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ANNEX VIII

DESCRIPTION, DESIGNATION, PRESENTATION AND PROTECTION OF SPARKLING WINES

A. Definitions

1. This Annex lays down general rules for the description and presentation of:
 - (a) the sparkling wines defined in point 15 of Annex I, produced in the Community;
 - (b) the aerated sparkling wines defined in point 16 of Annex I, originating in the Community;
 - (c) the sparkling wines defined in accordance with this Regulation by the procedure in Article 75, originating in third countries;
 - (d) the aerated sparkling wines defined in accordance with this Regulation by the procedure in Article 75, originating in third countries.

The sparkling wines referred to in (a) shall comprise:

- the sparkling wines referred to in point H of Annex V,
- the quality sparkling wines referred to in point I of Annex V, and
- the quality sparkling wines produced in specified regions (quality sparkling wines psr) referred to in point K of Annex VI.

2. For the purposes of this Annex:

- ‘*labelling*’ means all references, symbols, illustrations and marks or any other description which serve to distinguish the product and which appear on the same container, including the closure, or on tags attached to the container and the sheathing covering the neck of bottles,
- ‘*packaging*’ means protective wrappings, such as paper, straw envelopes of all kinds, cartons and cases, used in the transport of one or more containers and/or for presenting them with a view to sale to the final consumer,
- ‘*producer*’ of a product referred to in paragraph 1 means the natural or legal person or group of persons by whom or on whose behalf production is carried out,
- ‘*production*’ means the processing of fresh grapes, grape musts and wines into a product referred to in paragraph 1.

B. Compulsory particulars

1. In the case of the products referred to in paragraph 1 of point A, the description on the labelling shall include the following information:
 - (a) the name under which the product is sold, in accordance with paragraph 2 of point D;
 - (b) the nominal volume of the product;
 - (c) the type of product, in accordance with paragraph 3 of point D;
 - (d) the actual alcoholic strength by volume, in accordance with detailed rules to be determined.
2. In the case of the products referred to in paragraph 1(a) and (b) of point A, the description on the labelling shall include, in addition to the information specified in paragraph 1:

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- the name or business name of the producer or of a vendor established in the Community, and
- the names of the local administrative area or part of such area, and Member State in which the abovementioned person's head office is situated, in accordance with paragraphs 4 and 5 of point D.

However, producer Member States may make it compulsory for the name or business name of the producer to be shown written in full.

Where the label features the name or business name of the producer and where production takes place in a different local administrative area, part of such area or Member State from that referred to in the second indent of the first subparagraph, the information referred to therein shall be supplemented by the name of the local administrative area or part of such area where production was carried out and, if production took place in another Member State, by the name of that Member State.

3. In the case of the products referred to in paragraph 1(c) and (d) of point A, the description on the labelling shall include the following information in addition to the information specified in paragraph 1:
 - (a) the name or business name of the importer and the names of the local administrative area and Member State in which the importer's head office is situated;
 - (b) the name or business name of the producer and the names of the local administrative area and third country in which the producer's head office is situated, in accordance with paragraphs 4 and 5 of point D.
4. The description on the labelling shall include additional information in the following cases:
 - in the case of products produced from wines originating in third countries, as referred to in the sixth indent of point 15 of Annex I, the description on the labelling shall indicate that the product has been produced from imported wines and shall specify the third country in which the wine used in constituting the cuvée originated,
 - in the case of quality sparkling wines psr, the name of the specified region in which the grapes used to make the product were harvested shall be given on the labelling,
 - in the case of quality sparkling wines of the aromatic type referred to in paragraph 10 of point K 10 of Annex VI, the description on the labelling shall include either the name of the vine variety from which they were obtained or the words 'produced from aromatic varieties of grape'.
- C. Optional particulars
 1. In the case of the products referred to in paragraph 1 of point A, the description on the labelling may be supplemented by other particulars, provided that:
 - they are not liable to mislead the persons for whom the information is intended, particularly as regards the mandatory information specified in point B and the optional information specified in point E,
 - where appropriate, the provisions of point E are observed.
 2. For the purposes of monitoring and control in the sparkling wine sector, the competent authorities on the matter may, with due regard to the general rules of procedure adopted by each Member State, require of the producer or vendor referred to in the first indent of the first subparagraph of paragraph 2 of point B, proof of the accuracy of the information, used for the description concerning the nature, identity, quality,

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composition, origin or provenance of the product concerned or of the products used in its production.

Where such a request is made by:

- the competent authority of the Member State in which the producer or vendor is established, proof shall be required directly of such persons by that authority,
- the competent authority of another Member State, that authority shall provide the competent authority of the country in which the producer or vendor is established, within the framework of direct cooperation between them, with all the information necessary to enable the latter authority to acquire such proof; the requesting authority shall be informed of the action taken as a result of its request.

If the competent authorities find that such proof is not provided, the information in question shall be regarded as not complying with this Regulation.

D. Detailed rules governing the compulsory particulars

1. The items of information specified in point B:

- shall appear together within the same visual field on the container, and
- shall be presented in clear, legible and indelible characters which are large enough to stand out well from the background on which they are printed and to be distinguished clearly from all other written or pictorial matter.

The compulsory information on the importer may, however, be featured outside the visual field in which the other compulsory items of information appear.

2. The sales description referred to in paragraph 1(a) of point B shall be indicated by one of the following expressions:

- (a) in the case of a sparkling wine referred to in point H of Annex V, ‘sparkling wine’;
- (b) in the case of a quality sparkling wine referred to in point I of Annex V, other than referred to in (d) of this paragraph, ‘quality sparkling wine’ or ‘Sekt’;
- (c) in the case of quality sparkling wine psr referred to in point K of Annex VI:
 - ‘quality sparkling wine produced in a specified region’ or ‘quality sparkling wine psr’, or ‘Sekt bestimmter Anbaugebiete’ or ‘Sekt bA’, or
 - a specific traditional term chosen from among those referred to in the fourth sub-indent of the second indent of paragraph 2(c) of point A of Annex VII by the Member State in which production took place and contained on a list to be drawn up, or
 - one of the names of the specified regions of quality sparkling wines psr referred to in the second indent of paragraph 2(c) of point A of Annex VII, or
 - two of the expressions used in combination.

However, the Member States may require that, in the case of certain quality sparkling wines psr produced in their territory, certain expressions referred to in the first subparagraph are to be used either on their own or in combination;

- (d) in the case of a quality sparkling wine of the aromatic type referred to in paragraph 3 of point I of Annex V, ‘quality aromatic sparkling wine’;
- (e) in the case of sparkling wine originating in a third country:
 - ‘sparkling wine’,

or

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- ‘quality sparkling wine’ or ‘Sekt’, where the conditions laid down for the production of such wine have been recognised as equivalent to those set out in point I of Annex V.

For such sparkling wines the sales description shall be accompanied by a reference to the third country in which the grapes used were harvested, fermented and made into sparkling wine. Where the products used to produce the sparkling wine were obtained in a country other than that in which production took place, the indication of the country of production pursuant to paragraph 3 of point B must stand out clearly from all the indications shown on the labelling;

- (f) in the case of an aerated sparkling wine originating in the Community or in a third country, ‘aerated sparkling wine’. If the language used for this item of information does not indicate that carbon dioxide has been added, the words ‘obtained by the addition of carbon dioxide’ shall be added to the labelling in accordance with detailed rules to be determined.
3. Product type as determined by the sugar content referred to in paragraph 1(c) of point B shall be indicated by one of the following terms understandable in the Member State or third country of destination in which the product is offered for direct human consumption:
- [^{F1}‘brut nature’, ‘naturherb’, ‘bruto natural’, ‘pas dosé’, ‘dosage zéro’, ‘natūralusis briutas’, ‘īsts bruts’, ‘přírodně tvrdé’, ‘popolnoma suho’ oder ‘dosaggio zero’: if its sugar content is less than 3 grams per litre; these terms may be used only for products to which no sugar has been added after the secondary fermentation;
 - ‘extra brut’, ‘extra herb’, ‘ekstra briutas’, ‘ekstra brut’, ‘ekstra bruts’, ‘zvláště tvrdé’, ‘extra bruto’, ‘izredno suho’ or ‘ekstra wytrawne’: if its sugar content is between 0 and 6 grams per litre;
 - ‘brut’, ‘herb’, ‘briutas’, ‘bruts’, ‘tvrdé’, ‘bruto’, ‘zelo suho’ or ‘bardzo wytrawne’: if its sugar content is less than 15 grams per litre;
 - ‘extra dry’, ‘extra trocken’, ‘extra seco’, ‘labai sausas’, ‘ekstra kuiv’, ‘ekstra sausais’, ‘különleges szász’, ‘wytrawne’, ‘suho’, ‘zvláště suché’ or ‘extra suché’: if its sugar content is between 12 and 20 grams per litre;
 - ‘sec’, ‘trocken’, ‘secco’ oder ‘asciutto’, ‘dry’, ‘tør’, ‘ξηρός’, ‘seco’, ‘torr’, ‘kuiva’, ‘sausas’, ‘kuiv’, ‘sausais’, ‘szász’, ‘półwytrawne’, ‘polsuho’ or ‘suché’: if its sugar content is between 17 and 35 grams per litre;
 - ‘demi-sec’, ‘halbtrocken’, ‘abboccato’, ‘medium dry’, ‘halvtør’, ‘ημίξηρος’, ‘semi seco’, ‘meio seco’, ‘halvtorr’, ‘puolikuiva’, ‘pusiau sausas’, ‘poolkuiv’, ‘pussausais’, ‘félssász’, ‘półslodkie’, ‘polsladko’ or ‘polosuché’ oder ‘polosladké’: if its sugar content is between 33 and 50 grams per litre;
 - ‘doux’, ‘mild’, ‘dolce’, ‘sweet’, ‘sød’, ‘γλυκύς’, ‘dulce’, ‘doce’, ‘söt’, ‘makea’, ‘saldus’, ‘magus’, ‘pussaldais’, ‘édes’, ‘helu’, ‘slodkie’, ‘sladko’ or ‘sladké’: if its sugar content is greater than 50 grams per litre.]

Textual Amendments

- F1** Substituted by Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.

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If the sugar content of the product justifies the use of two of the terms specified in the first subparagraph, the producer or importer must choose to use one such term only.

Notwithstanding paragraph 1(c) of point B, for quality sparkling wines of the aromatic type as referred to in paragraph 3 of point 1 of Annex V and for quality sparkling wines of the aromatic type produced in specified regions as referred to in paragraph 10 of point K of Annex VI, indication of the type of product as referred to in the first subparagraph may be replaced by indication of the sugar content expressed in grams per litre as determined by analysis.

No information other than that specified in the first and third subparagraphs may be used on the labelling to indicate the product type as determined by the sugar content.

4. The name or business name of the producer and the names of the local administrative area, or part of such area, and State in which the producer's head office is situated shall be given:
 - either in full,
 - or in the case of products produced in the Community, in code provided that the name or business name of the person or group of persons other than the producer involved in the commercial distribution of the product, and the local administrative area, or part of such area, and Member State in which the head office of such person or group is situated, are given in full.
5. Where the name of a local administrative area or part of such area features on the label, either to indicate where the producer or another person involved in the commercial distribution of the product has his head office or to indicate where production took place, and those particulars include the name of a specified region within the meaning of point A of Annex VI other than that which may be used to describe the product in question, that name shall be given by means of a code.

However, Member States may lay down other appropriate measures for the description of products produced in their territory, in particular as regards the size of the characters used, which shall be such as to avoid any confusion regarding the geographical origin of the wine.

6. The expressions used to indicate the production method may be prescribed by the implementing provisions.
- E. Use of certain specific terms
1. The name of a geographical unit other than a specified region, and smaller than a Member State or a third country, may be used only to supplement the description of:
 - a quality sparkling wine psr,
 - a quality sparkling wine to which the implementing provisions have given the name of such a geographical unit, or
 - as sparkling wine originating in a third country the conditions for whose production are recognised as equivalent to those laid down in point I of Annex V for a quality sparkling wine bearing the name of a geographical unit.

Use of such a name shall be allowed only if:

- (a) it conforms to the rules of the Member State or third country in which the sparkling wine was produced;
- (b) the geographical unit in question is defined exactly;
- (c) all the grapes from which the product was obtained came from that geographical unit, with the exception of the products contained in tirage liqueur or expedition liqueur;

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- (d) in the case of a quality sparkling wine psr, the geographical unit is situated within the specified region whose name the wine bears;
- (e) in the case of quality sparkling wines, the name of that geographical unit is not laid down for describing a quality sparkling wine psr.

Notwithstanding clause (c) of the second subparagraph, Member States may authorise use of the name of a geographical unit smaller than a specified region to supplement the description of a quality sparkling wine psr if at least 85 % of the product was obtained from grapes harvested in that unit.

- 2. The name of a vine variety may be used only to supplement the description of a product referred to in paragraph 1 of point A,
 - at (a),
 - or
 - at (c) where the conditions for its production are recognised as equivalent to those laid down in point I of Annex V or point K of Annex VI.

The name of a vine variety or a synonym of that name may be indicated only if:

- (a) the cultivation of that variety and the use of the products obtained therefrom conform to Community provisions or to the provisions of the third country in which the grapes used were harvested;
- (b) that variety appears on a list to be adopted by the Member State in which the products used for constituting the cuvée were obtained; in the case of quality sparkling wines psr, that list shall be drawn up pursuant to paragraph 1 of point B or paragraph 10(a) of point K of Annex VI;
- (c) the name of that variety cannot be confused with the name of a specified region or geographical unit used to describe another wine produced in the Community or imported;
- (d) the name of that variety shall not be repeated in the same expression unless more than one variety bearing that name exists and that name is on a list to be adopted by the producer Member State. That list shall be communicated to the Commission, which shall inform the other Member States accordingly;
- (e) the product was obtained entirely from the variety in question, with the exception of the products contained in tirage liqueur or expedition liqueur, and if the variety has a preponderant effect on the nature of the product in question;
- (f) the length of the production process, including ageing in the establishment of production, reckoned from the start of the fermentation process designed to make the cuvée sparkling, has not been less than 90 days and provided that the duration of fermentation designed to make the cuvée sparkling and the presence of the cuvée on the lees have lasted:
 - at least 60 days,
 - at least 30 days if the fermentation takes place in containers with stirrers.

This provision shall not, however, apply to sparkling wines of the aromatic type referred to in paragraph 3 of point I of Annex V or paragraph 10 of point K of Annex VI.

Notwithstanding the second subparagraph, producer Member States may:

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- authorise use of the name of one vine variety if at least 85 % of the grapes from which the product was obtained came from that variety, with the exception of the products contained in tirage liqueur or expedition liqueur, and if that variety has a preponderant effect on the nature of the product in question,
 - authorise use of the name of two vine varieties where the regulations of the producer Member State so provide and on condition that all the grapes from which the product was obtained come from those three varieties, with the exception of the products contained in tirage liqueur and expedition liqueur and if the blend of those two or three varieties is critical for the product's distinctive character.
 - limit such use to certain names of vine varieties referred to in the second subparagraph.
3. The expression 'bottle-fermented' may be used only to describe:
- a quality sparkling wine psr,
 - a quality sparkling wine,
- or
- a sparkling wine originating in a third country the conditions for whose production are recognised as equivalent to those laid down in point I of Annex V or in point K of Annex VI.

Use of the expression referred to in the first subparagraph shall be allowed only if:

- (a) the product was made sparkling by a second alcoholic fermentation in the bottle;
- (b) the length of the production process, including ageing in the undertaking where the product was made, reckoned from the start of the fermentation process designed to make the cuvée sparkling, has not been less than nine months;
- (c) the process of fermentation designed to make the cuvée sparkling and the presence of the cuvée on the lees lasted at least 90 days;
- (d) the product was separated from the lees by filtering in accordance with the racking method or by disgorging.

4. The expressions 'bottle-fermented by the traditional method' or 'traditional method' or 'classical method' or 'classical traditional method' and any expressions resulting from a translation of them may be used only to describe:

- a quality sparkling wine psr,
 - a quality sparkling wine,
- or
- a sparkling wine originating in a third country the conditions for whose production are recognised as equivalent to those laid down in point I of Annex V or in point K of Annex VI.

Use of one of the expressions referred to in the first subparagraph shall be allowed only if the product:

- (a) was made sparkling by a second alcoholic fermentation in the bottle;
- (b) stayed without interruption in contact with the lees for at least nine months in the same undertaking from the time when the cuvée was constituted;

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- (c) was separated from the lees by disgorging.
5. An expression relating to a method of production which includes the name of a specified region or of another geographical unit, or a term derived from either of these, may be used only to describe:
- a quality sparkling wine psr,
 - a quality sparkling wine,
- or
- a sparkling wine originating in a third country the conditions for whose production are recognised as equivalent to those laid down in point 1 of Annex V or in point K of Annex VI.

Such expressions may be used only to describe a product entitled to one of the geographical ascriptions referred to in the first subparagraph.

6. With regard to quality sparkling wines psr which fulfil the conditions laid down in the second subparagraph of paragraph 4:
- (a) [F¹the term ‘Winzersekt’ shall be reserved for quality sparkling wines psr produced in Germany, the term ‘Hauersekt’ shall be reserved for quality sparkling wines psr produced in Austria, the term ‘pěstitelský sekt’ shall be reserved for quality sparkling wines psr produced in the Czech Republic and the term ‘Termelői pezsgő’ shall be reserved for quality sparkling wines psr produced in Hungary, all of which are:]
- produced from grapes harvested in the same vineyard, including producer groups, where the producer, as defined in paragraph 4 of point D, makes into wine grapes intended for the preparation of quality sparkling wines psr,
 - marketed by the producer referred to in the first indent and made available with labels indicating the vineyard, the vine variety and the year.

Under the arrangements applicable, additional conditions may be imposed on use of the term ‘Winzersekt’ and on use of equivalent terms in other Community languages. Under the same arrangements, a Member State may be authorised to lay down special and, in particular, more restrictive arrangements.

The terms referred to in the preceding subparagraphs may be used only in the language of origin;

- (b) the term ‘crémant’ shall be reserved for quality sparkling wines psr:
- to which this term has been applied, in combination with the name of the specified region, by the Member State in which the wine was made,
 - made from must obtained by pressing whole grapes, with regard to white quality sparkling wines psr, the quantity of must obtained not exceeding 100 litres for every 150 kg of grapes,
 - with a maximum sulphur dioxide content of 150 mg/l,
 - with a sugar content of less than 50 g/l,
- and
- produced in accordance with any additional special rules governing their production and description laid down by the Member State in which they are made.

By way of derogation from the first indent, for the quality sparkling wines psr to which the term ‘crémant’ has not been applied by the Member State concerned in accordance

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with that provision, the producers of these quality sparkling wines psr may use this term provided they have traditionally used the said term for at least 10 years prior to 1 July 1996.

The Member State concerned shall inform the Commission of the cases in which use is made of this derogation.

7. The vintage year may be used only in the description of:
- a quality sparkling wine psr,
 - a quality sparkling wine,
- or
- a sparkling wine originating in a third country the conditions for whose production are recognised as equivalent to those laid down in point I of Annex V or in point K of Annex VI.

Reference to the vintage year shall be allowed only if at least 85 % of the product was obtained from grapes harvested in the year in question, with the exception of the products contained in tirage liqueur or expedition liqueur.

However, Member States may prescribe that the vintage year may be given for quality sparkling wines psr produced in their territory only if the product was obtained entirely from grapes harvested in the year in question, with the exception of the products contained in tirage liqueur or expedition liqueur.

8. Reference to superior quality shall be allowed only in the case of:
- a quality sparkling wine psr,
 - a quality sparkling wine,
- or
- a sparkling wine originating in a third country the conditions for whose production are recognised as equivalent to those laid down in point I of Annex V or in point K of Annex VI.
9. The name of a Member State or of a third country, or the adjective derived from that name, may not be used in combination with the sales description referred to in paragraph 2 of point D, unless the product is produced in the territory of that Member State or third country and is made exclusively from grapes harvested and processed into wine in that same territory.
10. The description of a product referred to in paragraph 1 of point A may not be supplemented by a reference or symbol relating to a medal or prize obtained after taking part in a competition, or to any other distinction, unless they have been awarded, by an official body or a body officially recognised for the purpose, to a given quantity of the product in question.
11. The terms ‘Premium’ or ‘Reserve’ may be used only to supplement:
- the term ‘quality sparkling wine’,
- or
- one of the terms referred to in paragraph 2(c) of point D.

The term ‘Réserve’ may, if appropriate, be supplemented by a description under the conditions laid down by the producer Member State.

12. Where necessary, the implementing provisions may lay down:

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- (a) conditions for the use of:
- the expression referred to in paragraph 8,
 - terms relating to a manufacturing method other than those referred to in paragraphs 3 to 6,
 - expressions referring to the specific characteristics of the vine varieties from which the product in question is made;

- (b) a list of the expressions referred to at (a).

F. Languages which may be used for labelling

The information specified:

- in point B shall be given in one or more of the official languages of the Communities so that the final consumer can easily understand each of these items of information,
- in point C shall be given in one or more of the official languages of the Communities.

In the case of products put on the market in their territory, Member States may allow this information to be given also in a language other than an official language of the Communities where the use of such language is traditional and customary in the Member State concerned or in a part of its territory.

However:

- (a) [^{F2}the following information shall be provided only in the official language of the Member State in whose territory production took place:
- in the case of quality sparkling wines psr, the name of the specified region as referred to in point B.4, second indent;
 - for quality sparkling wines psr or for quality sparkling wines, the name of another geographical area as referred to in point E.1.

The names of the products specified in the first and second indents produced in Greece and in Cyprus may be repeated in one or more other official languages of the Community;]

- (b) in the case of products originating in third countries:
- the use of an official language of the third country in which production took place shall be allowed, provided that the information specified in paragraph 1 of point B is also given in an official language of the Communities,
 - the translation of some of the information specified in paragraph C into an official language of the Communities may be governed by implementing provisions;
- (c) in the case of products originating in the Community and intended for export, the information referred to in paragraph 1 of point B given in an official language of the Communities may be repeated in another language.

Textual Amendments

- F2** Substituted by [Council Regulation \(EC\) No 2165/2005 of 20 December 2005 amending Regulation \(EC\) No 1493/1999 on the common organisation of the market in wine.](#)

G. Presentation

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1. The products referred to in paragraph 1 of point A may be held for sale or put on the market only in glass bottles which:
 - (a) are closed with:
 - a mushroom-shaped stopper made of cork or other material permitted to come into contact with foodstuffs, held in place by a fastening, covered, if necessary, by a cap and sheathed in foil completely covering the stopper and all or part of the neck of the bottle,
 - any other suitable closure in the case of bottles with a nominal content not exceeding 0,20 litres, and
 - (b) bear labelling conforming to the provisions of this Regulation.

The closing device referred to in the first and second indents of point (a) of the first subparagraph may not be covered by a capsule or foil manufactured on the basis of lead.

However, in the case of products covered by paragraph 1 of point A which are produced by a second alcoholic fermentation in the bottle as referred to in paragraphs 3 and 4 of point E, exceptions for sparkling wines still in the process of production where they are closed with a temporary stopper and are not labelled may be:

- (a) laid down by the producer Member State, provided that such wines:
 - are intended to become quality sparkling wines psr,
 - only circulate between producers within the specified region concerned,
 - are covered by an accompanying documentand
 - are the subject of specific scrutiny;
- (b) applied until 31 December 2001 to producers of quality sparkling wines that have been expressly authorised by the Member State concerned and comply with the conditions laid down by that Member State, especially with regard to monitoring.

Before 30 June 2000 the Member States concerned shall send the Commission a report on the application of these exceptions. The Commission shall, if appropriate, submit the necessary proposals for the continuation of the exceptions.

2. In accordance with rules to be specified, only the following may be put up in ‘sparkling wine’-type or similar bottles fitted with closing devices as referred to in paragraph 1(a) with a view to sale, placing on the market or export:
 - the products as referred to in paragraph 1 of point A,
 - beverages which are traditionally put up in such bottles and which:
 - comply with the definitions of semi-sparkling wine or aerated semi-sparkling wine as referred to in points 17 and 18 of Annex I,
 - or
 - are obtained by alcoholic fermentation of a fruit or of another agricultural raw material, in particular the products referred to in paragraph 2 of point C of Annex VII and the products covered by Regulation (EEC) No 1601/91, laying down general rules on the definition, description and presentation of aromatised wines, wine-based drinks and aromatised wine-product cocktails⁽¹⁾,
 - or

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- have an actual alcoholic strength by volume not greater than 1,2 % vol.,
 - products which are not likely, despite the fact that they are put up in this way, to create confusion or mislead consumers with regard to the real nature of the product.
3. Insofar as labelling is not governed by this Regulation it may be governed by implementing provisions, in particular as regards:
 - (a) the positioning of labels in containers;
 - (b) the minimum size of labels;
 - (c) the arrangement on labels of the various items comprising the description;
 - (d) the size of the characters on labels;
 - (e) the use of symbols, illustrations and brand names.
 4. Without prejudice to paragraph 5, where the packaging of a product referred to in paragraph 1 of point A bears one or more items of information referring to the product packed in it, such items of information must comply with the provision of this Regulation.
 5. Where containers containing a product referred to in paragraph 1 of point A are presented for sale to the final consumer in a package, it must be labelled in accordance with this Regulation.

Arrangements for avoiding excessive strictness in the case of special packaging containing small quantities of the products referred to in paragraph 1 of point A, on their own or with other products, shall be adopted.

H. Brand names

1. Where the description, presentation and advertising of the products referred to in paragraph 1 of point A are supplemented by brand names, such brand names may not contain any words, syllables, signs or illustrations which:
 - (a) are likely to cause confusion or mislead the persons to whom they are addressed within the meaning of Article 48;

or

 - (b) are liable to be confused with all or part of the description of a table wine, a quality wine produced in a specified region, including a quality sparkling wine psr or an imported wine whose description is governed by Community provisions or with the description of any other product referred to in paragraph 1 of point A, or are identical to the description of any such product, unless the products used for constituting the cuvée of the sparkling wine in question are entitled to such description or presentation.
2. Notwithstanding paragraph 1(b), the holder of a well-known registered brand name for a product referred to in paragraph 1 of point A, which contains wording that is identical to the name of a specified region or the name of a geographical unit smaller than a specified region may, even if he is not entitled to use such a name pursuant to paragraph 1, continue to use that brand name where it corresponds to the identity of its original holder or of the original provider of the name, provided that the brand name was registered at least 25 years before the official recognition of the geographical name in question by the producer Member State in accordance with Article 54(4) as regards quality wines psr and that the brand name has actually been used without interruption.

Status: Point in time view as at 04/01/2006.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1493/1999 (repealed), ANNEX VIII. (See end of Document for details)

Brand names complying with the conditions of the first subparagraph may not be invoked against the use of the name of geographical units used to describe a quality wine psr.

I. General provisions

1. Without prejudice to paragraph 1 of point F, each Member State shall accept the description and presentation of products referred to in paragraph 1 of point A which originate in other Member States and are put on the market in its territory, provided that such description and presentation conform to Community rules and are allowed pursuant to this Regulation in the Member State in which the product was produced.
2. The description, presentation and advertising of products other than those covered by paragraph 1 of point A may not indicate, imply or suggest that the product concerned is a sparkling wine.
3. The sales descriptions set out in paragraph 2 of point D shall be used only for the products referred to in paragraph 1 of point A.

However, Member States may allow the term 'sparkling wine' to be used in the form of a composite name to describe a beverage falling within CN code 2206 00 91 obtained by alcoholic fermentation of a fruit or another agricultural raw material where use of those composite names is traditional, pursuant to legislation in force on 29 November 1985.

4. The composite names referred to in the second subparagraph of paragraph 3 shall be indicated on the labelling in characters of the same type and colour and of a height which enables them to stand out clearly from other information.
5. Quality sparkling wines psr may be put on the market only on condition that the name of the specified region to which they are entitled is marked on the cork and that the bottle carries a label from the time it leaves the place of preparation.

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

6. Provisions for the implementation of paragraph 5 shall be adopted, as well as derogations concerning marking on the cork referred to in the first subparagraph of paragraph 5, where, on the occasion of a check by the competent authority, a sparkling wine is not recognised as a quality sparkling wine psr.

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Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 1493/1999 (repealed), ANNEX VIII. (See end of Document for details)

- (1) [OJ L 149, 14.6.1991, p. 1.](#)

Status:

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Changes to legislation:

There are currently no known outstanding effects for the Council Regulation (EC) No 1493/1999 (repealed), ANNEX VIII.