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REGULATION (EEC) No 1093/70 OF THE COUNCIL

of 8 June 1970

concerning the addition of alcohol to products in the wine sector originating in the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 816/70[1] of 28 April 1970 laying down additional provisions for the common organisation of the market in wine, and in particular Article 25 (2) thereof;

Having regard to the proposal from the Commission;

Whereas, pursuant to Article 25 (1) of Regulation (EEC) No 816/70, the addition of alcohol to the products listed in Article 1 (2) of that Regulation is prohibited, with the exception of wines fortified for distillation and liqueur wines;

Whereas paragraph 2 of that Article does, however, permit derogations from this prohibition;

Whereas the possibility of adding alcohol to table wines and to quality wines produced in specified regions should be provided for where they are exported to third countries, either to take account of consumer habits in those countries, or to prevent climatic conditions or transport from affecting the quality of the exported wines;

Whereas it is equally necessary to authorise this practice when a sweetener has to be added to a sparkling wine;

Whereas this practice must be strictly controlled to prevent frauds; whereas, to maintain the vinous character of the products in this sector and to encourage the disposal of products derived from the distillation of wine or from the distillation of the by-products of wine-making, the added alcohol should be a distillate of vinous origin;

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the provisions of Article 25 (1) of Regulation (EEC) No 816/70, alcohol may, under the conditions provided in this Regulation, be added to the following products:

(a) table wines and quality wines p.s.r., when they are exported to third countries where climatic conditions or consumer habits necessitate an addition of alcohol;

(b) sparkling wines when a sweetener is added.

Article 2

The alcohol added to the products listed in Article 1 must be either neutral alcohol of vinous origin having an actual alcoholic strength of not less than 95°, or an unrectified product derived from the distillation of wine and having an actual alcoholic strength of not less than 52° and not more than 80°.

Article 3

1. The quantities of alcohol added may not:

(a) increase the total alcoholic strength of the products specified in Article 1 (a) by more than 2°;

(b) increase the total alcoholic strength of the products specified in Article 1 (b) by more than 0·5°.

2. In respect of quality wines p.s.r., Member States may restrict the addition of alcohol still further, or even prohibit it altogether.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

[1] OJ No L 99, 5.5.1970, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 8 June 1970.

For the Council

The President

Ch. HÉGER