

PROTOCOL  
ON WINE LABELLING

as referred to in Article 8(2) of the Agreement between  
the United States of America and the European Community  
on Trade in Wine

Part A

Wines originating in the United States

1. In this Part of the Protocol, "United States wine" refers to wine originating in the United States and exported to, and placed on the market of, the Community under the terms of the Agreement between the United States of America and the European Community on Trade in Wine, hereinafter referred to as "the Agreement".
2. Optional particulars are:
  - 2.1. (a) a vintage year;
  - (b) one or more vine variety names;
  - (c) a bottling location;
  - (d) an award, medal or other reference to a competition;
  - (e) a name of a vineyard;
  - (f) a term listed in point 1 of Appendix I;
  - (g) an indication concerning the method used to produce the wine, subject to Appendix II;

- 2.2. the term "Estate Bottled";
- 2.3.
  - (a) the type of product as specified in Appendix III;
  - (b) a name, title and address of a legal or natural person that took part in the marketing of the wine;
  - (c) a specific color. Specific color does not refer to "*rosé/pink*", "*red*" or "*white*" in English or in translations and applies to all other colors.
3. United States wine may be labelled with the optional particulars under point 2 provided that the optional particulars are used in conformity with all the requirements set down below:
  - 3.1. Optional particulars may only be used in conformity with Part 4 of Title 27 of the U.S. Code of Federal Regulations, as amended.
  - 3.2. Optional particulars in point 2.2.1 may be used only if the wine also bears a name of origin listed in Annex V of the Agreement.
  - 3.3. The optional particular in point 2.2.2 may be used only if the wine also bears a name of origin listed in Annex V, Part A of the Agreement.
  - 3.4. Wine with or without a name of origin may use the optional particulars in point 2.2.3.

- 3.5. Except as provided for in this Protocol, the optional particulars may not include terms that are the same as names of origin protected in the Community as listed in Annex IV of the Agreement.
- 3.6. With respect to the use of vine variety names as optional particulars:
- (a) vine variety names that may be used as optional particulars are those listed in Appendix IV. This provision is without prejudice to the use of other vine variety names, whether or not listed in Appendix IV, permitted under Community regulations and, in particular, Commission Regulation (EC) No 753/2002, as amended.
  - (b) Upon request by the United States, the Parties shall modify Appendix IV to include any vine variety that has been notified by the United States to the Community, unless the Community informs the United States within 60 days of the date of receipt of the notification that the use of this vine variety name is not permitted under Community regulations and, in particular, Commission Regulation (EC) No 753/2002, as amended.
  - (c) subparagraph (b) is without prejudice to the ability of the Parties to amend Appendix IV under Article 11 of the Agreement where there has been no notification under subparagraph (b).

- 3.7. With respect to the optional particulars in point 2.2.1(b), the label may indicate:
- (a) the name of a single variety, provided that 75 percent (75%) of the wine is derived from grapes of that variety and provided the variety determines the character of the wine in accordance with the rules and practices of the United States;
  - (b) the names of two or more vine varieties, provided that 100 percent (100%) of the grapes used, after adjusting for the quantity of grapes used for sweetening, are of the varieties indicated, although four or more vine variety names may only be mentioned on the back label.
- 3.8. The use of optional particulars in point 2.2.1(f) is also subject to Appendix 1.
4. Wine originating in the United States, as defined in Article 2(c) of the Agreement, may be labelled with a state or county name of origin listed in Parts B and C of Annex V provided that at least 75 percent (75%) of the wine concerned is made from grapes harvested in the named place.

Part B

Wines originating in the Community

1. In this Part of the Protocol, "Community wine" refers to wine originating in the Community and exported to and placed on the market of the United States under the terms of the Agreement.
  
2. Community wine may be labelled with additional information, as defined in Title 27, U.S. Code of Federal Regulations, section 4.38(f), as amended, and in conformity with Chapter II of Title V and Annexes VII and VIII of Council Regulation (EC) No 1493/1999, as amended, and Commission Regulation (EC) No 753/2002, as amended, provided that the additional information is used in conformity with U.S. requirements, including that such information does not conflict with mandatory U.S. regulatory requirements or qualify in any manner information mandated by those requirements and that the additional information is truthful, accurate, specific and is neither disparaging nor misleading.