

Non-Paper

Proposal of Optional Reserved Terms (ORTs) for fermented beverages based on apples and pears

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Subject matter and scope

1. This Regulation lays down rules on:
 - alcoholic beverages obtained from the fermentation of apple or pear must falling within CN codes 2206 and 2208 90 69;
 - the conditions of use of optional reserved terms that may be indicated in the presentation and labelling of the products referred to in the first subparagraph that meet specific production or quality requirements.
2. This Regulation applies to products referred to in subparagraph 1 of point 1 that are placed on the Union market, whether produced in the Union or in third countries, as well as to those produced in the Union for export.
3. In applying a quality policy for the products referred to in the first subparagraph of point 1 that are produced in their own territory, Member States may lay down rules that are stricter than those set out in Article on ORTs below in so far as they are compatible with Union law.

Definitions

For the purposes of this Regulation:

- ‘apple juice’ means fruit juice* obtained from apples within the meaning of point 1(a) of Part I of Annex I to Council Directive 2001/112/EC¹;
- ‘fresh apple must’ means freshly pressed juice from apples, obtained solely by mechanical pressing, before fermentation or other processing and without added water;
- ‘concentrated apple must’ means the product obtained by the physical removal of a specific proportion of water content from fresh apple must;
- ‘pear juice’ means fruit juice* obtained from pears within the meaning of point 1(a) of Part I of Annex I to Council Directive 2001/112/EC;

¹ Council Directive 2001/112/EC of 20 December 2001 relating to fruit juices and certain similar products intended for human consumption (OJ L 10, 12.1.2002, p. 58).

- ‘fresh pear must’ means freshly pressed juice from pears, obtained solely by mechanical pressing, before fermentation or other processing and without added water;
- ‘concentrated pear must’ means the product obtained by the physical removal of a specific proportion of water content from fresh pear must;
- ‘sweetening products’ means:
 - (a) apple juice, fresh apple must, concentrated apple must, pear juice, fresh pear must, and concentrated pear must;
 - (b) semi-white sugar, white sugar, extra-white sugar, dextrose, fructose, glucose syrup, sugar solution, invert sugar solution and invert sugar syrup, as defined in Part A of the Annex to Council Directive 2001/111/EC²;
 - (c) burned sugar which is the product obtained exclusively from the controlled heating of sucrose without bases, mineral acids or other chemical additives;
 - (d) honey as defined in point 1 of Annex I to Council Directive 2001/110/EC³;
 - (e) carob syrup;
 - (f) any other natural carbohydrate substances having a similar effect as the products referred to in points (a) to (e);
- ‘colour’ means colour as defined in point 2 of Annex I to Regulation (EC) No 1333/2008⁴;
- ‘flavouring’ means flavouring as defined in point (a) of Article 3(2) of Regulation (EC) No 1334/2008⁵.

Optional reserved terms

- 1) The presentation and labelling of the products referred to in the first subparagraph of point 1 of Article 1 may bear following optional reserved terms:
 - a) **‘Natural Cider’**: where the final product results exclusively from the fermentation of fresh cider apple must with a possible smaller proportion of fresh pear must, without addition of concentrated must, water, sweetening products or any other additives except sulphites and whose carbon dioxide is exclusively of endogenous origin (for naturally sparkling cider);
 - b) **‘Natural Perry’**: where the final product results exclusively from the fermentation of fresh pear must including a possible smaller proportion of fresh cider apple must, without addition of concentrated must, water, sweetening products or any other additives except sulphites and whose carbon dioxide is exclusively of endogenous origin (for naturally sparkling perry);

² Council Directive 2001/111/EC of 20 December 2001 relating to certain sugars intended for human consumption (OJ L 10, 12.1.2002, p. 53).

³ Council Directive 2001/110/EC of 20 December 2001 relating to honey (OJ L 10, 12.1.2002, p. 47).

⁴ Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 on food additives (OJ L 354, 31.12.2008, p. 16).

⁵ Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

- c) **‘Pure Juice Cider’**: where the final product results exclusively from the fermentation of fresh cider apple must including a possible smaller proportion of fresh pear must, without addition of concentrated must, water, sweetening products or any other additives except sulphites and carbon dioxide to obtain sparkling cider;
 - d) **‘Pure Juice Perry’**: where the final product results exclusively from the fermentation of fresh pear must including a possible smaller proportion of fresh cider apple must, without addition of concentrated must, water, sweetening products or any other additives except sulphites and carbon dioxide to obtain sparkling perry;
 - e) **‘Cider from 100% juice’**: where the final product results exclusively from the fermentation of fresh and/or concentrated cider apple must including a possible smaller proportion of fresh and/or concentrated pear must, without addition of water, sweetening products or any other additives except sulphites;
 - f) **‘Perry from 100% juice’**: where the final product results exclusively from the fermentation of fresh and/or concentrated pear must including a possible smaller proportion of fresh and/or concentrated cider apple must, without addition of water, sweetening products or any other additives except sulphites;
 - g) **‘Quality Cider’**: where the final product is obtained from the alcoholic fermentation of at least 80% of cider apple must including a possible smaller proportion of pear must, with the possibility of sweetening it with apple juice, apple must or honey;
 - h) **‘Quality Perry’**: where the final product is obtained from the alcoholic fermentation of at least 80% of pear must including a possible smaller proportion of cider apple must, with the possibility of sweetening it with pear juice, pear must or honey;
 - i) **‘Ice Cider’**: where the final product is obtained from the alcoholic fermentation of at least 90% frozen apple must and/or must from frozen cider apples including a possible smaller proportion of frozen pear must and/or must from frozen pears , without added water, with the possibility of sweetening it with apple juice, apple must or honey;
 - j) **‘Ice Perry’**: where the final product is obtained from the alcoholic fermentation of at least 90% frozen pear must and/or must from frozen pears including a possible smaller proportion of frozen apple must and/or must from frozen cider apples, without added water, with the possibility of sweetening it with pear juice, pear must or honey;
 - k) **‘Rosé Cider’** or **‘Rosé Perry’**: where the pinkish color of the final product originates exclusively from a must obtained by pressing at least 10% of red-flesh apples;
 - l) **‘Farmhouse’** or the mention of any other qualifier suggesting a farm origin: where all the production processes, up to the final packaging including labelling, are carried out by a farm manager or under his responsibility on his farm and obtained exclusively from fruits harvested on this farm without concentrated must and without added water;
 - m) **‘Craft’**: where all the production processes, up to the final packaging including labelling, are carried out by a single craftsman or under his responsibility on his production site(s) and obtained without concentrated must and without added water;
 - n) **‘Naturally sparkling’**: where the carbon dioxide has not been added (exogenous carbon dioxide) but is exclusively of endogenous origin.
- 2) For the indication of the residual sugar content in the products referred to in the first subparagraph of point 1 of Article 1, whether produced naturally from apple or pear must or from added sweetening products, the following terms shall be used:

- a) **Brut:** less than 15 grams per liter;
- b) **Dry or Sec:** 15 g/l to 35 grams per liter;
- c) **Demi-sec:** 33 g/l to 50 grams per liter;
- d) **Sweet:** more than 50 grams per liter.

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ANNEX I

PRODUCT NAMES, DEFINITIONS OF PRODUCTS AND CHARACTERISTICS

I. DEFINITIONS

1. (a) Fruit juice

The fermentable but unfermented product obtained from the edible part of fruit which is sound and ripe, fresh or preserved by chilling or freezing of one or more kinds mixed together having the characteristic colour, flavour and taste typical of the juice of the fruit from which it comes.

Flavour, pulp, and cells obtained by suitable physical means from the same species of fruit may be restored to the juice.

In the case of citrus fruits, the fruit juice must come from the endocarp. Lime juice, however, may be obtained from the whole fruit.

Where juices are processed from fruits with pips, seeds and peel, parts or components of pips, seeds and peel shall not be incorporated in the juice. This provision shall not apply to cases where parts or components of pips, seeds and peel cannot be removed by good manufacturing practices.

The mixing of fruit juice with fruit purée is authorised in the production of the fruit juice.