
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments in relation to the labelling of alcoholic beverages marketed in Scotland. They also correct minor errors in Article 11(1) of Commission Implementing Regulation (EU) No 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors (EUR 2011/543).

Regulation 2 amends Article 11(1) of EUR 2011/543, to correct minor errors introduced by amendments contained in regulation 5(5) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022. Regulation 2 corrects a cross-reference and reinstates paragraphs of Article 11(1) which were omitted in error.

Regulation 3 amends Annex 12 to Regulation (EU) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers (EUR 2011/1169) to enable an alternative indicator (“% alc/vol”) to be used (instead of one of the other specified indicators) with a figure indicating the actual alcoholic strength of a beverage to which that Annex applies.

Regulation 4(2) amends Article 44 of Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation (EUR 2019/33) (“Regulation (EU) 2019/33”)—

- (a) to require the actual alcoholic strength of wine and certain other wine sector products to be indicated to a figure of not more than one decimal point (instead of a requirement that the indication be given in percentage units or half units);
- (b) to enable an alternative indicator (“% alc/vol”) to be used (instead of one of the other specified indicators) with a figure indicating the actual alcoholic strength of wine and certain other wine sector products to which Article 44 applies.

Regulation 4(3) amends Article 50(1) of Regulation (EU) 2019/33 to enable wine and certain other wine sector products on the labels of which two or more wine grape varieties (or their synonyms) are named to be marketed in Scotland where at least 95% of the product (reduced from 100%) has been made from those varieties. This is subject to compliance with existing labelling requirements relating to the naming of those varieties in Article 50(1).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.