REGULATION (EEC) No 2894/74 OF THE COUNCIL

of 18 November 1974

supplementing Regulation (EEC) No 817/70 as regards in particular quality sparkling wines produced in specified regions

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 Council Regulation (EEC) No 2893/74 (2) of 18 November 1974 on sparkling wines produced in the Community and defined in item 12 of Annex II to Regulation (EEC) No 816/70, lays down rules on the preparation and marketing of such products; whereas the Regulation referred to confines itself, as regards quality sparkling wines produced in specified regions — hereinafter referred to as quality sparkling wines psr — to laying down provisions of a general nature applicable to all the products referred to above; whereas special rules applicable to quality sparkling wines psr should be incorporated in Council Regulation (EEC) No 817/70 (3) of 28 April 1970 laying down special provisions relating to quality wines produced in specified regions, as last amended by Regulation (EEC) No 2680/72 (4), since these wines are sparkling quality wines psr;

Whereas for this reason Regulation (EEC) No 817/70 is already applicable; whereas in view of the special requirements to be met by quality sparkling wines produced in specified regions, it is essential that the Regulation be supplemented by adequate provisions which take into account the rules laid down for other sparkling wines in Regulation (EEC) No 2893/74;

Whereas these additional rules refer in particular to the specific conditions of preparing quality sparkling wines psr and their packaging; whereas in defining these rules the same principles must be adopted as was the case for Regulation (EEC) No 817/70, whilst respecting the specific characteristics of the products concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph shall be added to Article 1 of Regulation (EEC) No 817/70:

'"Quality sparkling wines produced in specified regions" (hereinafter called "quality sparkling wines psr") shall mean quality wines psr which satisfy the definition in item 12 of Annex II to Regulation (EEC) No 816/70 and in Title I of Regulation (EEC) No 2893/74 and satisfy the provisions of the present Regulation.'

Article 2

The following subparagraph shall be added to Article 3 (1) of Regulation (EEC) No 817/70:

'Quality sparkling wines psr of the aromatic type may be obtained only from the varieties of vine listed in the Annex to Regulation (EEC) No 2893/74 provided the latter are acknowledged as suitable for yielding quality wines psr in the specified region whose name they bear.'

Article 3

The following subparagraphs shall be substituted for the second subparagraph of Article 5 (2) of Regulation (EEC) No 817/70:

'The preparation of a quality sparkling wine psr shall take place only within the specified region referred to in the preceding subparagraph.

However, the operations referred to in the foregoing subparagraphs may take place outside the specified region, where:

(a) the rules of the Member State in whose territory the grapes were harvested permit, and

(b) production is supervised.'

Article 4

1. Article 7 (1) of Regulation (EEC) No 817/70 shall be reworded as follows:

'The specific wine-making and preparation methods used for obtaining quality wines psr and quality sparkling wines psr shall be defined for each of those wines by each producer Member State concerned.'

(1) OJ No C 78, 2. 8. 1971, p. 76.
(2) See page 1 of this Official Journal.
(3) OJ No L 99, 5. 5. 1970, p. 20.
(4) OJ No L 289, 27. 12. 1972, p. 1.

2. The following paragraphs shall be subsituted for Article 7 (3) of Regulation (EEC) No 817/70 :

'3. Article 5 of Regulation (EEC) No 2893/74 shall apply as regards the enrichment of cuvées intended for the preparation of quality sparkling wines psr.

4. The total alcoholic strength of quality wines psr shall be not less than 9°. However, for certain white quality wines psr that have been subject to no enrichment the minimum total alcoholic strength shall be 8·5°.

The actual alcoholic strength of quality sparkling wines psr, including the alcohol contained in any dose added, shall be not less that 10°. However, for quality sparkling wines psr of the aromatic type, the minimum actual alcoholic strength shall be 6°.

5. The total alcoholic strength of cuvées intended for the preparation of quality sparkling wines psr shall be not less that 9·5° in wine-growing zone C III and 9° in the other wine-growing zones.

However, cuvées intended for the preparation of certain quality sparkling wines psr whose designation refers to the variety of vine may have a total alcoholic strength below that stipulated in the preceding subparagraph in respect of the wine-growing zone concerned.

6. A list of the quality wines psr referred to in the second sentence of the first subparagraph of paragraph 4 shall be drawn up according to the procedure provided for in Article 7 of Regulation No 24.

A list of the quality sparkling wines psr referred to in the second subparagraph of paragraph 5 and of the minimum total alcoholic strength of their respective cuvées shall be drawn up according to the same procedure.'

Article 5

The following subparagraph shall be added to Article 8 (1) of Regulation No 817/70 :

'Article 5 of Regulation (EEC) No 2893/74 shall apply as regards the acidification and deacidification of cuvées intended for the preparation of quality sparkling wines psr.'

Article 6

The following Article 10a shall be added to Regulation (EEC) No 817/70 :

'Article 10a

1. For the drawn-off liquid used in preparing a quality sparkling wine psr, only the following may be used in addition to yeast and sucrose :

— grape musts,
— grape musts still in fermentation,
— wines,
— quality wines psr,

suitable for yielding the same quality sparkling wines psr as that to which the drawn-off liquid is added.

2. Notwithstanding the provisions of item 12 of Annex II to Regulation (EEC) No 816/70, quality sparkling wines psr when kept at a temperature of 20° C in closed containers, shall have a minimum overpressure of 3·5 atmospheres.

However, for quality sparkling wines psr kept in containers of capacity of less than 25 cc and for quality sparkling wines psr of the aromatic type the minimum overpressure shall be 3 atmospheres.

3. The duration of the preparation process for quality sparkling wines psr, including ageing in the production undertaking shall be not less than nine months as from the start of the fermentation process intended to render them effervescent.

4. Notwithstanding paragraph 3 above, the preparation process for quality sparkling wines psr of the aromatic type shall be not less than one month.

5. Notwithstanding paragraph 3 above, for quality sparkling wines psr produced in Italy until 31 August 1981 the duration of the preparation process shall be not less than six months.

However,

— for quality sparkling wines psr for which arrangements are introduced at a date between the implementation of this Regulation and 31 August 1981, the Italian Republic shall have the option not to apply this derogation,
— for quality wines psr for which arrangements are introduced after 1 September 1978, this derogation shall be subject to an authorization granted in accordance with Article 7 of Regulation No 24.

6. The duration of the fermentation period referred to in paragraph 3 and the presence of the wine on the lees shall be not less than 60 days. However, if fermentation takes place in containers equipped with shaking devices, the minimum period shall be 21 days.

7. The dosage of quality sparkling wines psr of the aromatic type shall be prohibited.

8. Implementing rules for this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.'

Article 7

The following Article 10b shall be added to Regulation (EEC) No 817/70 :

'*Article 10b*

1. Without prejudice to more restrictive provisions that may be applied by Member States to quality sparkling wines psr produced within their territory, the total sulphur dioxide content of quality sparkling wines psr shall not exceed 200 mg/l.

However, up to 31 August 1976 the maximum sulphur dioxide content shall be raised to 250 mg/l for quality sparkling wines psr produced in specified regions in which contents higher than that referred to in the above subparagraph are allowed on the date of entry into force of this Regulation.

2. The Council, acting on a proposal from the Commission, in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, may, before 30 June 1976, extend the period referred to in the second subparagraph of paragraph 1, while taking account of the need progressively to reduce the maximum sulphur dioxide content referred to in this subparagraph. This reduction shall be decided in accordance with the same procedure.

3. Implementing rules for this Article shall be adopted, in particular the transitional measures for quality wines psr produced before the date of entry into force of this Regulation, in accordance with the procedure laid down in Article 7 of Regulation No 24.'

Article 8

The following Article 11a shall be added to Regulation (EEC) No 817/70 :

'*Article 11a*

1. Quality sparkling wines psr may only be put on the market on condition that the name of the specified region to which they are entitled is marked on the cork and the bottle carries a label as from leaving the place of preparation.

However, as regards labelling, exceptions may be permitted provided that appropriate controls are ensured.

2. Implementing rules for this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.'

Article 9

1. The following paragraph 2a shall be added to Article 12 of Regulation (EEC) No 817/70 :

'2a. The Community term "quality sparkling wines psr" or any traditionally equivalent specific term may be used only for quality sparkling wines psr.

A quality sparkling wine psr which has undergone the process rendering it effervescent outside a specified region may only bear the name of that region,

— if the conditions referred to in the third subparagraph of Article 5 (2) are fulfilled, and

— if such a designation is allowed under the laws of the Member State in whose territory the grapes were harvested.'

2. The following sentence shall be added to the second subparagraph of Article 12 (4) of Regulation (EEC) No 817/70 :

'However, a quality sparkling wine psr may not be sold without being marked "quality sparkling wine psr" or without a traditionally equivalent specific term as referred to in paragraph 2a.'

3. The third subparagraph of Article 12 (4) of Regulation (EEC) No 817/70 shall be replaced by the following :

'The term "quality wine psr" or "quality sparkling wine psr", whichever is appropriate, together with the name of the specified region concerned must appear on the accompanying document referred to in Article 29 (1) of Regulation (EEC) No 816/70.'

Article 10

The following sentence shall be added to Article 17 of Regulation (EEC) No 817/70 :

'However, as regards quality sparkling wines psr, they shall apply until 31 August 1976.'

Article 11

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

2. It shall apply as from 1 September 1975, save for Article 10 which shall apply as from the entry into force of this Regulation.

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

Done at Brussels, 18 November 1974.

For the Council

The President

Ch. BONNET