

ORDER No 145 of 8 April 2002 concerning the approval of the Regulation laying down the rules on the nature, content, origin, production, packaging, labelling, marking and quality of flavoured wines, flavoured wine-based drinks and flavoured wine-product cocktails, intended for commercialisation for human consumption

The Ministry of Agriculture, Food and Forestry, the Ministry of Health and the President of the National Authority for Consumer Protection,

Having regard to the approval reports No 171.210/2002, drawn up by the Directorate for Standards, Licenses and Brands, Food Quality and Accreditation, and No 270/2002, drawn up by the General Directorate of Public Health,

Having regard to the provisions of Article 34 of Government Emergency Ordinance No [97/2001](#) concerning the regulation of food production, circulation and commercialisation,

Based on Government Decision No [12/2001](#) concerning the organisation and functioning of the Ministry of Agriculture, Food and Forestry, with subsequent amendments and additions, on Government Decision no. [22/2001](#) concerning the organisation and functioning of the Ministry of Health and Family, with subsequent amendments and additions, as well as on Government Decision No [166/2001](#) concerning the organisation and functioning of the National Authority for Consumer Protection, including subsequent amendments, have issued the following order::

Art. 1

We hereby approve the Regulation laying down the rules on the nature, content, origin, production, packaging, labelling, marking and quality of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails, intended for commercialisation for human consumption, provided by the annex which is an integral part of this order.

Art. 2

The Ministry of Agriculture, Food and Forestry, the Ministry of Health and Family and the National Authority for Consumer Protection, through the general directorates for agriculture and food industry of each county and the city of Bucharest, the public health directorates of each county and the city of Bucharest, and the consumer protection offices of each county and the city of Bucharest, respectively, shall carry out the provisions of this order.

Art. 3

This order shall be published in the Official Journal of Romania, Part I, and shall enter into force within 12 months from the date of its publication.

The Minister of Agriculture, Food and Forestry,

Ilea Sârbu

The Minister of Health and Family

Daniela Bartoș

The President of the National Authority

ANNEX:

Regulation laying down the rules on the nature, content, origin, production, packaging, labelling, marking and quality of flavoured wines, flavoured wine-based drinks and flavoured viticultural and vinification cocktails, intended for commercialisation for human consumption

Published in the Official Journal of Romania, N. 536 of 23 July 2002

REGULATION issued on 8 April 2002 laying down the rules on the nature, content, origin, production, packaging, labelling, marking and quality of flavoured wines, flavoured wine-based drinks and flavoured wine-product cocktails, intended for commercialisation for human consumption

CHAPTER I: General dispositions

Article 1

This Regulation shall refer to flavoured wines, flavoured wine-based drinks and flavoured viticulture and vinification cocktails and shall lay down the general rules regarding their definition, designation and presentation, as well as the conditions related to their nature, composition, origin, packaging, labelling and marking in view of commercialising them.

Article 2

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

A. Flavoured wine

The Flavoured wine is the beverage:

- obtained from one or several vinification products, including quality wines defined by the regulations in force, except for 'retsina' table wine, with or without addition of grape musts and / or fresh grape musts cut from the alcoholic fermentation ;
- to which alcohol has been added by using one or several products referred to in Article 3 (4);
- which has been flavoured by natural flavouring substances and / or natural flavouring preparations, defined in Article 1 (2) (b) first indent and point (c) of the Regulations concerning the flavourings used for foods and the natural sources for their production, and / or by aromatic herbs and / or spices and / or foods with flavouring properties. The use of substances and preparations chemically identical to natural ones will be authorised in the flavoured wine production only if it complies with the provisions of the regulations laying down the cases and conditions of use of these flavouring substances and preparations issued by the Ministry of Agriculture, Food and Forestry and the Ministry of Health and Family;
- which has generally been sweetened and possibly coloured with caramel;

- which has a minimum actual alcoholic strength by volume equal to or higher than 14.5% and a maximum actual alcoholic strength by volume of at most 22% vol. and a minimum total alcoholic strength by volume equal to or higher than 17,5% vol. For those products which have the mention “dry” or “extra dry” the minimum total alcoholic strength by volume shall be at least 16% vol. and 15% vol. respectively.

The fresh wines and / or grape musts cut from fermentation, used for the preparation of flavoured wines must be present in the finished product in a proportion of minimum 75%.

The denomination of ‘ flavoured wine’ may be replaced with that of ‘ wine-based appetizer ’. The use of the term ‘appetizer ’ in this context does not restrict its use in order to define other products which do not comply with the provisions of this Regulation.

The use of a flavouring substance identical to natural vanillin, defined according to legal provisions , is authorised for the production of flavoured wines.

The use of mixtures of flavouring substances identical to natural substances, which smell and/or taste of almonds, apricots or eggs is hereby authorised respectively as a supplement for the almonds, apricots or eggs used for the production of flavoured wines, only on condition that:

- the mixtures comply with the legal provisions in force concerning flavours used for foods, as well as with the terms of application,
- the denomination under which the product is sold must make reference to the above mentioned products,
- the producing companies should keep a separate registrar for the use of flavouring substances identical to the natural ones.

This registrar shall contain precise information on the flavouring which is identical to natural one used, the nature and quantity of the flavouring which is identical to natural one its existence in the company, its place of storage and information regarding its complementary use in the beverage, compared to the main flavouring. Each handling operation shall be registered in the registrar. The registrars shall be verified by the competent authorities once a year and by the representatives of the Ministry of Agriculture, Food and Forestry, respectively.

B. Flavoured wine-based drink

The flavoured wine-based drink shall be the drink:

- obtained from one or more vinification products , including quality wines as defined by the regulations in force, except for the wines produced with the addition of alcohol and ‘retsina’ table wine, with or without added grape musts and/or partially fermented grape musts;

- which has been flavoured with natural flavouring substances and/or natural flavouring preparations and/or identical to the natural ones , as defined in Article 1 (2)(b) first and second indents and point c) of the Regulations concerning flavourings used in foods and the material sources for their production, and/or aromatic herbs and/or spices and/or flavouring foods. The use of substances obtained through chemical synthesis which are not identical to natural substances in the production of flavoured wine-based drinks can only be authorised if it complies with the provisions of the regulations laying down the cases and conditions of use of these flavouring substances and preparations issued by the Ministry of Agriculture, Food and Forestry and the Ministry of Health and Family;

- which has generally been sweetened;

- to which the addition of alcohol is not allowed, with the following exceptions:

a) for the drinks defined in Article 5 (3);

b) flavoured wine-based drinks obtained from white wine, sweetened, characterised by the addition of a dry grape distillate flavoured exclusively with cardamom extract;

c) aromatized wine-based drinks obtained from red wine, which have been sweetened and to which flavouring preparations have been added, such as those defined by the acts in force. These preparations have been obtained exclusively from spices, ginseng, nuts, oranges and aromatic herbs;

- which has an actual alcoholic strength by volume of 7% vol. or more and at most 14.5% vol..

The wines used in the preparation of an flavoured wine-based drink shall be present in the finished product in a proportion of minimum 50%.

C. Flavoured viticultural and vinification cocktail

Flavoured viticultural and vinification cocktail shall mean a drink:

- obtained from wine and/or grape musts;

- which has been flavoured with the aid of natural flavouring substances and/or natural flavouring preparations and/or identical to the natural ones, as defined in Article 1(2) (b) first and second indents and c) in the Regulations concerning flavourings used in foods and the material sources for their production, and/or aromatic herbs and/or spices and/or flavouring foods. The use of flavouring substances obtained by chemical synthesis which are not identical to the natural ones in the production of flavoured wine-product cocktails shall only be done if it complies with the provisions of the regulations laying down the cases and conditions of use of such flavouring substances and preparations, issued by the Ministry of Agriculture, Food and Forestry and the Ministry of Health and Family;

- which has possibly been sweetened and possibly been coloured.

No alcohol shall be added in the production of flavoured viticultural and vinification cocktail.

The flavoured viticultural and vinification cocktail has an actual alcoholic strength by volume of not more than 7% vol.

The wines and/or grape musts used in the preparation of flavoured viticultural and vinification cocktail shall be present in the finished product in a proportion of minimum 50%.

The use of the term 'cocktail' in this context shall not limit its use to define other products which do not comply with the provisions of this Regulation.

CHAPTER II: Definitions

Art. 3

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

1. Sweetening – the operation which consists of using one or more of the following products in the preparation of flavoured wines, flavoured wine-based drinks and flavoured viticultural and vinification cocktails: semi-white sugar, white sugar, refined white sugar, dextrose, fructose, glucose syrup, liquid sugar, invert liquid sugar, invert sugar syrup, rectified concentrated grape must, concentrated grape must, fresh grape must, burned sugar, honey, carob syrup, as well as other natural carbohydrate substances having a similar effect to the above mentioned products.

'Burned sugar' means the product obtained exclusively from the controlled heating of sucrose without adding bases, mineral acids or other chemical additives.

2. Flavouring – the operation which consists of using one or more flavourings and/or aromatic herbs and/or spices and/or flavouring foods in the preparation of flavoured wines, flavoured wine-based drinks and flavoured viticultural and vinification cocktails according to the legal provisions in force. The addition of such substances confers on the finished product organoleptic characteristics differing from those of wine.

3. Colouring – the operation which consists of using one or more colorants in the preparation of flavoured wines or flavoured viticultural and vinification cocktails, according to the legal provisions in force.

4. Alcohol addition – the operation which consists of using one or more of the following products in the preparation of flavoured wines and, as applicable,, certain flavoured wine-based drinks:

a) ethyl alcohol of viticultural origin;

b) ethyl alcohol of agricultural origin;

c) wine alcohol or dried grape alcohol;

d) wine distillate or dried grape distillate;

e) distillate of agricultural origin;

f) wine spirit or grape-marc spirit

g) dried grape spirit

The products that are used shall comply with the legal provisions in force, and particularly the characteristics of ethyl alcohol shall comply with the provisions of the Romanian Standard No 14/1998, type A refined ethyl alcohol.

5. Actual alcoholic strength by volume – the number of volumes of pure alcohol at a temperature of 20°C contained in 100 volumes of the product considered at the same temperature.

6. Potential alcoholic strength by volume – the number of volumes of pure alcohol at 20°C which can be obtained by the total fermentation of the sugar contained in 100 volumes of the product considered at the same temperature.

7. Total alcoholic strength by volume – the sum of the actual and potential alcoholic strengths by volume.

8. Natural alcoholic strength by volume – the total alcoholic strength by volume of the product before any enrichment.

Art. 4

The definition of the various categories of flavoured wine whose denomination may replace the denomination of 'flavoured wine' shall be the following:

1. Vermouth – flavoured wine produced from the wines defined according to the legal provisions in force, which have been flavoured with substances of Artemisia wormwood species or with substances derived thereof. This drink may be sweetened only by caramelised sugar, sucrose, grape must, concentrated grape must and rectified concentrated grape must.

2. Bitter flavoured wine – flavoured wine obtained from the wines defined according to the legal provisions in force, which have been flavoured with a characteristic bitter flavour. The denomination of 'bitter flavoured wine' shall be followed by the name of the main bitter-flavouring substance. The following expressions may follow or replace the denomination of 'bitter flavoured wine':

a) "Qinquina wine", where the main flavouring is natural quinine flavouring;

b) "Bitter vino", where the main flavouring is natural gentian flavouring and the drink has been subject to a yellow and/or red colouring with authorised food colorants ; the use of the word 'bitter' shall not infringe in this context the use of this term to define products which do not comply with the provisions of this Regulation;

c) "Americano", where the flavouring is due to the presence of natural flavouring substances derived from wormwood and gentian and when the drink has been subject to a yellow and/or red colouring with authorised food colorants , according to the legal provisions in force.

3. Egg-based flavoured wine – flavoured wine obtained from the wines defined the legal provisions in force, with addition of quality egg yolk or substances derived thereof, whose sugar content expressed in terms of invert sugar is of minimum 200 grams and the content of egg yolk is of minimum 10 grams per litre of finished product. The term “cremovo” shall accompany the term “egg-based flavoured wine” where such wine contains Marsala wine in a proportion of minimum 80%.

The term "cremovo zabaione" may accompany the term “egg-based flavoured wine” where such wine contains Marsala wine in a proportion of minimum 80% and has an egg yolk content of minimum 60 grams per litre.

4. Vakeva Viiniglogi/Starkvinsglogg – flavoured wine obtained from the wines defined according to the legal provisions in force, whose characteristic taste is a result of the use of clove together with other spices. This drink may be sweetened with the substances provided for in Art. 3(1).

5. Bitter – flavoured wine obtained from the wines defined according to the legal provisions in force, having a characteristic taste as a result of the use of certain herb extracts, predominantly gentian, artichoke and centaury.

6. Floris – flavoured wine obtained from the wines defined according to the legal provisions in force, whose characteristic taste is obtained as a result of the use of herb extracts, mainly almonds and bird cherry.

Art. 5

The definitions of the various categories of flavoured wine-based drinks whose denomination may replace or supplement the denomination of ‘flavoured wine-based drink’ are as follows:

1. Sangria – a drink obtained from wine, flavoured with the addition of natural citrus-fruit extracts or essences, with or without the juice of such fruit and with the possible addition of spices, sweetened, with carbon dioxide addition, having an acquired alcoholic strength by volume of maximum 12% vol.

The drink may contain solid particles of citrus-fruit pulp or peel and its colour must come exclusively from the raw materials used.

The denomination of “Sangria” must be accompanied by the specification: “made in...” followed by the name of the producing member state or of a restricted region, except for the case when the drink is produced in Spain or Portugal.

The denomination of “Sangria” may replace the denomination ‘flavoured wine –based drink’ only if the drink was produced in Spain or in Portugal.

2. Clarea – a drink obtained from white wine in the same conditions as those provided for “Sangria”.

The name “Clarea” must be accompanied by the specification “made in...” followed by the name of the producing member state or of a restricted region except for the case when the drink is produced in Spain.

The name “Clarea” may replace the name of “flavoured wine-based drink” only if the drink is manufactured in Spain.

3. Zurra – a drink obtained by adding brandy or wine spirits, defined according to the legal regulations in force to the drinks defined in paragraphs 1 and 2, possibly with the addition of pieces of fruit. The actual alcoholic strength by volume must be equal to or more than 9% vol. and at most 14% vol.

4. Bitter soda – a flavoured drink obtained from bitter vino whose content in the finished product must be of minimum 50% by volume, with added carbon dioxide or carbonated water and possibly the same colorants as bitter vino. The actual alcoholic strength by volume must be equal to or more than 8% vol. and less than 10.5% vol. The use of the word “bitter” in this context shall not infringe its use to define other products which do not comply with the provisions of this Regulation.

5. Kalte Ente – a flavoured wine-based drink obtained by mixing wine, semi-sparkling wine or semi-sparkling wine with added carbon dioxide with sparkling wine or sparkling wine with added carbon dioxide and adding natural lemon substances or extracts thereof. The finished product must contain minimum 25% by volume of the sparkling wine or sparkling wine with added carbon dioxide.

6.

a) Gluhwein – an flavoured drink obtained exclusively from red or white wine and sugar, flavoured mainly with cinnamon and cloves; except for the amount of water used in the process of sweetening the drink according to the provisions laid down in Article 3 (1), the addition of water is prohibited. In case when “Gluhwein” drink was produced from white wine, the denomination under which “Gluhwein” product is sold shall be supplemented with the words “from white wine”.

b) Viiniglogi/Vinglogg – an flavoured drink obtained exclusively from red or white wine and sugar, flavoured mainly with cinnamon and cloves.

7. Maiwein – an flavoured drink obtained from wine with added *asperula odorata* plants or extracts thereof so as to ensure a predominant taste of *aserula odorata*.

8. Maitrank – an flavoured drink obtained from dry white wine in which *asperula odorata* plants have been macerated or to which extracts of *asperula odorata* have been added, with the addition of oranges and/or other fruits, possibly in the form of juice, concentrates or extracts, and with maximum 5% sugar sweetening.

Art. 6

The definitions of the various categories of flavoured viticultural and vinification cocktails whose denomination may replace or supplement the denomination of ‘flavoured viticultural and vinification cocktails’ shall be the following :

1. Wine-based cocktail – the flavoured drink in which the proportion of concentrated grape must is of maximum 10% of the total volume of the finished product, and the sugar content, expressed as invert sugar, is of maximum 80 grams per litre.

2. Flavoured semi-sparkling grape-based cocktail – the drink produced exclusively from grape must, whose actual alcoholic strength by volume of is of maximum 4% vol., containing carbon dioxide obtained exclusively from the fermentation of the grape must.

3. Flavoured semi-sparkling-wine-based cocktail – a drink obtained from flavoured wine with natural plant extracts, with added carbon dioxide, with an actual alcoholic strength by volume of maximum 7% vol.

Art. 7

The denominations of “flavoured wine”, “flavoured wine-based drink” and those provided for in Articles 4 and 5 may be supplemented according to the content of invert sugar as follows r:

1. extra-dry – in the case of products with a sugar content of maximum 30 grams per litre inclusively;
2. dry – in the case of products with a sugar content of maximum 50 grams per litre inclusively;
3. semi-dry – in the case of products with a sugar content between 50 and 90 grams per litre inclusively;
4. semi-sweet – in the case of products with a sugar content of between 90 and 130 grams per litre inclusively;
5. sweet - in the case of products with a sugar content of minimum 130 grams per litre.

The terms “semi-sweet” and “sweet” may be replaced by an indication of the sugar content, expressed in grams of invert sugar per litre. In case when the denomination under which the product for flavoured wine-based drinks is sold, includes the term “sparkling”, the quantity of sparkling wine used must of minimum 95%.

Art. 8

- (1) In the production of the drinks defined in this Regulation, the use of authorized food additives is allowed according to the legal provisions in force.
- (2) In the production of the drinks defined in this Regulation, the addition of water, possibly distilled or demineralised, shall be allowed provided that this does not alter the nature of the drink concerned and according to the legal provisions in force.
- (3) Ethyl alcohol used to dilute or dissolve colorants, flavourings or any other authorised additives used in the preparation of the drinks defined in this Regulation must be ethyl alcohol of agricultural origin and have the organoleptic and physical and chemical characteristics according to the Romanian Standard No 14/1998. Ethyl alcohol of agricultural origin shall be used in the strictly necessary dose to dilute or dissolve flavourings, colorants or any other authorised additives.

Art. 9

The enological processes and practices applied to wines and musts shall observe the legal provisions in force.

Art. 10

The organoleptic characteristics, as well as the physical and chemical properties of the drinks defined in this Regulation must comply with the Romanian standards, with the professional standards and with the technical standards or specifications set out by the companies, as well as with the sanitary regulations in force.

Art. 11

- (1) The drinks which do not comply with the provisions laid down in Articles 2, 4, 5, 6, 7 and 8 shall not have the names referred to therein.
- (2) The geographical designations such as "Nurnberger Gluhwein", "Vermouth de Chambery", "Vermouth di Torino" may replace the names of the flavoured drinks varieties mentioned in Article 2 or supplement them, resulting in composite designations.
- (3) The denominations of origin shall be reserved to those drinks which acquire their final characteristics and qualities during the production process taking place in the mentioned geographical area, in view of avoiding the consumer's misleading as to the raw materials used.
- (4) The denominations under which the products defined in this Regulation are sold, shall not be supplemented with geographical indications allowed for viticultural and vinification products.

Art. 12

- (1) The names under which are sold the flavoured drinks containing products of the viticultural and vinification sector and flavourings that have a minimum alcohol strength by volume of 1.2% vol. and which do not comply with this Regulation, shall not contain any reference to viticultural and vinification-sector products.

(2) Flavoured drinks which do not comply with this Regulation shall not be commercialised for human consumption in association with words or phrases such as “like”, “type”, “style”, “brand”, “flavour” or with other similar indications to one of the denominations provided for in this Regulation.

Art. 13

(1) The labelling, presentation and advertising of the drinks provided for in this Regulation shall comply with the legal provisions in force.

(2) Where the alcohol used in the production of the drinks provided for in this Regulation comes from a single raw material (solely grain alcohol, wine alcohol, or molasses alcohol), its nature may be indicated on the label. Should the alcohol come from several raw materials, no special indication relating to its nature shall appear on the label.

(3) Ethyl alcohol used to dilute or dissolve colorants, flavourings or any other authorised additives shall not be considered an ingredient.

Art. 14

(1) The marking of the drinks provided for in this Regulation shall comply with the legal provisions in force issued by the Ministry of Public Finance.

(2) The provisions of this Regulation shall also apply to imported flavoured drinks.

Art. 15

The quality of the product lots shall be verified against the accepted quality level (AQL) and the Romanian Standard No 184/1-25.

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