Commission Regulation (EU) No 53/2011 of 21 January 2011 amending Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions

COMMISSION REGULATION (EU) No 53/2011

of 21 January 2011

amending Regulation (EC) No 606/2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)[(1)], in particular the third and fourth paragraphs of Article 121 thereof,

Whereas:

(1) According to Article 3 of Commission Regulation (EC) No 606/2009[(2)], the authorised oenological practices are laid down in Annex I to that Regulation. The International Organisation of Vine and Wine (OIV) has adopted new oenological practices. In order to meet the international standards in this field and to provide EU producers with the new possibilities available to third country producers, these new oenological practices should be authorised in the EU under the conditions of use defined by the OIV.

(2) Regulation (EC) No 606/2009 authorises clarification by means of pectolytic enzymes and enzymatic preparations of beta-glucanase. These enzymes and other enzymatic preparations are also used for maceration, clarification, stabilisation, filtration and for revealing the aromatic precursors of grapes present in the must and the wine. These oenological practices have been adopted by the OIV and they should be authorised under the conditions of use defined by the OIV.

(3) Wines entitled to the protected designations of origin ‘Malta’ and ‘Gozo’ have a sugar content greater than 45 g/l and are produced in small quantities. Likewise, certain French white wines with a protected geographical indication may have a total alcoholic strength by volume greater than 15 % vol. and a sugar content greater than 45 g/l. In order to ensure the preservation of these wines, the Member States concerned, i.e., Malta and France, respectively, requested a derogation to the maximum sulphur dioxide contents given in Annex I B to Regulation (EC) No 606/2009. These wines should be mentioned in the list of wines having a maximum sulphur dioxide content of 300 milligrams per litre.

Changes to legislation: *Commission Regulation (EU) No 53/2011 is up to date with all changes known to be in force on or before 13 February 2022. 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*

(4) Wines entitled to the traditional expression 'Késői szüretelésű bor' have a very high sugar content and are produced in small quantities. In order to ensure the preservation of these wines, Hungary requested a derogation to the maximum sulphur dioxide content. A maximum sulphur dioxide content of 350 milligrams per litre should be authorised for these wines.

(5) Wines entitled to the protected designation of origin 'Douro' followed by the statement 'colheita tardia' derogate from the maximum sulphur dioxide content. Wines entitled to the protected designation of origin 'Duriense' have the same characteristics as these wines. On the basis of this, Portugal requested a derogation from the maximum sulphur dioxide content. A maximum sulphur dioxide content of 400 milligrams per litre should be authorised for these wines.

(6) In order to render the names of vine varieties clearer, the names of the varieties should be given in the different languages of the countries where these varieties are used.

(7) Certain provisions concerning certain liqueur wines differ from the requirements laid down in the specifications for these wines. These provisions should be amended in accordance with the requirements in question.

(8) Regulation (EC) No 606/2009 should be amended accordingly.

(9) The making of wine from grapes harvested during the 2010 wine-growing year has already begun. In order not to distort competition between wine producers, the new oenological practices should be authorised for all these producers starting at the beginning of the 2010 wine-growing year. This regulation should apply retroactively from 1 August 2010, which marks the start of the 2010 wine-growing year.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee established by Article 195(3) of Regulation (EC) No 1234/2007,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 606/2009 shall be amended as follows:

(a) Annex I A is amended in accordance with Annex I to this Regulation;

(b) Annex I B is amended in accordance with Annex II to this Regulation;

(c) Annex II is amended in accordance with Annex III to this Regulation;

(d) Annex III is amended in accordance with Annex IV to this Regulation.

Article 2

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

It shall apply from 1 August 2010.

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

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Done at Brussels, 21 January 2011.

For the Commission

The President

José Manuel BARROSO

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ANNEX I

Annex I A to Regulation (EC) No 606/2009 shall be amended as follows:

(1) The table shall be amended as follows:

(a) line 10 shall be replaced by the following:

10	clarification by means of one or more of the following substances for oenological use: — edible gelatine, — plant proteins from wheat or peas, — isinglass, — casein and potassium caseinates, — egg albumin, — bentonite, — silicon dioxide as a gel or colloidal solution, — kaolin, — tannin, — chitosan of fungoid origin, — chitin-glucan of fungoid origin		The use of chitosan in the treatment of wines is limited to 100 g/hl. The use of chitin-glucan in the treatment of wines is limited to 100 g/hl

(b) the following entries shall be added:

44	Treatment using chitosan of fungoid origin	Under the conditions set out in Appendix 13	

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45	Treatment using chitin-glucan of fungoid origin	Under the conditions set out in Appendix 13	
46	Acidification by means of electro-membranary treatment	Conditions and limits laid down in points C and D of Annex XVa to Regulation (EC) No 1234/2007 and Articles 11 and 13 of this Regulation Under the conditions set out in Appendix 14	
47	Use of enzymatic preparations for oneological purposes in maceration, clarification, stabilisation, filtration and to reveal the aromatic precursors of grapes present in the must and the wine	Without prejudice to the provisions of Article 9(2) of this Regulation, enzymatic preparations and the enzyme activities of these preparations (i.e., pectolyase, pectin methylesterase, polygalacturonase, hemicellulase, cellulase, betaglucanase and glycosidase) must comply with the corresponding purity and identification specifications of the International Oenological Codex published by the OIV	

(2) Appendix 1 shall be deleted.

(3) The following Appendices 13 and 14 shall be added: