

**IFOAM EU Group position/amendments regards Commission document on organic wine making rev2, SCOF 19 and 20 November 2009**

<p><b>Working document rev2, SCOF 19 and 20 November 2009</b></p> <p>Draft</p> <p><b>COMMISSION REGULATION (EU) No .../..</b></p> <p><b>of [...]</b></p> <p><b>amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards laying down detailed rules on organic grapevine products</b></p>	<p><b>The IFOAM EU Group position</b></p>	<p><b>Amendments proposed by the IFOAM EU Group (wording).</b></p>
<p>THE EUROPEAN COMMISSION,</p>		
<p>Having regard to the Treaty on the Functioning of the European Union,</p>		
<p>Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of</p>		

<p>organic products and repealing Regulation (EEC) No 2092/91<sup>1</sup>, and in particular the second subparagraph of Article 19(3), Articles 21(2), 22(1), 38(a), and Article 40 thereof,</p>		
<p>Whereas:</p>		
<p>(1) Regulation (EC) No 834/2007 and in particular Title III thereof lays down basic requirements with regard to processing of organic food. Detailed rules for the implementation of these requirements should be laid down by amending Commission Regulation (EC) No 889/2008<sup>2</sup>, which lays down detailed rules for the implementation of Regulation (EC) No 834/2007.</p>		
<p>(2) Specific provisions for the production of organic wine should be introduced, and it appears practical to extent the scope of Regulation (EC) No 889/2008 to other grapevine products. Council Regulation (EC) No 1234/2007<sup>3</sup> of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) provides for an exhaustive list of such products, where reference should be made.</p>		
<p>(3) The processing of organic grapevine products requires the use of certain products and substances under well-defined conditions. Such materials should be authorised according to Article 21 of Regulation (EC)</p>		

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<sup>1</sup> OJ L 189, 20.7.2007, p. 1.  
<sup>2</sup> OJ L 250, 18.9.2008, p.1.  
<sup>3</sup> OJ L 299, 16.11.2007, p. 1.

<p>No 834/2007 for that purpose. Based on the recommendations of the EU-wide study<sup>4</sup> on "Organic viticulture and wine-making: development of environment and consumer friendly technologies for organic wine quality improvement and scientifically based legislative framework" (also known as "ORWINE") certain products and substances should be allowed for the making of organic grapevine products.</p>		
<p>(4) The raw material of agricultural origin of certain products and substances which are used in the making of grapevine products may be derived from organic production. Their availability under the organic form however depends on the development of their demand on the market. To encourage this development, , provision should be made to ban the use of those products and substances from non-organic raw material after a period of transition, and to consider them in the calculation according to Article 23 of Regulation (EC) No 834/2007</p>		
<p>(5) Practices and techniques for the production of grapevine are laid down on Community level in Regulation (EC) No 1234/2007 and its implementing rules in Commission Regulation (EC) No 606/2009<sup>5</sup> of 10 July 2009 laying down certain detailed rules for implementing Council Regulation (EC) No 479/2008 as regards the categories of grapevine products, oenological practices and the applicable restrictions. Using these practices and techniques in organic wine-</p>		

<sup>4</sup> <http://www.orwine.org/default.asp?scheda=263>

<sup>5</sup> OJ L 193, 24.7.2009, p. 1.

<p>making may not be in line with the objectives and principles fixed in Regulation (EC) No 834/2007, and in particular with the specific principles applicable to the processing of organic food, mentioned at Article 6 of Regulation (EC) No 834/2007. Therefore specific restrictions and limitations should be set up for certain oenological practices.</p>		
<p>(6) Oenological practices which might be misleading regarding the true nature of the products should be excluded in the making of organic grapevine products. This applies to the concentration by cooling, the dealcoholisation, the elimination of sulphur dioxide by physical process, electro-dialyses and the use of cation exchangers as those oenological practices do significantly modify the composition of the product and thus change its true nature.</p>		
<p>(7) Certain other practices which are widely used in food processing are also available for wine-making and may also have some effect on the true nature of the product, but since at present no alternative techniques are available to replace them. This applies to heat treatments, reverse osmosis and the use of ion exchange resins. As a consequences they must be available to organic wine-makers, and a possibility for re-examination of that practices should be foreseen in due time.</p>	<p><b><i>The IFOAM EU Group urges the EU to prohibit ion exchange resins for wines. The technique of ion exchange resins should ONLY be allowed for the production of Rectified Concentrated Musts (RCM).</i></b> This measure is necessary to avoid unfair competition among producers. In Zone C (according to the CMO designation of wine zones), only RCM and CM (Concentrated Musts) are permitted for enrichment of wines, whereas in Zones A and B, sugars can be used for enrichment in addition to RCM and CM. If ion exchange resins are disallowed for production of organic RCM, the result will be the prevention of enrichment in</p>	<p>IFOAM proposes to amend the following text (see underlined wording)</p> <p>This applies to heat treatments, reverse osmosis and the use of ion exchange resins (<u>if applied for wine but not for the production of concentrated must</u>). .</p>

	Zone C, which places Zone C producers at an unfair disadvantage relative to those in Zones A and B.	
<p>(8) Regarding more specifically sulphites, the results of the ORWINE study have shown that a reduction in the maximum level of sulphur dioxides in organic wines is already achieved by organic wine-makers in the EU. As a consequence, the maximum level should be reduced to 100 mg/l for red wines and reduced accordingly to other wine and grapevines products, taking account of the need of higher levels of sulphites in certain wine and grapevine products categories. However, climatic conditions in a given year may be exceptionally bad and provoke difficulties in certain wine-growing areas which make necessary the use of supplementary amounts of sulphites in the preparation of grapevine products to achieve stability of the final product of that year. When such conditions are met, provision should be laid down to allow sulphur dioxide content up to the maximum levels fixed by Regulation (EC) No 606/2009.</p>		
<p>(9) Wine is a product with a long shelf-life and certain wine specifications are stored traditionally for several years in barrels or tanks before bringing on the market. Under the conditions of Regulation (EEC) No 2092/91 wine could be produced and labelled as "wine from organic grapes"; the marketing of such wines by maintaining the labelling requirements under that Regulation should be allowed for a transition period.</p>		

<p>(10) It appeared that a mistake was made in some language versions of Regulation (EC) No 710/2009<sup>6</sup> of 5 August 2009 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007, as regards laying down detailed rules on organic aquaculture animal and seaweed production; provision to correct this mistake should be made.</p>		
<p>(11) Regulation (EC) No 889/2008 should therefore be amended accordingly.</p>		
<p>(12) The measures provided for in this Regulation are in accordance with the opinion of the regulatory Committee on organic production,</p>		
<p><i>HAS ADOPTED THIS REGULATION:</i></p>		
<p><i>Article 1</i></p>		
<p>Regulation (EC) No 889/2008 is amended as follows:</p>		
<p>(1) The first part of Paragraph 1 of Article 27 is replaced by the following:</p>		
<p>"1. For the purpose of Article 19(2)(b) of Regulation (EC) No 834/2007, only the following substances can be used in the processing of organic food, with the</p>		

<sup>6</sup> OJ L 204, 5.8.2009, p.15.

exception of grapevine products: "		
(2) In Title II, a new Chapter 3a is inserted:		
<i>"CHAPTER 3a</i>		
<b>Specific rules for the making of grapevine products</b>		
<i>Article 29b</i>		
<b>Scope</b>		
This Chapter lays down specific rules for grapevine products as listed in Annex XI b of Council Regulation (EC) No 1234/2007.		
<i>Article 29c</i>		
<b>Use of certain products and substances in grapevine products</b>		
1. For the purpose of Article 19(2) of Regulation (EC) No 834/2007 only products and substances as listed in Annex VIIIa can be used for the making of grapevine products.		
2. For the purpose of the calculation as referred to in Article 23(4)(a)(ii) of Regulation (EC) No 834/2007 products and substances as listed in Annex VIIIa and marked with an asterisk shall be calculated as ingredients of agricultural origin.	<i>Referring to the IFOAM EU comments of the 28<sup>th</sup> of October 2009:</i> The IFOAM EU Group believes it should always be the objective that additives allowed in organic processing are of organic origin. However, in the case of tannins and acids (L-ascorbic acid, citric acid, L(+) tartaric acid, metatartaric acid) it is not actually feasible, as	

	<p>organic sources of these substances do not exist. Extending organic origins requirements to these substances would mean prohibiting them in organic wine processing. Nevertheless, as these additives are essential for organic wine processing, the IFOAM EU Group recommends allowing them, with the following conditions:</p> <ul style="list-style-type: none"> <li>- Explicitly specify the origin of tannins;</li> <li>- Include in the organic wine making regulation a recommendation, that additives of organic origin be used if available</li> <li>- Undertake a review in five years (2015).</li> </ul>	
	<i>Article 29d</i>	
	<b>Oenological practices and restrictions</b>	
1. Without prejudice of Article 29c and paragraph 2 and 3 of this Article, all oenological practices and restrictions provided in Article 120c of Council Regulation (EC) No 1234/2007 and Articles 3, 5 and 6 of Commission Regulation (EC) No 606/2009 at the time of entry into force of this Regulation are permitted.		
2. The use of the following practices is restricted to the following conditions:		
a. Reverse osmosis according to point b Section B.1 of Annex XVa of Regulation (EC) No 1234/2007 may be used for the production of concentrated grape must and rectified concentrated grape must.	In the opinion of the IFOAM EU Group reverse osmosis for must – but not for wine - can be accepted also after 2014. Reversal osmosis on must have to be allowed without restriction	No amendment.

<p>b. For centrifuging and filtration with or without inert filtering agent according to point 3 of Annex IA of Regulation (EC) No 606/2009, the size of the pores shall be equal or above 1 micrometer.</p>	<p>The IFOAM EU Group rejects ultra- and nano-filtration, but accepts micro-filtration. This means in particular that only filters with a pore size larger than 0.2µm should be accepted and ultra- and nanofiltrations which require pore size smaller than 0.2µm will thereby be prohibited.</p>	<p><i>Referring to the IFOAM EU comments of the 28<sup>th</sup> of October 2009:</i></p> <p>b. For centrifuging and filtration with or without inert filtering agent according to point 3 of Annex IA of Regulation (EC) No 606/2009, the size of the pores shall be equal or above <u>± 0.2 micrometer.</u></p>
	<p>IFOAM EU Group recommends permitting heat treatment as an essential technique in organic wine processing. These techniques are already allowed in organic processing of fruit juice and milk, without any problems.</p> <p>Heat treatments are an important means of reducing or eliminating undesirable micro-organisms (i.e. bacteria), preventing fermentation and stabilizing the wine, particularly wines with sugar residues, thus reducing the need for additives (sulphites).</p> <p>In the current discussion, it is proposed to allow “flash-pasteurization” with a temperature limitation of 65-70°C. It is anticipated that the temperature level will prove too difficult to control accurately, and therefore we recommend not applying any temperature limitation.</p>	<p>c. <u>Heat treatments according to point 2 of Annex IA of Regulation (EC) No 606/2009.</u></p>
	<p>Electrodialysis must be allowed for tartaric stabilisation, it can avoid (for big cellar) the use of thermal treatment (cold) which are very demanding in energy.</p>	<p>d. <u>Electrodialysis treatment to ensure the tartaric stabilisation of wine according to point 36 of Annex IA of Regulation (EC) No 606/2009.</u></p>
	<p>The IFOAM EU Group urges the EU to prohibit ion exchange resins for wines. The technique of ion exchange resins should ONLY be allowed for the</p>	<p>e. <u>Ion exchange resins according to point 20 of Annex IA of Regulation (EC) No 606/2009, may be used for the production of concentrated grape</u></p>

	<p>production of Rectified Concentrated Musts (RCM). This measure is necessary to avoid unfair competition among producers. In Zone C (according to the CMO designation of wine zones), only RCM and CM (Concentrated Musts) are permitted for enrichment of wines, whereas in Zones A and B, sugars can be used for enrichment in addition to RCM and CM. If ion exchange resins are disallowed for production of organic RCM, the result will be the prevention of enrichment in Zone C, which places Zone C producers at an unfair disadvantage relative to those in Zones A and B.</p>	<p><u>must and rectified concentrated grape must.</u></p>
<p>3. The use of the following practices shall be re-examined before 31 December 2013 with a view to phase out these practices:</p>		
<p>a. Heat treatments according to point 2 of Annex IA of Regulation (EC) No 606/2009.</p>	<p>IFOAM EU Group recommends permitting heat treatment as an essential technique in organic wine processing. These techniques are already allowed in organic processing of fruit juice and milk, without any problems.</p> <p>Heat treatments are an important means of reducing or eliminating undesirable micro-organisms (i.e. bacteria), preventing fermentation and stabilizing the wine, particularly wines with sugar residues, thus reducing the need for additives (sulphites).</p> <p>In the current discussion, it is proposed to allow “flash-pasteurization” with a temperature limitation of 65-70°C. It is anticipated that the temperature level will prove too difficult to control accurately, and therefore we recommend not applying any temperature limitation.</p>	<p>Suggestion is to move it to paragraph 2 c.</p>

<p>b. Ion exchange resins according to point 20 of Annex IA of Regulation (EC) No 606/2009.</p>	<p>The IFOAM EU Group urges the EU to prohibit ion exchange resins for wines. The technique of ion exchange resins should ONLY be allowed for the production of Rectified Concentrated Musts (RCM). This measure is necessary to avoid unfair competition among producers. In Zone C (according to the CMO designation of wine zones), only RCM and CM (Concentrated Musts) are permitted for enrichment of wines, whereas in Zones A and B, sugars can be used for enrichment in addition to RCM and CM. If ion exchange resins are disallowed for production of organic RCM, the result will be the prevention of enrichment in Zone C, which places Zone C producers at an unfair disadvantage relative to those in Zones A and B.</p>	<p>Suggestion is to move it to paragraph 2 e.</p>
<p>4. The use of the following practices is prohibited:</p>		
<p>a. Partial concentration through cooling according point c, Section B.1 of Annex XVa of Regulation (EC) No 1234/2007.</p>	<p>Partial concentration through cooling must be prohibited</p>	
<p>b. Elimination of sulphur dioxide by physical processes according to point 8 of Annex IA of Regulation (EC) No 606/2009.</p>		
<p>c. Electrodialysis treatment to ensure the tartaric stabilisation of wine according to point 36 of Annex IA of Regulation (EC) No 606/2009.</p>	<p>Electrodialysis must be allowed for tartaric stabilisation, it can avoid (for big cellar) the use of thermal treatment (cold) which are very demanding in energy.</p>	<p>Suggestion is to move it to paragraph 2 d.</p>
<p>d. Partial dealcoholisation of wine according to point 40 of Annex IA of</p>		

Regulation (EC) No 606/2009.		
<p>e. Treatment with cation exchangers to ensure the tartaric stabilisation of the wine according to point 43 of Annex IA of Regulation (EC) No 606/2009.</p>	<p>The IFOAM EU Group urges the EU to prohibit ion exchange resins for wines. The technique of ion exchange resins should ONLY be allowed for the production of Rectified Concentrated Musts (RCM). This measure is necessary to avoid unfair competition among producers. In Zone C (according to the CMO designation of wine zones), only RCM and CM (Concentrated Musts) are permitted for enrichment of wines, whereas in Zones A and B, sugars can be used for enrichment in addition to RCM and CM. If ion exchange resins are disallowed for production of organic RCM, the result will be the prevention of enrichment in Zone C, which places Zone C producers at an unfair disadvantage relative to those in Zones A and B.</p> <p><i>Link Regulation (EC) No 606/2009.</i>  <a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:193:0001:0059:EN:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:193:0001:0059:EN:PDF</a></p> <p><i>here the term cation exchange resins is used (as for this purpose cations and not anions are used)</i></p>	<p>To be moved to paragraph 2 as allowed without time restriction</p>
<p>5. Any oenological practice introduced or modified in Regulation (EC) No 1234/2007 or Regulation (EC) No 606/2009 after the time of entry into force of [<i>this</i> Regulation] has to meet the requirements of Article 19 (3) of Regulation (EC) No 834/2007 and undergo an evaluation process according to Article 21 of Regulation</p>		

(EC) No 834/2007 to be authorised for use in organic production."		
(3) In Article 47, a new paragraph is added:		
"(e) the use of sulphur dioxide up to the maximum levels fixed in Annex IB of Regulation (EC) No 606/2009 when the exceptional climatic conditions of a given harvest year makes this necessary in one or several wine-growing areas."		
(4) In Article 95, a new paragraph is added:		
"12. In the labelling of wine obtained from organic grapes, processed and stored or undergoing processing before the entry into application of [ <i>this</i> Regulation], the EU-logo may be used provided that the wine-making was compliant with [ <i>this</i> Regulation]. Operators benefiting from that measure shall keep recorded evidence, and the corresponding quantities.		
Where such evidence is not available, such wine may be labelled as "wine made from organic grapes" provided it complies with the requirements of Regulation (EC) No 889/2008 before entry in application of [ <i>this</i> Regulation]. However, it cannot bear the EU logo."		
(5) In the French, Czech, German and Greek language version of Regulation (EC) No 710/2009, Article 2(b) shall be replaced by the following:		

<p>"corrective measures as provided for in point 19 of Article 1 and points 1(b) and (c ) of the Annex shall apply from entry into application of Regulation (EC) No 889/2008."</p>		
<p>(6) The Annexes are amended in accordance with the Annex to this Regulation.</p>		
	<p>The IFOAM EU Group agrees with the working paper of the EU Commission that “For enrichment only organic concentrated must, rectified concentrated must or sucrose may be used.”  <b>However, we suggest clearer language requiring the organic origin of all ingredients.</b></p> <p>The permitted ingredients that must be of organic origin, have to be listed:</p> <ul style="list-style-type: none"> <li>• Sugar (beet or cane);</li> <li>• Concentrated musts;</li> <li>• Concentrated rectified musts;</li> <li>• Caramel for some specific liquors;</li> <li>• Alcohol for mutage (if possible in organic form);</li> <li>• Alcohol (possibly in organic form) for liqueur wines.</li> </ul>	<p><i>Referring to the IFOAM EU comments of the 28<sup>th</sup> of October 2009:</i></p> <p style="text-align: center;"><u><b>Article 29d</b></u>  <u><b>Enrichment</b></u></p> <p><u>All products for enrichment (concentrated must, rectified concentrated must or sucrose) shall be derived from organic production."</u></p> <p><u>Following ingredients can be allowed if from organic origin:</u></p> <ul style="list-style-type: none"> <li>• <u>Sugar (beet or cane);</u></li> <li>• <u>Concentrated musts;</u></li> <li>• <u>Concentrated rectified musts;</u></li> <li>• <u>Caramel for some specific liquors;</u></li> <li>• <u>Alcohol for mutage (if possible in organic form);</u></li> </ul> <p><u>Alcohol (possibly in organic form) for liqueur wines.</u></p>
<p><i>Article 2</i></p>		
<p>This Regulation shall enter into force on the third day</p>		

following that of its publication in the Official Journal of the European Union.		
It shall apply to wine and grapevine products derived from the first harvest of grapes after 1 July 2010, with the exception of points (4) and (5) of Article 1 which shall apply the day of entry into force of this Regulation,		
This Regulation shall be binding in its entirety and directly applicable in all Member States.		
Done at Brussels, [...]		
<i>Commission</i> <span style="float: right;"><i>For the</i></span>		
[...] <i>The President</i>		
ANNEX		

The following Annex VIIIa is inserted after Annex VIII:			
"Annex VIIIa			
<b>Products and substances for use in organic grapevine products referred to in Article 29c.</b>		<p>The IFOAM EU Group is in favour of maintaining separate lists for additives and processing aids. These two categories of substances have totally different functions in wine making:</p> <ul style="list-style-type: none"> <li>• Additives are added during the processing of wine, and remain in the final product (even if in very small quantities). Examples include sulphites, citric acid, and metatartaric acid.</li> <li>• Processing aids are used to realize one step of the wine processing (such as filtration or clarification), but do not remain in the final product. Examples include gelatine, charcoals, and bentonite.</li> </ul> <p>The separation of processing aid and additive lists would follow the logic of the CODEX Alimentarius</p> <p>It would even be preferable to have a third list for micro-organisms and enzymes, as previously proposed by the IFOAM EU Group.</p>	
For the purpose of calculation referred to in Article 23(4)(a)(ii) of Regulation (EC) No 834/2007 products and substances marked with asterisk shall be calculated as ingredients of agricultural origin.			
<b>Name</b>	<b>Specific conditions, restrictions within the limits and</b>		

	<b>conditions set out in Regulation (EC) No 1234/2007 and Regulation (EC) No 606/2009</b>		
<b>Sulphur dioxide, Potassium bisulphite or potassium metabisulphite</b>	The total sulphur dioxide content, expressed in milligrams per litre (mg/l), should not exceed the amount obtained by deducting 50 mg/l from the levels fixed in Annex I.B of Regulation (EC) No 606/2009, for each category in that Annex at the time of entry into force of this Regulation.	Special wines should be excluded from the sulphites limitations.	<u>Special wines should be excluded from the sulphites limitations, but considered after 2013</u>
<b>Calcium sulphate</b>			Delete as not allowed for wine making! <del>Calcium sulphate</del>
<b>L-Ascorbic acid</b>			
<b>Citric acid</b>			
<b>Lactic acid</b>		Lactic acid should be prohibited.	Delete as not useful and necessary <del>Lactic acid</del>
<b>L(+)-Tartaric acid</b>			
<b>Meta-tartaric acid</b>			
Acacia gum* (= gum arabic)			

Aleppo pine resin*			
Tannins*		Undertake a review for mandatory origin form organic raw materials in five years.	Tannins** <u>** Amendment, if available from organic raw material to be re-evaluated in 2015.</u>
Carbon dioxide			
Calcium carbonate			
Neutral Potassium tartrate		Can be accepted,	
Potassium bitartrate			
Potassium bicarbonate			
Charcoal for oenological use			
Plant proteins from wheat or peas*			<u>*if available form organic raw material (to be re-evaluated in 2015).</u>
Casein			
Potassium caseinate			
Edible gelatine*			<u>*if available form organic raw material (to be re-evaluated in 2015).</u>
Isinglass*			<u>*if available form organic raw material (to be re-evaluated in 2015).</u>
Egg white albumin*			<u>*if available form organic raw material (to be re-evaluated in 2015).</u>

Silicon dioxide			
Bentonite			
Pectolytic enzymes			
Copper sulphate	Authorised until 31 December 2015		
Cupric citrate			
Potassium alginate			
Nitrogen			
Oxygen			
Yeasts*		<p>Organic yeasts of all yeast strains required for making the full range of organic wines are currently not available.</p> <p>It will take at least until the 31 December 2015 to ensure an adequate supply of the full range of strains required.</p>	<u>*if available form organic raw material (to be re-evaluated in 2015).</u>
Thiamine hydrochloride			
Lactic bacteria			
Di-ammonium phosphate			
Perlite	as an inert filtering agent		

Cellulose	as an inert filtering agent		
Diatomeceous earth	as an inert filtering agent		
Fresh lees*			
		Oak chips must be allowed : in some regions of Europe the systematic use of oak barrel, to give woody taste to wine can represent a serious treat for the oaks forests, the use of oak chips can avoid this, and don't request the destruction of forests	<u>oak chips</u> (possibly with requirement of being labelled, when used)  ** <u>Amendment, if available from organic raw material to be re-evaluated in 2015.</u>
		Yeasts mannoproteins should be added.	<u>Yeasts mannoproteins</u>  <u>*if available form organic raw material (to be re-evaluated in 2015).</u>
		The permitted micro-organisms and enzymes have to be listed: separately : betaglucanase, pectolytic enzymes Urease not to be allowed.	<u>Betaglucanase, pectolytic enzymes</u>  (Note: Allowed enzymes listed separately)
		Yeasts cells ghosts should be added	<u>Yeasts cells ghosts</u>  <u>*if available form organic raw material (to be re-evaluated in 2015).</u>
		Ammonium sulphate must be maintained (with reservations and to phase out in the near future, to be evaluated until 2013);	<u>Ammonium sulphate (evaluated before 2013)</u>

\*) derived from organic raw material as of 31 December 2013