

Council Regulation (EC) No 479/2008 of 29 April 2008 on the common organisation of the market in wine, amending Regulations (EC) No 1493/1999, (EC) No 1782/2003, (EC) No 1290/2005, (EC) No 3/2008 and repealing Regulations (EEC) No 2392/86 and (EC) No 1493/1999 (repealed)

TITLE III

REGULATORY MEASURES

CHAPTER VI

Labelling and presentation

Article 57

Definitions

For the purposes of this Regulation:

- (a) 'labelling' shall mean any words, particulars, trademarks, brand name, pictorial matter or symbol placed on any packaging, document, notice, label, ring or collar accompanying or referring to a given product;
- (b) 'presentation' shall mean any information conveyed to consumers by virtue of the packaging of the product concerned including the form and type of bottles.

Article 58

Applicability of horizontal rules

Save as otherwise provided for in this Regulation, Directive 89/104/EEC, Council Directive 89/396/EEC of 14 June 1989 on indications or marks identifying the lot to which a foodstuff belongs⁽¹⁾, Directive 2000/13/EC and Directive 2007/45/EC of the European Parliament and of the Council of 5 September 2007 laying down rules on nominal quantities for prepacked products⁽²⁾ shall apply to the labelling and presentation of products falling within their scopes.

Article 59

Compulsory particulars

1 Labelling and presentation of the products referred to in paragraphs 1 to 11, 13, 15 and 16 of Annex IV marketed in the Community or for export shall contain the following compulsory particulars:

- a the designation for the category of the grapevine product in accordance with Annex IV;
- b for wines with a protected designation of origin or geographical indication:

- (i) the term ‘protected designation of origin’ or ‘protected geographical indication’; and
 - (ii) the name of the protected designation of origin or geographical indication;
- c the actual alcoholic strength by volume;
 - d an indication of provenance;
 - e an indication of the bottler or, in the case of sparkling wine, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wine, the name of the producer or vendor;
 - f an indication of the importer in the case of imported wines;
 - g in the case of sparkling wine, aerated sparkling wine, quality sparkling wine or quality aromatic sparkling wine, an indication of the sugar content.
- 2 By way of derogation from paragraph 1(a) the reference to the category of the grapevine product may be omitted for wines whose labels include the protected name of a designation of origin or geographical indication.
- 3 By way of derogation from paragraph 1(b) the reference to the terms ‘protected designation of origin’ or ‘protected geographical indication’ may be omitted in the following cases:
- a where a traditional term as referred to in Article 54(1)(a) is displayed on the label;
 - b where, in exceptional circumstances to be determined in accordance with the procedure referred to in Article 113(1), the name of the protected designation of origin or protected geographical indication is displayed on the label.

Article 60

Optional particulars

- 1 Labelling and presentation of products referred to in Article 59(1) may in particular contain the following optional particulars:
- a the vintage year;
 - b the name of one or more wine grape varieties;
 - c in the case of wines other than the ones referred to in Article 59(1)(g), terms indicating the sugar content;
 - d for wines with a protected designation of origin or geographical indication, traditional terms as referred to in Article 54(1)(b);
 - e the Community symbol indicating the protected designation of origin or geographical indication;
 - f terms referring to certain production methods;
 - g for wines bearing a protected designation of origin or geographical indication the name of another geographical unit that is smaller or larger than the area underlying the designation of origin or geographical indication.
- 2 Without prejudice to Article 42(3), as regards the use of particulars referred to in paragraph 1(a) and (b) for wines without a protected designation of origin or geographical indication:
- a Member States shall introduce laws, regulations or administrative provisions to ensure certification, approval and control procedures so as to guarantee the veracity of the information concerned;

Status: This is the original version (as it was originally adopted).

- b Member States may, on the basis of non-discriminatory and objective criteria and with due regard to loyal competition, for wine produced from wine grape varieties on their territory, draw-up lists of excluded wine grape varieties, in particular if:
 - (i) there is a risk of confusion of consumers as to the true origin of the wine due to the fact that the given wine grape variety forms an integral part of an existing protected designation of origin or geographical indication;
 - (ii) the relevant controls would not be cost-effective due to the fact that the given wine grape variety represents a very small part of the Member State vineyard;
- c mixtures of wines from different Member States shall not give rise to labelling of the wine grape variety or varieties unless the Member States concerned agree otherwise and ensure the feasibility of the relevant certification, approval and control procedures.

Article 61

Languages

1 Compulsory and optional particulars referred to in Articles 59 and 60 shall, where expressed in words, appear in one or more of the official languages of the Community.

2 Notwithstanding paragraph 1, the name of a protected designation of origin or geographical indication or a traditional term as referred to in Article 54(1)(a) shall appear on the label in the language or languages for which the protection applies.

In the case of protected designations of origin or geographical indications or national specific designations using a non-Latin alphabet, the name may also appear in one or more official languages of the Community.

Article 62

Enforcement

The competent authorities of the Member States shall take measures to ensure that a product referred to in Article 59(1) not labelled in conformity with this Chapter is not placed on, or is withdrawn from, the market.

Article 63

Implementing measures

The measures necessary for the implementation of this Chapter shall be adopted in accordance with the procedure referred to in Article 113(1).

Those measures may in particular include:

- (a) details on the indication of provenance of the relevant product;
- (b) the terms of use of the optional particulars listed in Article 60;
- (c) specific requirements relating to the indications concerning the vintage year and the wine grape variety displayed on labels as referred to in Article 60(2);

Status: This is the original version (as it was originally adopted).

- (d) further derogations in addition to those referred to in Article 59(2) which provide that the reference to the category of the grapevine product may be omitted;
- (e) rules concerning protection to be conferred in relation to the presentation of a given product.

Status: This is the original version (as it was originally adopted).

- (1) [OJ L 186, 30.6.1989, p. 21](#). Directive as last amended by Directive 92/11/EEC ([OJ L 65, 11.3.1992, p. 32](#)).
- (2) [OJ L 247, 21.9.2007, p. 17](#).