

Council Regulation (EC) No 1493/1999 of 17 May 1999 on
the common organisation of the market in wine (repealed)

TITLE V

**OENOLOGICAL PRACTICES AND PROCESSES, DESCRIPTION,
DESIGNATION, PRESENTATION AND PROTECTION**

CHAPTER I

OENOLOGICAL PRACTICES AND PROCESSES

Article 42

- 1 Authorised Community oenological practices and processes are established for the production of the products covered by this Regulation other than grape juice and concentrated grape juice and grape must and concentrated grape must intended for the preparation of grape juice.
- 2 Authorised oenological practices and processes may only be used for the purposes of ensuring proper vinification, proper preservation or a proper refinement of the product.
- 3 Authorised oenological practices and processes shall exclude the addition of water, except where required by specific technical necessity, as well as the addition of alcohol, except for fresh grape must with fermentation arrested by the addition of alcohol, liqueur wine, sparkling wine, wine fortified for distillation and, in conditions to be determined, semi-sparkling wine.
- 4 Member States may, in respect of oenological practices and processes, impose stricter conditions to ensure the preservation of the essential characteristics of quality wines psr, table wines which are described by a geographical indication and are produced in their territory, sparkling wines and liqueur wines. They shall communicate these conditions to the Commission, which shall bring them to the attention of the other Member States.
- 5 Except where otherwise decided, only grapes belonging to varieties listed in the classification established in accordance with Article 19 as wine grape varieties, or products derived therefrom, may be used in the Community for the manufacture of:
 - a grape must with fermentation arrested by the addition of alcohol;
 - b concentrated grape must;
 - c rectified concentrated grape must;
 - d wine suitable for yielding table wine;
 - e table wine;
 - f quality wines psr;
 - g liqueur wine;
 - h grape must in fermentation, extracted from raisined grapes;
 - i wine from over-ripened grapes.
- 6 Coupage of a wine suitable for yielding a white table wine or of a white table wine with a wine suitable for yielding a red table wine or with a red table wine may not yield a table wine.

Status: Point in time view as at 04/01/2006.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), CHAPTER I. (See end of Document for details)

However, this provision shall not prevent, in certain cases to be determined, such a coupage as referred to in the first subparagraph, provided that the resultant product has the characteristics of a red table wine.

By way of derogation from the first subparagraph, such a coupage shall be permitted until 31 July 2005, in areas where such a practice was traditional, in accordance with detailed rules to be laid down.

Article 43

1 The authorised oenological practices and processes are set out in Annex IV and Annex V.

2 In particular:

- authorised oenological practices and processes concerning enrichment, acidification, deacidification and sweetening, and rules concerning sulphur dioxide content and maximum volatile acid content, are set out in Annex V, points A to G,
- authorised oenological practices and processes and rules concerning the production of sparkling wine and quality sparkling wine are set out in points H and I of Annex V,
- authorised oenological practices and processes and rules concerning the production of liqueur wine are set out in point J of Annex V.

Article 44

[^{F1} Of the products falling within CN codes 2204 10, 2204 21 and 2204 29, only liqueur wines, sparkling wines, aerated sparkling wines, semi-sparkling wines, aerated semi-sparkling wines, quality wines psr, table wines, wines obtained from over-ripened grapes and where appropriate, notwithstanding Article 45, legally imported wines may be offered or delivered for direct human consumption within the Community.]

2 Except for bottled wine in respect of which there is evidence that bottling was performed prior to 1 September 1971, wine other than quality wine psr obtained from the vine varieties referred to in Article 42(5) but not corresponding to the definitions contained in items 12 to 18 of Annex I may be used only for consumption by individual wine-producers' families, for the production of wine vinegar or for distillation.

3 In years when climatic conditions have been unfavourable, it may be decided that products from wine-growing zones A and B which do not possess the minimum natural alcoholic strength by volume laid down for the wine-growing zone in question may be used in the Community for the production of sparkling wine and aerated sparkling wine, provided that such wines have an actual alcoholic strength by volume of not less than 8,5 % vol, or for the production of aerated semi-sparkling wine. In that event, they shall be enriched subject to the limits referred to in paragraph 5 of point D of Annex V.

4 Without prejudice to any more restrictive provisions which Member States apply with respect to this preparation in their territory of products not falling within CN codes 2204 10, 2204 21 and 2204 29, fresh grape must with fermentation arrested by the addition of alcohol may be used only in the preparation of such products.

5 Grape juice and concentrated grape juice originating in the Community may not be made into wine or added to wine. These products shall be subject to control with respect to their use. They may not undergo alcoholic fermentation in the territory of the Community.

6 The provisions of paragraphs 4 and 5 shall not apply to products intended for the production, in the United Kingdom [^{F2},] Ireland [^{F3} and Poland], of products falling within CN

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), CHAPTER I. (See end of Document for details)

code 2206 00 for which, pursuant to Annex VII, paragraph 2 of point C, Member States may allow the use of a composite name including the word ‘wine’.

7 Wine suitable for yielding table wine which does not reach the minimum actual alcoholic strength by volume for table wines may not be put into circulation except for the production of sparkling wine, vinegar making, distillation and other industrial uses. The enrichment of such wine and coupage thereof with a table wine in order to bring its actual alcoholic strength by volume up to the level laid down for a table wine may take place only on the premises of the wine-maker or on his behalf.

8 With the exception of alcohol, spirits and piquette, neither wine nor any other beverage intended for direct human consumption may be made from wine lees or grape marc.

9 Piquette, where its production is authorised by the Member State concerned, may be used only for distillation or for consumption in the families of individual wine-growers.

10 Wine fortified for distillation may only be used for distillation.

11 Grape must in fermentation, extracted from raisined grapes, may be put on the market only for the manufacture of liqueur wines only in the wine-growing regions where this usage was traditional on 1 January 1985, and wine of overripe grapes.

12 Fresh grapes, grape must, grape must in fermentation, concentrated grape must, rectified concentrated grape must, grape must with fermentation arrested by the additional of alcohol, grape juice and concentrated grape juice originating in third countries may not be turned into wine or added to wine in the territory of the Community.

13 The products referred to in paragraph 12 may not undergo alcoholic fermentation within the territory of the Community. This provision shall not apply to products intended for the production in the United Kingdom^[F2], Ireland^[F3] and Poland of products falling within CN code 2206 00 for which, pursuant to Annex VII, paragraph 2 of point C, Member States may allow the use of a composite name including the word ‘wine’.

14 Coupage of a wine originating in a third country with a Community wine and coupage in the geographical territory of the Community between wines originating in third countries shall be prohibited.

15 The Council may derogate from paragraph 12, the first sentence of paragraph 13 and paragraph 14, in accordance with the international obligations of the Community.

Textual Amendments

- F1** Substituted by [Council Regulation \(EC\) No 2585/2001 of 19 December 2001 amending Regulation \(EC\) No 1493/1999 on the common organisation of the market in wine.](#)
- F2** 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.](#)
- F3** Inserted 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.](#)

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), CHAPTER I. (See end of Document for details)

Article 45

1 Except by way of derogation, the following products may not be offered or disposed of for direct human consumption:

- a products falling within CN codes 2204 30 10, 2204 21, 2204 29 and 2204 10, whether imported or not, which have undergone oenological practices not authorised by Community rules or, where this is permitted, by national rules;
- b products as referred to in Article 1(2)(a), (b) and (c) which are not of sound and fair merchantable quality;
- c products as referred to in Article 1(2) which do not comply with the definitions shown in Annex I.

2 The derogations referred to in paragraph 1 for imported products shall be adopted in accordance with the procedure laid down in Article 133 of the Treaty.

Article 46

1 Detailed rules for the application of this Chapter, and Annexes IV and V, shall be adopted in accordance with the procedure laid down in Article 75.

These rules shall, in particular, provide for:

- a in respect of point A of Annex V, transitional measures concerning wines produced before 1 September 1986 and amendments to the lists of wines in paragraph 2;
- b in respect of Annexes IV and V, the limits and certain conditions for the use of the oenological practices and processes referred to in those Annexes, with the exception of limits and conditions fixed in those Annexes;
- c the decisions, exceptions, derogations, conditions and lists referred to in this Chapter and Annex V;
- d the application of points C to G of Annex V to products harvested in Community regions not included within the wine-growing zones specified in Annex III;
- e in respect of point J of Annex V, the lists referred to in paragraphs 2(b) and 6 thereof, the derogations referred to in paragraph 4(b) and the declaration and registration procedure referred to in paragraph 6.

2 The following rules shall be adopted according to the procedure laid down in Article 75:

- a the rules governing the comparison between certain oenological practices and processes applied in third countries and those referred to in Article 43(1) and Annex IV;
- b provisions regulating the blending and coupage of musts and wines;
- c the purity and identification specification of substances used in oenological practices;
- d administrative rules for carrying out the oenological practices and processes authorised; these rules may provide that certain oenological practices and processes may only be carried out under the supervision of a person recognised by the Member State who possesses sufficient knowledge to guarantee the quality, hygiene and healthiness of the product;
- e the conditions governing holding and circulation, the use of products as referred to in Article 45 or lists of products excepted from the requirements of that Article, and the establishment of criteria for the purpose of avoiding hardship in individual cases, the conditions under which Member States may authorise the holding, circulation and use of products not complying with the provisions of this Regulation other than those referred to in Article 45(1), or with provisions adopted pursuant to this Regulation;

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), CHAPTER I. (See end of Document for details)

f the general rules for the experimental use of otherwise unauthorised oenological practices and processes.

3 The methods of analysis for determining the composition of the products covered by this Regulation and the rules whereby it may be established whether these products have undergone processes contrary to authorised oenological practices shall be adopted in accordance with the procedure laid down in Article 75.

Using the same procedure there shall be adopted, if required, maximum figures for substances whose presence indicates that certain oenological practices have been used, and comparative analysis tables.

However, where no provision is made for Community methods of analysis or for the rules referred to in the first subparagraph for the detection and quantification of substances sought in the product in question, the methods of analysis to be used shall be:

- a those recognised by the General Assembly of the International Vine and Wine Office (IWO) and published by that Office, or
- b where an appropriate method of analysis does not appear among those referred to in point (a), a method of analysis complying with the standards recommended by the International Organisation for Standardisation (ISO), or
- c in the absence of either of the methods referred to in points (a) and (b) and by reason of its accuracy, repeatability and reproducibility:
 - (i) a method of analysis allowed by the Member State concerned, or
 - (ii) if necessary, any other appropriate method of analysis.

Automatic methods of analysis used instead of a Community method of analysis shall be considered equivalent to the Community methods of analysis referred to in the first subparagraph, provided it is established, under the procedure laid down in Article 75, that the results obtained are, as to their accuracy, repeatability and reproducibility, at least equal to the results obtained by the corresponding Community method.

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), CHAPTER I.