



EU provisions on control for wine and spirit drinks

Beijing, 25 April 2012



EU Legal Framework for controls

- Council Regulation (EC) No 1234/2007
- Commission Regulation (EC) No 555/2008
- Commission Regulation (EC) No 436/2009
- Regulation (EC) No 110/2008 of the European Parliament and the Council
- Directive No 2011/91/EC of the European Parliament and the Council
- Regulation (EC) No 882/2004 of the European Parliament and the Council
- Regulation (EC) No 178/2002 of the European Parliament and the Council

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Controls

- Checks carried out by Member States competent bodies
- Assistance between competent bodies
- Vineyard register
- Declarations
- Register of entry and withdrawal of wine products
- Accompanying document - EMCS system
- Analytical databank
- Lot number
- Protected denominations of origin and geographical indications
- Audit of Commission officials
- Trade with non-EU countries

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Checks

Member States (MS) are obliged to:

- Designate competent bodies for checks
- Carry out administrative and on-the-spot checks to ensure compliance with EU rules
- Ensure systematic or "by sampling" checks

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Competent bodies

The competent bodies designated by MS for control are entitled to:

- Have access to production installations
- Have access to commercial premises or warehouses
- Take samples
- Analyse accounting data
- Take appropriate measures in case of fraud or risk for health

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Assistance between competent bodies

- Each MS designates a liaison body for contacts with other MS and the Commission
- A MS liaison body may ask information to competent bodies of another MS
- If the concerned product originates in a third country, the European Commission must be notified

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Vineyard register

The MS vineyard register contains:

- Identity of the wine-grower
- Location of vineyard
- Area of the vineyard
- Type of vines planted in the vineyard
- Illegal planting

At least every 5 years, MS verify the files of each wine grower and check the correspondence of the situation

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Declarations to monitor the wine market

- Producers must declare to their national authorities:
 - Harvest
 - Production
 - Treatment or marketing
 - Stocks

- MS make inspection to check accuracy of declarations

- MS send information to Eurostat for publication

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Register (1)

Each person who holds wine products shall record the entry and withdrawal of each batch of those products.

Information to be entered in the register:

- description of the product
- date of the operation
- quantity
- reference of the accompanying document
- optional labelling particulars

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Register (2)

Operations to be entered in the register:

- Increasing of alcoholic strength
- Acidification/de-acidification
- Sweetening
- Blending/coupage
- Bottling
- Distillation
- Production of sparkling wine/liqueur wine/ concentrated grape must
- Oenological practices
- Quantity of product used/obtained
- Description of the product before and after operation
- Number of bottles filled

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Accompanying document

- Must accompany all wine transported
- Same system as custom accompanying document
- Must indicate:
 - Type of product
 - Optional particulars, for bulk wine
 - Wine growing area
 - Alcoholic strength
 - Net quantity
 - Operations performed
- Accompanying document certifies a PDO/PGI

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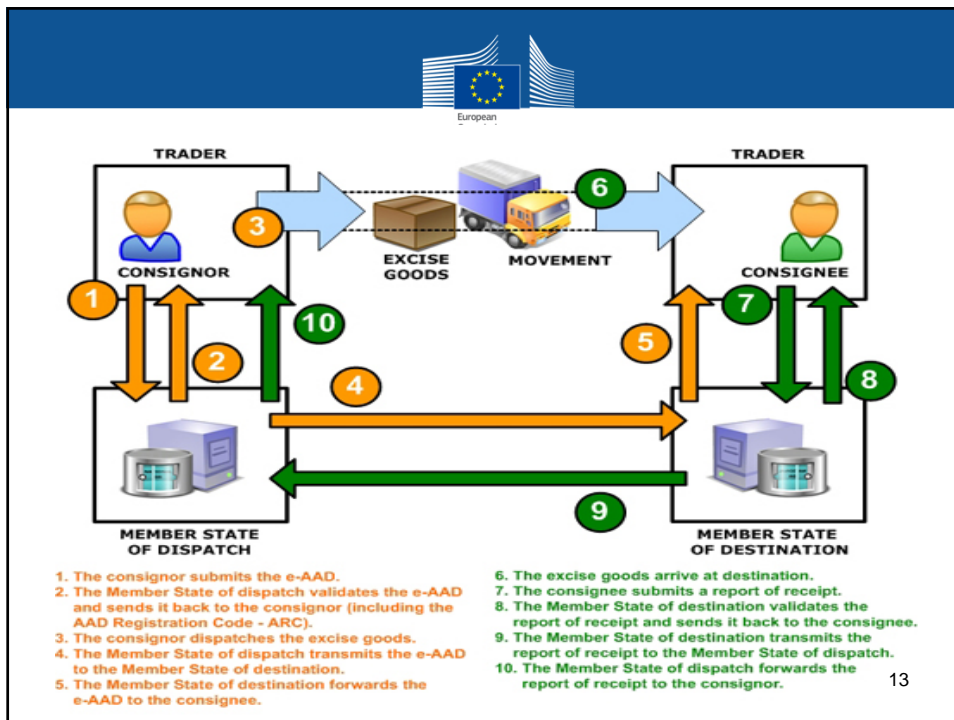
EMCS (Excise Movement and Control System)

A computerized system for monitoring movements of goods

EMCS simplifies the procedures:

- Paperless administration
- Secure movement of goods (Traders' data are checked before the goods are dispatched)
- Quicker release of the guarantee for traders (Evidence that the goods arrived at their destination will come faster in a safer way)
- Effective monitoring with real time information and checks during movements.


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Analytical databank (1)

- An analytical databank for wine is managed by the Joint Research Centre (JRC)
- The databank is used for monitoring the application of EU or national legislation
- MS must ensure the taking of samples of grapes and their processing into wine from a defined wine-growing area
- The samples are analysed by laboratories meeting the criteria ISO 17025



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Analytical databank (2)

- Analysis report + description sheet is sent to JRC
- Information in databank is available to all laboratories designated by MS
- Samples may be requested in the context of assistance between competent bodies.

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Lot number

- General obligation at international level
- A number preceded by the letter "L"
- Identifies the lot to which a foodstuff belongs
- 'Lot' means a batch of sales units of a foodstuff produced, manufactured or packaged under practically the same conditions

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Control of wines/spirit drinks with geographical indications (GIs)

- MS designate competent authorities for control and inform the European Commission
- Annual verification of compliance with technical specifications
- Verification of GIs of non-EU countries carried out by their competent authorities or certification bodies
- Competent authorities must be accredited in accordance with ISO/IEC Guide 65

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Commission audit in Member States

- Officials of the European Commission carry out audits in Member States in cooperation with MS competent authorities.
- In the context of audits, the Commission officials verify the compliance with EU legislation.

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Trade with non-EU countries

- Imported products must be accompanied by a certificate evincing compliance with EU rules (labelling, definitions, oenological practices, etc.)
- Compliance with EU oenological practices or those recommended by OIV
- Certificate drawn up by a competent body
- Analysis report drawn up by an authorised laboratory in the concerned third country
- In case of suspect of non compliance with EU requirement the European Commission is informed.

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For more information

On wine and spirits

http://ec.europa.eu/agriculture/markets/wine/index_en.htm

On EMCS

http://ec.europa.eu/taxation_customs/taxation/excise_duties/circulation_control/index_en.htm

Lists of competent bodies

http://ec.europa.eu/agriculture/markets/wine/lists/index_en.htm

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