Changes to legislation: *Commission Delegated Regulation (EU) 2016/765 is up to date with all changes known to be in force on or before 21 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commission Delegated Regulation (EU) 2016/765 of 11 March 2016 amending Regulation (EC) No 606/2009 as regards certain oenological practices

COMMISSION DELEGATED REGULATION (EU) 2016/765

of 11 March 2016

amending Regulation (EC) No 606/2009 as regards certain oenological practices

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013[(1)] of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007, and in particular Article 75(2) and (3)(g) and Article 147(3)(e) thereof,

Whereas:

(1) In accordance with Article 3 of Commission Regulation (EC) No 606/2009[(2)], authorised oenological practices are laid down in Annex I A to that Regulation. The International Organisation of Vine and Wine (OIV) has adopted three new oenological practices, concerning the use of malolactic fermentation activators, the treatment of wine with glutathione and the treatment of must with glutathione. In order to take account of technical progress and to provide Union producers with the same possibilities as those available to third-country producers, those new oenological practices should be authorised in the Union under the conditions of use defined by the OIV.

(2) In accordance with Article 80(3)(b) of Regulation (EC) No 1308/2013, when authorising oenological practices for wine, the Commission has to take into account the protection of human health.

(3) Glutathione is used for its antioxidative properties and remains active in the final product, therefore it is used as a food additive. However it is not currently included in the Union list of food additives approved for use in foods set out in Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council[(3)]. Consequently, the treatment of wine with glutathione and the treatment of must with glutathione cannot be authorised as new oenological practices in the Union until it is included in the Union list of food additives, on the basis of a European Food Safety Authority positive opinion as regards glutathione, as set out in Article 3(2) of Regulation (EC) No 1331/2008 of the European Parliament and the Council[(4)].

(4) Regulation (EC) No 606/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

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Article 1

Amendment of Regulation (EC) No 606/2009

Annex I A to Regulation (EC) No 606/2009 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 11 March 2016.

For the Commission

The President

Jean-Claude JUNCKER