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NOTE

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	9209/25
Subject:	Amending Regulation as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products – Presidency suggested amendments

Delegations will find attached the latest version of Presidency suggested amendments on the Commission proposal concerning the Amending Regulation as regards certain market rules and sectoral support measures in the wine sector and for aromatised wine products. Suggested additions compared to the Commission proposal are marked in **bold**, suggested deletions appear in ~~striketrough~~ and changes compared to the previous version of Presidency suggested amendments are highlighted in **yellow**.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulations (EU) No 1308/2013, (EU) 2021/2115 and (EU) No 251/2014 as regards
certain market rules and sectoral support measures in the wine sector and for aromatised
wine products

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 42, first subparagraph, and Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Having regard to the opinion of the Committee of the Regions²,

Acting in accordance with the ordinary legislative procedure,

¹ OJ C , , p. .

² OJ C , , p. .

Whereas:

- (1) While the Union remains the global leader in wine production, consumption, and exported value, societal and demographic changes are impacting the amount, quality, and types of wine consumed. Wine consumption in the Union is at its lowest level of the past three decades while traditional export markets for Union wines are impacted by a combination of decreasing consumption trends and geopolitical factors, leading to more uncertain export patterns. In addition, production is becoming unpredictable, given the wine sector's vulnerability to climate change. With the resulting oversupply that leads to a decrease in prices, winegrowers have less income to invest in their business and low financial reserves they can fall back on, if one of the more frequent and often localised severe weather events hits their region.
- (2) The High-Level Group on Wine Policy ('HLG') was established to discuss these challenges and to identify possible opportunities for the Union wine sector. It reflected on how to better support the sector in facing current structural challenges by managing the production potential, enhancing competitiveness and exploring new market opportunities. After four meetings, the HLG endorsed a document with policy recommendations³.
- (3) In order to provide the best possible support to wine producers facing the above challenges, it is appropriate to reflect the most urgent recommendations of the HLG in the legal framework applicable to wines and aromatised wine products.

³ https://agriculture.ec.europa.eu/document/download/f9ee9420-2b95-4788-8dc2-faa3cfb8171a_en?filename=policy-recommendations-wine-sector-hlg_en.pdf

- (4) In view of the current decline in demand for wine, winegrowers who hold valid unused authorisations for new plantings and authorisations resulting from the conversion of planting rights granted to them before 1 January 2025 should **not be penalised for not using** ~~be allowed to waive these authorisations without incurring an administrative penalty, with a view to removing~~ **to remove** the incentive for planting authorisation holders to plant vineyards where there might be no demand for the wine they will produce. For the new planting authorisations granted after that date, the administrative ~~penalty~~ **penalties** should continue to apply in case of non-use of these authorisations in order to discourage speculative applications from winegrowers who do not have the intention to plant a vineyard.
- (5) Concerning the management of the production potential, a longer validity period of replanting authorisations should be ~~foreseen~~ **established** to give producers more time to explore the possibility to plant varieties which are better adapted to the market demand or to the changing climatic conditions or to use new vineyard management techniques. Furthermore, to alleviate pressure on winegrowers, they should not face administrative penalties if they decide not to use a replanting authorisation.
- (6) Member States should be given the possibility to limit the issuing of new planting authorisations at regional level for specific areas with excess supply where national or Union measures aimed to reduce the supply (~~i.e.~~ **concerning** distillation, green harvesting or grubbing up of vineyards), are or have been implemented **in justified cases of crisis**, in order to avoid further increasing the production potential.
- (7) Where a Member State decides to set regional limits for specific areas to avoid an excessive growth of the production potential, it is appropriate to allow that Member States require that the authorisations granted for the area concerned by the regional limit are used in that area. In order to better take into account recent trends in the wine sector, Member States should have the flexibility to set regional limits for specific areas as low as ~~0%0~~ **0 %**, in view to **adapting-managing** the production potential ~~to the market demand~~.

- (8) While the replanting of a grubbed-up vineyard does not increase the vineyard area, Member States should be given the possibility to set rules for replanting in order to better manage the territorial distribution of vineyards, for instance to avoid the relocation of vineyards to regions with a market imbalance or away from slopes and terraces, where they play an important role in the preservation of the landscape and avoid soil erosion. Member States should also be given the possibility to set conditions on the use of varieties and production methods to avoid an increase in yields and to ensure preservation of traditional grape varieties and production methods.
- (9) In order to ensure a proportionate approach to the application of the planting authorisations scheme while taking into consideration the serious risks that oversupply represents to the market, it is appropriate to establish a maximum threshold of hectares of planted vineyards under which Member States are exempted from the obligation to apply the scheme of planting authorisations.
- (10) In recent years, there has been an ever-evolving consumer demand for grapevine products with a reduced alcohol content, which are at present produced by de-alcoholisation by using certain techniques allowed in the Union. Consumers are familiar with terms such as ‘~~0,0%~~**0,0 %**’, ‘alcohol-free’ and ‘~~alcohol-light~~**low-alcohol-low**’, which are widely used but regulated differently in various Member States. It is therefore necessary to harmonise the use of these terms across the Union. The rules on the labelling of wine products should therefore be amended in order to better inform the consumer of the characteristics of grapevine products with a reduced alcohol content, while keeping the obligation to provide information on the production method consisting of a de-alcoholisation. This should allow the Union wine sector to benefit from this development in consumer demand while maintaining high quality production standards.

- (11) High consumer demand for sparkling wine products with a lower alcohol content or without alcohol represents an opportunity for the sector. However, the current rules for the production of de-alcoholised wines impose certain technological limitations for the production of such wines. According to the rules currently in force, wine products must have reached the characteristics and the minimum alcoholic strength of the corresponding **product** category before undergoing the de-alcoholisation process, which implies that de-alcoholised sparkling wines can be produced only from sparkling wines. However, the de-alcoholisation process removes entirely any CO₂ from the initial sparkling wine. Consequently, in order to produce a sparkling wine with lower or no alcoholic content, it is necessary to reintroduce CO₂ in the partially or totally de-alcoholised wine that has lost its initial CO₂ content, through a new, separate process. Therefore, it should be allowed to produce de-alcoholised *or partially dealcoholised* sparkling ~~wines~~, **semi-sparkling wines**, aerated sparkling *wines and aerated semi-sparkling* wines directly from de-alcoholised or partially de-alcoholised still wines through a second fermentation or the addition of CO₂, respectively.
- (11a) *The legislation of third countries on the indication of the list of ingredients and nutritional declaration on the label of wine widely varies and it is burdensome for Union exporters to comply with the requirements set by Union law and by the law of the third countries concerned, at the same time. Therefore, to facilitate exports, it is appropriate to allow Member States to exempt wine to be exported from the obligation to indicate on its label the list of ingredients and the nutrition declaration otherwise required by Union law. At the same time Member States have to take the necessary steps to verify that such products are exported.*

- (12) The possibility to provide the list of ingredients and the nutrition declaration of wine products by electronic means has proven effective for operators for presenting important information to consumers, while facilitating the functioning of the internal market and wine exports, especially for small producers. However, the absence of harmonised rules on the identification, on the package or the label attached thereto, of the electronic means providing the list of ingredients ~~and/or~~ the nutrition declaration, is causing diverging practices by operators and different rules by national authorities, affecting the proper marketing of wines. In order to minimise costs and the administrative burden for operators, and to ensure a common approach across the Union market, while taking into account the need to make such information accessible to consumers, the Commission should be empowered to develop, in cooperation with Member States, rules on the identification on the package or the label attached thereto of the electronic means providing consumers with the list of ingredients and the nutrition declaration in a harmonised way, including through a language-free system.
- (13) The Commission should be empowered to adapt the rules on electronic labelling to new needs arising from the fast and constant progress of digitalisation and to accommodate other compulsory or relevant information to consumers that may be presented electronically.
- (14) Member States have the possibility to adopt marketing rules to regulate the supply in the wine sector to improve and stabilise the operation of the common wine market. In the current context of structural consumption decrease and recurrent situations of oversupply in certain regions and market segments, it is appropriate to clarify that such rules can include the setting of maximum grape yields and the management of wine stocks. Moreover, producer organisations can play an important role in strengthening the winegrowers' position in the food supply and in adapting supply to market trends. Therefore, Member States should also be able to adopt marketing rules in the wine sector taking into account proposals adopted by recognised producer organisations or by recognised interbranch organisations, when they are representative in the concerned economic area or areas.

(15) Member States may currently be authorised to make national payments to wine producers for the voluntary or mandatory distillation of wine. Given the cost-effectiveness of removing surplus production from the market before wine is produced, it is appropriate to also provide for the possibility to authorise Member States, in justified cases of crisis, to make national payments for voluntary green harvesting and voluntary grubbing up of productive vineyards. This Regulation should set limits for the overall amount of national payments authorised in a Member State in any given year for distillation and green harvesting to avoid a distortion of competition. For grubbing up, given the structural nature of the measure and its higher costs, it is not appropriate to set an overall maximum amount of national payments. However, Member States should justify in their notification *to the Commission* the limit for national payments case by case on the basis of their specific market circumstances and those of the wine regions in which the measure would be implemented.

(15a) In order to avoid distortion of competition in Member States' markets and to assure the efficacy and proportionality of the crisis measures for which national payments are to be authorised, the Commission should be empowered to establish rules for determining the market situations under which such measures are justified and rules on calculation of national payments.

(16) Aromatised wine products are a natural outlet for grapevine products. However, Regulation (EU) No 251/2014 of the European Parliament and of the Council⁴ does not allow to use the sales denominations reserved for aromatised wine products for beverages which do not reach the minimum alcohol content laid down in that Regulation for each product category. In view of the increasing consumer demand for innovative alcoholic beverages with a lower actual alcoholic strength by volume, it should be allowed to place on the market beverages obtained from de-alcoholised or partially de-alcoholised wines produced in accordance with Regulation (EU) No 1308/2013 of the European Parliament

⁴ Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91 (OJ L 84, 20.3.2014, p. 14, ELI: <http://data.europa.eu/eli/reg/2014/251/oj>).

and of the Council⁵ bearing in their presentation and labelling sales denominations reserved for aromatised wine products.

- (17) In order to ensure that consumers are correctly informed of the nature of aromatised wine products with a lower alcoholic content, it is appropriate to lay down rules in line with those laid down in Regulation (EU) No 1308/2013 for the labelling of de-alcoholised or partially de-alcoholised wines, so that aromatised wine products obtained from de-alcoholised or partially de-alcoholised wines are described in their presentation and labelling by the same terms as grapevine products with the corresponding alcoholic strength.
- (18) The issues highlighted above for grapevine products in relation to the identification of the electronic means containing the nutrition declaration and the list of ingredients are valid also for aromatised wine products. Therefore, the Commission should be empowered to develop, in cooperation with Member States, rules on the identification on the package or the label attached thereto of the electronic means for aromatised wine products. To ensure simplicity and clarity, these rules should be the same as those applied to grapevine products.
- (19) In order to meet new consumer demands and the need for product innovation, rules on the production and labelling of the aromatised wine product category '*Glühwein*', '*Viiniglögi/Vinglögg/Karštas vynos*' and '*Pelin*' should be amended to allow for the use of rosé wine. At the same time, the use of the term 'rosé' in the presentation and labelling of ~~a~~ *Glühwein* and *Pelin* produced by combining red and white wine or any of those with rosé wine should be prohibited. For the same reasons, it is also appropriate to lay down a derogation allowing alcoholic beverages produced with the same requirements as those laid down for *Glühwein* but by using as main ingredient fruit wine instead of grapevine products to use the sales denomination *Glühwein* in its presentation and labelling.

⁵ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671, ELI: <http://data.europa.eu/eli/reg/2013/1308/oj>).

- (20) With a view to developing wine tourism in wine regions with protected designations and protected geographical indications, it is appropriate to allow for producer groups managing protected designations of origin and geographical indications in accordance with Regulation (EU) 2024/1143 of the European Parliament and of the Council⁶ to be beneficiaries of the type of interventions referred to in Article 58(1), first subparagraph, point (i), of Regulation (EU) 2021/2115 of the European Parliament and of the Council⁷.
- (21) In order to strike a balance between the need for Member States to ensure efficient restructuring of vineyards and the need to avoid an increase in production that may lead to oversupply, Member States should be allowed to set up conditions for the implementation of the restructuring and conversion of vineyards as referred to in Article 58(1), first subparagraph, point (a), of Regulation (EU) 2021/2115. These conditions should aim at avoiding an increase in yield and thus an increase in production for the vineyards subject to this type of interventions.
- (22) To adapt to market trends and harness efficient market opportunities, the maximum duration of the support for promotion and communication operations carried out in third countries in relation to the consolidation of market outlets should be extended from three to five years.
- (23) To strengthen cooperation in the wine sector, investments referred to in Article 58(1), first subparagraph, point (b), of Regulation (EU) 2021/2115 carried out by producer organisations recognised under Regulation (EU) No 1308/2013 should benefit from the maximum rate of Union financial assistance set out in Article 59(2) of Regulation (EU)

⁶ Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).

⁷ Regulation (EU) 2021/2115 of the European Parliament and of the Council of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013 (OJ L 435, 6.12.2021, p. 1, ELI: <http://data.europa.eu/eli/reg/2021/2115/oj>).

2021/2115 as it is already the case for micro, small and medium-sized enterprises within the meaning of Commission Recommendation 2003/361/EC⁸.

- (24) To further support producers in respect of climate change mitigation and adaptation, **improvement of the sustainability of production systems and reduction of the environmental impact**, it is pertinent to provide for the possibility for Member States to increase the maximum Union financial assistance for investments pursuing that objective to up to ~~80%~~**80** % of the eligible investment costs.
- (24a) *Flavescence dorée is a major threat to wine production, caused by a phytoplasma that weakens grapevines, reduces productivity, and eventually kill vines. As there is no cure once the vine is infected, only prevention and management can contain it. Considering its danger and the importance of a systematic and collective actions to prevent its spreading, it is opportune to provide a specific support to such actions.*
- (25) Moreover, it is necessary to clarify that the Union financial assistance for innovation referred to in Article 58(1), first subparagraph, point (e), of Regulation (EU) 2021/2115 should not be granted to enterprises in difficulty within the meaning of the Commission Communication ‘Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty’ as it is the case for Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (b), of that Regulation.
- (26) Regulations (EU) No 1308/2013, (EU) No 251/2014 and (EU) 2021/2115 should therefore be amended accordingly.
- (27) In order to allow time to producers to adapt to the new requirements concerning the designation of grapevine products with a low alcoholic content, those new requirements should start to apply 18 months from the date of entry into force of this Regulation. It is also appropriate to provide transitional rules to allow grapevine products labelled prior to the application of the new requirements to continue to be placed on the market until stocks are exhausted.

⁸ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: <http://data.europa.eu/eli/reco/2003/361/oj>).

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) No 1308/2013

Regulation (EU) No 1308/2013 is amended as follows:

(1) Article 62(3) is replaced by the following:

- ‘3. The authorisations ~~referred to in paragraph 1, granted in accordance with Articles 64 and 68~~**Article 64**, shall be valid for three years from the date on which they were granted.

A producer who has not used an authorisation granted in accordance with Articles 64 and 68 during its period of validity shall be subject to administrative penalties as ~~provided for~~**referred to** in Article 90a(4).

By way of derogation from the ~~first~~**second** subparagraph, producers who hold valid authorisations **granted** in accordance with Articles 64 and 68 ~~granted~~ before 1 January 2025 shall not be subject to the administrative ~~penalty~~**penalties** referred to in Article 90a(4) provided that they inform the competent authorities before the date of expiry of the authorisation and at the latest by 31 December 2026 that they do not intend to make use of their authorisation.

Authorisations granted in accordance with Article 66 ~~on replantings~~ shall be valid for eight years from the ~~date of~~**end of the wine marketing year in** which they were granted. Producers who have not used an authorisation granted in accordance with Article 66 during its period of validity shall not be subject to the administrative ~~penalty~~**penalties** referred to in Article 90a(4).’

(2) Article 63 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. Member States may:

- (a) apply at national level a lower percentage than the percentage set out in paragraph 1;
- (b) limit the issuing of authorisations **for new plantings up to 0%** at regional level, for specific areas eligible for the production of wines with a protected designation of origin, for areas eligible for the production of wines with a protected geographical indication, or for areas without a geographical indication;
- (c) limit the issuing of authorisations for new plantings **up to 0%** at regional level, for specific areas where national or Union measures concerning distillation of wine, green harvesting or grubbing up have been implemented in justified cases of crisis.

For the purposes of point (c), ‘green harvesting’ means the total destruction or removal of grape bunches while still in their immature stage, thereby reducing the yield of the relevant area to zero, and excluding non-harvesting comprising of leaving commercial grapes on the plants at the end of the normal production cycle. Member States that limit the issuing of authorisations for new plantings at regional level in accordance with the first subparagraph, points (b) or (c), may require such authorisations to be used in ~~these~~**the regions concerned.**’

- (b) ~~in paragraph 3, first subparagraph, the introductory sentence is replaced by the following~~ **is amended as follows:**

(i) the introductory sentence is replaced by the following:

- ‘3. Any of the limitations referred to in paragraph 2 shall contribute to **adapting management of** the production potential ~~to the market demand~~ and shall be justified on one or more of the following specific grounds:’

(ii) point (b) is replaced by the following:

‘(b) the need to avoid a well-demonstrated risk of devaluation of a particular protected designation of origin or a protected geographical indication, including the risk of their circumvention, misuse, or abuse of their notoriety;’

- (2a) *In Article 64(1), second subparagraph, the following point is added:*

‘e) in regions where the Member State has determined to limit the granting of new planting authorisations pursuant to Article 63(2), point (c), to set eligibility conditions to avoid excessive yields in the new vineyards to be planted.’

- (3) In Article 66(3), the following ~~second~~ subparagraph is added:

‘A Member State may ~~also~~ subject the granting of the replanting authorisations referred to in paragraph 1 to one or more of the following conditions:

- (a) the authorisation shall be used in the same geographical area, **defined by the Member State**, where the corresponding grubbed up vines were located, where maintaining viticulture in that geographical area is justified by socio-economic or environmental reasons;

- (b) only varieties and production methods, *defined by the Member States*, that do not increase the average yield compared to the grubbed up vines or only traditional varieties and production methods of a given region shall be used where the corresponding grubbed up area ~~was~~ located in a production region that the Member State has qualified as affected by a structural market imbalance~~, or~~;
- (c) the authorisation shall not be used in a production region that is different from the one where the grubbed up area is located where the Member State has qualified that different production region as affected by a structural market imbalance.’

(4) Article 67 is replaced by the following:

‘Article 67

De minimis

The scheme of authorisations for vine plantings established in this Chapter shall not apply in Member States where the vineyard area has not exceeded ~~[10 000 000]~~ ha in at least three of the previous five marketing years **unless Member States decide to implement the scheme of authorisations.**

Where ~~that~~ **the** condition **of the area not exceeding [10 000 000] ha** is no longer fulfilled in a Member State, the scheme of authorisations for vine plantings shall apply in ~~that Member State~~ as from the beginning of the marketing year following that in which the condition ceased to be fulfilled.’

(5) Article ~~119(1)~~**119** is amended as follows:

(a) *in paragraph 1*, point (a) is replaced by the following:

‘(a) the designation for the category of the grapevine product in accordance with Annex VII, Part II. For grapevine product categories defined under Annex VII, Part II, point (1) and points (4) to (9), where a de-alcoholisation treatment in accordance with Annex VIII, Part I, section E, has been applied to the totality or to part of the product, the designation of the category shall be ~~accompanied~~**supplemented** by:

- (i) the term ‘alcohol-free’ if the actual alcoholic strength of the product does not exceed 0,5 % by volume; accompanied by the expression ‘~~0,0%0,0~~ %’, if the actual alcoholic strength of the product does not exceed ~~0,05%0,05~~ % by volume;
- (ii) the term ‘~~alcohol-light~~**low-alcohol**’ if the actual alcoholic strength of the product is above ~~0,5%0,5~~ % by volume and is at least ~~30%30~~ % below the minimum actual alcoholic strength of the category before de-alcoholisation.’

(b) *in paragraph 1*, the following point ~~(k)~~ is added:

‘~~(k)~~ For grapevine products referred to in point (a), second sentence, the ~~expression~~**term** ‘produced by de-alcoholisation.’

(ba) the following paragraph is added:

‘6. By way of derogation from paragraph 1, where grapevine products are for export, Member States may exempt such products from the compulsory indication of the particulars referred to in points (h) and (i) of that paragraph. In such a case, Member States shall verify that these products are exported.’

(6) In Article 122(1), point (d), the following points are added:

- ‘(v) the identification on the package or the label attached thereto of the electronic means referred to in Article 119(4) and (5), including by means of a pictogram or symbol instead of words;
- (vi) the form and layout of the information provided by electronic means, to simplify its presentation, adapt it to future technological progress; **and** to new requirements on information relevant to consumers as provided for by Union or national legislation, or to improve consumer accessibility.

(7) In Article 167(1), the first subparagraph is replaced by the following:

- ‘1. In order to improve and stabilise the operation of the common market in wines, including the grapes, musts and wines from which they derive, producer Member States may lay down marketing rules to regulate supply, including the setting of maximum yields and setting rules for the management of stocks. Member States ~~shall~~**may** take into account proposals adopted by producer organisations recognised under Articles 152 and 154 or interbranch organisations recognised under Articles 157 and 158, **or producer groups managing protected designations of origin and protected geographical indications in accordance with Article 33 of Regulation (EU) 2024/1143, where** ~~when~~ such organisations are considered to be representative for the wine sector, in accordance with Article 164(3), in the economic area or areas where the rules are intended to be applied.’

(8) Article 216 is amended as follows:

- (a) the title is replaced by the following:

‘National payments for distillation of wine, green harvesting ~~or~~**and** grubbing up in justified cases of crisis’

- (b) paragraph 1 is replaced by the following:

- ‘1. Member States may make national payments to wine producers for the voluntary or mandatory distillation of wine, voluntary green harvesting and voluntary grubbing up of productive vineyards in justified cases of crisis.

For the purposes of this Article, ‘green harvesting’ ~~means the total destruction or removal of grape bunches while still in their immature stage, thereby reducing the yield of the relevant area to zero, and excluding non-harvesting comprising of leaving commercial grapes on the plants at the end of the normal production cycle~~**has the meaning as defined in Article 63(2).**

The payments referred to in the first subparagraph shall not exceed the **aggregate sum of** costs of the product, where relevant, ~~and~~ of the operation concerned, ~~plus~~ **and** an incentive to engage in such operation, ~~to allow for the crisis to be addressed.~~

Those payments shall be proportionate and shall allow the crisis to be addressed.

The overall amount of payments available in a Member State in any given year for national payments for distillation and **voluntary** green harvesting shall not exceed ~~20%~~ **20 %** of the globally available funds per Member State for that year as laid down in Annex VII to Regulation (EU) 2021/2115.’

(c) paragraph 2 is replaced by the following:

‘2. Member States wishing to make use of the national payments referred to in paragraph 1 shall submit a duly substantiated notification to the Commission. In their notifications, Member States shall justify the appropriateness of the measure, its duration and the amounts of support and other modalities on the basis of their specific market circumstances and those of the wine regions in which the measure would be implemented.

The Commission shall decide, without applying the procedure referred to in Article 229(2) or (3), whether the amount, duration and other modalities of the measure are approved and whether the payments to wine producers may be made.’

(d) paragraph 4 is replaced by the following:

‘4. The Commission ~~may~~ **is empowered to** adopt delegated acts in accordance with Article 227 to supplement this Article by laying down rules concerning minimal requirements for the existence of a **case of** crisis ~~situation~~ and concerning the calculation of the national payments.’

- (9) In Part II of Annex VII, the following paragraph is added as second subparagraph *is added* to the introductory wording:

‘Grapevine products of the categories set out in ~~points (4) and (7)~~ may also:

- ~~point (4), (5) and (8)~~ may be obtained, respectively, by second fermentation of, or by *de-alcoholised or partially de-alcoholised wines referred to in point (1)*,
- *points (7) and (9) may be obtained by the* addition of carbon dioxide to, de-alcoholised or partially de-alcoholised wines referred to in point (1).’

Article 2

Amendments to Regulation (EU) No 251/2014

Regulation (EU) No 251/2014 is amended as follows:

- (1) In Article 3, the following paragraph is added:

‘5. By way of derogation from the minimum *actual alcoholic strength and total* alcoholic strength thresholds laid down in paragraph 2, point (g), paragraph 3, point (g), and paragraph 4, point (f), and in Annex II for each product category, aromatised wine products may have a lower actual *and lower total* alcoholic strength by volume where they are obtained from grapevine products that have undergone in their totality or in part a de-alcoholisation treatment in accordance with Section E of Part I of Annex VIII to Regulation (EU) No 1308/2013.’

- (2) In Article 5, the following paragraph is inserted:

‘1a. Where aromatised wine products have been obtained from grapevine products that have undergone in their totality or in part a de-alcoholisation treatment in accordance with Section E, *of* Part I of Annex VIII to Regulation (EU) No 1308/2013, their sales denominations shall be supplemented by the ~~same terms as those~~ laid down for ~~those grapevine products~~ in Article 119(1), point ~~(a)~~, ~~second sentence~~ *(a)(i) and (ii)*, and in Article 119(1), point (k), of Regulation (EU) No 1308/2013 under the ~~same~~ conditions *laid down therein*.’

(3) In Article 6a, the following paragraph is added:

‘4a. In order to take into account the specific characteristics of the aromatised wine sector, the Commission ~~shall be~~ empowered to adopt delegated acts in accordance with Article 34(2) to supplement this Regulation by adopting rules on:

- (a) the identification on the package or the label attached thereto of the electronic means referred to in paragraph 2 and 3 *of this Article*, including by means of a pictogram or symbol instead of words;
- (b) the form and layout of the information provided by electronic means, to simplify its presentation, adapt it to future technological progress, **and** to new requirements on information relevant to consumers as provided for by Union or national legislation, or to improve consumer accessibility.’

(3a) *In Article 8, paragraph 1 is replaced by the following:*

‘1. The sales denominations set out in italics in Annex II shall not be translated on the label or in the presentation of aromatised wine products. Additional and mandatory particulars referred to in Article 6 and Article 6a as well as the terms referred to in Article 5(1a) of this Regulation shall, where expressed in words, appear in one or more official languages of the Union.’

(4) In Part B of Annex II, point (8) is replaced by the following:

‘(8) *Glühwein*

Aromatised wine-based drink

- which is obtained exclusively from red-~~or~~, white or rosé wine or a combination thereof,
- which is flavoured mainly with cinnamon or cloves, or both, and
- which has an actual alcoholic strength by volume of not less than 7 % vol.

Without prejudice to the quantities of water resulting from the application of Annex I, point 2, the addition of water is forbidden.

Where it has been prepared *exclusively* from white wine, the sales denomination '*Glühwein*' shall be supplemented by words indicating white wine, such as *with* the word 'white'.

Where it has been prepared *exclusively* from rosé wine, the sales denomination '*Glühwein*' shall be supplemented by words indicating rosé wine, such as *with* the word 'rosé'. The word 'rosé' shall however not be used where the *Glühwein* is obtained by combining red wine with white wine or any of those wines with rosé wine.

*Where it has been prepared from a combination of red, white or rosé wine, the sales denomination '*Glühwein*' shall be supplemented **with** the words 'made from ...' followed by ~~with~~ terms indicating the colours of the wine used in the production.*

By way of derogation from Article 5(1) and (3) of this Regulation *and second indent of the first subparagraph of this point*, the sales denomination '*Glühwein*' may be used in the presentation and labelling of alcoholic *fermented* beverages produced in accordance with the above requirements, but which have been obtained from fermented beverages obtained from fruits other than grapes *fruit wine, as defined by Member States, in accordance with point (a) of fifth subparagraph in point 1 of Part II of Annex VII to Regulation (EU) No 1308/2013, and which have an actual alcoholic strength by volume of not less than 5% vol.* In that case, the sales denomination *of such fermented beverage may use the term '*Glühwein*' that must* shall be supplemented **by words indicating that it has been obtained from a** *with the word 'fruit' or the name of the fruit used for the production of such fruit wine, or one of the following terms: 'Heidelbeer-Glühwein', 'Apfel-Glühwein' or 'Frucht-Glühwein'.*

(4a) *In Part B of Annex II, point (9) is replaced by the following:*

*‘(9) **Viiniglögi/Vinglögg/Karštas vynas***

Aromatised wine-based drink

— which is obtained exclusively from red, white or rosé wine,

— which is flavoured mainly with cinnamon and/or cloves, and

— which has an actual alcoholic strength by volume of not less than 7 % vol.

*Where **is** it has been prepared from white or rosé wine, the sales denomination **may** shall be supplemented with the words ‘white’ or ‘rosé’, respectively.’*

(4b) *In Part B of Annex II, point (12) is replaced by the following:*

*‘(12) **Pelin***

Aromatised wine-based drink

- which is obtained from red, white or rosé wine or from a combination thereof and a specific mixture of herbs,

- which has an actual alcoholic strength by volume of not less than 8,5% vol., ~~and~~

- which has a maximum sugar content expressed as invert sugar of ~~at most~~ 50% grams per litre, and a total acidity of not less than 3 grams per litre expressed as tartaric acid, and

- to which carbon dioxide may have been added.

~~Where it has been prepared exclusively from white, red or rosé wine, the sales denomination shall be supplemented with the words ‘white’, ‘red’ or ‘rosé’, respectively.~~

However, the words ‘red/rosé’ may not be used when Where the product is obtained by combining red wine with white wine or any of these wines with rosé wine, the term ‘rosé’ may not supplement the sales denomination.

Where it has been prepared from a combination of red, white or rosé wine, the sales denomination shall be supplemented with the words ‘made from’ followed by terms indicating the colours of the wine used in the production.’

Article 3

Amendments to Regulation (EU) 2021/2115

Regulation (EU) 2021/2115 is amended as follows:

(1) Article 58(1) is amended as follows:

(a) point (i) *of the first subparagraph* is replaced by the following:

‘(i) actions undertaken by interbranch organisations recognised by Member States in the wine sector in accordance with Regulation (EU) No 1308/2013 or by producer groups managing protected designations of origin and protected geographical indications in accordance with Regulation (EU) 2024/1143* aiming at enhancing the reputation of Union vineyards by promoting wine tourism in production regions;

* Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 2024/1143, 23.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).

- (b) the following ~~second~~ subparagraph is inserted after the first subparagraph:

‘For the purposes of the first subparagraph, point (a), Member States may lay down in their CAP Strategic Plans specific agronomic, viticultural or any other kind of conditions which ensure that ~~there is no increase in yield for the vineyard subject to this type of interventions after the varietal conversion, the relocation of the vineyard, the replanting of the vineyard or the improvement of the vineyard management techniques~~ ***undertaken under this type of interventions do not generate an increase in yield in the vineyard be replanted.***’

- (c) the second subparagraph becomes the third subparagraph and is replaced by the following:

‘The first subparagraph, point (k), shall apply only to wines with a protected designation of origin or a protected geographical indication or wines with an indication of the wine grape variety. Promotion and communication operations aimed at the consolidation of market outlets shall be limited to a maximum non-extendable duration of five years and shall concern ~~only~~ the Union quality schemes covering designations of origin and geographical indications, ***and wines with an indication of the wine grape variety.***’

- (d) ***In the first subparagraph, the following point is added:***

‘(n) monitoring, diagnostic, training, communication and research to prevent the spread of flavescence dorée undertaken by producer organisations recognised under Articles 152 and 154 of Regulation (EU) No 1308/2013 or interbranch organisations recognised by Member States under Articles 157 and 158 of that Regulation or producer groups managing protected designation of origin and protected geographical indicators in accordance with Article 33 of Regulation (EU) 2024/1143.’

(2) Article 59 is amended as follows:

(a) paragraph 2 is replaced by the following:

‘2. The Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (b), shall not exceed:

- (a) 50 % of eligible investment costs in less developed regions;
- (b) 40 % of eligible investments costs in regions other than less developed regions;
- (c) 75 % of eligible investment costs in the outermost regions;
- (d) 65 % of eligible investment costs in the smaller Aegean islands.

The Union financial assistance at the maximum rate set out in the first subparagraph shall only be granted to micro, small and medium-sized enterprises within the meaning of Commission Recommendation 2003/361/EC** and to producer organisations recognised under Regulation (EU) No 1308/2013. However, it may be granted to all enterprises in the outermost regions and in the smaller Aegean islands.

For enterprises, other than producer organisations recognised under Regulation (EU) No 1308/2013, which are not covered by Article 2(1) of the Annex to Recommendation 2003/361/EC, with fewer than 750 employees or with an annual turnover of less than EUR 200 million, the maximum levels of Union financial assistance set out in the first subparagraph shall be halved.

By way of derogation from the first subparagraph, the Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (b), may be increased to up to ~~80%~~**80 %** of eligible investment costs for investments linked to the objective of contributing to climate change mitigation and adaptation **and to the improvement of the sustainability of production systems and the reduction of the environmental impact of the Union wine sector** set out in Article 57, point (b).

No Union financial assistance shall be granted to enterprises in difficulty within the meaning of the Commission Communication ‘Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty’***.

** Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36, ELI: <http://data.europa.eu/eli/reco/2003/361/oj>).

*** OJ C 249, 31.7.2014, p. 1, ELI: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0731\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0731(01)). ’

(b) in paragraph 4, the following subparagraph is added:

‘However, the Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (m), may be increased to up to ~~80%~~**80 %** of eligible investment costs for investments linked to the objective of contributing to climate change mitigation and adaptation ***and to the improvement of the sustainability of production systems and the reduction of the environmental impact of the Union wine sector*** set out in Article 57, point (b).’

(c) paragraph 6 is replaced by the following:

‘6. The Union financial assistance for innovation referred to in Article 58(1), first subparagraph, point (e), shall not exceed:

- (a) 50 % of eligible investment costs in less developed regions;
- (b) 40 % of eligible investment costs in regions other than less developed regions;
- (c) 80 % of eligible investment costs in the outermost regions;
- (d) 65 % of eligible investment costs in the smaller Aegean islands.

The Union financial assistance at the maximum rate set out in the first subparagraph shall only be granted to micro, small and medium-sized enterprises within the meaning of Commission Recommendation 2003/361/EC and to producer organisations recognised under Regulation (EU) No 1308/2013. However, it may be granted to all enterprises in the outermost regions and in the smaller Aegean islands.

For enterprises, other than producer organisations recognised under Regulation (EU) No 1308/2013, which are not covered by Article 2(1) of the Annex to Recommendation 2003/361/EC, with fewer than 750 employees or with an annual turnover of less than EUR 200 million, the maximum levels of Union financial assistance set out in the first subparagraph shall be halved.

By way of derogation from the first subparagraph, the Union financial assistance for investments referred to in Article 58(1), first subparagraph, point (e), may be increased to up to 80% of eligible investment costs for investments linked to the objective of contributing to climate change mitigation and adaptation **and to the improvement of the sustainability of production systems and the reduction of the environmental impact of the Union wine sector** set out in Article 57, point (b).

No Union financial assistance shall be granted to enterprises in difficulty within the meaning of the Commission Communication ‘Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty.’

(ca) paragraph 7 is replaced by the following:

‘7. Union financial assistance for the information and promotion measures referred to in points (h) and (k) of the first subparagraph of Article 58(1) shall not exceed 60 % of eligible expenditure. In addition, the Member States referred to in Article 88(1) may grant national payments of up to 30 % of eligible expenditure, but Union financial assistance and Member State payments shall not exceed 80 % of eligible expenditure.’

(cb) the following paragraph is inserted:

‘7a. Union financial assistance for actions against flavescence dorée referred to in Article 58(1), first subparagraph, point (n) may reach up to 100 % of eligible costs.’

Article 4

Transitional provision

- 1. Grapevine products which have been labelled in accordance with Article 119(1), point (a), second sentence, of Regulation (EU) No 1308/2013 prior to [specific date - 18 months from the date of entry into force] may continue to be placed on the market until stocks are exhausted.*
- 2. The rules provided for in Article 62(3), fourth sentence, of Regulation (EU) No 1308/2013, concerning authorisations for replanting granted in accordance with Article 66 shall also apply to replanting authorisations which were valid at the time of entry into force of Regulation XXX (this Regulation).*

Article 5

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

However, Article 1(5) shall apply from [specific date – 18 months from the date of entry into force].

Done at Brussels,

For the European Parliament

The President

For the Council

The President