



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

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Directorate C. Economics of agricultural markets (and CMO)
C.3. Wine, alcohol, tobacco, seeds and hopsBrussels,
DG AGRI-C.3 LjB/mel D(2007) 35109**Subject: Australian Wine and Brandy Corporation**

Dear Mr. Guy,

Thank you for your letter of 24 October 2007 to Mr. L. Berlottier summarizing the issues discussed in Brussels on 9 October 2007. The products as described in Point 1 of your letter could indeed enter the Community and be designated as wine.

A wine "*containing carbon dioxide from fermentation of contained grape sugars*" shall be considered as a sparkling wine or semi-sparkling wine depending on its gas pressure. Point 3 of your letter would apply if added carbon dioxide is contained in the product.

The term "*white*" used for rosé wine produced with red grape varieties such as Shiraz may raise problems as it may be considered by the average consumer as an indication of the colour of the wine. In the Community, such a use could be contested by national competent authorities or private entities on the basis of national and Community legislation on misleading consumers. Only the Court of Justice of the European Communities is competent to interpret Community law in the final resort.

Finally, the above considerations and the points raised in your letter refer only to the existing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine. A Commission proposal for a new wine CMO is currently being discussed by the various Community institutions. The proposal is in COM (2007) 372 final of 4 July 2007.

Yours sincerely,

Jean-Luc DEMARTY
Director-General

Mr. Steve GUY,
Australian Government
Australian Wine and Brandy Corporation
PO Box 2733, Kent Town SA 5071
Australia