Commission Regulation (EC) No 1429/2004 of 9 August 2004 amending Regulation (EC) No 753/2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products

COMMISSION REGULATION (EC) No 1429/2004

of 9 August 2004

amending Regulation (EC) No 753/2002 laying down certain rules for applying Council Regulation (EC) No 1493/1999 as regards the description, designation, presentation and protection of certain wine sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine[(1)], and in particular Article 53 thereof,

Whereas:

(1) Certain amendments need to be made to Commission Regulation (EC) No 753/2002[(2)] on account of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter referred to as the new Member States) to the European Union.

(2) With the Accession, it has become clear that the border of a wine-growing region is not necessarily within the border of one Member State and that traditional expressions can have a trans-border character. It is therefore necessary to modify the provision on traditional expressions in order to allow for the use under specific conditions of certain traditional expressions by two or more Member States.

(3) Article 28 of Regulation (EC) No 753/2002 provides for rules specific to table wines with a geographical indication, and lists the traditional terms used in the different regions of the Member States to describe such wines. This list has to be adapted by the appropriate terms used by the new Member States.

(4) The lists of the traditional specific terms and of the additional traditional terms have to be adapted by the appropriate terms used by the new Member States.

(5) Annex II to Regulation (EC) No 753/2002 lists vine varieties and their synonyms that include a geographical indication and that may appear on the labelling of wines. This Annex has to be adapted by the appropriate terms that have been used by the new Member States at the date of application of this Regulation.

(6) Regulation (EC) No 753/2002 should be amended accordingly.

(7) For reasons of control and in order to provide for the application of the amendments to Regulation (EC) No 753/2002 as from the date of entry into force of the Treaty of

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Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, this Regulation should apply as from 1 May 2004.

(8) In order to facilitate the transition from the wine labelling regime that existed in the new Member States before the accession to the Community rules on wine labelling, it is necessary to allow economic operators to use labels and pre-packaging material printed in conformity with the previous national provisions.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 753/2002 is amended as follows:

1. in paragraph 5 of Article 24, the following subparagraph is added:

   A traditional term is deemed traditional in the official language of one Member State if it has been used in that official language and in a specified border region of the neighbouring Member State(s) for wines elaborated under the same conditions provided that such a term fulfils the criteria in points (a) to (d) in one of these Member States and both Member States mutually agree to define, use and protect such a term.;

2. in the first paragraph of Article 28 the following indents are added after the eighth indent:
   - — “zemské víno” in the case of table wines originating in the Czech Republic,
   - — “τοπικός οίνος” in the case of table wines originating in Cyprus,
   - — “tájbor” in the case of table wines originating in Hungary,
   - — “Inbid ta’ lokalita tradizzjonali (‘I.L.T.’)” in the case of table wines originating in Malta,
   - — “deželno vino s priznano geografsko oznako” or “deželno vino PGO” in the case of table wines originating in Slovenia,;

3. Article 29 is amended as follows:

   (a) in paragraph 1, the following points are added to paragraph 1:

   (k) Czech Republic:
   - — “jakostní víno”, “jakostní víno odrůdové”, “jakostní víno známkové”,
   - — “jakostní víno s přívlastkem” or “víno s přívlastkem”, together with one of the following indications: “kabinetní víno”, “pozdní sběr”, “výběr z hroznů”, “výběr z bobulí”, “výběr z cibéb”, “ledové víno”, “slámové víno”,
   - — “jakostní likérové víno”,
   - — “jakostní perlivé víno”,
   - — “víno originální certifikace”, “V.O.C”, “VOC”;

   (l) Cyprus:
   - — “ΟΕΟΠ” (Οίνος Ελεγχόμενης Ονομασίας Προέλευσης),
   - — “οίνος γλυκύς φυσικός”;

(m) Hungary:
- — "minőségi bor",
- — "különleges minőségű bor",
- — "fordítás",
- — "máslás"
- — "szamorodni",
- — "aszú … puttonyos", completed by the numbers 3-6,
- — "aszúeszencia",
- — "eszencia",
- — "védett eredetű bor";

(n) Malta:
- — "Denominazzjoni ta' Origini Kontrollata ('D.O.K.')";

(o) Slovenia:
- — "kakovostno vino z zaščitenim geografskim poreklom" or "kakovostno vino ZGP"; these terms may be followed by the expression "mlado vino",
- — "priznano tradicionalno poimenovanje", "vino PTP",
- — "vrhunsko vino z zaščitenim geografskim poreklom" or "vrhunsko vino ZGP"; this term may be accompanied by "pozna trgatev", "izbor", "jagodni izbor", "suhi jagodni izbor", "ledeno vino", "arhivsko vino", "arhiva" or "starano vino", "slamno vino";

(p) Slovakia:

names accompanying the indication of origin of the wine:
- — "akostné víno",
- — "víno s prívlastkom" plus "kabinetné", "neskorý zber", "výber z hrozna", "bobuľový výber", "hrozienkový výber", "ľadový zber",

as well as the following expressions:
- — esencia,
- — forditáš,
- — mášláš,
- — samorodné,
- — výberová esencia,
- — "výber … putňový", completed by the numbers 3-6.;

(b) in paragraph 2, the following points are added:

(h) Czech Republic:
- — "jakostní šumivé víno stanovené oblasti",
- — "aromatické jakostní šumivé víno stanovené oblasti"/"aromatický sekt s.o.";

(i) Malta:
- — "Denominazzjoni ta' Origini Kontrollata ('D.O.K.')";

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(j) Slovenia:

— "kakovostno peneče vino z zaščitenim geografskim poreklom" or "kakovostno peneče vino ZGP",

— "vrhunsko peneče vino z zaščitenim geografskim poreklom" or "vrhunsko peneče vino ZGP",

— penina,

— "kakovostno peneče vino." ;

4. in Article 30, the following point (f) is added:

(f) Cyprus

— "Κουμανδαρία" (Commandaria).;

5. Annex II is replaced by Annex I to this Regulation;

6. Annex III is amended in accordance with Annex II to this Regulation.

Article 2

In the case of Slovenia, products covered by this Regulation, the description and presentation in Slovenian of which conformed to the provisions applicable in Slovenia before its accession to the Community on 1 May 2004 and were put into circulation before the accession but do not conform to this Regulation, may be held for sale and exported until stocks are exhausted, however, by the latest on 30 April 2006 and in case of the vintage year 2003, on 30 April 2007.

Article 3

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

It shall apply from 1 May 2004.

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

Done at Brussels, 9 August 2004.

For the Commission

Franz FISCHLER

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1429/2004. (See end of Document for details)*

ANNEX I

ANNEX **I**list of vine varieties and their synonyms that include a geographical indication and that may appear on the labelling of wines in accordance with Article 19(2)These variety names and their synonyms correspond, in full or in part, either in translation or in the form of an adjective, to geographical indications used to describe a wine.Legend:— terms or figures in bracketsreference to the synonym for the variety— "o"no synonym— terms or figures in boldcolumn 2: name of vine varietycolumn 3: country where the name corresponds to a variety and reference to the variety.— terms or figures not in boldcolumn 2: name of the synonym of a vine varietycolumn 3: name of country using the synonym of a vine variety.For the states concerned, the derogations provided for in this Annex are authorised only in the case of wines bearing a geographical indication produced in the administrative units in which the production of the varieties concerned is authorised at the time this Regulation enters into force and in accordance with the conditions laid down by the states concerned for the production and presentation of those wines.Variety name or its synonymsCountries that may use the variety name or one of its synonyms1AgiorgitikoGreeceo2AglianicoItalyo, Greeceo, Maltao3AglianiconeItalyo4Alicante BouschetGreeceo, Italyo, Portugalo, Algeriao, Tunisiao, United Stateso, CyprusoNB: The name "Alicante" may not be used on its own to designate wine (except for Italy)5Alicante BrancoPortugalo6Alicante Henri BouschetFranceo, Serbia and Montenegro (8)7AlicanteItalyo8Alikant BuseSerbia and Montenegro (6)9AuxerroisSouth Africao, Australiao, Canadao, Switzerlando, Belgiumo, Germanyo, Franceo, Luxembourgo, Netherlandso, United Kingdomo11Barbera BiancaItalyo12BarberaSouth Africao, Argentinao, Australiao, Croatiao, Mexicoo, Sloveniao, Uruguayo, United Stateso, Greeceo, Italyo, Maltao13Barbera SardaItalyo14BlauburgunderThe former Yugoslav Republic of Macedonia (18-28-97), Austria (15-18), Canada (18-97), Chile (18-97), Italy15Blauer BurgunderAustria (14-18), Serbia and Montenegro (25-97), Switzerland16Blauer FrühburgunderGermany (51)18Blauer SpätburgunderGermany (97), The former Yugoslav Republic of Macedonia (14-28-97), Austria (14-15), Bulgaria (96), Canada (14-97), Chile (14-97), Romania (97), Italy (14-97)19BlaufränkischCzech Republic (50), Austriao, Germany, Slovenia (Modra frankinja, Frankinja)20BorbaSpaino21BoscoItalyo22BragãoPortugalo22aBudaiHungaryo23Burgundac beliSerbia and Montenegro (121)24Burgundac CrniCroatiao25Burgundac crniSerbia and Montenegro (15-99)26Burgundac siviCroatiao, Serbia and Montenegroo27Burgundec belThe former Yugoslav Republic of Macedoniao28Burgundec crnThe former Yugoslav Republic of Macedonia (14-18-97)29Burgundec sivThe former Yugoslav Republic of Macedoniao29aCabernet MoraviaCzech Republico30CalabreseItaly (75)31CampanárioPortugalo32CanariArgentinao33Carignan BlancFranceo34CarignanSouth Africao, Argentinao, Australia (36), Chile (36), Croatiao, Israelo, Moroccoo, New Zealando, Tunisiao, Greeceo, Franceo, Portugalo, Maltao35Carignan NoirCypruso36CarignaneAustralia (34), Chile (34), Mexico, Turkey, United States37CarignanoItalyo38ChardonnaySouth Africao, Argentina (79), Australia (79), Bulgariao, Canada (79), Switzerlando, Chile (79), Czech Republico, Croatiao, Hungary (39), India, Israelo, Moldaviao, Mexico (79), New Zealand (79), Romaniao, Russiao, San Marinoo, Slovakiao, Sloveniao, Tunisiao, United States (79), Uruguayo, Serbia and Montenegro (Sardone), Zimbabweo, Germanyo, France, Greece (79), Italy (79), Luxembourgo (79), Netherlands (79), United Kingdom, Spain, Portugal, Austriao, Belgium (79), Cypruso, Maltao39Chardonnay BlancThe former Yugoslav Republic of Macedonia (Sardone), Hungary (38)40Chardonnay MusquéCanadao41ChelvaSpaino42Corinto NeroItalyo43Cserszegi fűszeresHungaryo44DěvínCzech Republico45DevínSlovakia45aDuna gyöngyeHungaryo45bDunajSlovakia46DurasaItalyo47Early BurgundyUnited Stateso48Fehér BurgundiHungary (118)49FindlingGermanyo, United Kingdomo50FrankovkaCzech Republic (19), Slovakia (50a)50aFrankovka modráSlovakia (50)51FrühburgunderGermany (16), Netherlandso51aGirgentiMalta (51c)51bGhirgentinaMalta (51c)51cGirgentinaMalta (51a, b)52GraciosaPortugalo53GrauburgunderGermany, Bulgaria, Hungaryo, Romania