COUNCIL REGULATION (EEC) No 3083/82

of 15 November 1982

amending Regulation (EEC) No 339/79 defining certain products falling within heading Nos 20.07, 22.04 and 22.05 of the Common Customs Tariff and originating in third countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine [1], as last amended by Regulation (EEC) No 3082/82 [2], and in particular Article 1 (4) (c) thereof,

Having regard to the proposal from the Commission [3],

Whereas the definitions of certain Community wine products contained in Annex II to Regulation (EEC) No 337/79 have been changed; whereas, for the purposes of harmonization, it is necessary to alter, in Regulation (EEC) No 339/79 [4], the definitions of the corresponding products originating in third countries,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 339/79 is hereby replaced by the following:

'*Article 2*

In this Regulation:

(a) "grape must with fermentation arrested by the addition of alcohol" means the product which:

— has an actual alcoholic strength of not less than 12 % vol but less than 15 % vol, and

— is obtained by the addition to unfermented grape must having natural alcoholic strength of not less than 8·5 % vol of a product derived from the distillation of wine;

(b) "concentrated grape must" means uncaramelized grape must which is obtained by partial dehydration of grape must carried out by any authorized method other than by direct heat in such a way that the figure indicated by a refractometer (used in accordance with the method prescribed in Annex III to Council Regulation (EEC) No 516/77) at a temperature of 20 °C is not less than 51·9 %.

An actual alcoholic strength of the concentrated grape must of not more than 1 % vol shall be permissible;

(c) "rectified concentrated grape must" means the liquid uncaramelized product which:

— is obtained by partial dehydration of grape must, carried out by any authorized method other than by direct heat in such a way that the figure indicated by a refractometer (used in accordance with the method prescribed in Annex III to Regulation (EEC) No 516/77) at a temperature of 20 °C is not less than 70·5 %; Member States may, however, allow a different figure for products used on their territory, provided it is not lower than 51·9 %,

— has undergone authorized treatment for deacidification and elimination of constituents other than sugar, so that its acidity, expressed as tartaric acid, is not greater than 1 g/kg of total sugars and its ash content is not greater than 1·2 g/kg of total sugars,

— has a:

— total phenol content of between 100 and 400 mg/kg of total sugars,

— simple phenol content of not less than 50 % of total phenols,

— sucrose content of less than 20 g/kg of total sugars.

An actual alcoholic strength of the concentrated rectified grape must of not more than 1 % vol shall be permissible;

[1] OJ No L 54, 5. 3. 1979, p. 1.
[2] See page 1 of this Official Journal.
[3] OJ No C 206, 14. 8. 1981, p. 4.
[4] OJ No L 54, 5. 3. 1979, p. 57.

(d) "liqueur wine" means the product which :

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

— is obtained from grape must or wine, which must come from wine varieties approved in the non-member country of origin for the production of liqueur wine and have a minimum natural alcoholic strength of 12 % vol :

— by freezing, or

— by the addition during or after fermentation :

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

(ii) of a concentrated grape must or, in the case of certain quality liqueur wines appearing on a list to be adopted, for which such practice is traditional, of grape must concentrated by direct heat and 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 need not have a minimum natural alcoholic strength of 12 % vol ;

(e) "sparkling wine" means the product having an actual alcoholic strength of not less than 8·5 % vol which :

— is obtained by the first or second alcoholic fermentation of fresh grapes, grape must or wine,

— releases, when the container is opened, carbon dioxide derived exclusively from fermentation and has an excess pressure, due to carbon dioxide in solution, of not less than 3 bar when kept at a temperature of 20 °C in closed containers ;

(f) "aerated sparkling wine" means the product having an actual alcoholic strength of not less than 8·5 % vol which :

— is obtained from wine,

— releases, when the container is opened, carbon dioxide derived wholly or partially from an addition of that gas, and

— has an excess pressure, due to carbon dioxide in solution, of not less than 3 bar when kept at a temperature of 20 °C in closed containers ;

(g) "semi-sparkling wine" means wine :

— having an actual alcoholic strength of not less than 8·5 % vol,

— having an excess pressure, due to endogenous carbon dioxide in solution, of not less than 1 bar and not more than 2·5 bar when kept at a temperature of 20 °C in closed containers ;

(h) "aerated semi-sparkling wine" means wine :

— having an actual alcoholic strength of not less than 8·5 % vol and

— having an excess pressure, due to carbon dioxide in solution which has been added or partially added, of not less than 1 bar and not more than 2·5 bar when kept at a temperature of 20 °C in closed containers.'

Article 2

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

It shall apply from 1 January 1983.

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

Done at Brussels, 15 November 1982.

For the Council

The President

N. A. KOFOED