegetables, nuts, ***mushrooms*** or other plant materials such as herbs or rose petals in ethyl alcohol of agricultural origin, followed by distillation at less than 86 % vol.

Or. de

Justification

Mushrooms are not categorised as plant materials and must therefore be listed as a separate item.

Amendment 467

Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 17 a (new)

Text proposed by the Commission

Amendment

17a. Use of the term ‘-geist’ preceded by a term other than the name of a fruit shall continue to be authorised in imaginative names in the spirit drinks sector.

Or. de

Justification

This will enable names such as ‘Stadtgeist’ or ‘Schlossgeist’ to be used for spirit drinks.

Amendment 468
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 22 – point c

Text proposed by the Commission

Amendment

(c) The term *London gin* may **be supplemented by** the term ‘dry’.

(c) The term *London gin* may **incorporate** the term ‘dry’.

Or. en

Justification

This adjustment to the wording better reflects current practice and will increase flexibility.

Amendment 469
Matteo Salvini

Proposal for a regulation
Annex II – section 1 – part 30 – point a

Text proposed by the Commission

Amendment

(a) Bitter-tasting spirit drinks or bitter are spirit drinks with a predominantly bitter

(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.

taste produced by flavouring ethyl alcohol of agricultural origin with flavouring substances *as defined in Article 3(2)(b) of Regulation (EC) No 1334/2008 and/or flavouring preparations as defined in Article 3(2)(d) of that Regulation;*

Or. it

(See Regulation (EC) No 110/2008, Annex II, point 30)

Amendment 470
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 31 – title

Text proposed by the Commission

Amendment

Flavoured vodka

Flavoured vodka

The word ‘or’ is to appear in plain bold text if this amendment is adopted and the words ‘flavoured vodka’ are to appear in plain italic text if this amendment is adopted.

Or. xm

Justification

The English spelling ‘vodka’ should be left in italics as a sales denomination in all language versions. 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 471
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 31 – title

Text proposed by the Commission

Amendment

Flavoured vodka

Flavoured vodka

The word ‘or’ is to appear in plain bold text if this amendment is adopted and the

word 'vodka' is to appear in plain italic text if this amendment is adopted.

Or. xm

Justification

Does not apply to English version.

Amendment 472
Boleslaw G. Piecha

Proposal for a regulation
Annex II – section 1 – part 31 – point a

Text proposed by the Commission

(a) Flavoured vodka is vodka which has been given a predominant flavour other than that of the raw materials.

Amendment

(a) Flavoured vodka is vodka which has been given, ***during its production process***, a predominant flavour other than that of the raw materials.

Or. en

Amendment 473
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 31 – point a

Text proposed by the Commission

(a) Flavoured vodka is vodka which has been given a predominant flavour other than that of the raw materials.

Amendment

(a) Flavoured *vodka* is *vodka* which has been given a predominant flavour other than that of the raw materials.

Or. de

Justification

Does not apply to English version.

Amendment 474
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 31 – point a

Text proposed by the Commission

(a) Flavoured vodka is vodka which has been given a predominant flavour other than that of the raw materials.

Amendment

(a) Flavoured *vodka* is *vodka* which has been given a predominant flavour other than that of the raw materials.

Or. de

Justification

Does not apply to English version.

Amendment 475
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 31 – point a

Text proposed by the Commission

(a) Flavoured vodka is vodka which has been given a predominant flavour other than that of the raw materials.

Amendment

(a) Flavoured *vodka* is *vodka* which has been given a predominant flavour other than that of the raw materials.

Or. de

Amendment 476
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 31 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of flavoured vodka shall be 37.5 %.

Amendment

(b) The minimum alcoholic strength by volume of flavoured *vodka* shall be 37.5 %.

Justification

Does not apply to English version.

Amendment 477

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 31 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of flavoured vodka shall be 37.5 %.

Amendment

(b) The minimum alcoholic strength by volume of flavoured *vodka* shall be 37.5 %.

Or. de

Amendment 478

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 31 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of flavoured vodka shall be 37.5 %.

Amendment

(b) The minimum alcoholic strength by volume of flavoured *vodka* shall be 37.5 %.

Or. de

Justification

Does not apply to English version.

Amendment 479

Bolesław G. Piecha

Proposal for a regulation
Annex II – section 1 – part 31 – point c

Text proposed by the Commission

Amendment

(c) *Flavoured vodka may be
sweetened, blended, flavoured, matured or
coloured.*

deleted

Or. en

Amendment 480
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 31 – point c

Text proposed by the Commission

Amendment

(c) Flavoured vodka may be
sweetened, blended, flavoured, matured or
coloured.

(c) Flavoured *vodka* may be
sweetened, blended, flavoured, matured or
coloured.

Or. de

Amendment 481
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 31 – point c

Text proposed by the Commission

Amendment

(c) Flavoured vodka may be
sweetened, blended, flavoured, matured or
coloured.

(c) Flavoured *vodka* may be
sweetened, blended, flavoured, matured or
coloured.

Or. de

Justification

Does not apply to English version.

Amendment 482
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 31 – point c

Text proposed by the Commission

(c) Flavoured vodka may be sweetened, blended, flavoured, matured or coloured.

Amendment

(c) Flavoured *vodka* may be sweetened, blended, flavoured, matured or coloured.

Or. de

Justification

Does not apply to English version.

Amendment 483
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 31 – point d

Text proposed by the Commission

(d) Flavoured vodka may also be sold under the name of any predominant flavour with the word ‘vodka’.

Amendment

(d) Flavoured *vodka* may also be sold under the name of any predominant flavour with the word ‘*vodka*’.

Or. de

Amendment 484
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 31 – point d

Text proposed by the Commission

(d) Flavoured vodka may also be sold under the name of any predominant flavour with the word ‘vodka’.

Amendment

(d) Flavoured *vodka* may also be sold under the name of any predominant flavour with the word ‘*vodka*’.

Justification

Does not apply to English version.

Amendment 485
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 31 – point d

Text proposed by the Commission

(d) Flavoured vodka may also be sold under the name of any predominant flavour with the word ‘vodka’.

Amendment

(d) Flavoured *vodka* may also be sold under the name of any predominant flavour with the word ‘*vodka*’.

Or. de

Justification

Does not apply to English version.

Amendment 486
Bolesław G. Piecha

Proposal for a regulation
Annex II – section 1 – part 31 a (new)

Text proposed by the Commission

Amendment

The maximum sugar content of flavoured vodka shall be 100 grams per litre, expressed as invert sugar.

Or. en

Amendment 487
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 32 – title

Text proposed by the Commission

Amendment

Liqueur

Liqueur

The word ‘or’ is to appear in plain bold text if this amendment is adopted and the word ‘liqueur’ is to appear in plain italic text if this amendment is adopted.

Or. xm

Justification

The English / French term ‘liqueur’ should also be used in all language versions. 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 488
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 32 – title

Text proposed by the Commission

Amendment

Liqueur

Liqueur

The word ‘or’ is to appear in plain bold text if this amendment is adopted and the word ‘liqueur’ is to appear in plain italic text if this amendment is adopted.

Or. xm

Justification

Does not apply to English version.

Amendment 489
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 32 – point a – introductory part

Text proposed by the Commission

Amendment

(a) Liqueur is a spirit drink:

(a) *Liqueur* is a spirit drink:

Or. de

Justification

Does not apply to English version.

Amendment 490

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 32 – point a – introductory part

Text proposed by the Commission

Amendment

(a) Liqueur is a spirit drink:

(a) *Liqueur* is a spirit drink:

Or. de

Justification

Does not apply to English version.

Amendment 491

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point a – introductory part

Text proposed by the Commission

Amendment

(a) Liqueur is a spirit drink:

(a) *Liqueur* is a spirit drink:

Or. de

Amendment 492

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point a – point i – indent 1

Text proposed by the Commission

– 70 grams per litre for cherry liqueurs the ethyl alcohol of which consists exclusively of cherry spirit,

Amendment

– 70 grams per litre for **‘Kirschlikör’ or ‘Kirschliqueur’** (cherry liqueurs) the ethyl alcohol of which consists exclusively of cherry spirit,

Or. de

Amendment 493

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 32 – point a – point i – indent 1

Text proposed by the Commission

– 70 grams per litre for cherry liqueurs the ethyl alcohol of which consists exclusively of cherry spirit,

Amendment

– 70 grams per litre for **‘Kirschlikör’ or ‘Kirschliqueur’** (cherry liqueurs) the ethyl alcohol of which consists exclusively of cherry spirit,

Or. de

Justification

Traditionally, both spellings are used interchangeably in the German-speaking Member States.

Amendment 494

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point a – point i – indent 1

Text proposed by the Commission

– 70 grams per litre for cherry liqueurs the ethyl alcohol of which consists exclusively of cherry spirit,

Amendment

– 70 grams per litre for **‘Kirschlikör’ or ‘Kirschliqueur’** (cherry liqueurs) the ethyl alcohol of which consists exclusively of cherry spirit,

Justification

Both spellings are used interchangeably in the German-speaking Member States.

Amendment 495

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point a – point i – indent 2

Text proposed by the Commission

– 80 grams per litre for gentian or similar liqueurs prepared with gentian or similar plants as the sole aromatic substance,

Amendment

– 80 grams per litre for ***Enzianlikör or Enzianliqueur*** (gentian) or similar ***‘Liköre’ or*** liqueurs prepared with gentian or similar plants as the sole aromatic substance,

Or. de

Justification

Both spellings are used interchangeably in the German-speaking Member States.

Amendment 496

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point a – point i – indent 2

Text proposed by the Commission

– 80 grams per litre for gentian or similar liqueurs prepared with gentian or similar plants as the sole aromatic substance,

Amendment

– 80 grams per litre for ***Enzianlikör or Enzianliqueur*** (gentian) or similar ***‘Liköre’ or*** liqueurs prepared with gentian or similar plants as the sole aromatic substance,

Or. de

Amendment 497
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 32 – point a – point i – indent 2

Text proposed by the Commission

– 80 grams per litre for gentian or similar liqueurs prepared with gentian or similar plants as the sole aromatic substance,

Amendment

– 80 grams per litre for ***Enzianlikör or Enzianliqueur*** (gentian) or similar ***‘Liköre’ or*** liqueurs prepared with gentian or similar plants as the sole aromatic substance,

Or. de

Justification

Traditionally, both spellings are used interchangeably in the German-speaking Member States.

Amendment 498
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 32 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of liqueur shall be 15 %.

Amendment

(b) The minimum alcoholic strength by volume of *liqueur* shall be 15%.

Or. de

Amendment 499
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 32 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of liqueur shall be 15 %.

Amendment

(b) The minimum alcoholic strength by volume of *liqueur* shall be 15%.

Justification

Does not apply to English version.

Amendment 500

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point b

Text proposed by the Commission

(b) The minimum alcoholic strength by volume of liqueur shall be 15 %.

Amendment

(b) The minimum alcoholic strength by volume of *liqueur* shall be 15%.

Or. de

Justification

Does not apply to English version.

Amendment 501

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point c – introductory part

Text proposed by the Commission

(c) Flavouring substances and flavouring preparations may be used in the preparation of liqueur. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:

Amendment

(c) Flavouring substances and flavouring preparations may be used in the preparation of *liqueur*. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs: ***The name of the flavouring used may be placed before the term liqueur.***

Or. de

Amendment 502
Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point c – introductory part

Text proposed by the Commission

(c) Flavouring substances and flavouring preparations may be used in the preparation of liqueur. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:

Amendment

(c) Flavouring substances and flavouring preparations may be used in the preparation of *liqueur*. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:

Or. de

Amendment 503
Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 32 – point c – introductory part

Text proposed by the Commission

(c) Flavouring substances and flavouring preparations may be used in the preparation of liqueur. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:

Amendment

(c) Flavouring substances and flavouring preparations may be used in the preparation of *liqueur*. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:

Or. de

Justification

Does not apply to English version.

Amendment 504
Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point c – point i – introductory part

Text proposed by the Commission

Amendment

(i) ***fruit*** liqueurs:

(i) liqueurs ***made from fruit***:

Or. de

Amendment 505

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point c – point i – introductory part

Text proposed by the Commission

Amendment

(i) ***fruit*** liqueurs:

(i) liqueurs ***made from fruit***:

Or. de

Justification

Does not apply to English version.

Amendment 506

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 32 – point c – point i – introductory part

Text proposed by the Commission

Amendment

(i) ***fruit*** liqueurs:

(i) liqueurs ***made from fruit***:

Or. de

Justification

Does not apply to English version.

Amendment 507

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point c – point ii – introductory part

Text proposed by the Commission

Amendment

(ii) *plant* liqueurs:

(ii) *liqueurs made from plants*:

Or. de

Amendment 508

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 32 – point c – point ii – introductory part

Text proposed by the Commission

Amendment

(ii) *plant* liqueurs:

(ii) *liqueurs made from plants*:

Or. de

Justification

Does not apply to English version.

Amendment 509

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point c – point ii – introductory part

Text proposed by the Commission

Amendment

(ii) *plant* liqueurs:

(ii) *liqueurs made from plants*:

Or. de

Justification

Does not apply to English version.

Amendment 510
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 32 – point d – paragraph 1 – introductory part

Text proposed by the Commission

The following compound terms may be used in the presentation of liqueurs produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

Amendment

The following compound terms may be used in the presentation of *liqueurs* produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

Or. de

Justification

Does not apply to English version.

Amendment 511
Renate Sommer

Proposal for a regulation
Annex II – section 1 – part 32 – point d – paragraph 1 – introductory part

Text proposed by the Commission

The following compound terms may be used in the presentation of liqueurs produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

Amendment

The following compound terms may be used in the presentation of *liqueurs* produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

Or. de

Justification

Does not apply to English version.

Amendment 512
Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point d – paragraph 1 – introductory part

Text proposed by the Commission

The following compound terms may be used in the presentation of liqueurs produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

Amendment

The following compound terms may be used in the presentation of *liqueurs* produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:

Or. de

Amendment 513

Susanne Melior

Proposal for a regulation

Annex II – section 1 – part 32 – point d – paragraph 2

Text proposed by the Commission

As regards the labelling and presentation of those liqueurs, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word ‘liqueur’ must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word ‘liqueur’ either by stating the type of agricultural alcohol or by the words ‘agricultural alcohol’ preceded on each occasion by ‘made from’ or ‘made using’.

Amendment

As regards the labelling and presentation of those *liqueurs*, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word ‘*liqueur*’ must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word ‘*liqueur*’ either by stating the type of agricultural alcohol or by the words ‘agricultural alcohol’ preceded on each occasion by ‘made from’ or ‘made using’.

Or. de

Amendment 514

Ulrike Müller

Proposal for a regulation

Annex II – section 1 – part 32 – point d – paragraph 2

Text proposed by the Commission

As regards the labelling and presentation of those liqueurs, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word 'liqueur' must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word 'liqueur' either by stating the type of agricultural alcohol or by the words 'agricultural alcohol' preceded on each occasion by 'made from' or 'made using'.

Amendment

As regards the labelling and presentation of those *liqueurs*, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word '*liqueur*' must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word '*liqueur*' either by stating the type of agricultural alcohol or by the words 'agricultural alcohol' preceded on each occasion by 'made from' or 'made using'.

Or. de

Justification

Does not apply to English version.

Amendment 515

Renate Sommer

Proposal for a regulation

Annex II – section 1 – part 32 – point d – paragraph 2

Text proposed by the Commission

As regards the labelling and presentation of those liqueurs, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word 'liqueur' must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word 'liqueur' either by stating the type of agricultural alcohol or by the words

Amendment

As regards the labelling and presentation of those *liqueurs*, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word '*liqueur*' must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word '*liqueur*' either by stating the type of agricultural alcohol or by the words

‘agricultural alcohol’ preceded on each occasion by ‘made from’ or ‘made using’.

‘agricultural alcohol’ preceded on each occasion by ‘made from’ or ‘made using’.

Or. de

Justification

Does not apply to English version.

Amendment 516
Ulrike Müller

Proposal for a regulation
Annex II – section 1 – part 32 – point d a (new)

Text proposed by the Commission

Amendment

(da) The sales denomination Liqueur can also be supplemented with the name of the aroma or foodstuff used in the preparation of the product.

Or. en

Justification

For reasons of legal certainty and comparable with fruit spirit (Point 9 - Point f of this Annex) it should be stated in the definition of liqueur that the trade name can also be supplemented with the name of the aroma or foodstuff used.

Amendment 517
Susanne Melior

Proposal for a regulation
Annex II – section 1 – part 42 – point a

Text proposed by the Commission

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 mixture thereof, the ingredients of which are quality egg yolk, egg white and sugar

(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.

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. ***Any use of eggs from hens belonging to a species other than Gallus Gallus should be indicated on the label.***

Or. de

Justification

If eggs not produced by domestic fowl are used in the production of egg liqueur, this should be indicated.

Amendment 518 **Susanne Melior**

Proposal for a regulation **Annex II – section 1 – part 42 – point c**

Text proposed by the Commission

(c) Only flavouring substances and flavouring preparations may be used in the preparation of egg liqueur or advocaat or avocat or advokat.

Amendment

(c) Only ***foodstuffs with flavouring properties, natural*** flavouring substances and flavouring preparations may be used in the preparation of egg liqueur or advocaat or avocat or advokat.

Or. de

Justification

Egg liqueur is often rounded off with milk or cream to enhance the taste in traditional production methods. These foodstuffs are not flavourings according to EU rules on flavourings. This amendment should enable traditional production methods to be pursued. The authorised addition of only natural flavouring substances and not other nature-identical or artificial flavouring substances used in the past mirrors the status quo.

Amendment 519 **Renate Sommer**

Proposal for a regulation
Annex II – section 1 – part 42 – point c a (new)

Text proposed by the Commission

Amendment

(ca) Cream may be used in the preparation of egg liqueur or advocaat or avocat or advokat.

Or. de

Amendment 520
Pilar Ayuso

Proposal for a regulation
Annex II a (new)

Text proposed by the Commission

Amendment

ANNEX IIa

DYNAMIC OR 'CRIADERAS Y SOLERA' AGEING SYSTEM

The dynamic or 'criaderas y solera' ageing system consists in the execution of periodical extractions of a portion of the brandy contained in each of the oak casks and containers that form an ageing scale and the corresponding replenishments with brandy extracted from the preceding ageing scale.

Definitions

Ageing scales: Each group of oak casks and containers with the same level of maturation, through which the brandy progresses in the course of its ageing process. Each scale is known as 'criadera', except the last one, previous to the expedition of the brandy, known as the 'solera'.

Extraction: Partial volume of brandy drawn from each oak cask and container in an ageing scale, for its incorporation to the oak casks and containers in the next ageing scale or, in the case of the solera, for its expedition.

Replenishment: Volume of brandy from the oak casks and containers of a given ageing scale that is incorporated to and blended with the content of the oak casks and containers of the following scale in terms of age.

Average age: Period of time corresponding to the rotation of the total stock of brandy that is undergoing the ageing process, calculated as the fraction between the total volume of brandy contained in all the ageing scales and the volume of the extractions made from the last scale –the solera– in one year.

The average age of the brandy drawn from the solera can be calculated using the following formula: $\bar{t} = V_t/V_e$

In which:

- \bar{t} is the average age, expressed in years***
- V_t is the total volume of stocks in the ageing system, expressed in litres of pure alcohol.***
- V_e is the total volume of product extracted for shipping during a year, expressed in litres of pure alcohol.***

Minimum average age. In the case of oak casks and containers of less than 1.000 litres, the number of annual extractions and replenishments shall be equal to or lower than twice the number of scales in the system, in order to guarantee that the youngest component has an age equal to or higher than 6 months.

In the case of oak casks and containers of 1 000 litres or more, the number of annual extractions and replenishments shall be equal to or lower than the number of scales in the system, in order to guarantee that the youngest component has an age equal to or higher than 1 year.

Or. en

Justification

Related to amendment tabled to Article 11, paragraph 3 a new