



Notification Number: 1992/290/F

## **Decree leading to application of the law of 1 August 1905 concerning fraud and falsifications regarding products or services associated with fermented or sparkling fruit products.**

Date received : 20/10/1992  
End of Standstill : Closed  
Issue of comments by : Italy  
Issue of detailed opinion by : Commission

### Message

REP PERMANENTE IRLANDE

ATT. MME. MOUSTAKA-ZERVAKOU

HELLINIKOS ORG. TYPOPISOES  
ATT. MR. MELAGRAKIS

DEPT. OF TRADE AND INDUSTRY, QUALITY AND EDUCATION DIVISION,  
ATT. MR. E. ALLEN

INST INDUST RESEARCH.  
ATT. MR. J. NULTY

ICC: PLEASE FORWARD THIS MESSAGE TO ICC MAILBOX EFTBT  
TELEX 002

COMMUNICATION FROM THE COMMISSION - SG (92) D/51817/2  
DIRECTIVES 83/189/EEC AND 88/182/EEC  
TRANSLATION OF TELEX 001  
NOTIFICATION 92/0290/F

- 3B2 : 9201807.EN

#### **1. Structured Information Line**

TLX 002 IND- 92 0290 F-- EN ----- 921020 --- ---

**2. Member State**  
FRANCE

**3. Department Responsible**



Délégué interministériel aux normes  
22 Rue Monge, 75005 Paris  
S.G.C.I. Carré Austerlitz, 2 Bld Diderot  
75012 Paris

////

### 3. Originating Department

Ministère de l'économie, des finances et du budget  
Direction générale de la concurrence, de la consommation et  
de la répression des fraudes  
Carré Diderot - 3-5 Bld Diderot  
75572 Paris CEDEX 12

### 4. Notification Number

92/0290/F

### 5. Title

Decree leading to application of the law of 1 August 1905  
concerning fraud and falsifications regarding products or  
services associated with fermented or sparkling fruit  
products.

### 6. Products Concerned

Products derived solely from the fermentation of fruit must  
and fermented fruit which are naturally effervescent.  
The definition of sparkling products conforms to that already  
given for sparkling grape products in EEC Regulation 822/87  
(‘partially fermented must’, defined in Annex I).  
The aromatised sparkling grape product is defined by  
Regulation 1601/91.  
The exclusion of fermented apple and pear as well as  
sparkling products, defined by other regulatory texts.

### 7. Notification Under Another Act

-

### 8. Main Content

The proposed text defines all fermented fruit and sparkling  
products, with the exclusion of the products mentioned above  
(section 6, 2nd paragraph).  
Drinks defined in this Decree are made from vegetable raw  
materials, by simple fermentation, without the addition of  
distilled alcohol.

The fermented products are made only by the process of  
fermentation of fresh fruit musts or conserves in cold, and  
used in proportions of at least 45per cent of the final  
product.

////

The denomination ‘fermented fruit’ is a descriptive one and



adequately specific to enable the consumer to appreciate the nature of the drink and to distinguish it from products with which it might otherwise be confused.

Sparkling products are fermented products with an effervescence solely due to the alcoholic fermentation of the raw materials used. The denomination 'sparkling' is already widely used for sparkling grape products.

The maximum actual alcoholic strength by volume is 7per cent for fermented products and 3per cent for sparkling products.

Different practices are authorised for the enrichment of musts, the sweetening of the drinks (maximum sugar content 80 g/l) and the addition of natural aromatic extracts or those identical to natural extracts.

#### **9. Brief Statement of Grounds**

The drinks defined in this text, which were formally manufactured on a non-industrial basis, are currently enjoying a major growth. They have arisen from a desire to obtain maximum value from fruit and from diversification in agricultural production.

A regulatory framework is necessary to sustain the quality policy instigated by producers.

This text will also contribute to ensuring that consumers receive a quality product.

////

#### **10. Reference Documents - Basic Texts**

DECREE NO. 53-978 of 30 September 1953, as amended.

Decree No. 86-1016 of 3 September 1986.

Regulation EEC No. 822/87 of the Council, leading to Community-wide organisation of the grape and wine industry (Annex I).

Regulation EEC No. 1601/91 of the Council establishing the rules governing the definition, designation and presentation of aromatised wines, aromatised wine-based drinks and aromatised cocktails of wine and grape products.

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

-



EUROPEAN COMMISSION  
GROWTH DIRECTORATE-GENERAL

**Single Market for goods**  
Prevention of Technical Barriers

D. WILLIAMSON  
COMEUR  
NNNN