

Agency Support Department 40  
Legal Unit  
16 Dec 2024 Ref. no 2023/03476

## Proposal for new regulations on wine products

### 1. Summary

Following new EU legislation on the production, labelling and presentation of wine products, the Swedish National Food Agency proposes new regulations on wine products. A starting point for the proposed regulations is to keep costs and administrative burdens on food businesses as low as possible.

The Swedish National Food Agency proposes new provisions to ensure that wine producers:

be allowed to increase the natural alcohol content in winemaking without prior notification if necessary given weather conditions;

may be exempted, under certain conditions, from the obligation to withdraw their by-products;

may label wines, on application, which do not have a protected designation of origin or protected geographical indication with the vintage year, the grape variety and the term 'varietal wine' accompanied by Sweden or the name of the grape variety or both, and

may label products, in certain cases, with the term 'wine' followed by the name of the berry or fruit from which the wine has been produced.

Since at EU level there is no longer any requirement for treatment methods such as de-acidification and chaptalisation to be notified to the competent authority, it is proposed that current provisions on the obligation to notify certain treatment methods to the Swedish National Food Agency shall be removed. It is also proposed that the current winemaking regulations be replaced in their entirety by the now proposed new regulations on wine products.

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## **2. Description of the problem and what the Swedish National Food Agency wants to achieve**

In recent years, there have been changes in EU legislation relating to the production, labelling and presentation of wine products. A number of EU regulations have been repealed and replaced by new implementing regulations. There is therefore a need to adjust the Swedish National Food Agency's regulations (LIVSFS 2002:48) on winemaking and to introduce new provisions to supplement these EU regulations. A starting point for the proposed regulations is to keep costs and administrative burdens on food business operators as low as possible.

EU legislation regarding the notification of certain treatment methods has been amended. In this respect, the amendment implies that there is no longer any requirement for treatment methods such as de-acidification and chaptalisation to be notified to the competent authority. In view of this, the Swedish National Food Agency considers that there is no reason to maintain the requirement for notification of treatment methods contained in LIVSFS 2002:48. The Swedish National Food Agency therefore proposes that the current provisions of LIVSFS 2002:48 on the obligation to notify certain treatment methods to the Agency be removed.

Finally, some provisions of the current regulations on winemaking need to be updated with correct references to new EU regulations, and other provisions should be repealed or adjusted. The practice in Sweden of labelling certain products with the term 'fruit wine' also needs to be regulated.

Overall, the Swedish Food Agency deems it appropriate to adopt new regulations on wine products instead of introducing new provisions or amending provisions in the current regulations. The Swedish National Food Agency therefore proposes that the current regulations on winemaking be repealed and replaced by new regulations on wine products.

## **3. Essence of the proposal**

### **3.1 The current regulations on winemaking LIVSFS 2002:48**

#### *§ 1 Basic provisions*

§ 1 of LIVSFS 2002:48 contains references to repealed legal acts. The Swedish National Food Agency therefore proposes that the current information in § 1 be removed.

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*§§ 2-5 Notification of treatment methods*

Article 30(2) of Commission Delegated Regulation (EU) 2018/273<sup>1</sup> provides that Member States *may* require operators carrying out treatments in the form of correction of the alcoholic strength of wine, enrichment, acidification and de-acidification, to notify within a certain time limit their competent authorities of such operations after or – in the case of enrichment operations – before they are carried out. It is therefore no longer mandatory for Member States to require that treatments be notified to the competent authority. In order to make it easier for food business operators, and thus eliminate the administrative burden that a notification obligation entails, the Swedish National Food Agency proposes that the current notification provisions in §§ 2-5 of LIVSFS 2002:48 be removed.

However, it should be noted that operators required to keep a register are required to indicate the oenological practices, processing and treatments implemented by them. This is provided for in Article 29 of Commission Delegated Regulation (EU) 2018/273. Since this obligation follows from a directly applicable EU regulation, it does not need to be regulated by national regulations.

*§§ 6 and 7 Labelling of wine with vintage and grape variety*

It is proposed that the provisions currently contained in §§ 6 and 7 of LIVSFS 2002:48 be transferred to §§ 4–6 of the new regulations now proposed. However, some editorial adjustments are proposed.

**3.2 The new regulations on wine products now proposed***§ 1 Scope of application*

It is proposed that the new regulations contain provisions on the production, labelling and presentation of wine products. § 1 of the regulations also lists the EU regulations that the regulations supplement. The paragraph also contains a statement that the terms used in the regulations have the same meaning as in the EU regulations referred to in that paragraph.

*§ 2 Increasing the natural alcoholic strength*

The Swedish National Food Agency is proposing to introduce a provision allowing, where weather conditions make it necessary, an increase in the natural alcoholic strength by volume for the production of fresh grapes, grape must, partially fermented grape must, new wine not fully fermented and wine derived

<sup>1</sup> Chapter V of Commission Delegated Regulation (EU) 2018/273 of 11 December 2017 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, the vineyard register, accompanying documents and certification, the inward and outward register, compulsory declarations, notifications and publication of notified information, and supplementing Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks and penalties, amending Commission Regulations (EC) No 555/2008, (EC) No 606/2009 and (EC) No 607/2009 and repealing Commission Regulation (EC) No 436/2009 and Commission Delegated Regulation (EU) 2015/560, as amended.

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from wine grape varieties classifiable according to Article 81 of Regulation (EU) No 1308/2013 of the European Parliament and of the Council<sup>2</sup>. Member States may introduce such a provision in accordance with that which is set out in point 1 of § A of Part I of Annex VIII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council.

The increase in natural alcoholic strength shall be achieved in the manner specified in Part I, § A, point 2 of Annex VIII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council, and shall not exceed 3 % by volume in accordance with point 2(a).<sup>3</sup>

Wine producers already have the possibility to increase the natural alcoholic strength of the above-mentioned products. However, in order for them to be allowed to do this, they must have notified this to the Swedish National Food Agency no later than 48 hours before the date on which the treatment is to commence.<sup>4</sup> In order to reduce the administrative burden on wine producers, the Swedish National Food Agency proposes that this notification obligation be removed.

*§ 3 Exemption from the requirement to withdraw by-products from the winemaking process*

It follows from Article 14 of Commission Delegated Regulation (EU) 2019/934 that, in certain cases, wine producers are obliged to withdraw their by-products. However, Article 14(3) of Commission Delegated Regulation (EU) 2019/934 provides that Member States may decide that producers who, during a wine year, do not produce more than 50 hectolitres of wine or must themselves on their own premises are not required to withdraw their by-products. The Swedish National Food Agency proposes that such an exemption be included in the regulations. This is to make it easier for the food business operators affected by the requirement to withdraw the by-products.

It follows from Article 6(d) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council that a marketing year for the wine sector shall run from 1 August to 31 July of the following year. The Swedish National Food Agency therefore proposes that the second paragraph of § 3 of the new regulations

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<sup>2</sup> Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007.

<sup>3</sup> All wine-growing areas in Sweden are covered by wine-growing zone A in accordance with Appendix I, point 1(c) of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council.

<sup>4</sup> See § 3 of LIVSFS 2002:48.

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now proposed include an indication that a wine year is a period starting on 1 August and ending on 31 July of the following year.

*§§ 4–6 Vintage year and grape variety*

The labelling and presentation of wine, grape must, grape must in fermentation and concentrated grape must may, in accordance with Article 120(1)(a) and (b) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council, include optional indication of the vintage year and the name of one or more wine grape varieties. However, it is apparent from Article 120(2)(a) of that regulation that, for wines without a protected designation of origin (PDO) or a protected geographical indication (PGI), which have been labelled or presented with the vintage year or the name of one or more wine grape varieties, a regulatory framework must be established to ensure certification, approval and verification procedures, so as to guarantee the accuracy of the information concerned.

Article 12(1) of Commission Implementing Regulation (EU) 2018/274<sup>5</sup> further specifies that the procedure for the certification, approval and verification of wines without a PDO or PGI referred to in Article 120(2)(a) of Regulation (EU) No 1308/2013 shall require administrative evidence to support the accuracy of the grape variety or varieties or of the vintage year indicated on the labelling or in the presentation of the wines concerned.

In accordance with Article 12(3) of the Commission Implementing Regulation (EU) 2018/274, the operators involved in the marketing of wine products produced, processed or bottled by them shall be recognised and receive a permit from the competent authorities to certify the origin or provenance, the characteristics, the vintage or the grape variety(-ies) in accordance with Articles 11 and 12 of Delegated Regulation (EU) 2018/273.

The Swedish National Food Agency considers that §§ 6 and 7 of LIVSFS 2002:48 meet the requirements laid down in the EU Regulations, and therefore proposes that the provisions be transferred to the new regulations now being proposed. The Swedish National Food Agency therefore proposes to include in the new regulations a provision granting food business operators, who have been approved by the Agency, the right to label and present wines without PDO or PGI with vintage and grape variety. In this connection, however, the Swedish National

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<sup>5</sup> Chapter IV of Commission Implementing Regulation (EU) 2018/274 of 11 December 2017 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the scheme of authorisations for vine plantings, certification, the inward and outward register, compulsory declarations and notifications, and of Regulation (EU) No 1306/2013 of the European Parliament and of the Council as regards the relevant checks, and repealing Commission Implementing Regulation (EU) 2015/561, as amended.

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Food Agency is proposing some editorial adjustments to the provisions currently contained in §§ 6 and 7 of LIVSFS 2002:48.

The Agency also proposes to add to the application procedure that food business operators established in another country within the European Economic Area (EEA), and which therefore do not have a registration number, personal identification number or coordination number, should provide the corresponding identification details. The reason why the Swedish National Food Agency proposes this addition is that economic activities covered by the free movement of goods and services provisions of the Treaty on the Functioning of the European Union, or equivalent provisions of the EEA Agreement, under § 2 of the Act (1992:160) on foreign branches, etc., may be carried out in Sweden by someone who has no registration number, personal identification number or coordination number. In order to avoid any risk of indirect discrimination, the Swedish National Food Agency proposes that other identifying information may also be used by these food business operators. Which other information fulfils the identification requirement may be assessed on a case-by-case basis.

It is proposed that the above approvals be withdrawn by the Swedish National Food Agency if the conditions are no longer met, as is the case under the current regulations on winemaking. Thus, if an official control finds that the food business operator does not correctly indicate the labelling particulars, the approval may be withdrawn.

#### *§§ 7–9 Varietal wine*

Article 51 of Commission Delegated Regulation (EU) 2019/33<sup>6</sup> provides that, for wine products<sup>7</sup> without a PGI or PDO, a Member State may allow wine producers to use the term ‘varietal wine’ accompanied by the name of the Member State or the name of the grape variety or both, provided that the conditions laid down in Article 120(2) of Regulation (EU) No 1308/2013 are met. The Swedish National Food Agency proposes that, with regard to the use of the term ‘varietal wine’, accompanied by Sweden and the name of the grape variety, provisions equivalent

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6 Article 50 of Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation, as amended.

7 Wine products are defined here as those referred to in points 1 to 9 and 16 of Part II of Annex VII to Regulation (EU) No 1308/2013, i.e. wine, new wine still in fermentation, liqueur wine, sparkling wine, quality sparkling wine, quality aromatic sparkling wine, aerated sparkling wine, semi-sparkling wine, aerated semi-sparkling wine and wine of overripe grapes.

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to those proposed to apply to the labelling and presentation of wines with the vintage year and the grape variety should be introduced.

This means that, following approval by the Swedish National Food Agency, it is proposed that a food business operator may label or present wine products without a PDO or PGI with the term 'varietal wine', accompanied by Sweden or the name of the grape variety or both. This approval can be withdrawn by the Agency, in the same way as approval to indicate the vintage year and the grape variety, if the conditions are no longer met.

What has been said above with regard to an application for approval to indicate the vintage year and the grape variety also applies to an application for approval to indicate the term 'varietal wine' accompanied by Sweden or the name of the grape variety for wine products or both.

#### *§ 10 Fruit wine*

Point 1 of Part II of Annex VII to Regulation (EU) No 1308/2013 of the European Parliament and of the Council provides that Member States may allow the use of the term 'wine', where that term is accompanied by the name of a fruit in a composite word, in the context of the sale of products obtained by fermentation of berries and fruits other than grapes.

The term 'wine' has long been used by Swedish operators for wine from berries and fruits other than grapes. The Swedish National Food Agency therefore proposes that this practice be codified and regulated. The Swedish National Food Agency therefore proposes to include in the regulations a provision that gives manufacturers the right to label products obtained from the fermentation of berries and fruits other than grapes with the term 'wine', if the term – in a compound word – is accompanied by the name of the berries or fruit from which the wine was produced.

#### *Entry into force and transitional provisions*

The regulations are expected to enter into force on 1 July 2025. At the same time, it is proposed that the current regulations on winemaking, LIVSFS 2002:48, be repealed.

## **4. Alternative solutions for what the Swedish National Food Agency wants to achieve**

### **4.1 Provisions that Sweden is free to introduce**

Through the proposed regulations, the Swedish National Food Agency aims to give food business operators manufacturing products covered by the draft regulations more options, thereby making it easier for them to carry out their

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operations and keeping their costs down, and also to introduce certain provisions that Sweden is obliged to introduce as a result of the EU regulatory framework.

The proposed regulations allow food business operators to increase the natural alcoholic strength in the production of certain products without prior notification to the Swedish National Food Agency. Food businesses are also given the opportunity, under certain conditions, to be exempted from the requirement to withdraw certain by-products and to be allowed to label certain products with the vintage year, the grape variety and the term ‘varietal wine’ accompanied by Sweden or the name of the grape variety or both, and with the term ‘wine’ accompanied by the name of the berry or fruit from which the wine has been made.

The possibility to increase the natural alcoholic strength in the production of certain products and to label certain products without PGI or PDO with vintage year and grape variety already exists today.<sup>8</sup> However, a prerequisite for being able to label products in question with the vintage year and the grape variety is that Sweden has implemented a procedure ensuring certification, approval and verification procedures, so that the correctness of the information in question is guaranteed. However, the requirement that an increase in the natural alcoholic strength of certain products be preceded by a notification to a competent authority has now been removed at EU level.

The possibility of labelling products with the term ‘wine’ accompanied by the name of the berry or fruit from which the wine has been produced in a compound word, ‘varietal wine’ accompanied by Sweden or the name of the grape variety or both, and the proposed exemption from the requirement to withdraw by-products is missing from current regulations LIVSFS 2002:48. These rights do not derive from any directly applicable EU provision. Instead, Member States have been given the opportunity to introduce provisions that allow food business operators these possibilities. The Swedish National Food Agency has concluded that food business operators manufacturing wine products would benefit from the introduction of such provisions in Sweden.

Therefore, taking into account the objectives that the Swedish National Food Agency wishes to achieve through the proposed regulations, the Agency does not see alternative solutions to:

retaining the possibility of labelling wine and grape must without PGI or PDO with vintage year and grape variety;

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<sup>8</sup> See Part I, § A, point 1 of Annex VIII to Regulation (EU) No 1308/2013 and Articles 120(1)(a) and (b) and 120(2)(a) of Regulation (EU) No 1308/2013 of the European Parliament and of the Council.



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introducing provisions allowing food business operators to label certain wine products without a PGI or PDO with the term ‘varietal wine’, accompanied by Sweden or the name of the grape variety or both;

introducing a provision allowing for an increase in the natural alcoholic strength during the production of certain products without prior notification to the Swedish National Food Agency;

introducing a provision allowing for exemptions from the obligation to withdraw by-products; and

introducing a provision specifying the conditions under which the term ‘wine’ may be used for products not obtained from grapes or grape must.

#### ***4.2 Provisions that Sweden is obliged to introduce***

As regards the possibility of labelling certain specified products without a PGI or PDO with a vintage year or a grape variety, Article 120(2)(a) of Regulation (EU) No 1308/2013 requires Sweden to introduce provisions ensuring certification, approval and verification procedures, in order to ensure the accuracy of the information. The same applies, in accordance with Article 51 of Regulation (EU) 2019/33, to labelling and presentation using the term ‘varietal wine’, accompanied by Sweden or the name of the grape variety or both.

In these cases, the Swedish National Food Agency therefore has no alternative solution to introducing an approval procedure for food business operators who wish to label the above-mentioned products with the vintage year, the grape variety or with the expression ‘varietal wine’, accompanied by Sweden or the name of the variety or both.

#### ***4.3 Mandatory tests***

As in the past, the Swedish National Food Agency considers that there is no reason to impose mandatory tests, such as an organoleptic test of the aroma and taste of the wine or an analytical test for wines made from a single grape variety, in order not to unnecessarily increase the administrative burden or costs for wine producers. Instead, the accuracy of the information in relation to labelling for the purposes mentioned shall be ensured by administrative checks.

### **5. Impact if no regulation comes into effect**

If the proposed regulations are not introduced, this would lead, inter alia, to the following:

that an increase in the natural alcoholic strength by volume during production of certain products will not be permitted if the wine business has not notified the treatment to the Swedish National Food Agency no later than 48 hours before the date on which the treatment is to commence;

that food business operators who, on their own premises, produce no more than 50 hectolitres of wine or must during a wine year must withdraw their by-products

in accordance with Article 14 of Commission Delegated Regulation (EU) 2019/934;

that food businesses in Sweden, when labelling or presenting wine products without PGI or PDO, will not be allowed to use the term ‘varietal wine’ accompanied by Sweden or the name of the grape variety.

This, in turn, could lead to food businesses operating in Sweden being placed in an even worse position compared to food businesses operating in Member States which have adopted provisions such as those proposed in the current regulations.

In the case of fruit wine, businesses that currently produce and sell, for example, apple wine, cherry wine, plum wine, blueberry wine or pear wine would not be able to use that designation on their products. Furthermore, several of these terms, such as apple wine and pear wine, may be considered as customary names in Sweden. If the use of these designations were not allowed, producers would have to develop a new designation and print new labels. Furthermore, if the terms were not allowed to be used, consumers would find it more difficult to understand what kind of product they are buying.

## **6. Who will be affected by the regulation?**

The regulations concern the production of wine products, which is why it is food businesses in the form of wine producers who are affected by the regulation.

The Swedish National Food Agency is also affected by the regulation in that it is responsible for handling cases concerning applications for approval for labelling with both the vintage year and the grape variety and varietal wine, accompanied by Sweden or the name of the grape variety or both. The Swedish National Food Agency is also responsible for checking that the approved wine producers follow the procedures they have specified in their respective applications in order to be able to correctly label the wine with the correct vintage, grape variety and country of origin.

## **7. The authorisations on which the Swedish National Food Agency’s decision-making power is based**

The Swedish National Food Agency has authority for these decisions by virtue of the authorisations granted in §§ 2, 6, 7 and 7 of the Food Ordinance (2006:813). However, as regards §§ 2, 3, 7 and 10 of the proposed regulations, the Swedish National Food Agency does not currently have the authorisation to issue them. In order for the regulations to be adopted, the Government needs to give the Swedish National Food Agency authorisation to adopt these regulations, which is why the regulations are proposed on the condition that this will be done.

## **8. Information on the costs and other impacts of the regulation and an impact comparison of the considered regulatory alternatives**

### *The food businesses*

The removal of the current requirements for the notification of certain oenological practices provides an administrative relief for the operators, estimated to be equivalent to one hour of administration per operator compared to the current rules.

The requirement for the application for authorisation to label with the vintage year and the grape variety remains unchanged and therefore does not entail any difference in administrative burden or cost for operators. It is a voluntary label which requires the approval of a competent authority in accordance with EU rules and regulations. Producers can choose not to use the label and do not need to apply for approval in that case either.

A new requirement for the application for approval of labelling with the term 'varietal wine' accompanied by Sweden or the name of the grape variety or both entails an increased administrative burden equivalent to an estimated one hour per product and producer applying. It is a voluntary label that requires approval under the EU regulatory framework. Producers can choose not to use the label and do not need to apply for approval in that case either. The Swedish National Food Agency does not know how many wine producers will want to use this label.

### *The Swedish National Food Agency*

The removal of the obligation to notify certain oenological practices to the competent authority also entails an administrative relaxation for the Swedish National Food Agency, estimated at an equivalent of one hour of administration per application compared with the current rules, which, in the case of the Agency, would mean a couple of hours of reduced administration per year.

The requirement for the application for authorisation in order to be able to label with the vintage year and the grape variety remains unchanged and therefore does not make any difference in terms of administrative burden or cost to the Swedish National Food Agency. The Agency therefore estimates that even after the proposed regulations have been decided, there will be a couple of applications per year. It is a voluntary label that requires approval under the EU regulatory framework.

A new requirement for the application for approval of labelling with the term 'varietal wine' accompanied by Sweden or the name of the grape variety or both means an increased administrative burden for the Swedish National Food Agency equivalent to two hours per application. It is a voluntary label that requires

approval under the EU regulatory framework. The Swedish National Food Agency does not know how many wine producers will want to use this label on their products.

## **9. Assessment of whether the regulation complies with or exceeds Sweden's obligations as a European Union member**

The draft regulation complies with the obligations arising from Sweden's accession to the EU. The proposed provisions are consistent with the current EU regulations on wine products and aim to complement them.

## **10. Assessment as to whether special consideration needs be given regarding the date of entry into force and whether special information efforts are required**

The regulations are expected to enter into force on 1 July 2025. At the same time, the current regulations on winemaking LIVSFS 2002:48 are proposed to be repealed. In the opinion of the Swedish National Food Agency, there is no need to take particular account of the date of entry into force, rather the regulations should enter into force as soon as possible.

However, the regulations must be notified to the Commission and the other Member States before they can be adopted. The notification obligation follows from Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services. Notification to the European Commission normally results in a standstill period of three months, but this period may be extended by a further three months if the Commission or a Member State has comments. During this period, and before the notification procedure is completed, the proposed regulations may not be adopted.

Information campaigns will be run in connection with the adoption and publication of the regulations. Information will be provided to companies, trade associations and control authorities through the Swedish National Food Agency's official channels, newsletters and information on its website.

## **11. Number of companies affected, the sectors in which they operate, and their sizes**

At the end of 2022, there were 64 registered wine producers in Sweden. Most of these companies are small and have a cultivated area of between one and ten hectares.<sup>9</sup> A couple of these companies are considered to be large, and they have large establishments where imported and added wine is bottled. Five establishments can be considered medium-sized (they produce over 20 tonnes of

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<sup>9</sup> See p. 17 of the Drinks Industry Report 2023.

grapes per year) and the rest are small or very small. The total Swedish vineyard area is estimated to amount to approximately 100 hectares, which gives approximately 13 000 to 14 000 bottles of wine per year.<sup>10</sup>

However, not all of these wine producers will be affected by the proposed regulations. Only companies producing by-products covered by the proposed rules or wishing to increase the natural alcoholic strength of certain products, as well as those wishing to label their products with the vintage year, the grape variety or the term 'varietal wine' accompanied by Sweden, or with the term 'wine' accompanied by the name of the berry or fruit from which the wine has been produced, will be affected by the proposed rules.

## **12. How much time companies will need to spend on the regulation and the impact it will have on their administrative costs**

The approval procedure under §§ 4 and 7 of the currently proposed regulations will entail a certain increase in the administrative burden and time for companies wishing to apply for approval. However, an application may not take much time and furthermore is only done once. It should also be a simpler application procedure, which is why, as a whole, it cannot be expected to be a significant administrative burden or cost for the companies.

## **13. Additional costs that are incurred by companies due to the draft regulation and operational changes that the companies may have to make as a result of the draft regulation**

The Swedish National Food Agency does not currently charge a fee for the processing of an application for approval to label certain products with the vintage year and grape variety. Nor are any such fees proposed in the now proposed regulations on wine products for an application for authorisation to label certain products with the term 'varietal wine', accompanied by Sweden or the name of the grape variety for wine products or both. However, the Swedish National Food Agency intends to investigate whether these application and approval procedures should be fee-financed.

## **14. The extent to which the regulation may affect competitive conditions for the companies**

The proposed regulations propose that, under certain conditions, food business operators may increase the natural alcoholic strength of certain products without prior notification to the Swedish National Food Agency. It is also proposed to allow food business operators, under certain conditions, to be exempted from the requirement to withdraw their by-products and to be allowed to indicate, on the labelling and presentation of certain products, the term 'varietal wine',

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<sup>10</sup> Ibid.

accompanied by Sweden or the name of the grape variety for wine products or both, and to use the term ‘wine’ accompanied by the name of the berry or fruit from which the wine has been produced.

These opportunities are not currently available to food business operators. Through the proposed regulations, the Swedish Food Agency considers that the competitive relationship between food business operators operating in Sweden, and those operating in Member States that have already introduced provisions of the kind proposed in the current regulations, will be more equal.

### **15. Other respects in which the regulation may affect the companies**

The regulation is not expected to affect the companies in any respects other than those stated in the previous paragraphs.

### **16. Description of whether special consideration needs to be taken of small companies when drafting the regulations**

There is no need to give special consideration to small companies when drafting the rules, as the Swedish Food Agency can state that most of the businesses concerned are small companies.

### **17. Impact on municipalities or regions**

The Swedish National Food Agency considers that the proposal will not have any particular impact on municipalities or regions.

### **18. Environment and gender equality**

The Swedish National Food Agency considers the proposed regulations to have no impact on the environment or gender equality.

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