

ANNEX VIII

DESCRIPTION, DESIGNATION, PRESENTATION AND PROTECTION OF SPARKLING WINES

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.

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.

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Point in time view as at 04/01/2006.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There are currently no known outstanding effects for the Council Regulation (EC) No 1493/1999 (repealed), Division H..