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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	ANNEXES to the Proposal for a Regulation of the European Parliament and of the Council on the definition, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs and the protection of geographical indications for spirit drinks

Delegations will find attached document COM(2016) 750 final - ANNEXES 1 to 2.

Encl.: COM(2016) 750 final - ANNEXES 1 to 2



Brussels, 1.12.2016
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ANNEXES 1 to 2

ANNEXES

to the

**Proposal for a Regulation of the European Parliament and of the Council
on the definition, presentation and labelling of spirit drinks, the use of the names of
spirit drinks in the presentation and labelling of other foodstuffs and the protection of
geographical indications for spirit drinks**

ANNEX I

TECHNICAL DEFINITIONS

The technical definitions, as referred to in Article 2(2), are the following:

- (1) 'Ethyl alcohol of agricultural origin' means an alcoholic liquid which possesses the following properties:
 - (a) organoleptic characteristics: no detectable taste other than that of the raw materials used in its production;
 - (b) minimum alcoholic strength by volume: 96.0 %;
 - (c) maximum level of residues:
 - (i) total acidity, expressed in grams of acetic acid per hectolitre of 100 % vol. alcohol: 1.5;
 - (ii) esters expressed in grams of ethyl acetate per hectolitre of 100 % vol. alcohol: 1.3;
 - (iii) aldehydes expressed in grams of acetaldehyde per hectolitre of 100 % vol. alcohol: 0.5;
 - (iv) higher alcohols expressed in grams of methyl2 propanol1 per hectolitre of 100 % vol. alcohol: 0.5;
 - (v) methanol expressed in grams per hectolitre of 100 % vol. alcohol: 30;
 - (vi) dry extract expressed in grams per hectolitre of 100 % vol. alcohol: 1.5;
 - (vii) volatile bases containing nitrogen expressed in grams of nitrogen per hectolitre of 100 % vol. alcohol: 0.1;
 - (viii) furfural: not detectable.
- (2) 'Distillate of agricultural origin' means an alcoholic liquid which is obtained by the distillation, after alcoholic fermentation, of agricultural products listed in Annex I to the Treaty which does not have the properties of ethyl alcohol or of a spirit drink but still retains the aroma and taste of the raw materials used.

Where reference is made to the raw materials used, the distillate must be obtained exclusively from that raw materials.
- (3) 'Sweetening' means using one or more of the following products in the preparation of spirit drinks:

- (a) semi-white sugar, white sugar, extra-white sugar, dextrose, fructose, glucose syrup, sugar solution, invert sugar solution, invert sugar syrup, as defined in Council Directive 2001/111/EC¹;
 - (b) rectified concentrated grape must, concentrated grape must, fresh grape must;
 - (c) burned sugar, which is the product obtained exclusively from the controlled heating of sucrose without bases, mineral acids or other chemical additives;
 - (d) honey as defined in Council Directive 2001/110/EC²;
 - (e) carob syrup;
 - (f) any other natural carbohydrate substances having a similar effect to the products referred to in points (a) to (e).
- (4) ‘Addition of alcohol’ means the addition of ethyl alcohol of agricultural origin or distillates of agricultural origin or both to a spirit drink.
- (5) ‘Addition of water’ means addition of water which may be distilled, demineralised, permuted or softened in the preparation of spirit drinks. This addition is authorised provided that the quality of the water is in conformity with Council Directive 98/83/EC³ and Directive 2009/54/EC of the European Parliament and of the Council⁴ and that the alcoholic strength of the spirit drink, after the addition, still complies with the minimum alcoholic strength by volume provided for under the relevant category of spirit drink.
- (6) ‘Blending’ means combining two or more spirit drinks of the same category, distinguished only by minor differences in composition due to one or more of the following factors:
- (a) the method of preparation;
 - (b) the stills employed;
 - (c) the period of maturation or ageing;
 - (d) the geographical area of production.
- The spirit drink so produced shall be of the same category of spirit drink as the original spirit drinks before blending.
- (7) ‘Maturation or ageing’ means the process of developing certain reactions naturally, in appropriate containers, with the purpose of giving the spirit drink in question organoleptic qualities previously absent.

¹ Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption (OJ L 10, 12.1.2002, p. 53).

² Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).

³ Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

⁴ Directive 2009/54/EC of the European Parliament and of the Council of 18 June on the exploitation and marketing of natural mineral waters (OJ L 164, 26.6.2009, p. 45).

- (8) 'Flavourings' mean 'flavourings' as defined in point (a) of Article 3(2) of Regulation (EC) No 1334/2008.
- (9) 'Flavouring substance' means 'flavouring substance' as defined in point (b) of Article 3(2) of Regulation (EC) No 1334/2008.
- (10) 'Natural flavouring substance' means 'natural flavouring substance' as defined in point (c) of Article 3(2) of Regulation (EC) No 1334/2008.
- (11) 'Flavouring preparation' means 'flavouring preparation' as defined in point (d) of Article 3(2) of Regulation (EC) No 1334/2008.
- (12) 'Other flavouring' means 'other flavouring' as defined in point (h) of the Article 3(2) of Regulation (EC) No 1334/2008.
- (13) 'Colours' mean 'colours' as defined in point 2 of Annex I to Regulation (EC) No 1333/2008 of the European Parliament and of the Council⁵.
- (14) 'Colouring' means using in the preparation of a spirit drink one or more colours, as defined in point 2 of Annex I to Regulation (EC) No 1333/2008.
- (15) 'Alcoholic strength by volume' means the ratio of the volume of pure alcohol present in the product in question at 20 C° to the total volume of that product at the same temperature.
- (16) 'Volatile substances content' means the quantity of volatile substances other than ethyl alcohol and methanol contained in a spirit drink obtained exclusively by distillation, as a result solely of the distillation or re-distillation of the raw materials used.
- (17) 'Packaging' means the protective wrappings, cartons, cases, containers and bottles used in the transport or sale of spirit drinks.

⁵ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

ANNEX II

PART I

Categories of spirit drinks

1. Rum

- (a) Rum is one of the following:
 - (i) a spirit drink produced exclusively by alcoholic fermentation and distillation, either from molasses or syrup produced in the manufacture of cane sugar or from sugar-cane juice itself and distilled at less than 96 % vol. so that the distillate has the discernible specific organoleptic characteristics of rum;
 - (ii) a spirit drink produced exclusively by alcoholic fermentation and distillation of sugar-cane juice which has the aromatic characteristics specific to rum and a volatile substances content equal to or exceeding 225 grams per hectolitre of 100 % vol. alcohol. This spirit drink may be placed on the market with the word 'agricultural' qualifying the sales denomination 'rum' accompanied by any registered geographical indications of the French Overseas Departments and the Autonomous Region of Madeira.
- (b) The minimum alcoholic strength by volume of rum shall be 37.5 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Rum shall not be flavoured.
- (e) Rum may only contain added caramel as a means to adapt colour.
- (f) The word '*traditionnel*' may supplement any registered geographical indications for this category where the rum is produced by distillation at less than 90 % vol., after alcoholic fermentation of alcohol-producing materials originating exclusively in the place of production considered. This rum must have a volatile substances content equal to or exceeding 225 grams per hectolitre of 100 % vol. alcohol and must not be sweetened. The use of the word '*traditionnel*' does not prevent the use of the terms 'from sugar production' or 'agricultural' which may be added to the sales denomination 'rum' accompanying the geographical indications referred to in point (a)(ii).

This provision shall not affect the use of the word '*traditionnel*' for all products not covered by this category, according to their own specific criteria.

2. Whisky or Whiskey

- (a) *Whisky* or *whiskey* is a spirit drink produced exclusively by carrying out all of the following production operations:
- (i) distillation of a mash made from malted cereals with or without whole grains of other cereals, which has been:
 - saccharified by the diastase of the malt contained therein, with or without other natural enzymes,
 - fermented by the action of yeast;
 - (ii) one or more distillations at less than 94.8 % vol., so that the distillate has an aroma and taste derived from the raw materials used;
 - (iii) maturation of the final distillate for at least three years in wooden casks not exceeding 700 litres capacity.
- The final distillate, to which only water and plain caramel (for colouring) may be added, shall retain its colour, aroma and taste derived from the production process referred to in points (i), (ii) and (iii).
- (b) The minimum alcoholic strength by volume of *whisky* or *whiskey* shall be 40 %.
- (c) No addition of alcohol as defined in point (54) of Annex I, diluted or not, shall take place.
- (d) *Whisky* or *whiskey* shall not be sweetened or flavoured, nor contain any additives other than plain caramel used for colouring.

3. Grain spirit

- (a) Grain spirit is a spirit drink produced exclusively by the distillation of a fermented mash of whole grain cereals and having organoleptic characteristics derived from the raw materials used.
- (b) With the exception of '*Korn*', the minimum alcoholic strength by volume of grain spirit shall be 37 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Grain spirit shall not be flavoured.
- (e) Grain spirit may only contain added caramel as a means of adapting colour.
- (f) A grain spirit may bear the sales denomination 'grain brandy' if it has been obtained by distillation at less than 95 % vol. from a fermented mash of whole grain cereals, presenting organoleptic features deriving from the raw materials used.

4. Wine spirit

- (a) Wine spirit is a spirit drink which meets the following conditions:
 - (i) it is produced exclusively by the distillation at less than 86 % vol. of wine or wine fortified for distillation or by the re-distillation of a wine distillate at less than 86 % vol.;
 - (ii) it contains a quantity of volatile substances equal to or exceeding 125 grams per hectolitre of 100 % vol. alcohol;
 - (iii) it has a maximum methanol content of 200 grams per hectolitre of 100 % vol. alcohol;
- (b) The minimum alcoholic strength by volume of wine spirit shall be 37.5 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Wine spirit shall not be flavoured. This shall not exclude traditional production methods.
- (e) Wine spirit may only contain added caramel as a means to adapt colour.
- (f) Where wine spirit has been matured, it may continue to be placed on the market as 'wine spirit' provided it has been matured for as long as, or longer than, the maturation period foreseen for the spirit drink defined under category 5.

5. Brandy or Weinbrand

- (a) *Brandy* or *Weinbrand* is a spirit drink which meets the following conditions:
 - (i) it is produced from wine spirit, whether or not wine distillate has been added, distilled at less than 94.8 % vol., provided that winedistillate does not exceed a maximum of 50 % of the alcoholic content of the finished product;
 - (ii) it is matured for at least one year in oak receptacles or for at least six months in oak casks with a capacity of less than 1 000 litres each;
 - (iii) it contains a quantity of volatile substances equal to or exceeding 125 grams per hectolitre of 100 % vol. alcohol, and derived exclusively from the distillation or re-distillation of the raw materials used;
 - (iv) it has a maximum methanol content of 200 grams per hectolitre of 100 % vol. alcohol;
- (b) The minimum alcoholic strength by volume of *brandy* or *Weinbrand* shall be 36 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.

- (d) *Brandy* or *Weinbrand* shall not be flavoured. This shall not exclude traditional production methods.
- (e) *Brandy* or *Weinbrand* may only contain added caramel as a means of adapting colour.

6. Grape marc spirit or grape marc

- (a) Grape marc spirit or grape marc is a spirit drink which meets the following conditions:
 - (i) it is produced exclusively from grape marc fermented and distilled either directly by water vapour or after water has been added;
 - (ii) a quantity of lees may be added to the grape marc that does not exceed 25 kg of lees per 100 kg of grape marc used;
 - (iii) the quantity of alcohol derived from the lees shall not exceed 35 % of the total quantity of alcohol in the finished product;
 - (iv) the distillation shall be carried out in the presence of the marc itself at less than 86 % vol.;
 - (v) re-distillation at the same alcoholic strength is authorised;
 - (vi) it contains a quantity of volatile substances equal to or exceeding 140 grams per hectolitre of 100 % vol. alcohol and has a maximum methanol content of 1 000 grams per hectolitre of 100 % vol. alcohol.
- (b) The minimum alcoholic strength by volume of grape marc spirit or grape marc shall be 37.5 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Grape marc spirit or grape marc shall not be flavoured. This shall not exclude traditional production methods.
- (e) Grape marc spirit or grape marc may only contain added caramel as a means of adapting colour.

7. Fruit marc spirit

- (a) Fruit marc spirit is a spirit drink which meets the following conditions:
 - (i) it is obtained exclusively by fermentation and distillation at less than 86 % vol. of fruit marc except grape marc;
 - (ii) it contains a minimum quantity of volatile substances of 200 grams per hectolitre of 100 % vol. alcohol;
 - (iii) the maximum methanol content shall be 1 500 grams per hectolitre of 100 % vol. alcohol;

- (iv) the maximum hydrocyanic acid content shall be 7 grams per hectolitre of 100 % vol. alcohol in the case of stone-fruit marc spirit;
 - (v) re-distillation at the same alcoholic strength according to point (i) is authorised.
- (b) The minimum alcoholic strength by volume of fruit marc spirit shall be 37.5 %.
 - (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
 - (d) Fruit marc spirit shall not be flavoured.
 - (e) Fruit marc spirit may only contain added caramel as a means to adapt colour.
 - (f) The sales denomination shall consist of the name of the fruit followed by 'marc spirit'. If marcs of several different fruits are used, the sales denomination shall be 'fruit marc spirit'.

8. Raisin spirit or raisin brandy

- (a) Raisin spirit or *raisin brandy* is a spirit drink produced exclusively by the distillation of the product obtained by the alcoholic fermentation of extract of dried grapes of the 'Corinth Black' or Moscatel of the Alexandria varieties, distilled at less than 94.5 % vol., so that the distillate has an aroma and taste derived from the raw materials used.
- (b) The minimum alcoholic strength by volume of raisin spirit or *raisin brandy* shall be 37.5 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Raisin spirit or *raisin brandy* shall not be flavoured.
- (e) Raisin spirit or *raisin brandy* may only contain added caramel as a means to adapt colour.

9. Fruit spirit

- (a) Fruit spirit is a spirit drink which meets the following conditions:
 - (i) it is produced exclusively by the alcoholic fermentation and distillation of fleshy fruit or must of such fruit, berries or vegetables, with or without stones;
 - (ii) it is distilled at less than 86 % vol. so that the distillate has an aroma and taste derived from the raw materials distilled;
 - (iii) it has a quantity of volatile substances equal to or exceeding 200 grams per hectolitre of 100 % vol. alcohol;

- (iv) in the case of stone-fruit spirits, it has a hydrocyanic acid content not exceeding 7 grams per hectolitre of 100 % vol. alcohol.
- (b) The maximum methanol content of fruit spirit shall be 1 000 grams per hectolitre of 100 % vol. alcohol.
- (i) However, in case of fruit spirits obtained from the fruits or berries mentioned below, the maximum methanol content shall be 1 200 grams per hectolitre of 100 % vol. alcohol:
- plum (*Prunus domestica* L.),
 - mirabelle (*Prunus domestica* L. subsp. *syriaca* (Borkh.) Janch. ex Mansf.),
 - quetsch (*Prunus domestica* L.),
 - apple (*Malus domestica* Borkh.),
 - pear (*Pyrus communis* L.) except for Williams pears (*Pyrus communis* L. cv ‘Williams’),
 - raspberries (*Rubus idaeus* L.),
 - blackberries (*Rubus fruticosus* auct. aggr.),
 - apricots (*Prunus armeniaca* L.),
 - peaches (*Prunus persica* (L.) Batsch);
- (ii) In case of fruit spirits obtained from the fruits or berries mentioned below, the maximum methanol content shall be 1 350 grams per hectolitre of 100 % vol. alcohol:
- Williams pears (*Pyrus communis* L. cv ‘Williams’),
 - redcurrants (*Ribes rubrum* L.),
 - blackcurrants (*Ribes nigrum* L.),
 - rowanberries (*Sorbus aucuparia* L.),
 - elderberries (*Sambucus nigra* L.),
 - quinces (*Cydonia oblonga* Mill.),
 - juniper berries (*Juniperus communis* L. or *Juniperus oxicedrus* L.).
- (c) The minimum alcoholic strength by volume of fruit spirit shall be 37.5 %.
- (d) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.

- (e) Fruit spirit shall not be flavoured.
- (f) The sales denomination of fruit spirit shall be 'spirit' preceded by the name of the fruit, berry or vegetable, such as: cherry spirit, which may also be named *kirsch*, plum spirit, which may also be named *slivovitz*, mirabelle, peach, apple, pear, apricot, fig, citrus or grape spirit or other fruit spirits.

It may also be called *wasser*, with the name of the fruit.

The name of the fruit may replace 'spirit' preceded by the name of the fruit, in the case of the following fruits:

- mirabelle (*Prunus domestica* L. subsp. *syriaca* (Borkh.) Janch. ex Mansf.),
- plum (*Prunus domestica* L.),
- quetsch (*Prunus domestica* L.),
- fruit of arbutus (*Arbutus unedo* L.),
- 'Golden Delicious' apple.

If there is a risk that the final consumer does not easily understand one of those sales denominations not containing the word 'spirit', the labelling and presentation shall include the word 'spirit', which may be supplemented by an explanation.

- (g) The name *Williams* may be used only to sell pear spirit produced solely from pears of the 'Williams' variety.
- (h) Whenever two or more fruits, berries or vegetables are distilled together, the product shall be sold under the name 'fruit spirit' or 'vegetable spirit', as appropriate. The name may be supplemented by that of each fruit, berry or vegetable, in decreasing order of the quantity used.

10. Cider spirit and perry spirit

- (a) Cider spirit and perry spirit are spirit drinks which meet the following conditions:
 - (i) they are produced exclusively by the distillation at less than 86 % vol. of cider or perry so that the distillate has an aroma and taste derived from the fruits;
 - (ii) they have a quantity of volatile substances equal to or exceeding 200 grams per hectolitre of 100 % vol. alcohol;
 - (iii) they have a maximum methanol content of 1 000 grams per hectolitre of 100 % vol. alcohol.
- (b) The minimum alcoholic strength by volume of cider spirit and of perry spirit shall be 37.5 %.

- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Neither cider spirit nor perry spirit shall be flavoured.
- (e) Cider spirit and perry spirit may only contain added caramel as a means of adapting colour.

11. Honey spirit

- (a) Honey spirit is a spirit drink which meets the following conditions:
 - (i) it is produced exclusively by fermentation and distillation of honey mash;
 - (ii) it is distilled at less than 86 % vol. so that the distillate has the organoleptic characteristics derived from the raw materials used.
- (b) The minimum alcoholic strength by volume of honey spirit shall be 35 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) Honey spirit shall not be flavoured.
- (e) Honey spirit may only contain added caramel as a means to adapt colour.
- (f) Honey spirit may only be sweetened with honey.

12. Hefebrand

- (a) *Hefebrand* or lees spirit is a spirit drink produced exclusively by the distillation at less than 86 % vol. of lees of wine or of fermented fruit.
- (b) The minimum alcoholic strength by volume of *Hefebrand* or lees spirit shall be 38 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) *Hefebrand* or lees spirit shall not be flavoured.
- (e) *Hefebrand* or lees spirit may only contain added caramel as a means to adapt colour.
- (f) The sales denomination *Hefebrand* or lees spirit shall be supplemented by the name of the raw materials used.

13. Bierbrand or eau de vie de bière

- (a) *Bierbrand* or *eau de vie de bière* is a spirit drink obtained exclusively by direct distillation under normal pressure of fresh beer with an alcoholic strength by volume of less than 86 % so that the distillate obtained has organoleptic characteristics deriving from the beer.

- (b) The minimum alcoholic strength by volume of *Bierbrand* or *eau de vie de bière* shall be 38 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) *Bierbrand* or *eau de vie de bière* shall not be flavoured.
- (e) *Bierbrand* or *eau de vie de bière* may only contain added caramel as a means to adapt colour.

14. Topinambur

- (a) *Topinambur* or Jerusalem artichoke spirit is a spirit drink produced exclusively by fermentation and distillation at less than 86 % vol. of Jerusalem artichoke tubers (*Helianthus tuberosus* L.).
- (b) The minimum alcoholic strength by volume of *topinambur* or Jerusalem artichoke spirit shall be 38 %.
- (c) No addition of alcohol as defined in point (4) of Annex I, diluted or not, shall take place.
- (d) *Topinambur* or Jerusalem artichoke spirit shall not be flavoured.
- (e) *Topinambur* or Jerusalem artichoke spirit may only contain added caramel as a means of adapting colour.

15. Vodka

- (a) Vodka is a spirit drink produced from ethyl alcohol of agricultural origin obtained following fermentation with yeast from either:
 - potatoes or cereals or both,
 - other agricultural raw materials,

distilled or rectified or both so that the organoleptic characteristics of the raw materials used and by-products formed in fermentation are selectively reduced.

This process may be followed by re-distillation or treatment with appropriate processing aids or both, including treatment with activated charcoal, to give it special organoleptic characteristics.

Maximum levels of residue for ethyl alcohol of agricultural origin shall meet those set out in point (1) of Annex I, except that the methanol content shall not exceed 10 grams per hectolitre of 100 % vol. alcohol.

- (b) The minimum alcoholic strength by volume of vodka shall be 37.5 %.
- (c) The only flavourings which may be added are natural flavouring compounds present in distillate obtained from the fermented raw materials. In addition, the product may be given special organoleptic characteristics, other than a predominant flavour.
- (d) The description, presentation or labelling of vodka not produced exclusively from potatoes or cereals shall bear the indication 'produced from ...', supplemented by the name of the raw materials used to produce the ethyl alcohol of agricultural origin.

16. Spirit (preceded by the name of the fruit) obtained by maceration and distillation

- (a) Spirit (preceded by the name of the fruit) obtained by maceration and distillation is a spirit drink which meets the following conditions:
- (i) produced by maceration of fruit or berries listed under point (ii), whether partially fermented or unfermented, with the possible addition of a maximum of 20 litres of ethyl alcohol of agricultural origin or of spirit or of distillate deriving from the same fruit, or of a mixture thereof, per 100 kg of fermented fruit or berries, followed by distillation at less than 86 % vol.;
 - (ii) obtained from the following fruits or berries:
 - blackberry (*Rubus fruticosus* auct. aggr.),
 - strawberry (*Fragaria* spp.),
 - bilberry/blueberry (*Vaccinium myrtillus* L.),
 - raspberry (*Rubus idaeus* L.),
 - redcurrant (*Ribes rubrum* L.),
 - white currant (*Ribes niveum* Lindl.),
 - blackcurrant (*Ribes nigrum* L.),
 - sloe (*Prunus spinosa* L.),
 - rowanberry (*Sorbus aucuparia* L.),
 - service-berry (*Sorbus domestica* L.),
 - hollyberry (*Ilex aquifolium* and *Ilex cassine* L.),
 - checkerberry (*Sorbus torminalis* (L.) Crantz),
 - elderberry (*Sambucus nigra* L.),
 - gooseberry (*Ribes uva-crispa* L. syn. *Ribes grossularia*),
 - cranberry (*Vaccinium* L. subgenus *Oxycoccus*),
 - lingonberry (*Vaccinium vitis-idaea* L.),
 - high bush blueberry (*Vaccinium corymbosum* L.),
 - sea-buckthorn (*Hippophae rhamnoides* L.),
 - rosehip (*Rosa canina* L.),
 - cloudberry (*Rubus chamaemorus* L.),
 - crowberry (*Empetrum nigrum* L.),
 - arctic bramble (*Rubus arcticus* L.),
 - myrtle (*Myrtus communis* L.),
 - banana (*Musa* spp.),
 - passion fruit (*Passiflora edulis* Sims),

- ambarella (*Spondias dulcis* Sol. ex Parkinson),
- hog plum (*Spondias mombin* L.),
- walnut (*Juglans regia* L.),
- hazelnut (*Corylus avellana* L.),
- chestnut (*Castanea sativa* L.),
- citrus fruits (*Citrus* spp. L.),
- prickly pear (*Opuntia ficus-indica*).

- (b) The minimum alcoholic strength by volume of a Spirit (preceded by the name of the fruit) obtained by maceration and distillation shall be 37.5 %.
- (c) Spirit (preceded by the name of the fruit) obtained by maceration and distillation shall not be flavoured.
- (d) As regards the labelling and presentation of Spirit (preceded by the name of the fruit) obtained by maceration and distillation, the wording ‘obtained by maceration and distillation’ must appear in the presentation or labelling in characters of the same font, size and colour and in the same visual field as the wording ‘Spirit (preceded by the name of the fruit)’ and, in the case of bottles, on the front label.

17. Geist (with the name of the fruit or the raw materials used)

- (a) *Geist* (with the name of the fruit or the raw materials used) is a spirit drink obtained by maceration of unfermented fruits and berries listed in point (a) (ii) of category 16 or vegetables, nuts, or other plant materials such as herbs or rose petals in ethyl alcohol of agricultural origin, followed by distillation at less than 86 % vol.
- (b) The minimum alcoholic strength by volume of *Geist* (with the name of the fruit or the raw materials used) shall be 37.5 %.
- (c) *Geist* (with the name of the fruit or the raw materials used) shall not be flavoured.

18. Gentian

- (a) Gentian is a spirit drink produced from a distillate of gentian, itself obtained by the fermentation of gentian roots with or without the addition of ethyl alcohol of agricultural origin.
- (b) The minimum alcoholic strength by volume of gentian shall be 37.5 %.
- (c) Gentian shall not be flavoured.

19. Juniper-flavoured spirit drinks

- (a) Juniper-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin or grain spirit or grain distillate or a mixture

thereof with juniper (*Juniperus communis* L. or *Juniperus oxicedrus* L.) berries.

- (b) The minimum alcoholic strength by volume of juniper-flavoured spirit drinks shall be 30 %.
- (c) Flavouring substances, flavouring preparations, aromatic plants or parts of aromatic plants or a combination of them may be used in addition, but the organoleptic characteristics of juniper shall be discernible, even if they are sometimes attenuated.
- (d) Juniper-flavoured spirit drinks may bear the sales denominations *Wacholder* or *genebra*.

20. Gin

- (a) *Gin* is a juniper-flavoured spirit drink produced by flavouring organoleptically suitable ethyl alcohol of agricultural origin with juniper berries (*Juniperus communis* L.).
- (b) The minimum alcoholic strength by volume of *gin* shall be 37.5 %.
- (c) Only flavouring substances or flavouring preparations or both shall be used for the production of gin so that the taste is predominantly that of juniper.
- (d) The term '*gin*' may be supplemented by the term '*dry*' if it does not contain added sweetening exceeding 0.1 gram of sugars per litre of the final product.

21. Distilled gin

- (a) Distilled *gin* is one of the following:
 - (i) a juniper-flavoured spirit drink produced exclusively by re-distilling organoleptically suitable ethyl alcohol of agricultural origin of an appropriate quality with an initial alcoholic strength of at least 96 % vol. in stills traditionally used for *gin*, in the presence of juniper berries (*Juniperus communis* L.) and of other natural botanicals provided that the juniper taste is predominant;
 - (ii) the mixture of the product of such distillation and ethyl alcohol of agricultural origin with the same composition, purity and alcoholic strength; flavouring substances or flavouring preparations as specified in point (c) of category 20 or both may also be used to flavour distilled gin.
- (b) The minimum alcoholic strength by volume of distilled *gin* shall be 37.5 %.
- (c) *Gin* obtained simply by adding essences or flavourings to ethyl alcohol of agricultural origin shall not be considered as distilled *gin*.
- (d) The term '*distilled gin*' may be supplemented by the term '*dry*' if it does not contain added sweetening exceeding 0.1 gram of sugars per litre of the final product.

22. London gin

- (a) *London gin* is a type of distilled *gin*:
 - (i) obtained exclusively from ethyl alcohol of agricultural origin, with a maximum methanol content of 5 grams per hectolitre of 100 % vol. alcohol, the flavour of which is introduced exclusively through the re-distillation in traditional stills of ethyl alcohol of agricultural origin in the presence of all the natural plant materials used;
 - (ii) the resultant distillate of which contains at least 70 % alcohol by vol.;
 - (iii) where any further ethyl alcohol of agricultural origin is added it must comply with the requirements laid down in point (1) of Annex I, but with a maximum methanol content of 5 grams per hectolitre of 100 % vol. alcohol;
 - (iv) which does not contain added sweetening exceeding 0.1 gram of sugars per litre of the final product nor colours;
 - (v) which does not contain any added ingredients other than water.
- (b) The minimum alcoholic strength by volume of *London gin* shall be 37.5 %.
- (c) The term *London gin* may be supplemented by the term 'dry'.

23. Caraway-flavoured spirit drinks

- (a) Caraway-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin with caraway (*Carum carvi* L.).
- (b) The minimum alcoholic strength by volume of caraway-flavoured spirit drinks shall be 30 %.
- (c) Flavouring substances or flavouring preparations or both may additionally be used but there must be a predominant taste of caraway.

24. Akvavit or aquavit

- (a) *Akvavit* or *aquavit* is a spirit drink flavoured with caraway or dill seeds or both, produced by using ethyl alcohol of agricultural origin flavoured with a distillate of plants or spices.
- (b) The minimum alcoholic strength by volume of *akvavit* or *aquavit* shall be 37.5 %.
- (c) Natural flavouring substances or flavouring preparations or both may additionally be used, but the flavour of these drinks shall be largely attributable to distillates of caraway (*Carum carvi* L.) or dill (*Anethum graveolens* L.) seeds or both, the use of essential oils being prohibited.
- (d) The bitter substances must not obviously dominate the taste; the dry extract content shall not exceed 1.5 grams per 100 millilitres.

25. Aniseed-flavoured spirit drinks

- (a) Aniseed-flavoured spirit drinks are spirit drinks produced by flavouring ethyl alcohol of agricultural origin with natural extracts of star anise (*Illicium verum* Hook f.), anise (*Pimpinella anisum* L.), fennel (*Foeniculum vulgare* Mill.), or any other plant which contains the same principal aromatic constituent, using one of the following processes or a combination thereof:
 - (i) maceration or distillation or both;
 - (ii) re-distillation of the alcohol in the presence of the seeds or other parts of the plants specified above;
 - (iii) addition of natural distilled extracts of aniseed-flavoured plants.
- (b) The minimum alcoholic strength by volume of aniseed-flavoured spirit drinks shall be 15 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of aniseed-flavoured spirit drinks.
- (d) Other natural plant extracts or aromatic seed may also be used, but the aniseed taste must remain predominant.

26. Pastis

- (a) *Pastis* is an aniseed-flavoured spirit drink which also contains natural extracts of liquorice root (*Glycyrrhiza* spp.), which implies the presence of the colorants known as ‘chalcones’ as well as glycyrrhizic acid, the minimum and maximum levels of which must be 0.05 and 0.5 grams per litre, respectively.
- (b) The minimum alcoholic strength by volume of *pastis* shall be 40 %.

- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *pastis*.
- (d) *Pastis* contains less than 100 grams of sugars per litre, expressed as invert sugar, and has a minimum and maximum anethole level of 1.5 and 2 grams per litre, respectively.

27. Pastis de Marseille

- (a) *Pastis de Marseille* is a *pastis* with an anethole content of 2 grams per litre.
- (b) The minimum alcoholic strength by volume of *pastis de Marseille* shall be 45 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *pastis de Marseille*.

28. Anis

- (a) *Anis* is an aniseed-flavoured spirit drink whose characteristic flavour is derived exclusively from anise (*Pimpinella anisum* L.), star anise (*Illicium verum* Hook f.) or fennel (*Foeniculum vulgare* Mill.) or a combination of them.
- (b) The minimum alcoholic strength by volume of *anis* shall be 37 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *anis*.

29. Distilled anis

- (a) Distilled *anis* is *anis* which contains alcohol distilled in the presence of the seeds referred to in point (a) of category 28 and in the case of geographical indications mastic and other aromatic seeds, plants or fruits, provided such alcohol constitutes at least 20 % of the alcoholic strength of the distilled *anis*.
- (b) The minimum alcoholic strength by volume of distilled *anis* shall be 35 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of distilled *anis*.

30. Bitter-tasting spirit drinks or bitter

- (a) Bitter-tasting spirit drinks or *bitter* are spirit drinks with a predominantly bitter taste produced by flavouring ethyl alcohol of agricultural origin with flavouring substances.
- (b) The minimum alcoholic strength by volume of bitter-tasting spirit drinks or *bitter* shall be 15 %.
- (c) Bitter tasting spirit drinks or *bitter* may also be sold under the names 'amer' or 'bitter' with or without another term.

31. Flavoured vodka

- (a) Flavoured vodka is vodka which has been given a predominant flavour other than that of the raw materials.
- (b) The minimum alcoholic strength by volume of flavoured vodka shall be 37.5 %.
- (c) Flavoured vodka may be sweetened, blended, flavoured, matured or coloured.
- (d) Flavoured vodka may also be sold under the name of any predominant flavour with the word 'vodka'.

32. Liqueur

- (a) Liqueur is a spirit drink:
 - (i) having a minimum sugar content, expressed as invert sugar, of:
 - 70 grams per litre for cherry liqueurs the ethyl alcohol of which consists exclusively of cherry spirit,
 - 80 grams per litre for gentian or similar liqueurs prepared with gentian or similar plants as the sole aromatic substance,
 - 100 grams per litre in all other cases;
 - (ii) produced using ethyl alcohol of agricultural origin or a distillate of agricultural origin or one or more spirit drinks or a mixture thereof, which has been sweetened and to which one or more flavourings, products of agricultural origin or foodstuffs have been added.
- (b) The minimum alcoholic strength by volume of liqueur shall be 15 %.
- (c) Flavouring substances and flavouring preparations may be used in the preparation of liqueur. However, only natural flavouring substances and flavouring preparations shall be used in the preparation of the following liqueurs:
 - (i) fruit liqueurs:
 - blackcurrant,
 - cherry,
 - raspberry,
 - mulberry,
 - bilberry,
 - citrus fruit,
 - cloudberry,
 - arctic bramble,
 - cranberry,
 - lingonberry,
 - sea buckthorn,
 - pineapple;
 - (ii) plant liqueurs:

- mint,
 - gentian,
 - aniseed,
 - g n pi,
 - vulnerary.
- (d) The following compound terms may be used in the presentation of liqueurs produced in the Union where ethyl alcohol of agricultural origin is used to mirror established production methods:
- *prune brandy*,
 - *orange brandy*,
 - *apricot brandy*,
 - *cherry brandy*,
 - *solbaerrom*, also called blackcurrant rum.

As regards the labelling and presentation of those liqueurs, the compound term must appear on the labelling and in the presentation in one line in uniform characters of the same font and colour and the word ‘liqueur’ must appear in immediate proximity in characters no smaller than that font. If the alcohol does not come from the spirit drink indicated, its origin must be shown on the labelling in the same visual field as the compound term and the word ‘liqueur’ either by stating the type of agricultural alcohol or by the words ‘agricultural alcohol’ preceded on each occasion by ‘made from’ or ‘made using’.

33. Cr me de (followed by the name of a fruit or the raw material used)

- (a) Spirit drinks known as Cr me de (followed by the name of a fruit or the raw material used), excluding milk products, are liqueurs with a minimum sugar content of 250 grams per litre expressed as invert sugar.
- (b) The minimum alcoholic strength by volume of Cr me de (followed by the name of a fruit or the raw material used) shall be 15 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to this spirit drink.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

34. Cr me de cassis

- (a) *Cr me de cassis* is a blackcurrant liqueur with a minimum sugar content of 400 grams per litre expressed as invert sugar.
- (b) The minimum alcoholic strength by volume of *cr me de cassis* shall be 15 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *cr me de cassis*.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

35. Guignolet

- (a) *Guignolet* is a liqueur obtained by maceration of cherries in ethyl alcohol of agricultural origin.
- (b) The minimum alcoholic strength by volume of *guignolet* shall be 15 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *guignolet*.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

36. Punch au rhum

- (a) *Punch au rhum* is a liqueur for which the alcohol content is provided exclusively by rum.
- (b) The minimum alcoholic strength by volume of *punch au rhum* shall be 15 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *punch au rhum*.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

37. Sloe gin

- (a) *Sloe gin* is a liqueur produced by maceration of sloes in *gin* with the possible addition of sloe juice.
- (b) The minimum alcoholic strength by volume of *sloe gin* shall be 25 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *sloe gin*.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

38. ‘Sloe-aromatised spirit drink or Pacharán’

Sloe-aromatised spirit drink or *Pacharán* is a spirit drink:

- (a) which has a predominant sloe taste and is obtained by the maceration of sloes (*Prunus spinosa*) in ethyl alcohol of agricultural origin, with the addition of natural extracts of anise or distillates of anise or both;
- (b) which has a minimum alcoholic strength by volume of 25 %;
- (c) for the production of which a minimum quantity of 125 grams of sloe fruits per litre of final product has been used;
- (d) which has sugar content, expressed as invert sugar between 80 and 250 grams per litre of the final product;
- (e) the organoleptic characteristics, colour and taste of which are provided exclusively by the fruit used and the anise.

The term ‘*Pacharán*’ may be used as a sales denomination only when the product is produced in Spain. When the product is produced outside Spain, ‘*Pacharán*’ may only be used to supplement the sales denomination ‘Sloe-aromatised spirit drink’,

provided that it is accompanied by the words: ‘produced in ...’, followed by the name of the Member State or third country of production.

39. Sambuca

- (a) *Sambuca* is a colourless aniseed-flavoured liqueur which meets the following conditions:
 - (i) it contains distillates of anise (*Pimpinella anisum* L.), star anise (*Illicium verum* L.) or other aromatic herbs;
 - (ii) it has a minimum sugar content of 370 grams per litre expressed as invert sugar;
 - (iii) it has a natural anethole content of not less than 1 gram and not more than 2 grams per litre.
- (b) The minimum alcoholic strength by volume of *sambuca* shall be 38 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 apply to *sambuca*.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

40. Maraschino, Marrasquino or Maraskino

- (a) *Maraschino*, *marrasquino* or *maraskino* is a colourless liqueur the flavour of which is given mainly by a distillate of marasca cherries or of the product obtained by macerating cherries or parts of cherries in alcohol of agricultural origin with a minimum sugar content of 250 grams per litre expressed as invert sugar.
- (b) The minimum alcoholic strength by volume of *maraschino*, *marrasquino* or *maraskino* shall be 24 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *maraschino*, *marrasquino* or *maraskino*.
- (d) The sales denomination may be supplemented by the term ‘liqueur’.

41. Nocino

- (a) *Nocino* is a liqueur the flavour of which is given mainly by maceration or distillation or both of whole green walnuts (*Juglans regia* L.) with a minimum sugar content of 100 grams per litre expressed as invert sugar.
- (b) The minimum alcoholic strength by volume of *nocino* shall be 30 %.
- (c) The rules on flavouring substances and flavouring preparations for liqueurs laid down under category 32 shall apply to *nocino*.
- (d) The sales denomination may be supplemented by the term 'liqueur'.

42. Egg liqueur or advocaat or avocat or advokat

- (a) Egg liqueur or *advocaat* or *avocat* or *advokat* is a spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit, or a mixture thereof, the ingredients of which are quality egg yolk, egg white and sugar or honey. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar. The minimum content of pure egg yolk must be 140 grams per litre of the final product.
- (b) The minimum alcoholic strength by volume of egg liqueur or *advocaat* or *avocat* or *advokat* shall be 14 %.
- (c) Only flavouring substances and flavouring preparations may be used in the preparation of egg liqueur or *advocaat* or *avocat* or *advokat*.

43. Liqueur with egg

- (a) Liqueur with egg is a spirit drink, whether or not flavoured, obtained from ethyl alcohol of agricultural origin, distillate or spirit drink, or a mixture thereof, the characteristic ingredients of which are quality egg yolk, egg white and sugar or honey. The minimum sugar or honey content must be 150 grams per litre expressed as invert sugar. The minimum egg yolk content must be 70 grams per litre of the final product.
- (b) The minimum alcoholic strength by volume of liqueur with egg shall be 15 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of liqueur with egg.

44. Mistrà

- (a) *Mistrà* is a colourless spirit drink flavoured with aniseed or natural anethole which meets the following conditions:
 - (i) it has an anethole content of not less than 1 gram and not more than 2 grams per litre;

- (ii) it may also contain a distillate of aromatic herbs;
 - (iii) it has no added sugar.
- (b) The minimum alcoholic strength by volume of *mistrà* shall be 40 % and the maximum alcoholic strength by volume shall be 47 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *mistrà*.

45. Väkevä glögi or spritlögg

- (a) *Väkevä glögi* or *spritlögg* is a spirit drink produced by flavouring ethyl alcohol of agricultural origin with flavour of cloves or cinnamon or both, using one of the following processes: Maceration or distillation, re-distillation of the alcohol in the presence of parts of the plants specified above, addition of natural flavouring substances of cloves or cinnamon or a combination of these processes.
- (b) The minimum alcoholic strength by volume of *väkevä glögi* or *spritlögg* shall be 15 %.
- (c) Flavouring substances, flavouring preparations or other flavourings may also be used, but the flavour of the specified spices must be predominant.
- (d) The content of wine or wine products shall not exceed 50 % of the final product.

46. Berenburg or Beerenburg

- (a) *Berenburg* or *Beerenburg* is a spirit drink which meets the following conditions:
 - (i) it is produced using ethyl alcohol of agricultural origin;
 - (ii) it is produced by the maceration of fruit or plants or parts thereof;
 - (iii) it contains as specific flavour distillate of gentian root (*Gentiana lutea* L.), of juniper berries (*Juniperus communis* L.) and of laurel leaves (*Laurus nobilis* L.);
 - (iv) it varies in colour from light to dark brown;
 - (v) it may be sweetened to a maximum of 20 grams per litre expressed as invert sugar.
- (b) The minimum alcoholic strength by volume of *Berenburg* or *Beerenburg* shall be 30 %.
- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of *Berenburg* or *Beerenburg*.

47. Honey or mead nectar

- (a) Honey or mead nectar is a spirit drink produced by flavouring the mixture of fermented honey mash and honey distillate or ethyl alcohol of agricultural origin or both, which contains at least 30 % vol. of fermented honey mash.
- (b) The minimum alcoholic strength by volume of honey or mead nectar shall be 22 %.

- (c) Only natural flavouring substances and flavouring preparations may be used in the preparation of honey or mead nectar provided that the honey taste is predominant.
- (d) Honey or mead nectar may be sweetened only with honey.

PART II

Specific rules concerning certain spirit drinks other than those listed in Part I

1. *Rum-Verschnitt* is produced in Germany and obtained by mixing rum and alcohol, whereby a minimum proportion of 5 % of the alcohol contained in the final product must come from rum. The minimum alcoholic strength by volume of *Rum-Verschnitt* shall be 37.5 %. As regards the labelling and presentation, the word *Verschnitt* must appear in the presentation and labelling in characters of the same font, size and colour as, and on the same line as, the word '*Rum*' and, in the case of bottles, on the front label. The sales denomination of this product shall be 'spirit drink'. Where this product is sold outside Germany, its alcoholic composition must appear on the label.

2. *Slivovice* is produced in the Czech Republic and obtained by the addition to the plum distillate, before the final distillation, of ethyl alcohol of agricultural origin, whereby a minimum proportion of 70 % of the alcohol contained in the final product must come from plum distillate. The sales denomination of this product shall be 'spirit drink'. The name *slivovice* may be added if it appears in the same visual field on the front label. If *slivovice* is sold outside the Czech Republic, its alcoholic composition must appear on the label. This provision is without prejudice to the use of the name *slivovitz* for fruit spirits according to category 9 of Part I of this Annex.