

Agricultural Policy Forum 2019

Harmonisation of wine regulations in Western Balkans



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Changes in a nutshell-debated with Council and EP

COM proposal 1 June 2018

Reg.
1308/2013
(CMO)

CAP
Strategic
Plan Reg

Horizontal
Regulation
on controls
and
penalties

- CAP post 2020 package: 3 basic acts
- Aid schemes move to the CAP Strategic Plan Regulation (compulsory for fruit and vegetables, **wine** and apiculture & optional for other agricultural sectors from 'compliance' to 'performance' model
- Wine NSP (national support programmes) in 16 MS run 2019-2023: transition to CAP Strategic plan regulation?

Changes in CMO 1308/2013 Regulation are 'technical' to cope with new economic, environmental and climatic challenges ':

Concern wine planting authorisations, hybrids varieties, new wine categories on de-alcoholised wines and labelling on ingredients and nutritional values

Adoption CAP 2020 package...
link with next MFF 2021-2027

why wine sector changes?

- **Economic concerns** :More flexibility required for new vine planting under the system of planting authorisations, without changing the maximum increase of the area of 1% per year until 2030:extend the duration of the scheme until 2050?
Mid-term review in 2023
- **Societal concerns** :Introduction of new grapevine categories of “de-alcoholised” and “partially de-alcoholised” wines, to address market demands/health considerations.
Debate on ‘natural wine’, low alcohol wines also in third countries
- **Environmental concerns**:
Allow use of hybrid varieties that better resist climate change and pests, need for sustainability in wine sector
Allow that PDO wines could be obtained not only from *Vitis vinifera* grapes, but also from crosses between *Vitis vinifera* and other species of *Vitis*.
Allow The “forbidden varieties” *Noah*, *Othello*, *Isabelle*, *Jacquez*, *Clinton* and *Herbemont*

why wine sector changes?

**Consumer concern/transparency:
mandatory labelling of nutritional values and
ingredients of wine**

*** Current exemption for wines in Regulation
1169/2011(food information to consumers)**

***the Commission report in 2017**

***current debate on labelling of the nutritional values
and ingredients for wine at Council and EP level**

CAP Strategic Plan Regulation – **Wine**

COM(2018) 392 final

Article 39

There is a “type of intervention” for wine (= ex-support programmes in the wine sector deleted from CMO R. 1308/2013).

Article 40

The “type of intervention” (= ex-support programme) in the wine sector is obligatory for the 16 Member States for which EU financial assistance is foreseen. They are the same 16 MS who currently benefit from such support under R. 1308/2013

Article 51

The choice of one or more objectives in the wine sector is obligatory and, as a consequence, the relevant intervention/s (= ex-measures) in the wine sector are also obligatory.

Objectives of R. 1308/2013 have been maintained and linked to the specific objectives listed in Article 6 of the CAP Plan Regulation proposal.

CAP Strategic Plan Regulation – Wine (2/3)

Article 52

The Commission proposes to maintain the existing measures (under R. 1308/2013) that are now called "interventions". The two promotion measures have been separated into "information in Member States" and "promotion in third countries" increasing the number of interventions from 8 to 9. For each chosen objective, MS have to choose a type of intervention.

For each intervention, it is up to MS to define:

- their scope and nature,
- the beneficiaries,
- eligibility criteria,
- eligible operations/actions,
- possible priority criteria,
- possibly the duration of support and whatever conditions are needed for the proper functioning of the chosen intervention in order to meet the objectives.

Nevertheless, many conditions from R.1308/2013 have been maintained in order to change as little as possible the framework of EU support to the wine sector.

CAP Strategic Plan Regulation – **Wine (3/3)**

Article 53

Maximum financing rates are fixed in the regulation and are the same as in R. 1308/2013.

Article 54

New rule in line with re-enforced CAP objectives linked to climate change, sustainability and consumer expectations: **MS have to fix a minimum percentage of expenditure** for actions linked to adaptation to climate change and environmental sustainability incl. resource management,

Annex V

Annex V indicates the annual allocations for types of intervention in the wine sector (for the same 16 MS who benefit from such support under R. 1308/2013). As a result of the constraints of the MFF proposal, the envelopes have been reduced by 3,9%.

CAP Strategic Plan Regulation

Article 106

The Commission assesses the CAP Plan and approves it within 8 months following its submission.

A MS may ask the COM to approve a Plan that is not complete and present the missing elements later as an amendment to the Plan.

Once a year MS may submit a request to amend their approved Plan. Amendments are approved by COM,

Alignment of EU secondary legislation to Lisbon Treaty

National support programmes:

Regulation 2016/1149 and 2016/1150

Wine sector 'potential'

Regulation 2018/273 and 2018/274:

-the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information

Oenological practices

Regulation 2019/934 and 2019/935

-wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files

Protection of GI and wine labelling

Regulation 2019/33 and 2019/34

-applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation

Administrative capacity: wine accompanying documents:

- **Using EMCS(excise movement and control system) in all cases** (Article 10(1)(a)(i) on national market, internal EU market and exports for *wine products subject to excise duties* and *grape must* intended to be used for winemaking - Art.10(1)(c)
- This option may **apply also to small producers on a voluntary bases**, with simplification and derogation provided for in **Article 40 of Directive 2008/118:paper based AD until 31,12,2020**
- The **Excise Movement and Control System (EMCS)** is a computerised system for **monitoring the movement of excise goods** under duty suspension in the EU.
- It records, in **real-time**, the movement of alcohol for which excise duties have still to be paid.it is a crucial tool for **information exchange and cooperation** between Member States.
- **The purpose of the EMCS is to:**
- Combat fiscal fraud, with real-time information and checks on goods being moved under duty-suspension Ensure the secure movement of excise goods for which duty has still to be paid, with pre-dispatch checks on traders

Administrative capacity **Declarations for wine potential**

(Chapter VI, Articles 31 - 35) **Delegated act**

Scope of declarations

Structure of the chapter:

First the declarations rendered compulsory by EU Regulation (production, stocks), then the declarations depending on MS decisions (harvest, treatment or marketing)

(Chapter V, Articles 22 - 25) **Implementing act**

Deadlines for submission of the declarations

- **Production: by 15 January; MS may set an earlier date or, for late harvests, a date not later than 1 March**
- **Stock: by 10 September**
- **Harvest: by 15 January; MS may set an earlier date or, for late harvests, not later than 1 March**

Information to be contained in the declarations

Centralisation of information at national level



Administrative capacity **Checks in the wine sector**

(Chapter VII, Section I, Articles 36 – 45 DA)

- **Principle:**
 - **Random or risk based analysis official checks**
 - **Official checks shall follow the same general principles as in Regulation (EU) 2017/625 on official controls for verification of compliance with feed and food law [ex-Regulation (EC) No 882/2004]**
- *Ex-Article 44 (costs of collection, dispatch and analysis of samples) became paragraph 6 of Article 43 (Mutual assistance) as it refers to the costs in the framework of the mutual assistance.*

Wine labelling

Regulation 2019/33 and 2019/34 on wine labelling

-largely statu quo regarding provisions and alignment to Regulation 1169/2011(FIC), e.g. on font size for labelling

-compulsory and optional (regulated) particulars

-indication of provenance

-name of the grapevine varieties consisting or containing partially or totally the name of a PDO/PGI:annex IV

PDO Alicante(ES) – variety Alicante in Italy

PDO Conca de Barbera(ES)-Barbera as variety in Italy, Croatia, US, South Africa etc