

7. Without prejudice to Articles 11 and 12 and Article 13(2), (3) and (4), the use of the legal names referred to in paragraph 2 of this Article or geographical indications in the description, presentation or labelling of any beverage not complying with the requirements of the relevant category set out in Annex I or of the relevant geographical indication shall be prohibited. That prohibition shall also apply where such legal names or geographical indications are used in conjunction with words or phrases such as 'like', 'type', 'style', 'made', 'flavour' or any other similar terms.

Without prejudice to Article 12(1), flavourings that imitate a spirit drink or their use in the production of a foodstuff other than a beverage may bear, in their presentation and labelling, references to the legal names referred to in paragraph 2 of this Article, provided that such legal names are supplemented by the term 'flavour' or any other similar terms. Geographical indications shall not be used to describe such flavourings.

#### Article 11

##### Compound terms

1. In the description, presentation and labelling of an alcoholic beverage, the use in a compound term of either a legal name provided for in the categories of spirit drinks set out in Annex I or a geographical indication for spirit drinks shall be authorised on condition that:

- (a) the alcohol used in the production of the alcoholic beverage originates exclusively from the spirit drink referred to in the compound term, except for the alcohol that may be present in flavourings, colours or other authorised ingredients used for the production of that alcoholic beverage; and
- (b) the spirit drink has not been diluted by addition of water only, so that its alcoholic strength is below the minimum strength provided for under the relevant category of spirit drinks set out in Annex I.

2. Without prejudice to the legal names provided for in Article 10, the terms 'alcohol', 'spirit', 'drink', 'spirit drink' and 'water' shall not be part of a compound term describing an alcoholic beverage.

3. Compound terms describing an alcoholic beverage shall:

- (a) appear in uniform characters of the same font, size and colour;
- (b) not be interrupted by any textual or pictorial element which does not form part of them; and
- (c) not appear in a font size which is larger than the font size used for the name of the alcoholic beverage.

#### Article 12

##### Allusions

1. In the presentation and labelling of a foodstuff other than an alcoholic beverage, an allusion to legal names provided for in one or more categories of spirit drinks set out in Annex I, or to one or more geographical indications for spirit drinks, shall be authorised on condition that the alcohol used in the production of the foodstuff originates exclusively from the spirit drink or the spirit drinks referred to in the allusion, except as regards the alcohol that may be present in flavourings, colours or other authorised ingredients used for the production of that foodstuff.

2. By way of derogation from paragraph 1 of this Article and without prejudice to Regulations (EU) No 1308/2013<sup>(20)</sup> and (EU) No 251/2014<sup>(21)</sup> of the European Parliament and of the Council, an allusion in the presentation and labelling of an alcoholic beverage other than a spirit drink to legal names provided for in one or more categories of spirit drinks set out in Annex I to this Regulation or to one or more geographical indications for spirit drinks shall be authorised on condition that:

- (a) the added alcohol originates exclusively from the spirit drink or spirit drinks referred to in the allusion; and
- (b) the proportion of each alcoholic ingredient is indicated at least once in the same visual field as the allusion, in descending order of quantities used. That proportion shall be equal to the percentage by volume of pure alcohol it represents in the total pure alcohol content by volume of the final product.

<sup>(20)</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 (OJ L 347, 20.12.2013, p. 671).

<sup>(21)</sup> Regulation (EU) No 251/2014 of the European Parliament and of the Council of 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91 (OJ L 84, 20.3.2014, p. 14).

3. By way of derogation from paragraph 1 of this Article and from Article 13(4), in the description, presentation and labelling of a spirit drink that complies with the requirements of categories 33 to 40 of Annex I, the allusion to legal names provided for under one or more categories of spirit drinks set out in that Annex or to one or more geographical indications for spirit drinks shall be authorised on condition that:

- (a) the added alcohol originates exclusively from the spirit drink or spirit drinks referred to in the allusion;
- (b) the proportion of each alcoholic ingredient is indicated at least once in the same visual field as the allusion, in descending order of quantities used. That proportion shall be equal to the percentage by volume of pure alcohol it represents in the total pure alcohol content by volume of the final product; and
- (c) the term 'cream' does not appear in the legal name of a spirit drink that complies with the requirements of categories 33 to 40 of Annex I or in the legal name of the spirit drink or spirit drinks referred to in the allusion.

4. The allusions referred to in paragraphs 2 and 3 shall:

- (a) not be on the same line as the name of the alcoholic beverage; and
- (b) appear in a font size which is no larger than half the font size used for the name of the alcoholic beverage and, where compound terms are used, in a font size which is no larger than half the font size used for such compound terms, in accordance with point (c) of Article 11(3).

#### Article 13

#### **Additional rules on description, presentation and labelling**

1. The description, presentation or labelling of a spirit drink may refer to the raw materials used to produce the ethyl alcohol of agricultural origin or distillates of agricultural origin used in the production of that spirit drink only where that ethyl alcohol or those distillates have been obtained exclusively from those raw materials. In such a case, each type of ethyl alcohol of agricultural origin or distillate of agricultural origin shall be mentioned in descending order of quantity by volume of pure alcohol.

2. The legal names referred to in Article 10 may be included in a list of ingredients for foodstuffs, provided that the list is in accordance with Articles 18 to 22 of Regulation (EU) No 1169/2011.

3. In the case of a mixture or a blend, the legal names provided for in the categories of spirit drinks set out in Annex I or geographical indications for spirit drinks may be indicated only in a list of the alcoholic ingredients appearing in the same visual field as the legal name of the spirit drink.

In the case referred to in the first subparagraph, the list of alcoholic ingredients shall be accompanied by at least one of the terms referred to in points (d) and (e) of Article 10(6). Both the list of alcoholic ingredients and the accompanying term shall appear in the same visual field as the legal name of the spirit drink, in uniform characters of the same font and colour and in a font size which is no larger than half the font size used for the legal name.

In addition, the proportion of each alcoholic ingredient in the list of alcoholic ingredients shall be expressed at least once as a percentage, in descending order of quantities used. That proportion shall be equal to the percentage by volume of pure alcohol it represents in the total pure alcohol content by volume of the mixture.

This paragraph shall not apply to blends made of spirit drinks belonging to the same geographical indication or blends of which none of the spirit drinks belongs to a geographical indication.

4. By way of derogation from paragraph 3 of this Article, if a mixture complies with the requirements for one of the categories of spirit drinks set out in Annex I, that mixture shall bear the legal name provided for in the relevant category.

In the case referred to in the first subparagraph, the description, presentation or labelling of the mixture may show the legal names set out in Annex I or geographical indications corresponding to the spirits drinks that were mixed, provided that those names appear:

- (a) exclusively in a list of all the alcoholic ingredients contained in the mixture which shall appear in uniform characters of the same font and colour and in a font size which is no larger than half the font size used for the legal name; and
- (b) in the same visual field as the legal name of the mixture at least once.