



Council of the  
European Union

Brussels, 26 February 2021  
(OR. en)

6569/21

AGRI 97  
WTO 52  
DELECT 40

#### COVER NOTE

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	26 February 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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No. Cion doc.:	C(2021) 1194 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 26.2.2021 supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council as regards the setting up of a public register listing the bodies appointed by each Member State to supervise the ageing processes for spirit drinks

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Delegations will find attached document C(2021) 1194 final.

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Encl.: C(2021) 1194 final



Brussels, 26.2.2021  
C(2021) 1194 final

**COMMISSION DELEGATED REGULATION (EU) .../...**

**of 26.2.2021**

**supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council as regards the setting up of a public register listing the bodies appointed by each Member State to supervise the ageing processes for spirit drinks**

## EXPLANATORY MEMORANDUM

### **1. CONTEXT OF THE DELEGATED ACT**

Article 19(2) of Regulation (EU) 2019/787 empowers the Commission to adopt delegated acts concerning the setting up of a public register listing the bodies appointed by each Member State to supervise the ageing processes as provided by Article 13(6).

This delegated act aims at setting up such public register.

### **2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT**

Consultations involving experts from all the 27 Member States have been carried out as a preparation for and during the meetings of the Expert Group for the Common Organisation of Agricultural Markets – Spirit Drinks held (virtually) on 13 October and 3 December 2020. This consultation process led to a broad consensus on the draft delegated regulation.

### **3. LEGAL ELEMENTS OF THE DELEGATED ACT**

The delegated act is based on Article 19(2) of Regulation (EU) 2019/787 and should be adopted by means of the procedure according to Article 46 of Regulation (EU) 2019/787.

Article 1: This Article provides for the obligation for the Commission to draw up and update a list of bodies appointed to supervise ageing processes for spirit drinks on the basis of the Member States notifications and to set up and publish a public register with the updated list.

Article 2: This Article provides for the applicability of the delegated act from 25 May 2021, in line with the provision of Article 51(3) of Regulation (EU) 2019/787.

# COMMISSION DELEGATED REGULATION (EU) .../...

of 26.2.2021

## supplementing Regulation (EU) 2019/787 of the European Parliament and of the Council as regards the setting up of a public register listing the bodies appointed by each Member State to supervise the ageing processes for spirit drinks

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008<sup>1</sup>, and in particular Article 19(2) thereof,

Whereas:

- (1) Article 13(6) of Regulation (EU) 2019/787 requires that the operations to age spirit drinks take place under revenue supervision of a Member State or supervision providing equivalent guarantees.
- (2) For this purpose, each Member State is to appoint the bodies responsible for supervising such ageing processes and inform the Commission thereof so that it may set up a public register listing those appointed bodies.
- (3) To this end, it is appropriate to set out rules concerning the setting up of that public register.
- (4) This Regulation should apply from 25 May 2021, in accordance with Article 51(3) of Regulation (EU) 2019/787,

HAS ADOPTED THIS REGULATION:

### *Article 1*

#### **Public register listing the bodies appointed to supervise ageing processes for spirit drinks**

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<sup>1</sup> OJ L 130, 17.5.2019, p. 1.

1. On the basis of notifications made by Member States in accordance with Article 1(1) of Commission Implementing Regulation (EU) .....<sup>2</sup>, the Commission shall draw up and update a list of bodies appointed to supervise ageing processes for spirit drinks.
2. The Commission shall set up a public register containing the updated list of bodies appointed to supervise ageing processes. That register shall be in the form of a publicly accessible electronic database.

## *Article 2*

### **Entry into force and application**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 25 May 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26.2.2021

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*

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<sup>2</sup> Commission Implementing Regulation (EU) 20XX/XXX of [...] [...] (OJ L [...], [...], p. [...]).