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(Acts whose publication is obligatory)

REGULATION (EEC) No 1532/74 OF THE COUNCIL

of 17 June 1974

amending Regulation (EEC) No 816/70 as regards the rules on the total maximum sulphur dioxide content of wine and the definition of liqueur wine

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament (1);

Having regard to the Opinion of the Economic and Social Committee;

Whereas Article 26a of Council Regulation (EEC) No 816/70 (2) of 28 April 1970 laying down additional provisions for the common organization of the market in wine, as last amended by Regulation (EEC) No 2592/73 (3), provided for appropriate sulphur dioxide contents of certain wines produced in the Community and intended for direct human consumption, other than sparkling wines and liqueur wines, during a transitional period; whereas this derogation should be extended to corresponding wines imported from third countries in order to avoid any break in continuity of these imports;

Whereas grape musts that have been subjected to dehydration by the direct heat of a fire, which normally causes partial caramelization, are used in the preparation of certain quality liqueur wines produced in specified regions; whereas the definition of liqueur wine given under item 11 of Annex II to Regulation (EEC) No 816/70 should therefore be amended in order to allow the use of this grape must in the preparation of certain quality liqueur wines produced in specified regions;

Whereas experience shows that liqueur wines are prepared by the addition of alcohol or potable spirits to grape must before fermentation only in the case of certain quality liqueur wines produced in specified regions and having special characteristics obtainable by means of this treatment; whereas, except for these quality liqueur wines produced in specified regions, this treatment is not justified for products intended for direct human consumption; whereas, therefore, the definition of liqueur wines produced in the Community should also be amended in this respect,

HAS ADOPTED THIS REGULATION:

Article 1

The second and third subparagraphs of Article 26a of Regulation (EEC) No 816/70 shall be replaced by the following:

'However, for a period ending on 31 August 1976, for wines imported from third countries and wines produced in Community wine-growing zones in which contents higher than those referred to in the first subparagraph are allowed on 1 October 1973, the total maximum sulphur dioxide content:

(a) shall be raised to 300 mg/l for white wines and 250 mg/l for red wines where these wines have a residual sugar content, expressed as invert sugar, equal to or greater than 5 g/l;

(b) may be raised to 400 mg/l for certain quality white wines produced in specified regions and for certain imported quality white wines having special characteristics of production and preparation.'

Article 2

Item 11 of Annex II to Regulation (EEC) No 816/70 shall be replaced by the following:

(1) OJ No C 40, 8. 4. 1974, p. 75.
(2) OJ No L 99, 5. 5. 1970, p. 1.
(3) OJ No L 269, 26. 9. 1973, p. 1.

'11. Liqueur wine : the product which

— is produced in the Community ;

— has a total alcoholic strength of not less than 17·5 ° and an actual alcoholic strength of not less than 15 ° and not more than 22 ° and

— is obtained from grape must or wine, derived from certain of the vine varieties referred to in Article 16 and having a natural alcoholic strength of not less than 12 ° :

— by freezing or

— by the addition during or after fermentation :

(i) of neutral alcohol of vinous origin having an actual alcoholic strength of not less than 95 ° or

(ii) of 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 ° or

(iii) of concentrated grape must or, in the case of certain quality liqueur wines produced in specified regions and appearing on a list to be adopted of wines for which such practice is traditional, of grape must concentrated by direct heat which, apart from this operation, corresponds to the definition of concentrated grape must or

(iv) of a mixture of these products.

However, certain quality liqueur wines produced in specified regions and appearing on a list to be adopted may be obtained from unfermented fresh grape must which does not need to have a minimum natural alcoholic strength of 12 °.'

Article 3

In Annex IV to Regulation (EEC) No 816/70, Additional Note No 4 (b) of Chapter 22 of the Common Customs Tariff shall be replaced by the following :

'(b) Liqueur wine ('vin de liqueur'), that is to say a product :

— having a total alcoholic strength of not less than 17·5 ° and an actual alcoholic strength of not less than 15 ° and not more than 22 ° and

— obtained from grape must or wine, which must come from vine varieties approved in the third country of origin for the production of liqueur wine, and having a minimum natural alcoholic strength of 12 ° :

— by freezing or

— by the addition during or after fermentation

(i) of a product derived from the distillation of wine or

(ii) of concentrated grape must or, in the case of certain quality liqueur wines appearing on a list to be adopted of wines for which such practice is traditional, of grape must concentrated by direct heat, which, apart from this operation, corresponds to the definition of concentrated grape must or,

(iii) of a mixture of these products.

However, certain quality liqueur wines appearing on a list to be adopted may be obtained from unfermented fresh grape must which does not need to have a minimum natural alcoholic strength of 12 °.'

Article 4

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

However, Article 3 shall not apply until 1 July 1974.

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

Done at Luxembourg, 17 June 1974.

For the Council

The President

J. ERTL