

Transmission of an established geographical indication of spirit drinks

I. TECHNICAL FILE

1. Name and type

a. Name(s) to be registered

Schwarzwälder Mirabellenwasser (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	Bundesministerium für Ernährung und Landwirtschaft (BMEL) [Federal Ministry of Food and Agriculture], Unit 434 (Wine, beer, beverages sector)
Legal status, size and composition (in the case of legal persons)	
Nationality	German
Address	Rochusstraße 1 D-53123 Bonn
Country	Germany
Telephone	++49228995290
Email address(es)	poststelle@bmel.bund.de, 434@bmel.bund.de, werner.albrecht@bmel.bund.de

b. Intermediary details

c. Interested party details

Interested party name and title	Bundesverband der Deutschen Spirituosen-Industrie und -Importeure e.V. (BSI) [Federal Association of the German
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	Spirit Drinks Industry and Importers of Spirit Drinks]
Legal status, size and composition (in the case of legal persons)	Registered association [<i>eingetragener Verein, e.V.</i>]
Nationality	German
Justification of the interest	The BSI represents the interests of its member producers of 'Schwarzwälder Mirabellenwasser'.
Address	Urstadtstraße 2 D-53129 Bonn
Country	Germany
Telephone	+49 (0)228 539940
Email address(es)	info@bsi-bonn.de

Interested party name and title	Bundesverband der Obstverschlussbrenner e.V. [Federal Association of Bonded Fruit Spirit Distillers]
Legal status, size and composition (in the case of legal persons)	Registered association
Nationality	German
Justification of the interest	The Federal Association of Bonded Fruit Spirit Distillers represents the interests of its member producers of 'Schwarzwälder Mirabellenwasser', most of which are medium-sized bonded fruit spirit distilleries.
Address	Kartäuserstraße 120 D-79104 Freiburg
Country	Germany
Telephone	+49 (0)761 32512
Email address(es)	info@obstbrenner.com

Interested party name and title	Bundesverband der Deutschen Klein- und Obstbrenner e.V. [Federal Association of German Small-Scale Distillers and Fruit Spirit Distillers]
Legal status, size and composition (in the case of legal persons)	Registered association
Nationality	German
Justification of the interest	The Federal Association of German Small-Scale Distillers and Fruit Spirit Distillers represents the interests of 'Schwarzwälder Mirabellenwasser' producers which are members of its association or an affiliated association at federal-state level. These are small-scale distilleries (known as <i>Abfindungsbrennereien</i>), most of which are part-time agricultural holdings whose production of pure alcohol is limited to 300 litres per year under a distillation quota.
Address	Hardtstrasse 35-37 D-76185 Karlsruhe
Country	Germany
Telephone	+49 (0)721 95551-0
Email address(es)	erdrich@obstbrenner.de, erdrich@kammer-kirsch.de

Interested party name and title	Verband Badischer Klein- und Obstbrenner e.V. [Association of Small-Scale Distillers and Fruit Spirit Distillers of Baden]
Legal status, size and composition (in the case of legal persons)	Registered association
Nationality	German
Justification of the interest	The Association of Small-Scale Distillers and Fruit Spirit Distillers of Baden represents the interests of small-scale distilleries and distillery users which are based and produce 'Schwarzwälder Mirabellenwasser' in the Black Forest. The area covered by the association includes most of the Black Forest.
Address	Hindenburgplatz 1 D-77767 Appenweier
Country	Germany
Telephone	+49 (0)7805 9129810
Email address(es)	info@kleinbrenner-baden.de, kleinbrennerverband@t-online.de

Interested party name and title	Verband der Klein- und Obstbrenner Südwürttemberg-Hohenzollern e.V. [Association of Small-Scale Distillers and Fruit Spirit Distillers of Südwürttemberg-Hohenzollern]
Legal status, size and composition (in the case of legal persons)	Registered association
Nationality	German
Justification of the interest	The Association of Small-Scale Distillers and Fruit Spirit Distillers of Südwürttemberg-Hohenzollern represents the interests of small-scale distilleries and distillery users which are based and produce 'Schwarzwälder Mirabellenwasser' in a part of the Black Forest belonging historically to Südwürttemberg-Hohenzollern.
Address	Fahnhalden 1 D-88285 Bodnegg
Country	Germany
Telephone	+49 (0)7520 91100
Email address(es)	info@kleinbrennerverband.de

d. Competent control authority details

Competent control authority name	Ministerium für Ländlichen Raum und Verbraucherschutz Baden-Württemberg (MLR) [Ministry of Rural Affairs and Consumer Protection of Baden-Württemberg]
Address	Kernerplatz 10 D-70182 Stuttgart
Country	Germany
Telephone	+49 (0)711 126-0
Email address(es)	poststelle@mlr.bwl.de

e. Control body details

Control body name	Chemisches und Veterinäruntersuchungsamt Freiburg [Freiburg Chemical and Veterinary Testing Office]
Address	Bissierstraße 5 D-79114 Freiburg
Country	Germany
Telephone	+49 (0)76188550
Email address(es)	poststelle@cvuafr.bwl.de

Control body name	Chemisches und Veterinäruntersuchungsamt Karlsruhe [Karlsruhe Chemical and Veterinary Testing Office]
Address	Weissenburger Str. 3 D-76187 Karlsruhe
Country	Germany
Telephone	+49 (0)721 9263611
Email address(es)	poststelle@cvuaka.bwl.de

3. Description of the spirit drink

Title – Product name	Schwarzwälder Mirabellenwasser
Physical, chemical and/or organoleptic characteristics	<p>‘Schwarzwälder Mirabellenwasser’ is produced only in the Black Forest and its directly surrounding area from mirabelles from that region, by fermentation and subsequent distillation.</p> <ul style="list-style-type: none">- Actual alcoholic strength of the mirabelle distillates (after distillation): 60-85.9 % vol., depending on the distillation conditions;- Actual alcohol content of the ready-to-drink spirits: at least 40 % vol.;- Clarity: clear;- Colour: colourless or, for products matured in wooden casks, yellowish, reddish, amber or brownish;- Smell: typical aroma of mirabelles;- Taste: aromatic mirabelle bouquet, mild and typical of the variety;- Authorised food additives or other substances: none, with the exception of water for reduction to drinking strength.
Specific characteristics (compared with spirit drinks of the same category)	<p>- ‘Schwarzwälder Mirabellenwasser’ is produced only in the Black Forest and its directly surrounding area from mirabelles from this region. The mild climate during the harvest period promotes the high sugar content of mirabelles from the Black Forest. The particular climatic conditions, with heavy precipitation in winter and spring and high temperatures in summer, play an</p>

	<p>important part in allowing the fruit of the Black Forest to ripen. Another factor is the high gneiss, granite and porphyry content of the soil in and around the Black Forest, which is particularly well suited to mirabelles.</p> <ul style="list-style-type: none"> - Instead of the minimum alcoholic strength of 37.5 % vol. required for a product to be defined as ‘Mirabellenwasser’ under EU law, ‘Schwarzwälder Mirabellenwasser’ has a minimum alcoholic strength of 40 % vol., which enhances the drink’s sensory characteristics. - Even for products matured in wooden casks, no colouring agents are used, not even ‘caramel’ for colour-balancing purposes. - No sweetening products are added to the distillates or the final product to round off the taste.
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4. Defined geographical area

a. Description of the defined geographical area

‘Schwarzwälder Mirabellenwasser’ may be produced only in the defined and delimited geographical area known as ‘the Black Forest and its directly surrounding area’ (referred to as ‘the defined Black Forest area’) from mirabelles from that region.

The defined Black Forest area includes the rural districts [*Landkreise*] of Breisgau-Hochschwarzwald, Emmendingen, Lörrach, Ortenaukreis, Rottweil, Schwarzwald-Baar-Kreis and Waldshut and the urban district [*kreisfreie Stadt*] of Freiburg in the government region [*Regierungsbezirk*] of Freiburg, and the rural districts of Calw, Enzkreis, Freudenstadt, Rastatt and Karlsruhe (solely the municipalities of Rheinstetten, Malsch, Ettlingen, Waldbronn, Karlsbad and Marxzell) and the urban districts of Baden-Baden, Pforzheim and Karlsruhe in the government region of Karlsruhe.

Reduction of the high alcoholic strength of the mirabelle distillate(s) to drinking strength using water, bottling or decanting it into other suitable sale containers, and labelling and packaging, 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	
Method	<p>The first production step to obtain ‘Schwarzwälder Mirabellenwasser’ involves putting the mirabelles, which have been freshly harvested exclusively in the defined Black Forest area, into a cask or tank, generally whole or stoned (maceration). It should be ensured that only ripe, healthy and clean mirabelles are used. The mirabelles (also known as yellow plums) used are generally of traditional, small to medium-sized, round yellow-fleshed varieties produced on tall standard trees in the Black Forest area.</p> <p>The wild yeasts present on the mirabelle skins or the added pure yeast cultures trigger the second production step, namely fermentation. Genetically modified yeasts are not used. During fermentation, which takes place at a controlled temperature and following a set procedure, the sugar in the mirabelles 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 more weeks to develop the typical mirabelle 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 mash. In practice, various designs of distilling equipment (known as stills) are used for this purpose. Depending on the form of distilling equipment (still with or without enrichment trays), the mash is distilled once or twice to less than 86 % vol. For the most part, copper stills with enrichment trays are now used, so the mash needs to be distilled only once, which not only saves energy but also retains the fruit aromas better. Specifically in the Black Forest, and in particular in the Ortenaukreis, there have traditionally been thousands of small-scale distilleries which, under the excise legislation in force, are allowed only to have stills with a maximum capacity of 150 litres and three enrichment trays. When the mash is distilled, due account is taken of 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>The fourth production step, following distillation, is storage (e.g. in an earthenware vessel, stainless steel tank, etc.) and/or maturing in appropriate containers. Casks made of ash or chestnut wood are often used to ensure that the distillate remains colourless. Nevertheless, some producers of ‘Schwarzwälder Mirabellenwasser’ also use oak casks and sometimes used bourbon or rum casks.</p>

	<p>After storage or maturing, the fifth production step is the finishing process, which includes the following steps:</p> <ul style="list-style-type: none"> - (possibly) blending different Black Forest mirabelle distillates, - reducing the high alcoholic strength of the mirabelle distillate(s) to drinking strength using water, - bottling or decanting into other suitable sale containers, and - labelling and packaging. <p>No food additives, other colour-balancing substances, or sweetening products are added to 'Schwarzwälder Mirabellenwasser'. The age-old Purity Law applicable to 'Schwarzwälder Mirabellenwasser' furthermore stipulates that oak chips may not be used to help the mirabelle distillates mature.</p>
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6. Link with the geographical environment or origin

Title – Product name	Schwarzwälder Mirabellenwasser
Details of the geographical area or origin relevant to the link	<p>South-western Germany has a particularly favourable climate, which is why fruit-farming and wine-growing developed in the upper Rhine valley and on the margins and in the foothills of the Black Forest. All varieties of indigenous fruit have been grown here for many centuries. Stone fruit and pomes, including mirabelles, lend themselves particularly well to making fruit spirits.</p> <p>After cherries, quetsches and plums, they are the most important raw material for producing distillates. As in the case of stone fruit generally, there are very many varieties. Most of them are small and round, with yellow flesh. As a rule, they develop a relatively high sugar content. The high sugar content of mirabelles from the Black Forest improves the quality of the distillate and results in increased yields. That is why distillers have always been interested in using the fruit to produce distillates. This is another reason for the development of a tradition of distilling in the Black Forest.</p> <p>The first documentary reference to fruit spirit distilling was in a decree issued by Gaston de Rohan, Bishop of Strasbourg, in 1726, formally authorising the citizens of Oberkirch to operate stills. Since then, this way of using fruit has been an important source of income for the inhabitants of this and other Black Forest regions. The particular characteristics of 'Schwarzwälder Mirabellenwasser' are also referred to in the technical literature, e.g. in Fritz Göhringer, <i>Schwarzwälder Schnapsbrevier</i> ('Black Forest Schnapps Guide'), Verlag C.F. Müller, Karlsruhe, and in Pieper, Bruchmann, Kolb, <i>Technologie der Obstbrennerei</i> ('Fruit spirit distillation technology'), second edition, 1993.</p> <p>Entering the term 'Schwarzwälder Mirabellenwasser' in known internet search engines reveals that the Black Forest has a number of production distilleries and producers and suppliers of spirit</p>

	<p>drinks whose range includes ‘Schwarzwälder Mirabellenwasser’.</p> <p>‘Schwarzwälder Mirabellenwasser’ products are often awarded gold and silver medals in the competitions held by the Association of Small-Scale Distillers and Fruit Spirit Distillers of Baden.</p> <p>Consequently, ‘Schwarzwälder Mirabellenwasser’ satisfies all of the requirements to be met by a geographical indication.</p>
Specific characteristics of the spirit drink attributable to the geographical area	<p>The soil and climate of the Black Forest and the defined geographical area allow the mirabelles traditionally grown there to flourish. The Black Forest’s gneiss, granite and porphyry soils thus help determine the content of the mirabelles. During the ripening period in spring, the moderate elevation of the Black Forest foothills prevents the fruit from ripening too early.</p> <p>The Black Forest still has thousands of rural, small-scale distilleries producing mirabelle and other spirits and a multitude of medium-sized businesses run by families whose surnames appear on <i>Mirabellenwasser</i> labels known throughout Germany and Europe. Germany led the field in distillery technology from an early stage and has for decades been home to well-known distillery equipment manufacturers and coppersmiths, some of whom are to be found in the Black Forest.</p>
Causal link between the geographical area and the product	

7. Requirements under EU, national or regional legislation

Title	Schwarzwälder Mirabellenwasser
Legal reference	<p>Includes:</p> <ul style="list-style-type: none"> - horizontal EU food legislation, - vertical EU spirit drinks legislation, - national spirit drinks legislation (federal legislation).
Description of the requirement(s)	<ul style="list-style-type: none"> - labelling rules - product specifications.

8. Supplement to the geographical indication

Supplement to the geographical indication	Additional labelling
Definition, description or scope of the supplement	<p>(a) Additional product names for ‘Schwarzwälder Mirabellenwasser’:</p> <p>In addition to the commercial name ‘Schwarzwälder Mirabellenwasser’, only the alternative forms ‘Schwarzwälder Mirabellenbrand’ and ‘Schwarzwälder Mirabell’ may be used. In other words, only ‘Schwarzwälder Mirabellenwasser’ is the protected geographical indication and thus the commercial name prescribed by</p>

	<p>Union law.</p> <p>(b) Basic rules on supplements to the geographical indication ‘Schwarzwälder Mirabellenwasser’:</p> <p>Under current Union law on spirit drinks, the name ‘Schwarzwälder Mirabellenwasser’ may be lengthened only to include:</p> <ul style="list-style-type: none"> - the terms specified in Sections (c) and (d), or - terms other than those specified in Sections (c) and (d) which can be shown to have been in common use on 20 February 2008. <p>(c) Supplements with other geographical indications:</p> <p>If ‘Schwarzwälder Mirabellenwasser’ is marketed under the name of a region or place in the defined Black Forest area (e.g. ‘Ortenauer Mirabellenwasser’ or ‘Offenburger Mirabellenwasser’), the supplementary geographical indication may be used in addition to the commercial name ‘Schwarzwälder Mirabellenwasser’. In order for such a supplementary indication specifying a geographical unit smaller than the Black Forest to be used, the mirabelles must come from that smaller geographical unit and the distillery must be located there.</p> <p>(d) Supplements with non-geographical terms:</p> <ul style="list-style-type: none"> - If details concerning maturing, ageing or storage are added to the name ‘Schwarzwälder Mirabellenwasser’, the products must be matured or stored for at least 12 months. <p>Indications of age are subject to the following rules:</p> <p>If a product has been matured or stored 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’.</p> <p>Products matured for at least three years may be labelled as <i>gereift</i> [mature] or <i>alt</i> [old].</p> <p>Indications of age, such as ‘VSOP’, ‘VS’, etc., which are commonly used for wine spirits, brandy and <i>Weinbrand</i>, are not used for ‘Schwarzwälder Mirabellenwasser’.</p> <ul style="list-style-type: none"> - If quality terms (e.g. ‘<i>feines</i>’ [fine] or ‘<i>Edel-</i>’ [premium]) are added to the name ‘Schwarzwälder Mirabellenwasser’, the products concerned must be of significantly higher quality than standard products. This could, for example, be on account of a higher alcohol content, the use of special Black Forest source or spring water, or a particularly lengthy storage period. - Products which have been entirely produced in the same undertaking, i.e. distilled, reduced to drinking strength by adding water and bottled,
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	may also be labelled with the additional words ‘distilled and bottled in the distillery’.
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9. Specific labelling rules

II. Other information

1. Supporting material

File name	2016-07-27 an KOM Antwortschreiben PGI-DE-01993 Schwarzwälder Mirabellenwasser.pdf
Description	Reply to the Commission containing comments on and answers to the Commission’s questions
Document type	Other

File name	PGI-DE-01993 Schwarzwälder Mirabellenwasser überarbeitetet 27-7-2016.rtf
Description	Technical file containing the product specifications with track changes
Document type	Product specification

File name	Schwarzwälder Schnapsbrevier.pdf
Description	Reference to technical literature
Document type	Other

2. Link to the product specification

Link:	
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