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MINISTRY OF AGRICULTURAL, FOOD AND FORESTRY POLICIES

Decree of 28 January 2016

Amendment to Decree No 5389 of 1 August 2011 laying down provisions regarding the 'Implementation of Article 17 of Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks - Technical file for 'Grappa'.

THE MINISTER FOR AGRICULTURAL, FOOD AND FORESTRY POLICIES

Having regard to Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks and repealing Council Regulation (EEC) No 1576/89;

Having regard to Decree No 5389 of 1 August 2011 of the Minister for Agricultural, Food and Forestry Policies, published in Official Gazette of the Italian Republic No 228 of 30 September 2011, laying down provisions regarding the 'Implementation of Article 17 of Regulation (EC) No 110/2008 of the European Parliament and of the Council of 15 January 2008 on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks - Technical file for 'Grappa';

Having regard to Decree No 18850 of 28 December 2012 of the Minister for Agricultural, Food and Forestry Policies, published in Official Gazette of the Italian Republic No 10 of 12 January 2013, postponing until 1 January 2014 the entry into force of the requirement for bottling within the national territory laid down in the technical file of the geographical indication (GI) 'Grappa';

Having regard to Decree No 15430 of 10 December 2013 of the Minister for Agricultural, Food and Forestry Policies, published in Official Gazette of the Italian Republic No 303 of 28 December 2013, postponing until 30 June 2014 the entry into force of the requirement for bottling within the national territory laid down in the technical file of the geographical indication (GI) 'Grappa';

Having regard to Decree No 6623 of 19 June 2014 of the Minister for Agricultural, Food and Forestry Policies, published in Official Gazette of the Italian Republic No 148 of 28 June 2014, postponing until 1 January 2015 the entry into force of the requirement for bottling within the national territory laid down in the technical file of the geographical indication (GI) 'Grappa';

Having regard to Decree No 7242 of 30 December 2014 of the Minister for Agricultural, Food and Forestry Policies, published in Official Gazette of the Italian Republic No 13 of 17 January 2015, postponing until 1 July 2015 the entry into force of the requirement for bottling within the national territory laid down in the technical file of the geographical indication (GI) 'Grappa';

Having regard to Decree No 4386 of 27 July 2015 of the Minister for Agricultural, Food and Forestry Policies, published in Official Gazette of the Italian Republic No 184 of 10 August 2015, postponing until 1 January 2016 the entry into force of the requirement for bottling within the national territory laid down in the technical file of the geographical indication (GI) 'Grappa';

Having regard to the letters of 17 October 2012, 21 October 2013 and 20 February 2014 of the Directorate-General for Agriculture and Rural Development of the European Commission which stated that any restrictions on the bottling area of the finished product must be duly justified or repealed;

Having regard to the letter with reference Ares(2015)5639689 of 7 December 2015 of the Directorate-General for Agriculture and Rural Development of the European Commission asking Italy to remove the provision requiring GI 'Grappa' to be bottled within the national territory so as not to impede the free movement of goods and avoid uncertainty for operators in the sector concerned;

Given the further analysis carried out in collaboration with producers at the request of the European Commission, in accordance with the specific quality characteristics of the GI 'Grappa';

Recognising the need to amend Decree No 5389 of the Minister for Agricultural, Food and Forestry Policies of 1 August 2011 by repealing Article 2 requiring GI 'Grappa' to be bottled within the national territory;

Recognising that it is appropriate to amend the technical file annexed to the Decree of the Minister for Agricultural, Food and Forestry Policies No 5389 of 1 August 2011 in order to specify certain aspects of the production of the GI 'Grappa', other than bottling, which ensure that the specific quality characteristics of the GI are complied with;

Recognising also the need to specify the particular characteristics of the GI 'Grappa' and certain aspects of labelling in the technical file;

Considering that the changes made to the technical file do not alter the production method or the specific quality of the GI 'Grappa';

Recognising, therefore, that finished products certified as GI 'Grappa' may be allowed to be bottled outside the national territory;

Taking into account that current sales relate to GI 'Grappa' produced from raw materials obtained in the current wine year ending on 31 July 2016;

Decrees:

Article 1
Amendment to the technical file

1. The technical file of the geographical indication 'Grappa', annexed as an integral part of this measure, is hereby approved. This technical file replaces Annex A to Ministerial Decree No 5389 of 1 August 2011 as from 1 August 2016.

Article 2
Transition period

1. Article 2 of Ministerial Decree No 5389 of 1 August 2011 is hereby repealed.

2. The word 'bottled' is deleted from paragraph 1 of Annex A to the Decree of 1 August 2011 as from the date of this Decree until 31 July 2016.

This Decree shall be published in the Official Gazette of the Italian Republic.

Rome, 28 January 2016

The Minister, MARTINA

ANNEX

TECHNICAL FILE FOR THE GEOGRAPHICAL INDICATION 'GRAPPA'

1. Name of the spirit drink including the geographical indication: 'Grappa'.

Category of the spirit drink including the geographical indication: Grape marc spirit.

The name 'Grappa' is exclusively reserved for grape marc spirit made from raw materials obtained from grapes produced and vinified in Italy, distilled and processed in facilities located in the national territory.

2. Description of the spirit drink:

a) Physical, chemical and/or organoleptic characteristics of the category:

methyl alcohol (methanol) content not exceeding 1 000 g/hl of alcohol at 100% alc. vol.;

the minimum alcoholic strength by volume is 37.5% vol.

b) Distinctive characteristics of the spirit drink as compared to the category it belongs to:

transparent and shiny liquid;

crystalline and colourless or with hues derived from the types of plants or fruit which may be used for flavouring or varying shades of amber in the case of wood-matured products;

lively, wide-ranging aromas, and olfactory and retronasal sensations; sugar content (expressed as invert sugar): up to 20 g/l;

content of volatile compounds other than ethyl and methyl alcohol of at least 140 g/hl of alcohol at 100% alc. vol.;

it shall not be flavoured, except, as provided for with regard to traditional methods under d) below, by adding aromatic plants or parts thereof, and fruit or parts thereof, in which case this should be indicated in the sales description;

caramel content (only for grappa aged for at least 12 months) of up to 2% vol.

c) Geographical area concerned: the entire territory of Italy.

d) Method for obtaining the spirit drink: all stages in the production of 'Grappa' must be carried out in the territory of the geographical indication.

The first stage in the production of 'Grappa' is the distillation of grape marc. The grape marc, which may be fermented or semifermented, is distilled either directly by water vapour or after water has been added to the still. The distillation facilities may be continuous or discontinuous, and typically consist of one or two stills or apparatus to extract the alcohol, followed by a distillation column to separate the alcohols and a cooling system to condense the alcohol vapour. The distillation of grappa may include the use of natural liquid wine lees up to 25 kg per 100 kg of grape marc used. The amount of alcohol from lees may not exceed 35% of the total amount of alcohol in the final product. The natural liquid lees may be used either by adding them to the grape marc before distillation, or by parallel alcohol extraction from the grape marc and the lees and distillation of the mixture of the two low wines or the alcohol vapours, or by separate alcohol extraction from the grape marc and the lees and subsequent direct distillation of the mixture of the low wines. These operations must be carried out at the same production distillery. The distillation of the fermented or semifermented grape marc, in a continuous or discontinuous alcohol extraction facility, must take place at less than 86% alc. vol. The product obtained may be redistilled up to that limit. Compliance with the set limits must be recorded on stamped registers with daily entries of the quantities and alcohol content of the grape marc, of the natural liquid lees sent to distillation, and of the low wines, if these are sent to distillation after production.

No ethyl alcohol of any origin, either diluted or undiluted, may be added at any stage in the distillation/redistillation or preparation process.

The undiluted distillate thus obtained is not yet ready for direct human consumption and therefore undergoes the following operations, which Grappa producers tailor to the characteristics of the undiluted distillate and to the characteristics they aim to impart to the Grappa, in keeping with traditional Italian production methods:

reduction in alcoholic strength by dilution with water so as to obtain, in the production area, the final alcoholic strength for release for consumption; this is an essential preliminary step as it creates a new balance in the complex solution of various aromatic compounds. This balance is necessary to enable the subsequent operations to be carried out correctly in order to produce the Grappa;

cooling and/or filtration in order to make the distillate insoluble and to remove fusel oils and other undesired oil components;

the optional addition of sugars up to a maximum amount of 20 grams per litre, expressed as invert sugar;

the optional addition of aromatic plants or parts thereof, and fruit or parts thereof in accordance with traditional methods. Flavouring with other substances than those expressly referred to in this technical file or adding any other ingredient is not allowed in the production of Grappa;

optional ageing in unvarnished and uncoated casks, barrels or other wooden containers for at least 12 months as monitored by tax authorities, in facilities located in the national territory. Normal wood preservative treatments are allowed;

the optional addition of caramel, only for grappa aged for at least 12 months, in accordance with applicable EU and national legislation;

the optional blending of different batches under the direction of the Grappa producer.

These production steps must be performed in accordance with the rules of the trade, or using methods that have been tried and tested in Italy over time. Only after this traditional process has been completed does the product acquire all the characteristics required to qualify for the GI Grappa.

e) Details bearing out the link with the geographical environment or the geographical origin:

as borne out by many historical records, 'Grappa' has been traditionally produced by the direct distillation of grape marc and is closely linked to its area of origin. The abundance of fresh and fermented grape marc enabled the development of a particular distillation system. The alcohol vapours, obtained at low alcoholic strength, allow the product to retain a range of aromatic components giving the grappa its distinctive organoleptic characteristics;

the origin of the raw materials shall be stated in the shipping documents and the distillers' registers;

the production of 'Grappa' fits in with Italy's wine-making tradition and its long-standing by-product distillation activity.

f) Applicable European Union and/or national and/or regional provisions:

Decree of the Minister for Agricultural, Food and Forestry Policies No 5396 of 27 November 2008 which, *inter alia*, lays down stricter requirements for grape marc than EU legislation.

g) Additional terms used with the geographical indication and specific rules on labelling:

the name 'Grappa' may be supplemented by reference to:

a) the name of a grape variety, if the grappa was distilled from raw materials deriving from winemaking from that grape variety: a tolerance threshold of other grape varieties is admitted up to 15% by weight;

b) the names of not more than two grape varieties, if the grappa was distilled from raw materials entirely deriving from winemaking from those grape varieties. The grape varieties shall be indicated on the label in decreasing order of weight. Grape varieties accounting for less than 15% of total weight may not be indicated on the label. The grape varieties shall be indicated on the label in the same type and with the same prominence;

c) the name of a DOC, DOCG or IGT wine if the raw materials come from grapes used for the production of such wine; in this case, the symbols and wordings DOC, DOCG, IGT or DOP (PDO) and IGP (PGI) may not be used, either as acronyms or in full; It is forbidden to use DOC, DOCG or IGT names which include, in full or in part, names of the Geographical Indications 'Grappa' listed in Annex III to Regulation (EC) No 110/2008 (Grappa Piemontese/Grappa del Piemonte, Grappa lombarda/Grappa della Lombardia, Grappa trentina/Grappa del Trentino, Grappa friulana/ Grappa del Friuli, Grappa veneta/Grappa del Veneto, Sudtiroler Grappa/ Grappa dell'Alto Adige, Grappa siciliana/Grappa di Sicilia, Grappa di Barolo and Grappa di Marsala).

d) the distillation method, either continuous or discontinuous, and type of still.

For those grappas that meet more than one of the conditions under a), b) and c) above, only one sales description may be used.

The 'Grappa' sales description shall include the names of aromatic plants or parts thereof, and fruit or parts thereof, if used. In presentation and promotion the terms 'vecchia' (old) or 'invecchiata' (matured) may be used for grappa aged in unvarnished and uncoated barrels, casks or other wooden containers for at least 12 months as monitored by tax authorities, in ageing facilities located in the national territory. The words 'riserva' (reserve) or 'stravecchia' (extra matured) may be used for grappa aged for at least 18 months. The ageing time may be indicated in years and months or only in months;

Without prejudice to the above provisions on ageing, in order to provide accurate information to consumers, it is also possible to specify the type of wooden container used (e.g. barrel, cask, keg, etc.), including by describing them, only if the grappa was stored in this type of container for at least half the minimum ageing time required for the class (matured, reserve).

h) Name and address of applicant: Ministero delle politiche agricole, alimentari e forestali - Dipartimento delle politiche europee e internazionali, Via XX settembre 20 - 00187 Roma

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