

# Transmission of an established geographical indication of spirit drinks

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## I. TECHNICAL FILE

### 1. Name and type

#### a. Name(s) to be registered:

Schwarzwälder Kirschwasser (de)

#### b. Category:

9. Fruit spirit

#### c. Applicant country(ies):

Germany

#### d. Application language:

German

#### e. Type of geographical indication:

PGI – Protected Geographical Indication

### 2. Contact details

#### a. Applicant name and title

Applicant name and title	Federal Ministry of Food and Agriculture [Bundesministerium für Ernährung und Landwirtschaft (BMEL)], Unit 434 (Wine, beer, beverages sector)
Legal status, size and composition (in the case of legal persons)	
Nationality	Germany
Address	Rochusstrasse 1 D-53123 Bonn
Country	Germany
Telephone	+49 (0)22899 5290
E-mail(s)	poststelle@bmel.bund.de, 434@bmel.bund.de

#### b. Intermediary details

#### c. Interested party details

Interested party name and title	1. Federal Association of the German Spirit Drinks Industry and Importers of Spirit Drinks (Bundesverband der Deutschen Spirituosen-Industrie und -Importeure e.V.) 2. Federal Association of fruit bonded distilleries (Bundesverband der Obstverschlussbrennereien e.V.) 3. Federal Association of German small-scale distilleries and fruit distilleries (Bundesverband der Deutschen Klein- und Obstbrenner e.V.) 4. Association of the small-scale distilleries and fruit distilleries of Baden (Verband Badischer Klein- und Obstbrenner e.V.) 5. Association of the small-scale distilleries and fruit distilleries of
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	Südwürttemberg-Hohenzollern (Verband der Klein- und Obstbrenner Südwürttemberg-Hohenzollern e.V.)
Legal status, size and composition (in the case of legal persons)	(1) to (5) are all registered associations (eingetragene Vereine, e.V.)
Nationality	Germany
Reason for interest	The associations represent the interests of producers of Schwarzwälder Kirschwasser.
Address	For (1): Urstadtstrasse 2, D-53129 Bonn  For (2): Kartäuserstrasse 120, D-79104 Freiburg  For (3): Hardtstrasse 37, D-76185 Karlsruhe  For (4): Hindenburgplatz 1, D-77767 Appenweier  For (5): Fahnhalden 1, D-88285 Bodnegg
Country	Germany
Telephone	+49 (0)228 539940
E-mail(s)	info@bsi-bonn.de, info@obstbrenner.com, erdrich@obstbrenner.de, kleinbrennerverband@t-online.de, info@kleinbrennerverband.de

#### **d. Competent control authority details**

Competent control authority name	Ministry of Rural Affairs and Consumer Protection [Ministerium für Ländlichen Raum und Verbraucherschutz] Baden-Württemberg
Address	Kernerplatz 10 70182 Stuttgart
Country	Germany
Telephone	+49 (0)711 1260
E-mail(s)	poststelle@mlr.bwl.de

#### **e. Control body details**

Control body name	1. Chemisches und Veterinäruntersuchungsamt (Chemical and Veterinary Testing Office) Freiburg 2. Chemisches und Veterinäruntersuchungsamt (Chemical and Veterinary Testing Office) Karlsruhe
Address	For (1): Bissierstrasse 5, D-79114 Freiburg For (2): Weissenburger Str. 3, D-76187 Karlsruhe
Country	Germany
Telephone	+49 (0)761 88550
E-mail(s)	poststelle@cvuaf.bwl.de, poststelle@cvuaka.bwl.de

### **3. Description of the spirit drink**

Title – Product name	Schwarzwälder Kirschwasser
Physical, chemical and/or organoleptic characteristics	Summarised description:  'Schwarzwälder Kirschwasser' – also known as 'Schwarzwälder Kirschbrand' and 'Schwarzwälder Kirsch' – is produced only in the Black Forest and its directly surrounding area from that region's cherries, by fermentation and subsequent distillation.

	<ul style="list-style-type: none"> <li>- Actual alcohol content of the cherry distillates (after distillation): according to the distillation conditions, between 60 and 85.9 % vol.</li> <li>- Actual alcohol content of the ready-to-drink brandy: at least 40 % vol.</li> <li>- Clarity: clear</li> <li>- Colour: transparent like water, or for products matured in wooden casks, yellowy, reddish, amber and brown</li> <li>- Odour: Typical cherry aroma, in some cases with a mild or strong bitter-almond scent</li> <li>- Taste: aromatic cherry flavours, mild and typical of the variety</li> <li>- Authorised food additives or other substances: none, with the exception of water to reduce to drinking strength</li> </ul>
Specific characteristics (compared with other spirit drinks of the same category)	<ul style="list-style-type: none"> <li>- 'Schwarzwälder Kirschwasser' is produced only in the Black Forest and its directly surrounding area from small cherries from that region used for distilling purposes. These cherries are specific types or varieties, and predominantly the varieties Dollenseppler and Benjaminler are used. These cherries for distilling purposes are smaller and have a significantly lower fruit-to-stone ratio than table cherries. This gives 'Schwarzwälder Kirschwasser' its characteristic bitter almond notes, which originate from the stone. The cherries used for distilling 'Schwarzwälder Kirschwasser' have a high sugar content, to which the temperate climate during harvest time is conducive. Furthermore, the soil in the Black Forest and its surrounding area is particularly well-suited for growing cherries, as it is rich in gneiss, granite and porphyry.</li> <li>- Instead of the minimum alcohol strength of 37.5 % vol. required for a product to be defined as 'Kirschwasser' under EU law, 'Schwarzwälder Kirschwasser' has a minimum alcohol strength of 40 % vol., which enhances the sensory characteristics of the Kirschwasser.</li> <li>- Even for products matured in wooden casks, no colouring agents are used, and that also covers 'plain caramel' to balance colouring.</li> <li>- No sweetening products are added to the distillates or the final product to round off the taste.</li> </ul>

#### **4. Define geographical area**

##### **a. Description of the defined geographical area**

'Schwarzwälder Kirschwasser' may be produced only in the defined and delimited geographical area 'the Black Forest and its directly surrounding area' (referred to as 'the defined Black Forest area') from cherries of that region.

The defined Black Forest area includes the Regierungsbezirk (government region) of Freiburg, the Landkreise (rural districts) of Breisgau-Hochschwarzwald, Emmendingen, Lörrach, Ortenaukreis, Rottweil, Schwarzwald-Baar-Kreis, Waldshut and the kreisfreie Stadt (urban district of) Freiburg, as well as the government region of Karlsruhe, the rural

districts of Calw, Enzkreis, Freudenstadt, Rastatt and as far as the rural district of Karlsruhe is concerned, only the municipalities of Rheinstetten, Malsch, Ettlingen, Waldbronn, Karlsbad and Marxzell, and the urban districts of Baden-Baden, Pforzheim and Karlsruhe.

The reduction of the high-percentage cherry distillate(s) to drinking strength using water, the pouring of the liqueur into bottles or other suitable sale containers, and the labelling and packaging may also take place outside the defined geographical area.

#### **b. NUTS area**

DE13A	Waldshut
DE139	Lörrach
DE136	Schwarzwald-Baar-Kreis
DE135	Rottweil
DE134	Ortenaukreis
DE133	Emmendingen
DE132	Breisgau-Hochschwarzwald
DE131	Freiburg im Breisgau, Stadtkreis
DE12C	Freudenstadt
DE12B	Enzkreis
DE12A	Calw
DE129	Pforzheim, Stadtkreis
DE124	Rastatt
DE123	Karlsruhe, Landkreis
DE122	Karlsruhe, Stadtkreis
DE121	Baden-Baden, Stadtkreis

### **5. Method used to obtain the spirit drink**

Title – Type of method	Fermentation, distilling and finalisation
Method	<p>The first production step to obtain 'Schwarzwälder Kirschwasser' involves the brandy cherries freshly harvested only in the defined Black Forest area being put into a cask or tank, generally whole or stoned (referred to as filling). It should be noted that only ripe, healthy and clean brandy cherries are used. The majority of the cherries, which are still for the most part picked by hand, without the stalk, get delivered to the distillery on the same day. The brandy cherries used are generally varieties that are traditional, grow on high-stemmed trees in the Black Forest and are usually small, dark and sweet, e.g. the varieties Dollenseppler, Benjaminler, Winterbacher and Schwarze Schüttler. Table or eating cherries are not used.</p> <p>The wild yeasts present on the cherry skins or pure yeast cultures added prompt the start of the second production step, fermentation. Genetically modified yeast cultures are not used. During fermentation, which takes place at a controlled fermentation temperature following a set fermentation procedure, the sugar in the brandy cherries is converted into alcohol and carbon dioxide. On average, the fermentation process usually takes between two and six weeks. Once fermentation is complete, the fermented mash is stored for a few further weeks to develop the typical cherry aromas. The alcohol content of the fermented, stored mash is 6-8 % vol.</p>

	<p>The third production step is the distilling of the fermented cherry mash. In practice, different forms of distilling equipment (known as distilling vessels) are used. Depending on the form of distilling equipment (heated chamber with or without a reinforced base), the mash is distilled once or twice to less than 86 % vol. For the most part, copper heated chambers (stills) with reinforced bases are used, so the cherry mash needs to be distilled only once, which not only saves energy but also retains the cherry aromas better. Specifically in the Black Forest, and in particular in Ortenaukreis, there are traditionally thousands of small-scale distilleries that are authorised only to have stills with a maximum holding capacity of 150 litres and three reinforced bases under current excise legislation. When cherry mash is distilled, due attention is paid to the European Commission Recommendation of 2 March 2010 on the prevention and reduction of ethyl carbamate contamination in stone fruit spirits and stone fruit marc spirits and on the monitoring of ethyl carbamate levels in these beverages.</p> <p>Following the distilling process, the fourth production step is storage (e.g. in an earthenware vessel, stainless steel tank etc.) and/or maturing in an appropriate container. Casks made of ash or chestnut wood are often used to ensure that the distillate stays transparent. Nevertheless, some producers of Schwarzwälder Kirschwasser also use oak casks, or to some extent, used bourbon or rum casks.</p> <p>After the storage or maturing process, the fifth production step is the finalisation process, which includes the following steps:</p> <ul style="list-style-type: none"> <li>- potentially blending different Schwarzwälder cherry distillates,</li> <li>- reducing the high-percentage alcohol cherry distillate(s) to drinking strength using water,</li> <li>- pouring the liqueur into bottles or other containers suitable for sale, and</li> <li>- labelling and packaging.</li> </ul> <p>No food additives, substances to even out colouring, or sweeteners are added to 'Schwarzwälder Kirschwasser'. The age-old Purity Law applicable to 'Schwarzwälder Kirschwasser' furthermore stipulates that oak chips may not be used to help the cherry distillates mature.</p>
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### ***Link with the geographical environment of origin***

Title – Product name	Schwarzwälder Kirschwasser
Details of the geographical area or origin relevant to the link	<p>The Black Forest and its periphery, or directly surrounding area, is a significant, coherent brandy cherry area, specifically on account of its traditional, ancient high-stemmed cherry trees ('meadow orchards'). The brandy cherries that grow in the Black Forest area are special cherry varieties that are usually sweet, such as Dollenseppler, Benjaminler, etc., with smaller fruit than the sweet-cherry varieties sold for direct consumption and therefore with a fresh mass that contains more sugar and is more aromatic. These varieties of cherries grown in the Black Forest area and used for distilling purposes have a significantly lower fruit-to-stone ratio, which gives their distillates their characteristic and appealing bitter almond notes. On account of the large supply of raw materials, a distilling tradition developed there from the start of the eighteenth century onwards.</p> <p>The first documentary reference to cherry distilling was in a Decree issued by the Bishop of Strasbourg, Gaston de Rohan in 1726, which formally authorised the citizens of Oberkirch to distil cherries. Since then, the production of Kirschwasser has been</p>

	<p>an important source of income for the inhabitants of this and other Black Forest regions. The product has become a world-renowned speciality, becoming well-known as both a traditional spirit and an ingredient in a variety of foods, e.g. the 'Schwarzwälder Kirschtorte' (Black Forest Gateau).</p> <p>In 1909, the regional parliament of Baden – the first democratic parliament of the German Reich – entrusted the Chamber of Agriculture of Baden with the task of producing a 'genuine, unaltered and pure Schwarzwälder Kirschwasser', as a means of developing a standard for quality characteristics.</p> <p>Consequently, 'Schwarzwälder Kirschwasser' is subject to all of the requirements of a geographical indication.</p>
Specific characteristics of the spirit drink attributable to the geographical area	<p>The relative soil and climate conditions in the Black Forest and in the defined geographical area allow the brandy cherries traditionally planted there to really flourish. Therefore, the gneiss, granite and porphyry in the Black Forest's soils also contribute to the contents of the brandy cherries. Many of the meadow orchards with high-stemmed cherry trees in sloped locations are protected against cold easterly winds. Moreover, such locations at slightly higher altitude protect against fruit excessively heating over the ripening period of May to July in the climatically favourable area. The soil and climate therefore contribute to the unique, sensory qualities of the brandy cherries.</p> <p>To this date there are still thousands of rural, small-scale distilleries (known as 'Abfindungsbrennerei(en)') producing cherry spirits among other products and a multitude of medium-sized businesses run by families whose surnames have become renowned Kirschwasser labels across Germany and Europe. From an early stage, Germany has been the leader of distillery technology, and for decades, the home to well-known distillery equipment manufacturers and coppersmiths, <i>inter alia</i> in the Black Forest.</p> <p>There is also specialist literature on 'Schwarzwälder Kirschwasser', written for the general public. It is worth mentioning the book 'Schwarzwälder Kirschwasser. Spirit distilling – landscape and tradition' published by Schwarzwald-Verlag, Offenburg, author: Hans Roschach, ISBN No 3922663605.</p>
Causal link between the geographical area and the product	

## 7. EU, national or regional requirements

Title	
Legal reference	<p>Inter alia:</p> <p>Horizontal EU food legislation</p> <p>Vertical EU spirit legislation</p> <p>National spirit legislation (federal legislation)</p>
Description of the requirement(s)	<p>Labelling rules</p> <p>Product specifications</p>

## 8. Supplement to the geographical indication

Supplement to the geographical indication	Additional labelling
Definition, description or scope of the supplement	a) Additional product names for 'Schwarzwälder Kirschwasser':

	<p>In addition to the commercial name 'Schwarzwälder Kirschwasser', the names 'Schwarzwälder Kirschbrand' and 'Schwarzwälder Kirsch' may also be used.</p> <p>b) Basic rules on supplements to the geographical indication 'Schwarzwälder Kirschwasser':</p> <p>Under current Union law on spirits, the name 'Schwarzwälder Kirschwasser' may be lengthened to include only:</p> <ul style="list-style-type: none"> <li>- the terms stipulated in Sections (c) and (d), or</li> <li>- terms other than those laid down in Sections (c) and (d) which were demonstrably in common use on 20 February 2008 (e.g. 'Schwarzwälder Wildkirschwasser').</li> </ul> <p>c) Supplements with other geographical indications:</p> <ul style="list-style-type: none"> <li>- If 'Schwarzwälder Kirschwasser' is marketed under the name of a region or location in the defined Black Forest area (e.g. 'Ortenauer Kirschwasser' or 'Offenburger Kirschwasser'), the supplementary geographical indication may be used as an addition to the commercial name 'Schwarzwälder Kirschwasser'. In order for such a supplement specifying a geographical unit smaller than the Black Forest to be used, the brandy cherries must come from that smaller geographical unit and the distillery must be based there.</li> </ul> <p>d) Supplements with non-geographical terms:</p> <ul style="list-style-type: none"> <li>- If details concerning maturing, ageing or storage are added to the name 'Schwarzwälder Kirschwasser', such products must be stored or matured for at least 12 months.</li> <li>- Indications of age are subject to the following rules: If a product has been stored or matured for at least 12 months, it may be labelled with the precise length of maturing or storage in years or months, e.g. 'matured for 14 months' or 'stored for 14 months'.</li> </ul> <p>Products matured for at least three years may be labelled as 'mature' or 'old'.</p> <p>Indications of age, such as 'VSOP', 'VS', etc., which are commonly used for spirits and brandy are not used for 'Schwarzwälder Kirschwasser'.</p> <ul style="list-style-type: none"> <li>- If quality terms (e.g. 'fine' or 'premium') are added to the name 'Schwarzwälder Kirschwasser', such products must be of significantly higher quality than standard variants. Such examples could be a higher alcohol content, special source or spring water from the Black Forest being used, or a particularly lengthy storage period.</li> <li>- Products entirely produced in the same undertaking, i.e. distilled, reduced to drinking strength with water and bottled may use the additional label 'distilled and bottled in the distillery'.</li> </ul>
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## 9. Specific labelling rules

## II. Other information

### 1. Supporting material

### 2. Link to the product specification

Link:	
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