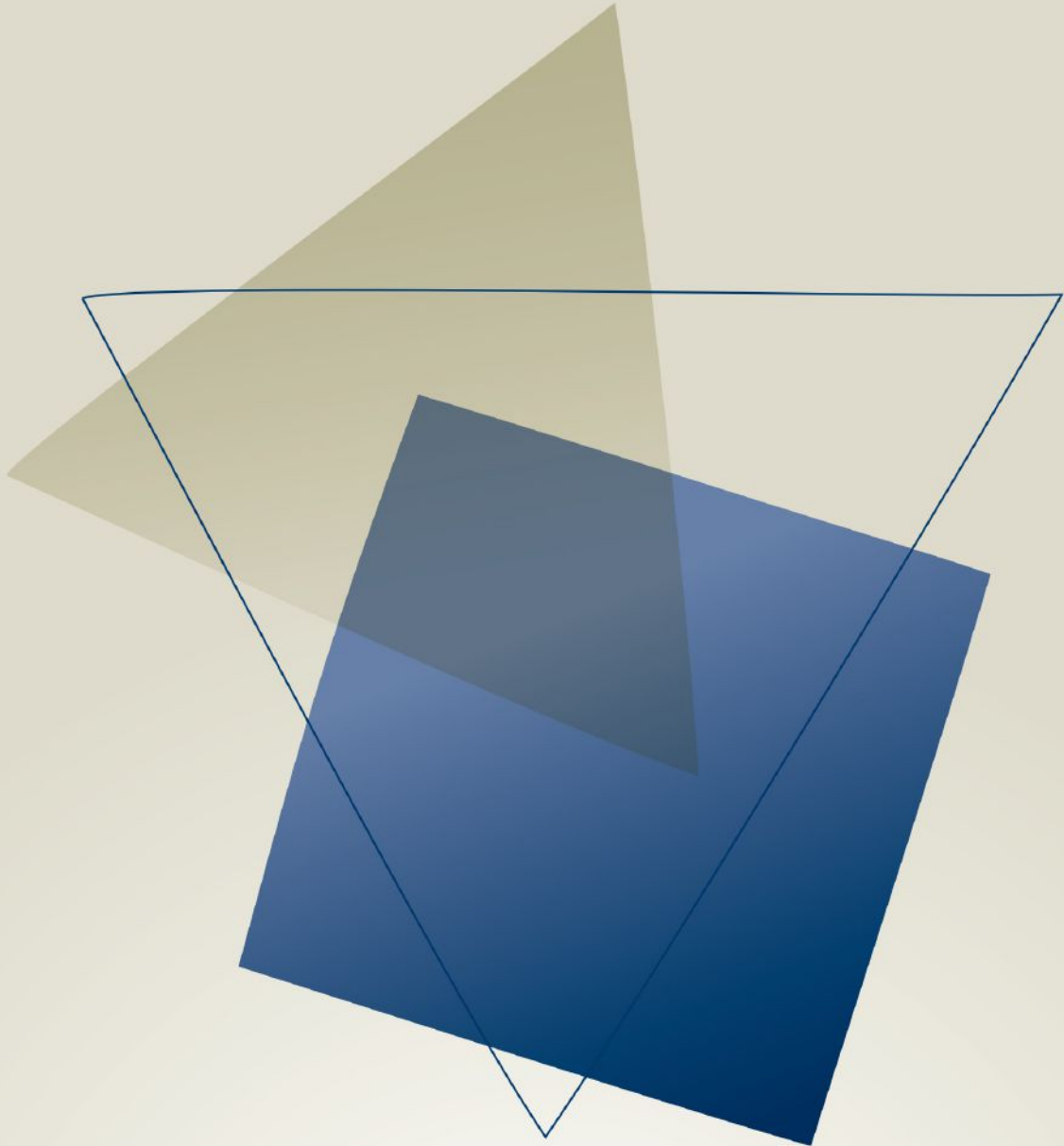


FOOD AND WINE CULTURE

New wine label regulations



E.U. wine label requirements have changed. Beginning December 8th, 2023, all wine sold in the E.U must display new information according to regulation (EU) 2021/2117 of the European parliament and of the council in a revision to the E.U. Common Agriculture Policy.



■ NEW WINE LABEL REQUIREMENTS and E.U. Common Agricultural Policy Reform 2023

The latest E.U. Common Agricultural Policy (CAP) reform includes imminent changes to label requirements for wines intended for sale and consumption in the E.U. The changes introduced matter to all wine producers selling in the European Union, regardless of origin, and include details that prepare and guide wine producers for regulatory compliance. This article summarizes the most important details of the CAP reform with a focus on the requirements for wine labels.

Who is this article written for?

You're a wine producer selling wines in the European Union.

You're a wine distributor labeling wines to sell in the European Union.

You're a producer of lowered alcohol content wines intended for sale in the E.U.

What are the new CAP regulations on wine labeling?

After December 8th, 2023 all wine bottles sold in the E.U., irrespective of country of origin, will be required to include ingredients, nutrition information, allergens, and energy information along with the product. This information must be provided on the wine bottle or labels directly applied or otherwise appended to the product packaging. The changes are specified in REGULATION (EU) 2021/2117 and include interesting and critical distinctions between what information must appear, in full text, on wine labels and what information can be provided through "electronic means".

This excerpt from E.U. regulation 2021/2117 contains the first part of the information that is most relevant to wine producers selling in the E.U.:

"In order to provide a higher level of information to consumers, the compulsory particulars under Article 119 of Regulation (EU) No 1308/2013 should include a nutrition declaration and a list of ingredients. However, producers should have the option of limiting the contents of the nutrition declaration on the package or on a label attached thereto to only the energy value and of making the full nutrition declaration and the list of ingredients available by electronic means, provided that they avoid any collection or tracking of user data and do not provide information aimed at marketing purposes. However, the option of not providing a full nutritional declaration on the package or on a label attached thereto should not affect the existing requirement that the label list substances causing allergies or intolerances. In Article 122 of Regulation (EU) No 1308/2013, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of supplementing Regulation (EU) No 1308/2013 by laying down rules for the indication and designation of ingredients. The marketing of existing stocks of wine should be allowed to continue after the dates of application of the new labeling requirements until those stocks are exhausted. Operators should be allowed sufficient time to adjust to the new labeling requirements before they become applicable."

Detailed requirements for how to present the information is specified throughout the body of the related regulations, which include other regulation numbers outside of regulation 2021/2117, such as regulation 1169/2011 and regulation 1308/2013

What needs to be on the label and what can be provided by "electronic means"?

Energy information, similar to the declaration of calories in the U.S., must still be displayed on wine labels using the symbol "E". Any potential allergens will also need to be prominently displayed and listed under the word "Contains".

You can find the list of known intolerances and allergens* as well as notes on how to display them in REGULATION (EU) No 1169/2011 Article 9 1.c.

In contrast to the required label content, while ingredient and nutrition information must be provided, they can instead be made available for access through a QR code or URL on the wine label.

There are two especially important restrictions that wine producers and label makers must bear in mind for those content items that are provided by QR code or URL.

"Electronic labels cannot contain any other information intended for sales or marketing purposes".

"No user data can be collected or tracked through electronic means".

Violations of these two restrictions, or any non-compliance with the label requirements, are grounds for the removal of the non-compliant wine products from their intended market.

Do lowered alcohol or de-alcoholized wine labels need to be compliant?

Wines that have had their alcoholic content lowered or "de-alcoholized" through a process are included in the same regulations as normal, alcoholic wines. In fact, they have their own required formats depending on several characteristics.

Label requirements for lowered alcohol or de-alcoholized wines:

The term "de-alcoholised" (U.K. spelling) must be included, and can be provided digitally if the alcohol by volume is no more than .5%. The term "partially de-alcoholised" can be used if the alcohol by volume is more than .5% but below the minimum actual alcoholic strength of the category before de-alcoholisation. For any wines with strength by volume of less than 10 %, the date of minimum durability is necessary to be included and can also be provided "through electronic means".

Do beer and spirits need to be compliant with the CAP reform rules?

Beer and spirits are not covered by this updated regulation. Despite that, beer and spirits producers and label providers are advised to consider mirroring the new E.U. wine label requirements. This approach hedges the possibility of inclusion for beer and spirits products and recognizes similar developments from other E.U. regulations. Unrelated but similar regulations, such as the E.U. digital product passport scheme, are rolling out at a staggered pace, with particular requirement depending on the industry. In the case of the Digital Product Passport scheme, most products will need to have an association with a central product information database, but particular requirements have been issued for the textile industry, the battery industry, and more are coming for the construction materials industry.

Is there a transition period for labels for wine bottles to be in compliance?

Any bottles that were produced before the regulations go into effect in December 2023 can be sold until all remaining supplies are sold or otherwise exhausted.

Can wine producers link to their own websites/apps to display label information?

Providing a link to a wine producer's own website or app to host required ingredient and nutrition information would violate the E.U. rules regarding providing details through "electronic means". Brand websites and apps contain information and content intended for sales and marketing purposes. User data is also almost always collected and tracked through interactions with company websites and apps. The common use of Google Analytics alone would constitute non-compliance with the E.U. requirements.

Hosting electronic labels on a 'clean' platform with a guaranteed absence of sales or marketing content and no function for user tracking is paramount and a hard requirement.

What kind of "electronic means" system is suitable for compliant E.U. Wine labeling?

Wine and wine label producers will need to carefully choose a technology stack that prevents requirement violations. A system that can uniquely identify a bottle may be useful in some use cases, but it is not permissible to collect user tracking data. This is one of the strictest considerations and requirements for any system that hosts the required wine nutrition and ingredient information through "electronic means". E.U. regulation 2021/2117 modifies Article 119 of E.U. regulation 1308/2013 (p.54) and specifies:

"By way of derogation from paragraph 1, point (i), the list of ingredients may be provided by electronic means identified on the package or on a label attached thereto. In such cases, the following requirements apply: (a) no user data shall be collected or tracked; the list of ingredients shall not be displayed with other information intended for sales or marketing purposes; and the indication of the particulars referred to in Article 9(1), point (c), of Regulation (EU) No 1169/2011 shall appear directly on the package or on a label attached thereto."

What kind of QR code system can be used to satisfy the new E.U. wine labeling requirements?

For every wine in a manufacturer's range, setting the destination for a QR code or URL to display suitable regional information, specific language for example, can be done several ways. One method is to include all languages in one destination page. Another is to manage label QR codes or URLs with dynamic QR codes and dynamic links. This way not only can required details be updated after labels are printed, but the electronic destination of the URLs can also be managed and changed on demand. This flexibility should be sought alongside tools that guarantee compliance with new E.U. wine labeling requirements.

An extremely reliable hosting platform with 99% uptime guaranteed is also advised as downtime would be a technical non-compliance.

Administrative convenience is nice to have, but security is not optional

Easy, quick entry of all of the required information for each wine label and convenient access through download of the QR codes or URLs is another helpful requirement, but administrative access via a secure login is more of a requirement considering the risk of hosting incorrect information.

Are there any benefits to labels for wine bottles that are E.U. compliant?

Apart from the obvious compliance with mandatory regulations, there are space restrictions on bottles and packaging due to label area size. With so much of the required content allowed to be delivered off-label, physical label real estate can be used as needed for branding or other purposes. In this sense, E.U. wine compliant labels shouldn't be seen as a hindrance, but instead as a flexible, cost effective, future-proof solution with opportunities for well-prepared wine producers.

One such use case is when there is a change of ingredients for a specific SKU. Labels don't need to be reprinted in that case, instead updates can happen instantly via an online label editor, from anywhere in the world.

IN SUMMARY:

- By December 2023 all wine producers selling in the European Union will be legally required to provide allergy, energy, ingredient and nutritional information to consumers on their labels.
- Whilst intolerance, allergy, and energy information **MUST** be printed directly on the label, required ingredient and nutrition lists can be provided electronically via QR code or a link, leading to an independently hosted e-label.
- The QR code or link cannot lead the consumer to a wine manufacturer's website as this is highly likely to contravene EU rules concerning marketing and tracking.
- A complete third party "e-label" solution for all wine manufacturers and distributors selling into the E.U. is offered by a few organizations and companies, including FOOD AND WINE CULTURE and specialised partner companies. One of the major advantages with that is avoiding errors in compliance with EU rules and regulations.

Useful links

[Regulation 2021/2117](#)

[Regulation 1308/2013](#)

[Regulation 1169/2011](#)

[CAP reform 2023-2027](#)

Starting from 8th December 2023, any wine sold into the E.U. must include the following:

- *Energy value**
- *Intolerances or allergens**
- *Nutritional declaration**
- *List of ingredients**



Useful links*List of potential allergens that MUST be included on the printed bottle label if present in the product:

List of intolerances and allergens. (1); (a) Cereals containing gluten, namely: wheat, rye, barley, oats, spelt, kamut or their hybridised strains, and products thereof, except: (a) wheat based glucose syrups including dextrose (1); (b) wheat based maltodextrins (1); (c) glucose syrups based on barley; (d) cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin; 2. Crustaceans and products thereof; 3. Eggs and products thereof; 4. Fish and products thereof, except: (a) fish gelatine used as carrier for vitamin or carotenoid preparations; (b) fish gelatine or Isinglass used as fining agent in beer and wine; 5. Peanuts and products thereof; 6. Soybeans and products thereof, except: (a) fully refined soybean oil and fat (1); (b) natural mixed tocopherols (E306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, and natural D-alpha tocopherol succinate from soybean sources; (c) vegetable oils derived phytosterols and phytosterol esters from soybean sources; (d) plant stanol ester produced from vegetable oil sterols from soybean sources; 7. Milk and products thereof (including lactose), except: (a) whey used for making alcoholic distillates including ethyl alcohol of agricultural origin; (b) lactitol; 8. Nuts, namely: almonds (*Amygdalus communis* L.), hazelnuts (*Corylus avellana*), walnuts (*Juglans regia*), cashews (*Anacardium occidentale*), pecan nuts (*Carya illinoensis* (Wangenh.) K. Koch), Brazil nuts (*Bertholletia excelsa*), pistachio nuts (*Pistacia vera*), macadamia or Queensland nuts (*Macadamia ternifolia*), and products thereof, except for nuts used for making alcoholic distillates including ethyl alcohol of agricultural origin; 9. Celery and products thereof; 10. Mustard and products thereof; 11. Sesame seeds and products thereof; 12. Sulphur dioxide and sulphites at concentrations of more than 10 mg/kg or 10 mg/litre in terms of the total SO₂ which are to be calculated for products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers; 13. Lupin and products thereof; 14. Molluscs and products thereof.

NB! No legal advice or guarantee of accuracy is offered in this article. Always check the latest E.U. regulations or other government regulation details with original sources.

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