

Technical file

‘Korn/Kornbrand’

(updated 29 December 2015)

Date of receipt (DD/MM/YYYY)
[to be completed by the Commission]

Number of pages (including this page): - 10 -

Language used for submission of application: German

File number:
[to be completed by the Commission]

Geographical indication to be registered: ‘Korn/Kornbrand’

Category of the spirit drink: Grain spirit

Introductory remark

In the case of *Münsterländer Korn/Kornbrand*, *Sendenhorster Korn/Kornbrand*, *Emsländer Korn/Kornbrand*, *Haselünner Korn/Kornbrand* und *Hasetaler Korn/Kornbrand*, which under EU spirits law are reserved to Germany as independent geographical indications, additional or different specifications apply as set out in the relevant technical files for those regional spirits.

Description of the spirit drink

‘Korn’ or ‘Kornbrand’ (hereinafter referred to collectively as ‘Korn/Kornbrand’) is a grain spirit obtained by the distillation of fermented wheat mash (including the old varieties spelt, einkorn and emmer wheat), rye mash, barley mash, oat mash or buckwheat mash.

- Physical, chemical and/or organoleptic characteristics:

Actual alcoholic strength of the ready-to-drink product:

= ‘Korn’ at least 32 % vol.

= ‘Kornbrand’ at least 37.5 % vol.

Clarity: clear

Colour: colourless or, in the case of products matured in contact with wood – depending on the type of wood – colourless, yellowish, reddish or brownish.

Smell: discreet, i.e. delicate and mild, to strong smell of cereal – in the case of single-grain

‘Korn’, the aroma of the grain used; in the case of wood-matured products, notes typical of such maturation deriving from the contact with the wood.

Taste: soft, harmonious, mild to powerful grainy aromas; in the case of matured products, typical of the maturation cask used.

Food additives or other substances used: none, only water for dilution to drinking strength (‘Korn’ purity requirements).

Different regulations apply to wood-matured products according to the specifications set out in the ‘Method for obtaining the spirit drink’ section of this technical file.

- Specific characteristics (compared to spirit drinks of the same category):

- = Only the following types of raw material are permissible: wheat (including the old varieties spelt, einkorn and emmer), barley, oats, rye and buckwheat.
- = In all cases, each component part of the whole grain kernel of the raw material types referred to in the first bullet point must be used in the sugar conversion and subsequent fermentation processes.
- = If traditional (kilned) malt is used, in whole or in part, instead of enzymes for the purpose of converting the cereal starch to sugar, the proportion of (kilned) malt must not exceed 25 parts in 100 of the principal raw material(s) before mashing.
- = Genetically engineered types of yeast are not used. Aside from technical processing aids, no other substances (such as sweetening agents or aromas) are added to the cereal mash during the sugar conversion and fermentation process.
- = Colourings are not added.
- = Sweeteners are not added to the distillate or finished product.

Different regulations apply to wood-matured products according to the specifications set out in the final paragraph of the section ‘Method for obtaining the spirit drink’.

Geographical area concerned:

‘Korn/Kornbrand’ must be produced in Germany, Austria or the German-speaking community of Belgium. The different stages of production may be divided between the above-mentioned regions.

However, reduction of the high alcoholic strength of the grain distillate(s) to drinking strength using water, bottling or decantation into other suitable sale containers, and labelling and packaging, may also take place outside the defined geographical area.

The 'German-speaking community of Belgium' means the following municipalities: Eupen, Kelmis, Lontzen, Raeren, Amel, Büllingen, Burg-Reuland, Bütgenbach and Sankt Vith.

Method for obtaining the spirit drink:

The first stage in producing 'Korn/Kornbrand' is to break down the starch. For this purpose, the wheat, spelt, einkorn, emmer, barley, oats, rye or buckwheat grains used as the raw material are either ground or crushed in a mill (usually a hammer mill) or else heated whole under pressure in a steamer (Henze steamer). The process of grinding or steaming the grains releases the starch contained within. This results in a pulp known as the mash.

The next stage in the process is the conversion to sugar. Here, enzymes (or, in the traditional method, malt) are added to the mash in the pre-mashing vat. The enzymes or malt have the effect of converting the starch into sugar (malt sugar or maltose).

This is followed by the fermentation. The 'sweet mash' is pumped into fermentation tanks and the addition of the yeast (as a rule, this is a special distillery yeast), or the enzymes contained in the yeast, cause, firstly, the conversion of the malt sugar into glucose (known as dextrose) and subsequently the conversion of dextrose into alcohol and carbon dioxide. Depending on the process, fermentation generally lasts two or three days.

The fourth stage in the process is the distillation. According to the traditional discontinuous distillation method still used in particular in agricultural 'Korn' distilleries, a distinction is made between the first and second distillation. In the first distillation, known as the raw distillation, the fermented mash (or 'sour mash') is brought to boiling point in a column wash still. The alcohol released in the form of steam is collected at the upper end of the column and condenses as it cools again. A second distillation, known as rectification, which takes place in a column spirit still or spirit still with distillation trays, frees the raw spirit (raw alcohol) of any undesirable flavouring and aromatic substances. In large modern 'Korn' distilleries, the 'Korn' distillate is produced in a single stage during the distillation process, not least in order to save energy. Finally, the 'Korn' is obtained during one or two separate distillation phases, including at small-scale distilleries which have only small copper spirit stills. Both in Germany and in Austria, these small-scale distilleries licensed under the excise legislation in force are allowed only to have stills with a maximum capacity of 150 litres and three distillation trays.

Distillation is often followed by maturation in wooden casks or containers inlaid with wood. Alternatively, the grain distillates are stored in other types of suitable container. Neither wood chips nor oak shavings are used.

The final production step is the finishing process, which includes the following steps:

- (possibly) blending different grain distillates;
- reducing the high alcoholic strength of the 'Korn' distillate(s) to drinking strength by adding water,
- bottling the 'Korn' or decanting it into other suitable sale containers,

- labelling and packaging.

Subject to the second sentence of this paragraph, no additives or other substances are added to 'Korn/Kornbrand'. If products have been matured in contact with wood for at least 24 months ('maturation' meaning the process described in the EU spirit drinks legislation), caramelised sugar syrup or caramelised sugar may be added to them up to a maximum level of 0.05 g per litre of finished product, in order to round them off. Such addition must be marked as specified in point (d) of the section entitled 'Specific labelling rules'.

Link with the geographical environment or origin:

- Details of the geographical area or origin relevant to the link:

The reputation of 'Korn/Kornbrand' as a typical spirit drink in the German-speaking area of Europe is borne out by numerous historical documents, literary works and early legal provisions.

There is a long tradition of producing 'Korn' in Germany, Austria and the German-speaking community of Belgium.

In Germany, spirit tax records from as early as 1507 report 'production of spirit' in the former free imperial city of Nordhausen am Harz, in northern Thuringia. However, in many other parts of the Holy Roman Empire of the German Nation, including Westphalia (Münsterland) and Emsland (particularly in Haselünne), there is also early documented evidence of the distillation of 'Korn' and of 'Korn' distilleries. Some of the agricultural distilleries still in production today have a history stretching back several centuries.

Purity requirements for 'Korn' were first introduced under Section 107 of the German Imperial Spirit Taxation Act of 15 July 1909:

'Only spirit produced exclusively from rye, wheat, buckwheat, oats or barley may be offered for sale under the name Korn spirit.'

In Austria, inspection of 'spirits' to check for purity was regulated very early, by way of the Court Chancellery Decree of 21 September 1835 (Political Legal Digest, Vol. 63, No 154) and in the very first edition of the Austrian food code, Codex alimentarius Austriacus, Vol. III. In chapter XLIX of the 1917 publication 'Spirit drinks', based on the draft 'Spirit Drinks and Vinegar' (N. von Lorenz) from 1891 to 1898, 'real Korn spirit' is counted as one of the 'noble spirits', '*... as long as foreign aromas or flavours have not been added*'.

Regarding production, it states:

'To produce real Korn spirit, crushed or squashed corn (rye) is mashed together with malt, specifically either kilned or green malt; the mash is cooled and mixed with pitching yeast. At times, wheat is included or a small quantity of boiled or steamed maize or buckwheat is added during the

production of Korn spirit. ’

In Section 101 of the first German Spirits Monopoly Act of 26 July 1918, ‘Korn’ purity requirements were extended to include the area of quality, whereby ‘Korn’ could not be produced using any flavouring process by which the aromatics and flavours of the whole grain could be transferred to the product.

Purity requirements for ‘Korn’ were also included in Section 101 of the amended Spirits Monopoly Act of 8 April 1922.

The first European Regulation on spirit drinks, which entered into force on 15 December 1989 (Regulation (EEC) No 1576/89), limited use of the designation ‘Korn/Kornbrand’ exclusively to producers in ‘*Germany and in regions of the Community where German is one of the official languages*’.

Under the second European Regulation on spirit drinks, which came into force on 20 May 2008 (Annex III to Regulation (EC) No 110/2008), the designations ‘Korn’ and ‘Kornbrand’ were protected across the EU as geographical indications for the first time, exclusively for producers in Germany, Austria and the German-speaking community of Belgium.

- Specific characteristics of the spirit drink attributable to the geographical area:

The specific soil and climate conditions in the respective areas of the three EU Member States, although varying slightly, are excellent for the cultivation of traditional cereal varieties – wheat, rye, barley, oats and buckwheat. In particular, the raw materials that flourish in the core German regions of Westphalia (Münsterland), Emsland and Thuringia (the *Goldene Aue* or golden pasture) have long been known and valued for their quality. Austria’s traditional quality wheat region, the *Kornkammer* or breadbasket, covers primarily the central and eastern areas of Lower Austria and northern and central Burgenland. Influenced by the warm Pannonian climate, the best quality Austrian wheat thrives in the area’s deep, humus-rich soils. Moreover, in the German-speaking community of Belgium, cereal farming has a long tradition, not least because of the soils and climate found there.

Together with the distillation techniques which have been continually refined over the years, these raw materials lend ‘Korn/Kornbrand’ its particularly mild and soft flavour.

Although many ‘Korn’ distilleries still use local cereal, there is no legal requirement to use only cereal from the defined geographical area.

From early on, Germany was a leader in distilling technology and has for decades been home to manufacturers of distillery equipment and coppersmiths producing high quality goods ‘made in Germany’. ‘Korn’ distilleries were an important branch of agricultural business, not only as a

means of making additional income for the farm but also as a way of increasing productivity on poor agricultural soil.

Until 1992, agricultural ‘Korn’ distilleries in Germany were required, under the terms of the Spirits Monopoly Act, to adhere to what was known as the stillage-fertiliser cycle. This meant that the protein-rich stillage arising from distillation of the cereal mash had to be fed to the farm’s own animals (beef cattle, dairy cattle and pigs) and the dung that resulted from such feeding then spread on the fields to enrich the humus content of the soil on which cereals for the distillery were produced.

The Spirits Monopoly led to a decentralised, small-scale production structure in the German ‘Korn’ distilling industry. Small-scale production also developed in a similar way in Austria as a result of the introduction of distilling rights under Maria-Theresa in the 18th century (‘3-hectolitre distilling right’). In the German-speaking community of Belgium, the many small agricultural holdings farming cereals and animals were able to benefit twice-over by distilling ‘Korn’. Alongside ‘Korn’ which could be sold as a spirit, the stillage provided them with protein-rich, low-cost feed for their animals.

An independent professional ‘Korn’ distilleries association has existed in Germany since 1884, albeit under various names. From 1884 to 1933 the association was called *Verein der Kornbrennereibesitzer und Presshefefabrikanten Deutschlands* (German Association of ‘Korn’ Distillery Owners and Compressed Yeast Producers). From 1935 to 1945 it was called *Fachgruppe Kornbrennereien der Wirtschaftsgruppe Spiritusindustrie* (Professional ‘Korn’ Distillery Group of the Spirit Industry Association). From 1950 to 2004, the association was known as the *Bundesverband Deutscher Kornbrenner e. V.* (Federal Association of German Grain Distillers) and from 2004 to 2013 as the *Bundesverband Deutscher Korn- und Getreidebrenner e. V.* (Federal Association of German Grain and Corn Distillers). Since 2014, the professional association has been called the *Verband Deutscher Kornbrenner und mittelständischer Spirituosen- und Alkoholanbieter* (Association of German Grain Distillers and Medium-Sized Spirit Drinks and Alcohol Suppliers).

Furthermore, the *Deutsche Kornbranntwein-Verwertungsstelle* (German Authority for the Utilisation of Grain Spirits) and *Kornpress e. V.* existed as independent organisations from 1930 to 2004, representing the ‘Korn’ distilleries industry and, in particular, the marketing of the ‘Korn’ spirit drink. A commemorative publication about the long history of the grain distillers associations and the ‘Korn’ spirit drink was released to mark their 100 and 110-year anniversaries. Since the 1990s, the *Bundesverband der Spirituosen-Industrie und -Importeure e. V.* (Federal Spirit Industry and Spirit Importers Association) has had a technical committee on ‘Korn’ marketing and monopoly rights.

The Spirit Drinks Quality Competition organised annually by the *Deutsche Landwirtschafts-Gesellschaft* (German Agricultural Society) has a separate category for the chemical and

organoleptic evaluation of 'Korn' and 'Kornbrand', which is independent from other similar categories, e.g. vodka.

In Germany and the entire German-speaking area of the EU, the spirit drink 'Korn' is a recognised cultural asset and has been so for many centuries.

German 'Korn' is also highly regarded by the French. For example, the town clerk of the Westphalian town of Hamm wrote in relation to the occupation of the city by Louis Napoleon, King of Holland, and sections of the French Northern Army: *'They demanded they be given the best to eat and drink. They were dissatisfied with the ample provisions afforded them, insisting on more in a threatening way and taking by force what was not willingly given. They sought spirit in particular; at that time, spirit meant Korn in Münsterland.'* During the two days the army were quartered there, the small town of Hamm, with its 4 600 inhabitants, had to supply 2 600 bottles of 'Korn'.

In 1813, Napoleon personally ordered in the Harz Department that 60 000 l of *Kornbranntwein* (Korn spirit) – as it was then known – be requisitioned and supplied within 24 hours to the fortress of Magdeburg.

Dr Curt Luckow of the Department for Drinking Spirit and Liqueur Manufacturing of the Berlin Institute for the Fermentation Industry concluded his 1939 essay entitled *Die Bedeutung des Korns als Edelbranntwein* (The Importance of 'Korn' as a Noble Spirit) with the words: *'German Korn spirit with its charming cornflower is a German noble spirit which ranks amongst the best products of the German spirit drinks industry!'*

Further historical examples can be found in the commemorative publication entitled *100 bzw. 110 Jahre Deutscher Kornbrennerverband* (100 and 110 years of the German Grain Distillers Association), released in 1984 and 1994.

The status of 'Korn' as an established cultural asset is borne out by references to it in numerous poems and songs.

The following is featured on a picture postcard of Dortmund:

'Schinken, Korn und Pumpernickel

Und ein Bier das weltbekannt

Ach, wie lässt es sich da leben

Herrliches Westfalenland.'

Moreover, in Germany there are a number of 'Korn' distillery museums keeping the history of 'Korn' distilleries and the spirit drink alive.

In northern Germany, 'Korn' and beer are often drunk together. Indeed, there is a ritual in Lower Saxony called the *Lüttje Lage* whereby the person drinking 'Korn' must hold the beer glass and Korn glass in one hand in such a way that when the 'Korn' is drunk it pours into the *Weißbier* (wheat beer) so that both are drunk at the same time.

'Korn/Kornbrand' is a category of spirit drink which is produced and consumed to an appreciable extent in Germany. From the end of the Second World War until the 1990s, 'Korn' occupied a 25 % share of the German spirit drinks market. Currently (2014), 'Korn' still accounts for 9.5 % of the total spirits supply on the German market (approximately 64 million bottles, based on a bottle-size of 0.7 litres).

Alongside its established status as a cultural asset throughout the entire German-speaking area of the EU, the reputation of 'Korn' in Austria is based in particular on the popular use of 'Korn' (known as *Ansatzkorn*) as a high-value alcoholic base for producing liqueurs. This has led to various traditional home-made preparations, e.g. for producing *Nussschnaps* or *Zirbenschknaps* (traded as liqueurs or spirit drinks) as well as various fruit liqueurs, e.g. *Weichsellikör*, *Heidelbeerlikör* and others.

These 'steeped' spirit drinks, which are readily produced in particular in the home and farm environment, would be unthinkable without the specific subtle tones of 'Korn'. Only the soft, harmonious, mild to powerful taste of 'Korn' can lend the products their usual trusted, harmonious and rounded flavour. In Austria, the popularity and high regard which 'Korn' nevertheless enjoys and which has outlasted all short-lived trends is clear to see from the numerous basic 'Korn'-based spirit drink preparations published on the internet.

Even organic 'Korn', produced in line with Austrian organic farming rules, has since penetrated the market and is growing in significance.

Currently, the Austrian 'Korn' market equates to approximately 800 000 bottles, based on a bottle size of 0.7 litres.

European Union or national/regional provisions

Alongside regulations relating to spirits at EU and national level, EU and national horizontal food law regulations also apply to the production and marketing of 'Korn/Kornbrand' in Germany, Austria and the German-speaking community of Belgium.

Applicant

- Member State: Federal Republic of Germany

Bundesministerium für Ernährung und Landwirtschaft
(Federal Ministry of Food and Agriculture)

Rochusstraße 1

D-53123 Bonn

Tel.: 0049 (0)228 99 529-0

Fax: 0049 (0)228 99 529-4262

Email: poststelle@bmel.bund.de

- Member State: Austria

Bundesministerium für Gesundheit (Federal Ministry of Health)
Radetzkystraße 2

1030 Vienna

Tel.: 0043 (0)1 71100-0

e-Fax: 0043 (0)1 713 44 04-1000

Email: IIB_13@bmg.gv.at

- Member State: Belgium (German-speaking community)

Service public de Wallonie (Public Service of Wallonia)

Direction générale opérationnelle agriculture,

Ressources naturelles et environnement (D GARNE)

Département des politiques européennes et des accords internationaux

Direction de la politique agricole

Chaussée de Louvain, 14

5000, Namur

Tel.: 0032 (0)81 649 411

Fax: 0032 (0)81 649 444

Email: agriculture.dgarne@spw.wallonie.be

Supplement to the geographical indication

Specific labelling rules

- a) a) Basic rules on supplements to the geographical indication ‘Korn/Kornbrand’:

In accordance with EU spirit drinks legislation, the name ‘Korn/Kornbrand’ is supplemented only by:

- the terms specified under (b) to (d), or
- terms other than those specified under (b) to (d) which can be shown to have been in common

use on 20 February 2008 (e.g. *Gutskorn*, *Ansatzkorn*)

b) Supplements with other geographical indications:

- Subject to the fourth sentence below, 'Korn' or 'Kornbrand' marketed under the name *Deutscher Korn/Kornbrand* (German 'Korn/Kornbrand') must be distilled and produced entirely in Germany. The same is also true of products marketed under the name *Österreichischer Korn/Kornbrand* (Austrian 'Korn/Kornbrand'), which must be distilled and produced entirely in Austria. 'Korn/Kornbrand' entirely distilled and produced in the German-speaking community of Belgium may bear the name *Belgischer Korn/Kornbrand* (Belgian 'Korn/Kornbrand') or *Korn/Kornbrand aus der deutschsprachigen Gemeinschaft Belgiens* ('Korn/Kornbrand' from the German-speaking community of Belgium). Reduction to drinking strength with water, bottling or decanting into other suitable sale containers, and packaging, including labelling, may take place outside Germany, Austria or the German-speaking community of Belgium.

If the designations 'Korn/Kornbrand' are supplemented with the regional names *Sendenhorster*, *Münsterländer*, *Emsländer*, *Haselünner* or *Hasetaler* (which are protected in Germany as independent geographical indications under EU spirits law), including similar or modified variations thereof, then the additional or (where applicable) different specifications in the relevant technical documents will apply to those geographical indications. The same applies if supplementing with a name referring to smaller geographical or political entities within the regions mentioned (e.g. *Ahlener Korn*, since Ahlen lies within Münsterland).

- The designations 'Korn/Kornbrand' may be supplemented with geographical designations other than those mentioned in the first bullet point of section b) of the 'Special labelling rules' section of this technical file (e.g. *Oldesloer Korn*, *Weinviertler Korn*) only if the products derive their character and significant properties from the geographical areas specified. In accordance with general marketing practice, for 'Korn' manufactured exclusively from bought-in Korn distillate from outside the specified location, this will only be the case if the different bought-in Korn distillate has at least been blended together at the specific location.

c) Supplements with non-geographical terms::

- 'Korn/Kornbrand' that refers to a specific cereal or variety of raw material, such as *Weizen-Korn* (wheat 'Korn') or *Buchweizen-Korn* (buckwheat 'Korn'), notwithstanding the use of (kilned) malt for converting the starch to sugar, contains only distillate of the relevant cereal or raw material type.
- If a product is marketed under the name *Doppel-Korn*, *Doppelkorn*, *Edel-Korn* or *Edelkorn*, it must have a minimum alcohol content of 38 % by volume. The additional sales designation 'Kornbrand' may be used but is not compulsory.
- The name *Ansatzkorn* (steeped 'Korn') is in general used commercially for 'Korn/Kornbrand' marketed in Austria with an alcohol content of between 37.5 % and 80% by volume.

- If indications concerning maturing, ageing or storage (e.g. *alt* or *alter* (old), *gereift* (matured) or *holzfassgereift* (matured in wooden casks)) are added to the name 'Korn/Kornbrand', the products must be matured in contact with wood or stored in other suitable containers for at least six months. In the case of products matured in contact with wood, the length of the maturing process may be indicated in months and/or years (e.g. 'matured for 12 months' or 'three years old'). If other terms indicating a longer maturing or storage period (e.g. *ganz alter* (aged) or *sehr alter* (very old)) are used, the products must have been matured for at least three years and the actual maturing period must be indicated in years and months in the same visual field as these terms (e.g. '*ganz alter Korn – drei Jahre gereift*' (aged 'Korn' – matured for three years)).

If a matured 'Korn/Kornbrand' is marketed with one of the following abbreviations, which are used internationally primarily for brandy or cognac, the standard brandy or cognac minimum maturation periods are applicable. Specifically, the following minimum maturation periods apply:

= V.O or VO:	minimum maturation period 2 years
= V.S.O.P. or VSOP:	minimum maturation period 4 years
= V.V.S.O.P. or VVSOP:	minimum maturation period 5 years
= X.O. or XO:	minimum maturation period 6 years

- If quality indications (e.g. *feiner* (fine), *Premium* (premium) or *Tafel-* (table)) are added to the name 'Korn/Kornbrand', the products concerned must be of significantly higher quality than the standard products, for instance on account of having a milder or softer taste or an alcoholic strength higher than the statutory minimum alcoholic strength, or of having been matured in wooden casks.
- Products which have been 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'.
- If the name 'Korn/Kornbrand' is supplemented with the term *landwirtschaftlicher* (agricultural), the conversion to sugar of the cereal mash must be carried out exclusively using kilned malt and the grain distillate distilled in two separate phases, with the spirit distillation equipment consisting of a spirit still with a maximum capacity of 200 hectolitres.

d) Indicating the addition of caramelised sugar (syrup)

On the labelling of 'Korn/Kornbrand' to which caramelised sugar or caramelised sugar syrup has been added in accordance with the conditions laid down in the second sentence of the seventh paragraph of the section entitled 'Method for obtaining the spirit drink', this fact must be indicated with the wording 'contains caramelised sugar syrup' clearly visible, in readily legible and indelible print.

Validity

This technical file is considered to be the generally accepted position

- of Germany from the date of its publication on the website of the Federal Office for Agriculture and Food, of Austria from the date of its publication in Chapter B 23 ‘Spirit Drinks’ of the Austrian Food Code
(<https://www.verbrauchergesundheit.gv.at/lebensmittel/buch/codex/kapitel.html>), and
- of the German-speaking community of Belgium from the date of its publication on the website.....