

# European Commission Initiates Infringement Procedure Against Portugal for Non-compliance with Excise Duty Rules on Wine

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On 16 November 2023, the European Commission decided to send a letter of formal notice (the first step of an infringement procedure) to Portugal for failing to comply with the EU excise duty rules on wine.

The infringement procedure was initiated as Portugal failed to comply with the measures set out in [Excise Directive on Alcohol \(92/83\)](#), incorrectly categorizing the following beverages as follows:

- defining alcoholic beverages with a strength between 15% and 18% by volume and which have been enriched as wine and, consequently, applying a zero-excise duty rate; and
- excluding all flavoured wines from the wine category, despite meeting the conditions outlined in EU legislation, resulting in the application of a higher excise duty rate.

Therefore, both cases represent a contradiction to the definition of wine in EU excise duty legislation.

If Portugal does not address this issue within 2 months, the European Commission may send a reasoned opinion to the aforementioned Member State.