



21 May 2021

(21-4269)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**NOTIFICATION**

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved:</b>
<b>2. Agency responsible:</b> European Commission, Health and Food Safety Directorate-General
<b>3. Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Wine products
<b>4. Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
<b>5. Title of the notified document:</b> Draft Commission Delegated Regulation amending Delegated Regulation (EU) 2019/934 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards authorised oenological practices. <b>Language(s):</b> English. <b>Number of pages:</b> 30, including the Annexes <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3505_01_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3505_01_e.pdf</a> <a href="https://members.wto.org/crnattachments/2021/SPS/EEC/21_3505_00_e.pdf">https://members.wto.org/crnattachments/2021/SPS/EEC/21_3505_00_e.pdf</a>
<b>6. Description of content:</b> Commission Delegated Regulation (EU) 2019/934 supplements Regulation (EU) No 1308/2013 as regards rules that are necessary to ensure the proper functioning of the internal market for grapevine products. In particular, it defines in a clear and precise manner the permitted oenological practices including the methods for sweetening wines, the limits on the use of certain substances that may be used for wine-making and the conditions for using some of those substances for wine-making. It also aligns certain provisions with relevant international standards, namely the International Code of Oenological Practices and the International Oenological Codex of the International Organisation of Vine and Wine (OIV), as regards its Annex IA.  The draft Commission Delegated Regulation amending Delegated Regulation (EU) 2019/934 introduces new oenological practices on the basis of resolutions adopted in 2019 and 2020 by the OIV. It also provides clarifications on, and improves consistency of, some of the existing provisions. Lastly, it withdraws the authorisation of DL tartaric acid in the light of its observed nephrotoxic effects.  Please note that elements pertaining to intellectual property rights, in particular to the application and/or implementation of Geographical Indications (GIs) are included in this notification as part of a legislative package but clearly fall outside the scope of the SPS agreement.
<b>7. Objective and rationale:</b> <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
<b>8. Is there a relevant international standard? If so, identify the standard:</b>

<p><input type="checkbox"/> <b>Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</b></p> <p><input type="checkbox"/> <b>World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</b></p> <p><input type="checkbox"/> <b>International Plant Protection Convention (e.g. ISPM number):</b></p> <p><input checked="" type="checkbox"/> <b>None</b></p> <p><b>Does this proposed regulation conform to the relevant international standard?</b></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>If no, describe, whenever possible, how and why it deviates from the international standard:</b> This proposed regulation provides for the withdrawal of the authorisation of DL tartaric acid, in the light of a recent Scientific Opinion of the European Food Safety Authority which identified a level of toxicity of this compound to kidneys. The OIV currently maintains the authorisation of DL tartaric acid.</p>
<p><b>9. Other relevant documents and language(s) in which these are available:</b> 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. 671-854).</p> <p><a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1502976703496&amp;uri=CELEX:32013R1308">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1502976703496&amp;uri=CELEX:32013R1308</a></p> <p>Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards 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 (OJ L 149, 7.6.2019, p. 1).</p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02019R0934-20190627&amp;qid=1613637400178&amp;from=EN">https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02019R0934-20190627&amp;qid=1613637400178&amp;from=EN</a></p>
<p><b>10. Proposed date of adoption (dd/mm/yy):</b> August/September 2021</p> <p><b>Proposed date of publication (dd/mm/yy):</b> October/November 2021</p>
<p><b>11. Proposed date of entry into force: <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy):</b> Twenty days after publication in the Official Journal of the European Union.</p> <p>The withdrawal of the authorisation of DL tartaric acid and its neutral salt of potassium and the amendment of Appendix 4 to Annex I to Delegated Regulation (EU) 2019/934 shall apply from six months after the date of entry into force of this Regulation.</p> <p><input type="checkbox"/> <b>Trade facilitating measure</b></p>
<p><b>12. Final date for comments: <input checked="" type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy):</b> 20 July 2021</p> <p><b>Agency or authority designated to handle comments: <input checked="" type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</b></p> <p>European Commission  DG Health and Food Safety, Unit D2-Multilateral International Relations  Rue Froissart 101  B-1049 Brussels  Tel: +(32 2) 29 54263  Fax: +(32 2) 29 98090  E-mail: sps@ec.europa.eu</p>

**13. Text(s) available from:  National Notification Authority,  National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

European Commission  
DG Health and Food Safety, Unit D2-Multilateral International Relations  
Rue Froissart 101  
B-1049 Brussels  
Tel: +(32 2) 29 54263  
Fax: +(32 2) 29 98090  
E-mail: sps@ec.europa.eu