

- sweetening products,
  - other agricultural products,
  - foodstuffs; or
- (ii) by adding, individually or in combination, to it any of the following:
- other spirit drinks,
  - ethyl alcohol of agricultural origin,
  - distillates of agricultural origin,
  - other foodstuffs;
- (e) it does not fall within CN codes 2203, 2204, 2205, 2206 and 2207;
- (f) if water, which may be distilled, demineralised, permuted or softened, has been added in its production:
- (i) the quality of that water complies with Council Directive 98/83/EC<sup>(15)</sup> and Directive 2009/54/EC of the European Parliament and of the Council<sup>(16)</sup>; and
  - (ii) the alcoholic strength of the spirit drink, after the addition of the water, still complies with the minimum alcoholic strength by volume provided for in point (c) of this Article or under the relevant category of spirit drinks as set out in Annex I.

### Article 3

#### Definitions

For the purposes of this Regulation, the following definitions apply:

- (1) 'legal name' means the name under which a spirit drink is placed on the market, within the meaning of point (n) of Article 2(2) of Regulation (EU) No 1169/2011;
- (2) 'compound term' means, in relation to the description, presentation and labelling of an alcoholic beverage, the combination of either a legal name provided for in the categories of spirit drinks set out in Annex I or the geographical indication for a spirit drink, from which all the alcohol of the final product originates, with one or more of the following:
  - (a) the name of one or more foodstuffs other than an alcoholic beverage and other than foodstuffs used for the production of that spirit drink in accordance with Annex I, or adjectives deriving from those names;
  - (b) the term 'liqueur' or 'cream';
- (3) 'allusion' means the direct or indirect reference to one or more legal names provided for in the categories of spirit drinks set out in Annex I or to one or more geographical indications for spirit drinks, other than a reference in a compound term or in a list of ingredients as referred to in Article 13(2), (3) and (4), in the description, presentation or labelling of:
  - (a) a foodstuff other than a spirit drink, or
  - (b) a spirit drink that complies with the requirements of categories 33 to 40 of Annex I;
- (4) 'geographical indication' means an indication which identifies a spirit drink as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristic of that spirit drink is essentially attributable to its geographical origin;
- (5) 'product specification' means a file attached to the application for the protection of a geographical indication, in which the specifications with which the spirit drink has to comply are set out, and which was referred to as a 'technical file' under Regulation (EC) No 110/2008;

<sup>(15)</sup> Council Directive 98/83/EC of 3 November 1998 on the quality of water intended for human consumption (OJ L 330, 5.12.1998, p. 32).

<sup>(16)</sup> Directive 2009/54/EC of the European Parliament and of the Council of 18 June 2009 on the exploitation and marketing of natural mineral waters (OJ L 164, 26.6.2009, p. 45).

- (6) 'group' means any association, irrespective of its legal form, that is mainly composed of producers or processors working with the spirit drinks concerned;
- (7) 'generic name' means a name of a spirit drink that has become generic and that, although it relates to the place or the region where the spirit drink was originally produced or marketed, has become the common name of that spirit drink in the Union;
- (8) 'visual field' means field of vision as defined in point (k) of Article 2(2) of Regulation (EU) No 1169/2011;
- (9) 'to mix' means to combine a spirit drink that either belongs to a category of spirit drinks set out in Annex I or to a geographical indication with one or more of the following:
  - (a) other spirit drinks which do not belong to the same category of spirit drinks set out in Annex I;
  - (b) distillates of agricultural origin;
  - (c) ethyl alcohol of agricultural origin;
- (10) 'mixture' means a spirit drink that has undergone mixing;
- (11) 'to blend' means to combine two or more spirit drinks of the same category that are distinguishable only by minor differences in composition due to one or more of the following factors:
  - (a) the method of production;
  - (b) the stills employed;
  - (c) the period of maturation or ageing;
  - (d) the geographical area of production;the spirit drink so produced belongs to the same category of spirit drinks as the original spirit drinks before blending;
- (12) 'blend' means a spirit drink that has undergone blending.

#### Article 4

### Technical definitions and requirements

For the purposes of this Regulation, the following technical definitions and requirements apply:

- (1) 'description' means the terms used in the labelling, in the presentation and on the packaging of a spirit drink, on the documents accompanying the transport of a spirit drink, on the commercial documents, particularly the invoices and delivery notes, and in the advertising of a spirit drink;
- (2) 'presentation' means the terms used in the labelling and on the packaging, as well as in advertising and sales promotion of a product, in images or such like, as well as on the container, including on the bottle or the closure;
- (3) 'labelling' means any word, particulars, trade marks, brand name, pictorial matter or symbol relating to a product and placed on any packaging, document, notice, label, ring or collar accompanying or referring to such product;
- (4) 'label' means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to the packaging or container of food;
- (5) 'packaging' means the protective wrappings, cartons, cases, containers and bottles used in the transport or sale of spirit drinks;
- (6) 'distillation' means a thermal separation process involving one or more separation steps intended to achieve certain organoleptic properties or a higher alcoholic concentration or both, regardless of whether such steps take place under normal pressure or under vacuum, due to the distilling device used; and can be single or multiple distillation or re-distillation;
- (7) 'distillate of agricultural origin' means an alcoholic liquid which is the result of the distillation, after alcoholic fermentation, of agricultural products listed in Annex I to the Treaty, which does not have the properties of ethyl alcohol and which retains the aroma and taste of the raw materials used;