|  |  |  |
| --- | --- | --- |
| 1. ------IND- 2017 0391 GR- EL- ------ 20181128 --- --- FINAL**HELLENIC REPUBLIC****1. MINISTRY OF FINANCE****OFFICE OF THE DEPUTY MINISTER****2.** |  | **TO BE POSTED ON THE INTERNET** |
| **A. STATE GENERAL LABORATORY DIRECTORATE-GENERAL****ALCOHOL & FOOD DIRECTORATE****DEPARTMENT A - ALCOHOL & ALCOHOLIC DRINKS** |  | **Web Ref. No.:****Government Gazette No.: 2161 B****Athens, 18/05/2018** |
| Postal address | : | 16 A. Tsocha St |  | **Ref. No.: 30/003/000/2030****TO:**As per Distribution List  |
| Post code | : | GR-115 21, Athens |
| Information | : | F. Samios, A. Aliverti |
| Tel. | : | 210 6479223 |
| Fax | : | 210 6468272 |
| Email | : | alcohol\_food@gcsl.gr |
| **B. DG CUSTOMS & EXCISE** **EXCISE DUTY & VAT DIRECTORATE****DEPARTMENT B - ALCOHOLIC PRODUCTS** |  |  |
| Postal address | : | 10 Karageorgi Servias St |  |  |
| Post code | : | GR-101 84, Athens |
| Information | : | E. Kerasioti |
| Tel.  | : | 210 6987414 |
| Fax | : | 2106987408, 424 |
| Email | : | finexcis@2001.syzefxis.gov.gr |
| Url | : | [www.aade.gr](http://www.aade.gr)  |

**SUBJECT:** Production and sale of fermented beverages with Combined Nomenclature tariff heading 22.06 - Amendment of Ministry of Finance Decision No. ΔΕΦΚΦ Β 5026381 ΕΞ 2015/16.12.2015 (Government Gazette 2785/B).

#### DECISION

**THE DEPUTY MINISTER FOR FINANCE**

Having regard to:

1. The provisions of Law 2969/2001 on ethyl alcohol and alcoholic products (Government Gazette 281/A) as in force, and in particular Articles 2, 3(12), 8, 11, 12 and 13 thereof.
2. The provisions of Law 2960/2001 (the National Customs Code) (Government Gazette 265/A), as in force, and in particular those of Articles 79, 92, 93, 112, 114, 115, 119Α and 183 thereof.
3. The provisions of Regulation (EC) No 1332/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354/31.12.2008) on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97.
4. The provisions of Regulation (EC) No 1333/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354/31.12.2008) on food additives.
5. The provisions of Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 (OJ L 354/31.12.2008) on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC.
6. The provisions of Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 (OJ L 304/22.11.2011) on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004.
7. The provisions of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 (OJ L 139/30.4.2004) on the hygiene of foodstuffs.
8. The provisions of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 (OJ L 31/1.2.2002) laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety.
9. The provisions of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 (OJ L 191/28.5.2004) on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
10. The provisions of Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 (OJ L 338/13.11.2004) on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC.
11. The provisions of Commission Regulation (EC) No 2023/2006 of 22 December 2006 on good manufacturing practice for materials and articles intended to come into contact with food (OJ L 384/29.12.2006).
12. The provisions of Commission Regulation (EU) No 10/2011 of 14 January 2011 on plastic materials and articles intended to come into contact with food (OJ L 12/15.1.2011).
13. The provisions of Commission Implementing Regulation (EU) 2016/1821 of 6 October 2016 (OJ L 294/28.10.2016) amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and the Explanatory Notes in Chapter 22 of the Combined Nomenclature of the European Union (2015/C 076/01) and the Harmonised Commodity Description and Coding System of the World Customs Organisation.
14. The provisions of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241/17.9.2015).
15. The relevant provisions of the Hellenic Food and Beverages Code, and in particular Articles 10, 64 and 65 as well as Articles 143 and 144 thereof, as in force.
16. The provisions of Ministry of Finance Decision No. ΔΕΦΚ Β 5026381 ΕΞ 2015/16.12.2015 (Government Gazette No. 2785/B) laying down the terms and requirements for imposing excise duty, monitoring and inspecting products under Articles 90 and 92 of Law 2960/2001 - Amendment of Ministry of Finance Decision No. Φ.883/530/1999 (Government Gazette No. 1872/B) on terms and conditions for granting an approved warehouse operator permit, as in force.
17. The need to lay down the terms and conditions to be met by fermented beverages with Combined Nomenclature tariff heading 22.06, the raw direct and indirect materials used in producing them, the permissible and impermissible practices and additives used in producing them, and such beverages from abroad for the purpose of placing them on the market for consumption.
18. The provisions of Chapter I of Law 4389/2016 (Government Gazette 94/A) on the establishment of the Independent Authority for Public Revenue and in particular those of Article 7, Article 14(1) and Article 41 thereof.
19. Act of the Ministerial Council No. 1/20.1.2016 (Government Gazette 18/Public Sector Employees Bulletin) on the selection and appointment of the General Secretary for the General Secretariat for Public Revenues of the Ministry of Finance, read in conjunction with the provisions of the first indent of Article 41(10) of Law 4389/2016.
20. Decision No Δ ΟΡΓ. Α 1036960 ΕΞ 2017/10.03.2017 of the Administrator of the IAPR on the organisational structure of the Independent Authority for Public Revenue (IAPR) (Government Gazette 968/B).
21. The provisions of Article 90(2) of the Government and Governmental Agencies Code ratified by Article I of Presidential Decree 63/2005 on codification of the legislation on government and governmental agencies (Government Gazette 98/A).
22. Presidential Decree 111/2014 on the organisational structure of the Ministry of Finance (Government Gazette 178/A and 25/A correcting errors), as in force.
23. Presidential Decree 125/2016 on the appointment of Ministers and Deputy Ministers (Government Gazette 210/A).
24. Decision No. ΥΠΟΙΚ. 0010218 ΕΞ 2016/14.11.2016 of the Prime Minister and the Minister for Finance on the delegation of competences to the Deputy Minister for Finance, Ekaterini Papanatsiou (Government Gazette 3696/B).
25. The fact that the provisions of this decision do not entail any expense to the State budget.

#### WE HEREBY DECIDE

**CHAPTER I**

**Article 1**

**Scope - Application**

1. This decision lays down the terms and conditions to be met by fermented beverages with Combined Nomenclature tariff heading 22.06 produced in Greece and those coming from abroad in order to be released for consumption, the raw direct and indirect materials used in producing them, the permissible and impermissible practices and additives used in producing them, and the terms and conditions to be met by the specific plants where these products are made.

2. For the purpose of this decision the terms below shall have the following meanings:

a. Fermented beverages: Beverages, other than wine (Combined Nomenclature tariff heading 22.04 and 22.05) and beer (Combined Nomenclature tariff heading 22.03), which fall into Combined Nomenclature tariff heading 22.06, which are produced from the alcoholic fermentation of fruits, berries and agricultural produce in general and/or juices thereof, intended for human consumption which:

* Have an actual alcoholic strength by volume of greater than 1.2% and up to 10%.
* have actual alcoholic strength by volume greater than 10% and up to 15%, provided that the alcohol contained in the products comes exclusively from fermentation,
* May have undergone processes, practices and additions in accordance with Annex A hereof and
* Retain particular organoleptic characteristics which recall the agricultural raw materials used to make them.

b. Sparkling fermented drinks: Fermented beverages from the previous category under Combined Nomenclature tariff heading 22.06 which:

* Are contained in bottles with a mushroom-shaped top held by wire or under pressure at 3 or more bar (measured at a temperature of 20oC) due to the dissolved CO2 they contain.
* have actual alcoholic strength by volume greater than 1.2% and up to 13%.,
* have actual alcoholic strength by volume greater than 13% and up to 15%, provided that the alcohol contained in the products comes exclusively from fermentation.

c. Fermented beverages with a low alcohol content (low proof drinks). Beverages in Combined Nomenclature tariff heading 22.06 made from the alcoholic fermentation of fruits, berries and agricultural produce in general and/or the juices thereof, which are intended for human consumption which have an actual alcoholic strength by volume of less than 1.2% but over 0.5%.

d. Fermented beverages production plant: A stand-alone, permanent building or complex of buildings specially laid out with suitable facilities and equipment in accordance with the terms hereof, for producing and bottling fermented beverages, made using the appropriate direct and indirect raw materials in each case, in accordance with the applicable provisions of the relevant legislation and this decision.

**Article 2**

**Special permit for making fermented beverages in Combined Nomenclature tariff heading 22.06**

1. Only special production plants (fermented beverages production plants) shall have the right to produce and bottle the fermented beverages referred to in paragraph 2 of this Article, provided they meet the conditions herein and hold a special permit for that purpose.

2. The authority responsible for granting the special fermented beverages production permit referred to in the previous paragraph is the local Customs Authority within whose territorial remit the fermented beverages production plant is located (the Inspecting Customs Authority).

3. In order to obtain such a special permit, the interested party who owns a fermented beverages production plant shall, one month prior to the commence of operations, submit an application - declaration to the local Chemical Service within those territorial remit the plant is located (Inspecting Chemical Service) which shall include:

a. his name and surname or the corporate name of his business, the particulars of his agent, and production manager who is a graduate of a school in Greece or abroad with a specialisation in a relevant field.

b. the town and precise location of the plant, and of the business’ registered offices, and the business’ Tax Reg. No.

c. details of parts, premises and facilities at the plant.

d. a detailed description of the existing mechanical and other equipment and its intended use, daily (24 hour) production capacity expressed in litres of end-product, and the capacity of tanks in litres.

e. the raw materials he intends to process, the auxiliary materials he intends to use and the products made in each case; a dossier prepared in accordance with the provisions of Article 6 hereof shall be submitted for each in order for them to be placed on the market.

The following shall be submitted along with the declaration:

i) a copy of the company’s Articles of Association.

ii) a certification on the plant’s lawful operation.

iii) a declaration from the competent mechanical or other engineer who installed the production equipment or other competent engineer or safety technician that the necessary measures have been taken to ensure the safe, risk-free operation of the machinery.

iv) a detailed diagram of the plant (in duplicate) depicting the specific areas, facilities, tanks and the mechanical and other equipment.

v) a production flowchart accompanied by a technical legend, which describes in detail the entire production process from the start of processing of raw materials to bottling of the relevant products ready for placement on the market for consumption (in duplicate).

vi) any other information considered necessary by the aforementioned competent Authorities.

4. a. The supporting documents referred to in paragraphs (i) to (v) above shall be submitted for the first time when the entrepreneur interested in the permit requests the said special permit and in all cases of subsequent amendment or changes thereto.

The plant manager shall be obliged to inform the local Inspecting Chemical Service before taking any steps, by submitting a declaration along with the necessary information about any changes to the information declared for the purposes of obtaining the permit.

b. Within five working days from submission of the application / declaration, the local Inspecting Chemical Service shall inspect / verify the application / declaration submitted in the said manner, using its authorised staff, who shall carry out an on-site inspection and check the premises, facilities, mechanical and other equipment, and prepare a technical report on those matters.

That technical report which shall be submitted to the local Inspecting Chemical Service shall be sent along with a copy of the application / declaration which was submitted, to the local Inspecting Customs Authority which shall, on the basis thereof, issue the fermented beverages special production permit, a copy of which shall be notified to the local Inspecting Chemical Service.

That same procedure shall be followed in all cases of changes in the information submitted for the purpose of obtaining the permit.

The permit shall be re-examined every 5 years from its date of issue, and an ex officio check and inspection shall be carried out in accordance with the above by the authorised chemists on the staff of the local Inspecting Chemical Service in order to (re) verify the information in the application / declaration and to ascertain compliance or otherwise with the suitability requirements for the premises, facilities, machinery and other equipment.

The employees who carried out the inspection shall prepare a technical report thereon, which shall be submitted to the local Inspecting Chemical Service and notified by it to the local Inspecting Customs Authority for its information and any action required depending on the results of the inspection.

c. Where the plant is transferred, the new owner shall be obliged within 15 days of transfer to submit a declaration to that effect along with the information required above under point (a) of this paragraph, to the local Inspecting Chemical Service which, having carried out any relevant inspections which are required in its opinion, shall make a recommendation to the local Customs Authority on whether or not to issue a fermented beverages special production permit in his name.

The new owner shall be responsible for complying with the provisions laid down on operation of the plant from the date of transfer, irrespective of the time at which the new permit is issued.

5. a. The fermented beverages special production permit does not substitute the permits required by other authorities laid down in the legislation on the running of such businesses.

b. The fermented beverages special production permit shall be withdrawn by the head of the Inspecting Customs Authority which issued it when the conditions which were the basis for it being issued no longer exist, and in cases of repeated infringements of the provisions of Law 2969/2001 and/or Law 2960/2001.

**Article 3**

**Fermented beverages production plant facilities and equipment**

1. Fermented beverages production plants must have the following facilities and mechanical equipment as a minimum:

a. Separate, specific areas for storing raw materials, of sufficient size to store and handle them, which must have adequate lighting and ventilation, which must prevent or limit to a minimum all extraneous cross-contamination or contamination, and must be kept completely clean, at suitable temperatures to safely keep the raw materials stored there in accordance with the relevant provisions of the EU law on food health and safety.

All raw materials delivered to the facilities must be placed in suitable storage areas so that it is easy to inspect and measure them and take samples.

Additives, flavours, processing aids and other auxiliary materials must be stored in a specific area.

It is prohibited to store or have other materials or items unrelated to these activities in the raw materials store.

b. Main production unit, which must include:

i) the necessary facilities, mechanical and other equipment for processing the raw materials used, in light of the capacity and type of raw materials to be processed, and for obtaining must or juice from them.

ii) the necessary facilities and equipment for fermenting the must and juice obtained, and a separate cooling facility to safely store the juices used for fermentation and any enzymes user (fermenter) and the avoidance of cross-contamination.

iii) the necessary facilities and equipment for the processes required (cooling, sedimentation, pasteurisation, etc.) during production and bottling, and for storage the fermented beverages made so they can age/mature.

iv) the bottling plant which includes facilities and the equipment needed: a) to clean the bottling materials used, and b) to fill the bottles, cases, etc., fit the lids, and labels thereon.

The production plant’s facilities and equipment must be kept clean and in good condition and at a suitable temperature under the conditions, and must have adequate lighting and ventilation, and in general meet the relevant terms and conditions for ensuring food health and safety, in accordance with applicable EU law, and the design, layout, entire construction and siting as well as the dimensions thereof must allow for easy, safe access by the competent employees from the Inspection Services referred to in Article 2, to easily and without impediment carry out their tasks and perform the inspections and checks required by law.

c. Special areas to store bottled products, which must have adequate lighting and ventilation, be kept completely clean and at a suitable temperature to safely preserve the products stored there, meet the relevant terms and conditions for ensuring food health and safety, in accordance with applicable EU law, and must be easily and safely accessible to employees of the said Inspection Services carrying out inspections and checks of the plant.

The bottled fermented beverages must be placed in suitable storage areas so that it is easy to inspect and measure them and take samples.

Any fermented beverages from abroad which are imported into the plant must be stored separately.

d. A suitable area for offices, to be used by employees of the said Inspection Services, and suitable equipment to enable them to carry out the inspections specified by this decision (inspection of raw materials, of the products made and the products sold in order to correctly record sugar levels for the plant, etc.).

2. a. Fermented beverages production plants may be installed on the ground floor, upper floors and/or, subject to the requirements of subparagraph (b) hereof, underground levels.

b. It is not permitted to use underground areas to install fermentation facilities (fermenters) and to mature/store semi-finished products.

c. Mechanical and other equipment at fermented beverages production plants, and raw materials, auxiliary materials, processing aids, intermediate and finished products which meet the requirements of EU law on food health and safety.

The storage tanks, the mechanical and other equipment used, and the pipes and transfer lines used must comply with the applicable legislation on materials and articles intended to come into contact with food.

d. Storage tanks for raw materials and the end-products and fermentation and maturation tanks must be permanent, have a regular geometric shape, be specific and separate, be of known volume in accordance with the applicable procedures and have the relevant volumetric tables.

They must be manufactured, installed and sited in such a way that they are easily accessible so that it is easy to carry out the relevant inspections, to measure their content, and it is not permitted to use them for any other purpose.

It is not permitted to store items in tanks / containers with an irregular shape, which are not permanently affixed in place and whose capacity has not been checked.

#### Article 4

**Categories of fermented beverages**

1. a. Fermented beverages shall be divided into categories in accordance with the definitions set out in Annex B hereof.

b. The practices, processes and additives set out in Annex A hereof shall be used to manufacture the said fermented beverages, subject to the express provisions in Annex B for each category.

c. To make the said fermented beverages, it shall not be permitted to add ethyl alcohol (combined nomenclature tariff headings 22.07 and 22.08), any type of distillation product (combined nomenclature tariff headings 22.07 and 22.08), distillates and alcoholic drinks (Combined Nomenclature tariff heading 22.08), that being permitted only for certain types of such beverages laid down in a decision of the Minister for Finance on that matter.

2. a. In order to use clarifiers, various substances and processing aids to make the said fermented beverages which are not included in the list in Annex A, prior approval shall be required from the State Supreme Chemical Council, obtained following a recommendation from relevant directorate within the State General Laboratory’s Central Service.

To that end the plant owner concerned shall submit a dossier with the evidence required demonstrating the need to use it and the safety of the end-product.

b. In order to user additives, enzymes and flavourings in making such products which are not specified in the relevant provisions of EU law, the plant owner concerned shall submit a dossier to the relevant directorate within the State General Laboratory’s Central Service with the evidence required, demonstrating the need to use it and the safety of the end-product, in order for the relevant request to be submitted by Greece to the competent department of the European Commission, to update the EU list of additives, enzymes and flavourings, in the context of applicable EU law on a uniform procedure for the approval of food additives, enzymes and flavourings.

3. a. It is not permitted to make products in a category which is not listed in Annex B hereof.

b. In order to add a new product category to Annex B hereof, the entrepreneur who produces fermented beverages shall submit a request to the relevant Directorate of the State General Laboratory’s Central Services and shall submit a dossier that includes:

i) The type of raw materials to be processed and their sugar content.

ii) The detailed method used to make the beverage, and the practices, processes and additives used during that.

iii) Any additive, enzymes, flavourings and various auxiliary materials and processing aids which he intends to use to make the beverage.

iv) The specifications and quality characteristics (upper/lower thresholds for the relevant parameters such as density, actual alcoholic strength by volume, volatile and total acidity, solid residues, sugar content, etc.).

v) the end-product yield for the raw materials used.

vi) A full and detailed flowchart of the production process.

The party concerned shall for points (ii) to (vi) above submit full documentation based on the international literature, and the relevant legislation of other Member States.

Having first examined the dossier and evaluated the information submitted and having carried out investigations required, which were considered necessary, the competent Directorate of the State General Laboratory’s Central Service shall take the steps needed to amend Annex B hereof, in accordance with the relevant provisions of Article 3(12) of Law 2969/2001 read in conjunction with the provisions of Presidential Decree 39/2001 (Government Gazette 28/A).

4. The name of the category to which the fermented beverage belongs under the terms of this decision shall be used for the purposes of characterising, describing, presenting and labelling fermented beverages.

That name shall also be the name under which the relevant product is sold.

If the fermented beverage does not fall into any of the categories herein, the general term ‘fermented beverage’ shall the name under which it is sold.

5. Products which have been lawfully made or placed on the market as fermented beverages with Combined Nomenclature tariff heading 22.06 in other Member States of the EU or in states in the European Free Trade Area (EFTA) which are parties to the European Economic Area (EEA) Agreement or Turkey can be sold (in bottled form) in the territory of Greece provided they have been made in accordance with the standards, specifications or production and testing/inspecting procedures which are proven to guarantee an equivalent level of quality and safety as the requirements hereof in protecting human health, safety and the environment.

**Article 5**

**Raw materials, import and processing**

1. The raw materials processed by special fermented beverages production plants to make various categories of products, are various fruits and berries, whether fresh or in some cases dried, and the must, juices and/or concentrated juices obtained from them, various vegetables and sections thereof and/or juices thereof, cereals, malt, honey and various extraneously used sugars in accordance with the relevant provisions set out in Annex B.

2. The import and processing of the raw materials set out in accordance with the previous paragraph used to make these products at the special fermented beverages production plants in line with the relevant provisions in Annex B hereof is permitted provided the following terms and conditions are met:

a. They have the necessary, suitable storage and other spaces, facilities and equipment for storage, proper maintenance and processing thereof, and for storage of the end-products which are described in detail in the documentation which was filed for the purpose of obtaining the special fermented beverages production permit.

b. The raw materials to be processed must be healthy, must have be spoiled and be normal in accordance with the requirements and provisions of the applicable (EU and national) legislation, be stored separately by category, and in such a manner that it is easy to inspect them at any time and, potentially to seal them off.

c. Processing shall take place separately for each category of fermented beverage, in accordance with the relevant declaration / notification made by the plant owner to the local Inspecting Chemical Service.

3. In order to bring the raw materials to be processed into the special fermented beverages production plants referred to above, the party concerned is obliged to submit a declaration / notification to the local Inspecting Chemical Service 2 days prior to bringing them in.

Within 2 days of brining the raw materials into the plant, the competent chemical officer from the local Inspecting Chemical Service shall inspect the relevant paperwork, take measurements and samples to chemically test them and shall then accept them.

That shall not preclude the Inspecting Chemical Service’s ability to be present when the raw materials are being brought into the plant.

Reports shall be prepared in triplicate in relation to these ‘goods in’, acceptance and sampling procedures, which shall be signed by the relevant chemical officer from the local Inspecting Chemical Service and the plant owner or his agent; 2 copies for the employee from the Inspecting Chemical Service and the third for the plant owner concerned which must be held at the plant.

Sampling shall be done by complying with the procedures set out in the relevant provisions of Article 14 hereof.

4. a. At least 24 hours before the start of all relevant tasks relevant to the processing of all manner of permitted raw materials, the plant owner or his agent shall be obliged to submit a declaration / notice to the local Inspecting Chemical Service.

That declaration / notification must refer to the type (category) and quantity of raw materials to be processed, the relevant ‘goods in’ report referred to above, the sugar content (based on the relevant tests results or the chemical examination report) and the total solids, the tanks (by number or location) in which they are located, the processing start and end times, and the type and quantity of products which are to be made.

b. To check the raw materials being processed and verify them against the said declarations - notifications, during works the Inspecting Chemical Service may carry out the relevant inspections and take samples and depending on the results may require that precautionary measures be taken which the entrepreneur concerned is obliged to comply with.

c. When the said declaration - notification is submitted the Inspecting Chemical Service may at its discretion request that other raw materials already at the plant first be counted then sealed and shall prepare a report in triplicate on that matter.

That report shall be signed by the chemist from the local Inspecting Chemical Service and by the plant owner or his agent.

When the raw materials are being processed, the bringing in of other types of raw materials to the plant may be permitted provided that this is done under the supervision and oversight of the local Inspecting Chemical Service and in accordance with the terms and procedures set out in the previous paragraphs of this Article.

5. a. It may be permitted to remove raw materials brought into the fermented beverages production plant which are referred to in the provisions of Article 16(5) hereof in exceptional cases based on approval alone from the Inspecting Chemical Service, which shall be granted following a detailed, fully documented application from the plant owner concerned, in order to be transferred to another lawfully operating plant which is entitled under the applicable legislation to process the specific raw materials.

b. The removal and transfer referred to above shall be done on the basis of a removal and transfer permit granted by the local Inspecting Chemical Service to which a special chemical analysis report is attached, and the chemical officer from the Inspecting Chemical Service responsible for overseeing the plant shall take samples of the raw materials which are to be transferred.

**Article 6**

**Production, shipment and sale of fermented beverages**

1. In order for the end-product to be removed from the plant and the processed raw materials to be registered in the books, the relevant production report submitted by the plant owner under the relevant provisions of Ministry of Finance Decision No. ΔΕΦΚΦ Β 5026381 ΕΞ 2015/16-12-2015 shall be set by him, to the Inspecting Chemical Service which may carry out a verification, in conjunction with the procedures outlined in paragraph 4 of the previous Article.

2. a. The processes which the end-product made may undergo in accordance with the relevant provisions of Annex A hereof, which entail a material change in volume (mixing, sweetening, etc.) shall be performed under the supervision of authorised chemical officers from the local Inspecting Chemical Service following prior approval which shall be granted on a request made by the plant owner/producer of the fermented beverages and a report on these matters shall be drawn up.

That report shall be prepared in triplicate and signed by the employees present and the plant owner / producer of the fermented beverages or his agent; 2 copies to be retained by the employees and the third to be handed to the plant owner and stored at the plant.

b. The same procedures as above shall be followed in order to produce the sparkling fermented beverages referred to in Article 1(2)(b) hereof.

c. Where during production of a fermented beverage the practice of fortification is applied, it shall only be permitted once as part of the procedure outlined in the relevant provisions of part B of Annex A hereof.

Such fortification shall be carried out following approval given by the local Inspecting Chemical Service, following a request made by the entrepreneur concerned, inspection by authorised chemical officers, and a report shall be prepared in triplicate which shall be signed by the said employees and entrepreneur / producer of the fermented beverages or his agent.

2 copies of that report shall be retained by the employees from the local Inspecting Chemical Service who were present and the third shall be given to the plant owner or his agent and shall be held at the plant.

3. a. When bottling the ready-for-sale products, in order to record them in the books held by the plant and to verify the information in the dossiers about the products submitted by the plant owner concerned in accordance with the provisions of the next paragraph, an inspection shall be carried out and samples taken for chemical tests to be performed, by the local Inspecting Chemical Service in compliance with the procedures and formalities set out in Article 14 hereof.

b. Where based on the results of the chemical tests it is shown that the sample is normal in line with the applicable legislation and this decision but deviates from the information in the relevant dossier which was submitted, the provisions of Article 11(2)(m) of Law 2969/2001 shall be applied to the plant owner concerned, and he shall be obliged within 3 days to file a new dossier for the product containing the correct information.

4. In order to produce a new type of product in the categories included in Annex B hereof, the plant owner concerned shall be obliged at least one month prior to the start of any relevant works, to submit a dossier on this matter to the Inspecting Chemical Service which shall include the following information:

i) Its particulars (corporate name and registered offices).

ii) The type of raw materials to be processed, their sugar content, the additives, enzymes, flavourings and various auxiliary materials and processing aids which it intends to use to make the beverage.

iii) A detailed flowchart of the production process and full description of the processes, practices and additives used.

iv) The category and sale name, the commercial name of the product and detailed particulars thereof, which shall include at least the following parameters:

* density;
* actual alcoholic strength by volume;
* volatile and total acidity;
* solid residues;
* sugar content;
* other necessary parameters, depending on the specific nature of the relevant product in each case.

The local Inspecting Chemical Service having first inspected the dossier submitted in accordance with the above, shall within 1 month of submission notify the party concerned in writing about whether the information submitted is compatible or not with the applicable legislation and this decision.

If it is not compatible the Inspecting Chemical Service shall notify the party concerned in that same letter about any additional steps which are required.

5. a. The fermented beverages made either in the form of end-products or in the form of products ready for sale for the purpose of consumption shall, after prior approval is obtained from the Inspecting Chemical Service granted following an application from the plant owner concerned, be sold and transported bulk by the special production plant to another special fermented beverages production plant of the same undertaking or other undertaking on whose behalf they were made, as appropriate under the circumstances, to be further processed in accordance with Annex A hereof and/or bottled.

The products transported bulk in accordance with the above shall be along with the accompanying documents required by the provisions of Law 2960/2001 and by a special chemical analysis report issued by the Inspecting Chemical Service which shall constitute a special accompanying document which shall set out in full the products transported, and shall cite the processes, practices and additives in line with Annex A which they have undergone.

b. Save for exceptional cases where the competent Directorate of the State General Laboratory’s Central Services so decides, it shall not be permitted to remove and transport fermented beverages, referred to in Article 1(2) hereof, from the production and bottling plant that are still being fermented or which are “semi-finished” products.

6. a. Without prejudice to the provisions of subparagraph (b) of this paragraph, fermented beverages may be sold and transferred bulk from the production plant to a lawfully operating distillery to be distilled and produce crude ethyl alcohol of agricultural origin, distillates and distillation products in accordance with the provisions of Ministry of Finance Decision No. 3002475/383/0029/2010 (Government Gazette 162/B) and to class 2 distilleries for distillation and the production of ethyl alcohol of agricultural origin, and to lawfully operating vinegar plants to be acidified and made into vinegar in accordance with the relevant terms of Ministerial Decision No. ΔΕΦΚΦ 1111872ΕΞ2016/21-07-2016 (Government Gazette 2375/B) as in force.

b. In cases where fermented beverages have been fortified using the sugars referred to in Articles 64 and 65 of the Hellenic Food and Beverages Code, in accordance with the provisions of Annex A hereof, it is permitted to sell the products to lawfully operating normal distilleries and class 2 distilleries exclusively for distillation and the production of ethyl alcohol of agricultural origin, but they may not be sold to make distillates and distillation products and to vinegar factories to produce vinegars.

c. Shipment in accordance with the previous subparagraphs of this paragraph shall take place after approval is obtained from the local Inspecting Chemical Service which shall be granted following an application submitted by the plant owner / producer of the fermented beverages referred to in Article 1(2) hereof which shall set out the type / category of products to be shipped, the quantity and the actual alcoholic strength by volume, and any practices, processes and additives which have been used in accordance with Annex A hereof.

Such shipments shall be along with the accompanying documents required by the provisions of Law 2960/2001 and by a special chemical analysis report issued by the Inspecting Chemical Service which shall constitute a special accompanying document which shall set out in full the products transported, and shall cite the processes, practices and additives in line with Annex A which have been used.

The local Inspecting Chemical Service shall carry out measurements and take samples for chemical testing of the products being shipped, in compliance with the formalities and procedures specified in Article 14 hereof.

7. It is not permitted for the special fermented beverages production plants to import and use products with tariff heading 22.06 which are made as interim products at lawfully operating class 2 distilleries, normal distilleries and vinegar factories.

**Article 7**

**Special terms on the placing on the market of fermented beverages for consumption**

1. a. In order for fermented beverages to be placed on the market for consumption within Greece or sent to another Member State or be exported to third countries their organoleptic characteristics must be unchanged and characteristic of their kind, and depending on the production method used may have suspended particles and/or be cloudy.

b. It is not permitted to place on the market products which for any reason have organoleptic characteristics below, different to or unrelated to the category and type of product to which they belong.

2. The said fermented beverages shall be placed on the market for consumption (for wholesale or retail sale) within Greece and for export to third countries (solely and exclusively) pre-packaged (meaning they shall be bottled).

By way of exception, for hotels, restaurants, entertainment venues and mass catering undertakings only, the said fermented beverages may be placed on the market in another manner in line with the customer’s request (in a glass, carafe, etc.) provided that they come from bottled products.

3. Bottling means placing fermented beverages ready for consumption in containers (bottles, tins, cans, etc.) with a capacity of up to 60 l, for commercial purposes.

**Article 8**

**Pre-packaging materials for fermented beverages**

1. The pre-packaging (bottles) used to bottle fermented beverages must have a capacity which is in accordance with the nominal volumes specified in the applicable relevant provisions of EU and national law.

2. a. The materials that the fermented beverages are bottled in must meet the requirements and specifications and the relevant safety requirements laid down in applicable EU law and the relevant provisions of the Hellenic Food and Beverages Code.

b. The entrepreneur concerned is obliged to keep records and files in accordance with the relevant provisions of applicable national and Union law on materials and articles intended to come into contact with food (Regulation (EC) No 1935/2004, Articles 15 and 17) to document the suitability and safety of the pre-packaging materials used, which must also be available at all times in the event of inspections carried out by the local Inspecting Chemical Service.

The Inspecting Chemical Service may at its discretion take samples of the bottles used and the lids affixed to them to carry out chemical tests in order to verify their suitability and safety.

3. a. It is not permitted in bottling fermented beverages to use materials for bottling about which there is insufficient data to assess their suitability and safety.

b. It is not permitted to bottle, store or transport fermented beverages in bottles or containers which have been previously used to store, transport or bottle any materials -other than fermented beverages- even if harmless.

**Article 9**

**Description - Presentation - Labelling**

1. Fermented beverages placed on the market in Greece for consumption whether produced in Greece or from other Member States or imported from third countries must, in terms of labelling, be in accordance with the relevant provisions of Regulation (EC) No 1169/2011.

2. In the case of the products referred to in Article 1(2) hereof which are manufactured in Greece:

a. For the purpose of giving effect to Article 9 of Regulation (EC) No 1169/2011, the name of the food pursuant to paragraph 1 thereof is the sale name in line with the name of the relevant category to which the products belong, as specified in Annex B hereof.

b. The food business operator responsible for providing information about fermented beverages in Combined Nomenclature tariff heading 22.06 is the entrepreneur specified in the relevant provisions of Article 8(1) of Regulation (EC) No 1169/2011.

3. To label all manner of bottles in which the said fermented beverages are sold, solidly affixed separate labels must be used with clear lettering and indelible ink or embossing on the outer surface of the container may be used.

4. a. All the markings specified in Article 9 of Regulation (EC) No 1169/2011 shall in the case of fermented beverages manufactured in Greece which are intended to be placed on the Greek market for consumption, be written in Greek or at the very least in Greek [as well as other languages].

b. In the case of fermented beverages sent from other Member States to be placed on the Greek market for consumption, the pre-packaging (bottles) must contain the following phrases in Greek:

i) the sales denomination, in accordance with this decision.

To this end, the natural or legal person who takes receipt of the products is obliged to provide documentation on this matter to the Inspecting Chemical Service within whose territorial remit its facilities are located.

ii) the name-surname or trade name and address of the business and address of the food business operator in Greece.

iii) the list of ingredients, if written in a foreign language.

c. In the case of fermented beverages imported from third countries to be placed on the Greek market for consumption, the pre-packaging (bottles) must contain the following phrases in Greek:

i) the sales denomination, in accordance with this decision.

To this end, the natural or legal person who takes receipt of the products is obliged to provide documentation on this matter to the Inspecting Chemical Service within whose territorial remit its facilities are located in accordance with the compliance certificate issued in pursuant to relevant provisions of Article 10(4) hereof

ii) the name-surname or trade name and address of the business and address of the importer.

iii) the list of ingredients, if written in a foreign language.

d. In the case of fermented beverages intended for export to third countries, the markings in subparagraph (a) of this paragraph must be in the language of the country of destination or the language which the purchaser requests.

5. a. In order to present, label and advertise fermented beverages, in addition to the relevant provisions of EU law and this Article which those beverages must comply with, the general provisions of Article 10 of the Hellenic Food and Beverages Code shall also apply.

b. It is not permitted to use words or phrases such as ‘type’, ‘kind’’ ‘method’, ‘style’, ‘imitation’, ‘brand’, ‘flavour’ or other such, in conjunction with one of the names included in Annex A hereof to characterise, describe, present, label and advertise fermented beverages.

c. It is not permitted to use the term ‘wine’ on its own or in conjunction with other terms and/or as a part thereof to characterise, describe, present, label and advertise fermented beverages.

However, it is possible to use the term ‘wine’ in the aforementioned manner for products sent from other Member States which are lawfully produced and labelled in accordance with the relevant provisions of Regulation (EC) No 1308/2013, under the terms and conditions laid down in those provisions in the relevant Member State.

6. It is not permitted to use the following to characterise, describe, present, label and advertise fermented beverages:

a. Any misleading or inaccurate reference, assertion, design, representation or depiction which could lead consumers to form a false view about the product, especially in relation to the category, nature and method of production or manufacture, the raw materials used, or the actual condition in which it is offered.

b. Assertions or references which indicate that the product has specific characteristics and properties which are common to all fermented beverages in the same category, and characterisations which impugn the value or quality of the product of another entrepreneur / producer of fermented beverages.

c. Assertions or references which contradict the beverage’s category and type, and the phrases permitted on bottling and packaging, as specified in the provisions of the relevant EU laws and this decision.

**Article 10**

**Delivery and import of fermented beverages from abroad**

1. a. Fermented beverages imported from third countries to be placed on the domestic market for consumption must meet the requirements of the relevant EU legislation and this decision.

b. Those fermented beverages from third countries which meet the conditions and comply with the requirements of the laws of their country of origin, but not the conditions and provisions of EU and/or national law, may not be imported into Greece.

c. It is not permitted to import fermented beverages from a third country to be placed on the domestic market for consumption or to be sent to another Member State in bottling which differs from that specified in the relevant provisions of EU law and the national provisions adopted in implementation thereof.

2. In the case of products that do not fall into the categories in Annex B hereof, import may be permitted provided that all manner of raw direct & indirect materials used to produce them are in accordance with the provisions of the applicable national and EU legislation and this decision.

The sale name under which the relevant product is made available shall be the general name ‘fermented beverage’ or ‘sparkling fermented beverage’ as appropriate.

3. a. The right to receive pre-packaged fermented beverages from other Member States and/or to import them from third countries in order to place them on the Greek market ‘as is’ lies with entrepreneurs who have a special fermented beverages production plant permit in accordance with the terms hereof, and natural or legal persons who engage in lawful commercial activities in accordance with the relevant entry in the General Commercial Register (GCR), complying with the requirements set out in the relevant provisions of Law 2960/2001.

b. The right of receive bulk fermented beverages from other Member States and/or to import them from a third country to place them in suitable containers (bottling) and then place them on the market lies only with entrepreneurs who have a special fermented beverage production plant permit.

4. a. In order to import fermented beverages from a third country it is essential at least 2 months prior to importing the relevant product from that country for the first time for the person concerned to submit a dossier to the competent Directorate of the State General Laboratory’s Central Service which includes the full composition, detailed information, production method, bottling materials, and labelling (labels) of the fermented beverage to be imported, and the relevant documentation from the manufacturing firm in the third country.

Having checked the information submitted, the competent Directorate of the State General Laboratory's Central Service shall issue a certificate on whether or not it complies with the applicable legislation.

Where there is any change in the information contained in the dossier, the process shall be repeated and a new certificate issued.

b. In the case of fermented beverages imported from a third country, the person entitled to import them shall inform the local Inspecting Chemical Service about all products which enter its facilities, which shall at its discretion on a random basis carry out inspections and take samples of the said products for chemical testing and shall prepare the relevant sampling reports.

Where the sample is not in accordance with the information submitted under the previous paragraph, but is in accordance with the applicable legislation and this decision, the compliance certificate granted shall be withdrawn and the procedure for obtaining a new certificate shall be followed in accordance with the third subparagraph of the previous paragraph.

Where the same is not in accordance with and/or is not safe pursuant to the applicable legislation and this decision, the entire case dossier shall be promptly sent to the competent Directorate of the State General Laboratory’s Central Service to determine the measures to be taken in the case, and the provisions of Article 17(8) hereof shall apply to the importer concerned.

**Article 11**

**Bottling of foreign fermented beverages in Greece**

1. a. It shall be only permitted for entrepreneurs - producers of fermented beverages in accordance with the provisions hereof, to bottle fermented beverages manufactured in other Member States and sent in bulk form, in Greece following approval granted by the competent Directorate of the State General Laboratory’s Central Service, and only on that basis shall bottling be allowed.

b. Acceptance of fermented beverages in bulk form from other Member States and/or imported from third countries to Greece shall only be permitted for the purpose of their bottling by the entrepreneurs referred to in the previous paragraph who have a special fermented beverages production permit and under the exclusive condition that they are products ready to be placed on the market for consumption which are in accordance with the relevant provisions of EU law and this decision, and in all cases of physical processing (cooling, sedimentation, etc.) and potentially dilution shall be permitted in accordance with the relevant authorisation granted or in agreement with the foreign manufacturer.

2. The aforementioned fermented beverages may be bottled either on behalf of firms from Member States or third countries or on behalf of the entrepreneur / producer of fermented beverages following a special agreement with the foreign manufacturer or supplier.

3. a. In order to obtain approval for bottling in accordance with paragraph 1 of this Article, interested parties must submit an application to the competent Directorate of the State General Laboratory’s Central Services at least 2 months before the end of the year or before each subsequent delivery or import, to which the following supporting documents are attached:

i. An authorisation from or agreement with the foreign supplier granting the entrepreneur / producer of fermented beverages the right to bottle those beverages in Greece.

ii. The quantity (each year) and the category, composition and detailed information about the beverage, based on the official report from the recognised (chemical) laboratory.

iii. An authorisation or agreement from the foreign manufacturer about the method by which the fermented beverages to be bottled are to be treated and in the case where they are to be diluted, the actual alcoholic strength by volume of the end-product (% vol.).

iv. A report from the local Inspecting Chemical Service about the existence of special premises used to store them and the adequacy of the existing bottling plant at the special fermented beverages production plant to bottle the annual quantity of products imported to the relevant fermented beverages production plant.

v. The labelling, with relevant samples of the labels under which the product will be placed on the market for consumption, certified by the foreign manufacturer.

vi. The bottling materials.

vii. Any other information considered necessary.

b. Having examined the information which was submitted to it, and any other information at its discretion, and having ascertained that the terms of the previous paragraphs and of this decision in general are met, the competent Directorate of the State General Laboratory’s Central Services shall grant approval for bottling or otherwise shall reject the application, doing so within a period of 10 days.

Approval for bottling shall be granted once only and shall apply for the specific category of product which the application relates to and for the approved quantity. Where there is any change in the information submitted, a new approval shall be required, obtainable by complying the same procedure as above.

The approval granted shall be automatically withdrawn when the validity of the aforementioned authorisation or agreement expires or when terminated, and the party concerned shall be obliged to notify the competent Directorate of the State General Laboratory’s Central Services of this.

4. a. Bulk fermented beverages shall be imported from a third country or delivered from another Member State along with the accompanying documents specified in the relevant provisions of Law 2960/2001.

b. In these cases, the plant owner concerned shall submit a declaration - notification about each delivery, at least 2 days before it takes place, to the local Inspecting Chemical Service which shall carry out inspections and take samples of the products sent, either by being present during the ‘goods in’ process or within 2 days of the ‘goods in’ process, and shall prepare a report on the products undergoing ‘goods in’ / sampling at the fermented beverages production plant.

The quantity of products received and imported to the plant shall be stored at the plant in a separate area or store room or tank until it is bottled.

If discrepancies are identified between the information provided and the results of chemical tests on the samples tank, the local Inspecting Chemical Service shall notify the entrepreneur concerned in writing and indicate the steps to be taken in accordance with the relevant provisions hereof, and if the product is not in accordance with applicable provisions and/or is not safe in accordance with the applicable legislation and this decision, it shall not be permitted to bottle the specific quantity and the procedures outlined in the relevant provisions of Article 10(4)(b) hereof shall be applied by analogy.

5. a. The Inspecting Chemical Service which supervises the plant shall be notified in writing by the entrepreneur concerned about the start of and duration of bottling works, in a declaration / notification to that effect, which may at its discretion carry out random inspections and take samples from the bottled beverages to carry out comparative chemical tests. A sampling report shall be prepared.

b. Bulk fermented beverages sent from other Member States or imported from third countries to be bottled, and the bottled products themselves shall be debited/credited in the plant’s books by product, in specific lots, in accordance with the specific provisions of Article 16 hereof, and shall be included in a special section in the fermented beverages production and sale declaration which is submitted.

6. Where the terms and provisions of relevant EU law, this decision and Law 2969/2001 or Law 2960/2001 in general are violated, in addition to applying the sanctions under the relevant provisions hereof, the bottling authorisation granted under paragraph 1 of this Article may also be withdrawn.

**Article 12**

**Production of fermented beverages on behalf of others**

1. a. Special fermented beverages production plants which operate in accordance with law are permitted to make the said products on behalf of a third party, whether a natural or legal person, provided he lawfully carries on commercial activities in the Union, and provided that the outsourcing is covered by a written agreement (whether a notarial or private agreement) between the said contracting parties, based on prior special authorisation from the competent Directorate of the State General Laboratory’s Central Services.

b. That agreement shall set out in detail the obligations of both contracting parties in relation to the financial, customs, chemical and market police authorities, and any primary liability for compliance with and faithful implementation of the provisions on fermented beverages in national and EU law shall lie with the entrepreneur who produces the fermented beverages.

That agreement (whether a notarial or private agreement) shall be submitted to the local Inspecting Chemical Service.

c. The entrepreneur who produces fermented beverages shall be obliged to inform the competent Directorate of the State General Laboratory’s Central Services and the local Inspecting Chemical Service without delay about any change in that agreement with the third party.

2. a. The special authorisation to produce fermented beverages on behalf of a third party referred to in the previous paragraph shall be granted by the competent Directorate of the State General Laboratory’s Central Services after the following documents are submitted:

* An application from both parties concerned.
* A copy of the notarial agreement between them.
* A copy of proof of business operations and other permits required by the applicable legislation for the person on whose behalf the fermented beverages will be made and the special fermented beverages production permit.
* The complete dossier for each of the fermented beverages to be made which shall include the following information:

i) the quantity to be made or which is to be made annually.

ii) the category and type, sale name and commercial name.

iii) the full composition (in qualitative and quantitative terms).

iv) the actual alcoholic strength by volume (% vol.) and other detailed information.

v) the pre-packaging (materials, and relevant documentation) and the nominal volumes of the pre-packaging in which the fermented beverages will be placed on the market;

vi) samples of the labels to be used on the bottling.

b. That special authorisation for the production of fermented beverages on behalf of third parties shall apply for the time period that contract was entered into between the contracting parties or until it is terminated, in which it shall be automatically be revoked. That does not preclude it being revoked prior to that by the body which issued it, if it ascertains repeated violations of the applicable legislation and this decision.

3. The fermented beverages manufactured shall be delivered to the natural or legal person on whose behalf they were made, provided he/it is not a fermented beverages producer, ready-bottled, ready for immediate human consumption in the bottling specified in the applicable, relevant provisions in force from time to time.

They shall be removed from the plant and transported to the natural or legal person on whose behalf they were made, along with the accompanying documents specified in the provisions of Law 2960/2001, and with the special chemical analysis report.

4. a. The natural or legal persons on whose behalf the fermented beverages are made shall be obliged to keep a special register officially stamped by the Chemical Service within whose territorial remit their undertakings are location, in which each day without fail they must record, without deletions or striking out, the fermented beverages sent by the entrepreneur/producer and the quantities of fermented beverages ready for sale which were received, by category of product, in accordance with the relevant documentation and accompanying travel documents, and the quantities placed on the domestic market for consumption, sent to other Member States or exported to third countries in accordance with the relevant accompanying documents or paperwork in each case.

The said register must be kept in hard copy or electronic format and made available to the authorised officers of the local Chemical Service and the competent auditing services of the Independent Authority for Public Revenue during audits which are carried out from time to time.

b. Based on the entries in the said register, those persons shall be obliged at the end of each year, within the first 15 days of January of the subsequent year, to submit a declaration to the local Chemical Service pertaining to shipment of fermented beverages made on their behalf and received, which shall include the quantities of fermented beverages per category made on their behalf and received during the year ended, the quantity thereof placed on the domestic market for consumption, the quantities sent to other Member States or exported to third countries, and the quantities left at their facilities at the end of the year.

The declaration shall be submitted in triplicate to the competent official from the local Chemical Service who shall check it, taking into account the relevant entries in the register which is kept, and the information and accounting records which are held by the said person, in accordance with the provisions of the relevant legislation.

5. a. Where fermented beverages are made on behalf of a third party, the labelling may contain a reference to the name of the natural or legal person on whose behalf production was carried out, using the phrase “Made and bottled by .... [Name-surname (or commercial name) and address of the entrepreneur/producer of the fermented beverages] on behalf of .... [Name-surname (or commercial name) and address of the person (or business) on whose behalf the fermented beverages were made].

The name and particulars of the entrepreneur who made the fermented beverages may be indicated in that phrase using a special code in accordance with the provisions of Article 13 hereof.

b. In all other respects, the relevant provisions of applicable EU law, the Hellenic Food and Beverages Code and this decision shall apply to the description, characterisation, presentation, labelling and advertising of fermented beverages made on behalf of a third party.

**Article 13**

**Code numbers for fermented beverages production plants**

1. The particulars of the special fermented beverages production plant made be indicated in labelling by using a special code number solely and exclusively for the fermented beverages to which Articles 11 and 12 hereof relate, provided it is done in accordance with the terms of this Article.

2. a. The code referred to in the previous paragraph shall be unique and individual to each fermented beverages production plant and shall have no relationship to any other codes issued to the undertaking.

b. The code number shall be provided by the competent Directorate of the State General Laboratory’s Central Service following a request made by the entrepreneur producing the fermented beverages, provided the authorisation for bottling specified in the relevant provisions of Articles 11 and 12 hereof has first been issued in the case of foreign products or production of fermented beverages on behalf of third parties, whichever is appropriate.

c. That code number shall be a combination of letters and numbers and shall consist in order of:

i. Three initial letters (in capitals) from the name of the regional unit within which the fermented beverages production plant is located.

ii. A 3-digit number to identify the fermented beverages production plant, provided by the competent Directorate of the State General Laboratory’s Central Service which need not consist of consecutive numbers.

iii. The digits 22.06 from the combined nomenclature to which the products belong.

iv. The final two digits of the year in which the number was provided.

3. Special fermented beverages production plants which have been granted such code numbers, in accordance with the provisions of the foregoing indents, shall be included in a register prepared and maintained by the competent Directorate of the State General Laboratory’s Central Service.

4. Counterfeiting, lending or abusive or improper use in general of the code number is prohibited and shall entail deprivation of the right to continue using the code and deletion of the fermented beverages production plant from the register which is specified in the previous paragraphs, and the sanctions specified in the relevant provisions of Article 11(3) of Law 2969/2001 shall also be imposed.

In addition to that, in these cases the authorisation for bottling or production of fermented beverages on behalf of third parties, as appropriate, specified in the relevant provisions of Articles 11 and 12 hereof may be withdrawn by decision of the competent Directorate of the State General Laboratory’s Central Service.

**Article 14**

**Sampling and chemical testing**

1. a. The samples taken for the raw materials brought into fermented beverages production plants for processing, and for the products made and shipped shall be taken in threes, packaged, sealed with the seal of the Inspecting Chemical Service and of the plant if it has a seal, and then shall be labelled using the sampling forms in accordance with the applicable provisions of the Hellenic Food and Beverages Code.

Samples of the raw materials may, depending on the nature thereof, have suitable preservatives added provided that this is referred to in the relevant reports and sampling forms, the relevant provisions of the Hellenic Food and Beverages Code applying accordingly.

b. Two samples (marked A ‘for initial testing’ and B ‘for subsequent testing’) shall be delivered to a chemist from the Inspecting Chemical Service and shall be submitted to his department for chemical testing and the third sample shall be handed over to the plant owner or his agent.

In the case of samples of raw materials which the Inspecting Chemical Service is unable to test, five samples shall be taken during the sampling process, four of which shall be delivered to the chemist at the Chemical Service and the fifth to the plant owner or his agent.

Of the four samples, 2 (marked A ‘for initial testing’ and B ‘for subsequent testing’) shall be sent along with a copy of the relevant ‘goods in’ and sampling report, by the Inspecting Chemical Service to the Chemical Department of the State General Laboratory responsible for testing them and the other 2 (also marked A ‘for initial testing’ and B ‘for subsequent testing’) shall be held by the Inspecting Chemical Service in order to be used if the samples which were sent for testing are destroyed for any reason.

c. In all other respects the relevant provisions of the Hellenic Food and Beverages Code shall apply to the packaging and sealing of samples, the sampling forms and reports, and the dispatch and delivery of samples.

2. a. The relevant provisions on perishable samples in the Hellenic Food and Beverages Code and in Law 4177/2013 shall apply to chemical testing (initial and subsequent) of the samples in terms of the procedures and deadlines to be complied with.

In the case of samples of raw materials in particular, the plant owner concerned may submit an objection to the results of the initial testing to the Chemical Department of the State General Laboratory which carried out the testing within two working days of the results being notified to him, unless otherwise specified by the applicable provisions in force, and at the same time shall appoint a chemical agent which shall attend the re-examination (subsequent testing) should he so wish. A report shall be prepared on chemical testing of the first sample (initial testing), and for chemical testing of the second sample (subsequent testing) a report shall be prepared, copies of which in duplicate shall be sent to the Inspecting Chemical Service for its information and to be cc-ed to the plant owner concerned.

Notification of the results of initial and subsequent testing and submission of objections by the plant owner must be done in writing.

b. Tests carried out after an appeal is filed (subsequent testing) shall be done by the Chemical Department of the State General Laboratory which carried out the testing on the initial sample provided that the fee receipt or proof of payment from the tax office for the amount required to cover the cost of the chemical and other tests, specified in the decision of the Ministry of Finance in force from time to time, is submitted to it.

 c. Tests carried out after an appeal is filed shall be done in the presence of the agent of the plant owner concerned referred to in indent (a) of this paragraph, that agent to be notified in time about this by the competent Chemical Department of the State General Laboratory in each case, who shall also countersign the report which is drawn up on these matters.

Where the agent of the plant owner concerned does not appear at the date and time specified, the testing shall be done without him being present and the report shall be signed by the chemist who carried out the tests and his immediate superior, or where that person is absent, by his lawful substitute.

The results of tests carried out after an appeal is filed are binding on the plant owner concerned, and the State Supreme Chemical Council is competent to try any dispute or objection presented with reasoning in the minutes by the agent of that party relating solely to the testing and results.

3. a. The samples taken shall be examined in relation to the following points:

i) the raw materials to be processed, to identify solid content (Brix degrees) and/or sugar content, in the cases of fruits, berries, vegetables and/or the juices thereof, and sugary products in general or their percentage yield, in the cases of raw materials from malts made from grains, grains themselves or other starchy raw materials and/or extracts thereof.

ii) the products made and shipped, in order to identify alcoholic strength by volume, and the parameters and specifications laid down for each relevant category.

iii) any other parameter considered necessary by the Inspecting Chemical Service and/or the Chemical Department which carried out those tests.

b. Official methods shall be used when carrying out chemical tests, in accordance with the applicable provisions of EU and/or national law, and in the absence thereof any method published in the international peer-reviewed literature shall be used provided that it is mentioned in the relevant testing report.

4. The fee receipts submitted to the local Chemical Department of the State General Laboratory shall, in the case of tests carried out after an appeal is filed and any referrals to the State Supreme Chemical Council, be returned to the plant owner concerned if he is vindicated.

**Article 15**

**Wastage**

1. Wastage rates for raw materials brought into special fermented beverages production plants shall be recognised (natural fluctuations and losses) provided this is done and confirmed by the officials responsible for inspecting and overseeing those plants, in accordance with the following:

a. In the case of fresh berries, fruits and vegetables, transport-related wastage of up to 1% provided measurements were taken before and after transportation, and storage wastage of 1%.

b. In the case of nuts and dried fruits and vegetables, transport-related and storage-related wastage of 0.5%.

c. In the case of fruit and vegetable juices, transport-related and storage-related wastage of 0.25%.

d. In the case of grains and malts from grains, transport-related and storage-related wastage of 0.5%.

e. In the case of extracts from cereals and other starchy raw materials, transport-related and storage-related wastage of 0.25%.

f. In the case of honey, transport-related and storage-related wastage of 0.25%.

g. Additional wastage from any pre-processing applied (from slicing, grinding, etc.) of 1% shall be recognised in the cases referred to in indents (a) and (b).

2. a. A wastage rate of up to 5% max. by vol. of the end-product shall be recognised for various processing methods (sedimentation, stabilisation, filtering, etc.) to which the products cited in Article 1(2) hereof are subjected.

b. A wastage rate shall be recognised for storage (in tanks), bottling, and transport in bulk form in tanker trucks and/or other means of transport in accordance with Article 7(3) of Ministry of Finance Decision No. ΔΕΦΚΦ Β 5026381 ΕΞ 2015/16-12-2015 (Government Gazette 2785/B).

**Article 16**

**Obligations and rights of entrepreneurs who make fermented beverages**

Entrepreneurs who make fermented beverages are obliged to:

1. a. Keep records in hard copy or electronic format (fermented beverages production-shipment register) in line with the templates specified by the competent Directorate of the State General Laboratory’s Central Service.

The following information shall be recorded in that register each day, without deletions or crossing out, in special entries depending on the item: i) the quantities of raw materials imported, showing sugar content and the corresponding quantities of sugar, in line with the relevant documentation and relevant chemical testing reports, ii) which of those raw materials were processed and the quantities of must or juice produced, and sugar content thereof, and the corresponding quantities of sugar, iii) the quantities thereof which have undergone alcoholic fermentation, in conjunction with any other quantities of concentrated juices/must and/or sugars used, in accordance with the relevant reports, provided the fortification method is employed, and the relevant quantities of sugar, iv) the quantities of ‘semi-finished’ product resulting after alcoholic fermentation (in litres) and the actual alcoholic strength by volume thereof, the quantities of end-product obtained (in litres) and the actual alcoholic strength by volume thereof, and the corresponding quantities of undenatured ethyl alcohol, v) the quantities of end-product (in litres) stored to age and the actual alcoholic strength by volume thereof, and the quantities thereof, in litres, which result after application of any processing methods needed (sedimentation, cooling, filtration, etc.) and the actual alcoholic strength by volume thereof and the corresponding quantities of undenatured ethyl alcohol, vi) any practices and additives used, along with the relevant quantities of products and corresponding quantities of undenatured ethyl alcohol before and after application, vii) the quantities bottled and those placed on the market in bottles for consumption, and the actual alcoholic strength by volume thereof and the corresponding quantities of undenatured ethyl alcohol.

b. That register must be kept clean and tidy and be made available to the competent officers of the inspecting services (Inspecting Customs Authority and Inspecting Chemical Service) and any other competent inspecting service of the Independent Authority for Public Revenue (IAPR), and shall be inspected during any scheduled or unscheduled inspection which is carried out.

2. a. Record the following information in special entries in that register, in accordance with the aforementioned points: i) information about the quantities of products ready for bottling received from other Member States and/or imported from third countries, in line with the provisions of Article 11 of this decision and ii) the quantities of such products produced on behalf of third parties in line with the relevant provisions of Article 12 of this decision.

b. Keep records with documentation about the suitability/safety of the additives, enzymes, flavourings, processing aids and other auxiliary materials used, and about the practices, processes and additives used in various stages of the production process, in line with the flowchart which was submitted.

Those records must be easily accessible during the relevant inspections carried out by the local Inspecting Chemical Service.

3. a. Submit within the first 15 days of each month a monthly production and shipment declaration for the plan to the local Inspecting Chemical Service based on the registers, accounting records and data held by them in accordance with the applicable legislation, concerning work done the previous month.

b. The declaration shall be submitted on a special form specified by the competent Directorate of the State General Laboratory’s Central Service, and shall include a list of raw materials taken in and processed and an overall production / shipment list.

The raw materials ‘goods in’ and processing list shall include the following information by type/category of raw material: i) the quantities at the plant at the end of the previous month, in line with the relevant remaining quantities measurement report, if a count is taken, showing sugar contents; ii) the quantities brought in and received during the month, showing sugar content, in line with the relevant declarations / notifications from the fermented beverages’ producer, and the relevant ‘goods in’ reports, and the relevant chemical testing reports; iii) the quantities processed during the month, in line with the relevant declarations / notifications from the fermented beverages’ producer and the results of inspections and tests carried out by the local Inspecting Chemical Service and the production reports submitted; iv) the quantities there at the end of the month based on the relevant remaining quantities measurement report, if a count is taken, and the sugar content thereof.

The overall production and shipment list for fermented beverages shall include the following information per type/category of product: i) the quantities (in litres) at the end of the previous month and the actual alcoholic strength by volume thereof and the corresponding quantities of undenatured ethyl alcohol; ii) the quantities thereof made into semi-finished or finished products, in line with the relevant production reports and the inspections carried out by the local Inspecting Chemical Service, those ageing and those imported to the plant during the month and the actual alcoholic strength by volume thereof and the corresponding quantities of undenatured ethyl alcohol; iii) the quantities of fermented beverages (in litres) shipped and sold in any manner, the actual alcoholic strength by volume thereof and the corresponding quantities of undenatured ethyl alcohol; iv) the quantities remaining either in bulk or other form, or bottled at the end of the month and the actual alcoholic strength by volume thereof and the corresponding quantities of undenatured ethyl alcohol, in line with the relevant remaining quantities measurement report, where a count is taken.

4. During each inspection, promptly present the books, records and information held, specified by the relevant legislation and this decision, and facilitate the inspection by the competent auditing authorities (Chemical Service and Customs Authority) and comply with their recommendations.

5. Inform the competent auditing authorities (Chemical Service and Customs Authority) if the plant suspends operations for more than 30 days. Such notice shall be sent at least 1 week before the suspension.

If suspension occurs suddenly due to a breakdown in machinery or due to force majeure, the plant manager shall be obliged to notify the competent authorities within two working days.

6. a. Take all measures necessary in each case to safely store, and possibly preserve, the raw materials imported to the plant.

Where there is physical deterioration and/or a general qualitative decline in the raw materials so that they become unfit to use to make fermented beverages, the plant owner concerned shall send a report on this matter of the local Inspecting Chemical Service requesting its approval for the processing thereof at lawfully operating plants entitled to process them or its approval for other permissible uses in line with the applicable legislation, or destruction thereof, indicating the method and providing the means necessary for this.

In that application the entrepreneur concerned shall be obliged to state in detail the reasons why the raw materials because unfit for making the said products.

Having carried out the necessary checks and confirmed the reasons for the deterioration, the local Inspecting Chemical Service may issue a decision allowing the raw materials to be removed from the plant and either (i) be sold in accordance with the applicable legislation to a lawfully operating plant or sold for other permissible uses in line with the applicable legislation, and possibly after suitable denaturation, in compliance with the procedure and requirements set out in Article 5(5) hereof, to reimport it back into the plant, or (ii) be destroyed.

Disposal as well as denaturation shall be performed under the oversight of the local Inspecting Chemical Service, which shall take all measures necessary in its view to safeguard the State’s interests, and shall prepare the relevant reports (disposal report, denaturation report, etc.) which shall be used to then record the quantity of raw materials concerned in the plant’s books.

The said reports shall be prepared in triplicate and signed by the authorised officials from the local Inspecting Chemical Service and the entrepreneur who produces fermented beverages or his (lawful) agent.

b. Take the measures needed to make products in a safe manner in accordance with the principles of good industrial practice, to apply the practices, processes and additives specified in Annex A hereof, and to store and preserve the products and monitor their quality.

Where the fermented beverages deteriorate, and this is duly ascertained and confirmed by relevant inspections by the local Inspecting Chemical Service, in order to verify the reasons for the deterioration, based on the relevant results of chemical tests, when determining the fate of the relevant products, the provisions of Article 13(2) of Law 2969/2001 shall apply, where the relevant dossier shall be sent by the local Chemical Service to the local Customs Authority.

**Article 17**

**Inspection - Violations - Sanctions**

1. Special fermented beverages production plants and undertakings which ship and trade in those products shall be under the supervision and oversight of the local Chemical Services, whose authorised employees shall implement the steps, procedures and inspection requirements specified in the applicable legislation and shall act in accordance with it.

Such supervision and control is intended, on the one hand to safeguard compliance with EU legislation on the quality, identity, and health and safety of those products, and on the other hand, to provide technical support to the competent customs authorities in ensuring that taxable items are seized and that the proper excise duty is imposed.

2. a. At the end of each month the competent chemist from the local Inspecting Chemical Service shall carry out an inspection of the monthly production / shipment declaration submitted by special fermented beverages production plants, taking into account the relevant entries in the records, books and accounting entries held by the special fermented beverages production plant, the data and information arising from the documentation held at the plant especially in relation to processed raw materials, the products made and sold, the results of any unscheduled inspections carried out and measurements taken, and the applicable yields and max. wastage rates in line with the relevant provisions.

During the inspection, it shall be assumed that when processing various juices and sugars, that 100 kg of invert sugars present in the raw materials produce 59 l of undenatured ethyl alcohol industrially.

In the case of other raw materials, the ethyl alcohol yield, i.e. the quantity of undenatured ethyl alcohol obtained by converting 100 kg of invert sugar present in the relevant raw material, shall be set in the relevant decision of the Ministry of Finance, possibly following industrial experiments carried out under the supervision and inspection of the local Inspecting Chemical Service.

b. After being checked and confirmed the monthly declaration and a copy of any shortfall reports prepared by the competent official from the local Inspecting Chemical Service and any violations reports shall be sent within the first 15 days of each month to the competent director of the State General Laboratory’s Central Services.

Where there is a violation which falls within the Customs Office’s remit, the violation report and all relevant data shall be sent to the local inspecting Customs Authority.

Approval of the monthly declaration by the competent chemist from the local Inspecting Chemical Service is subject to it be verified based on the results of the count which must be carried out at the end of each four-month period.

3. a. At the end of each four-month period, the Inspecting Chemical Service shall carry out a count of the remaining quantities of all manner of raw materials, in their original form or being processed, intermediate products, end-products which are ageing/maturing, end-products ready for bottling, and bottled products, at the special fermented beverages production plants, and shall prepare a report on this matter in triplicate.

That shall not preclude the Inspecting Chemical Service from performing such counts each month or on an extraordinary basis at its discretion.

That report shall be signed by the chemist from that Service who performed the count and by the plant owner or his agent.

Two copies of the report shall be taken by the chemist from the local Inspecting Chemical Service who performed the count and the third shall be held by the plant owner concerned at the plant.

The count report shall in particular record for each type, the containers in which its located, the gross and net weight, and in the case of fixed tanks and containers, the height of the liquid in them in cm, the temperature thereof (natural temperature), the ethyl alcohol content thereof, the sugar content and the corresponding quantities of undenatured ethyl alcohol, the sugars and the total quantity of products found by type.

These count reports shall be attached to the monthly declaration submitted by the plant in the last month of the relevant four-month period.

A summary declaration for the whole four-month period shall be submitted by the plant in line with the template laid down by the competent Directorate of the State General Laboratory’s Central Service which shall be attached to the monthly declaration for the last month in the four-month period.

b. In order to check the said declaration in accordance with the provisions of the previous paragraph, regard shall also be had to information from the count report and information in the approved declarations for previous months in the four-month period, as shown in the declarations submitted and in the summary declaration referred to above.

During inspection of the declaration which was submitted as per the above, the levels of wastage shall be computed, quantified and confirmed.

After the said declaration and the information attached to it have been checked and approved by the chemist from the local Inspecting Chemical Service, it shall be submitted along with any shortfall report prepared and any violation report, within the first 15 days of each month to the competent Directorate of the State General Laboratory’s Central Service.

Where there is a violation which falls within the Customs Office’s remit, the violation report and all relevant data shall be sent to the local inspecting Customs Authority.

4. The local Inspecting Chemical Service shall monitor the various stages of the production process at the fermented beverages production plants in a random yet systematic manner, in accordance with the relevant flowchart submitted, as well as implementation of the provisions of Annex A hereof and shall take samples at its discretion of the raw materials being processed, the semi-finished and finished products and the products for shipment, and shall check the additives, auxiliary materials and processing aids used, in combination with the relevant files and records held at the plant.

5. At the end of each year the local Inspecting Chemical Service shall prepare a statement of settlement based on the data referring to the raw materials processed during the year, per category of material, which shall show (a) in the debit column, the quantities imported to the plant during the year and (b) in the credit column, the quantities of products produced and shipped during the year.

That statement of settlement shall be submitted within the first 15 days of the end of the year to the competent Directorate of the State General Laboratory’s Central Service and notified to the plant owner concerned.

6. a. In addition to scheduled inspections and supervision, unscheduled inspections may be carried out at special fermented beverages production plants referred to in Article 1(2) hereof by the local Inspecting Chemical Service.

An unscheduled inspection may be carried out on those plants by any other competent auditing authority from the Independent Authority for Public Revenue (IAPR) as well, with the assistance of the local Inspecting Chemical Service.

A detailed report on the unscheduled inspection shall be prepared by the employees who carried it out, and said report shall be submitted along with the count, sampling and other reports to the local Inspecting Chemical Service.

In this case, within three working days for the unscheduled inspection being carried out the plant owner shall submit a declaration to the local Inspecting Chemical Service in accordance with the provisions of paragraph 3 of the foregoing Article, which relates to the time period of one month prior to the end of the previous inspection, up to the date of the inspection.

b. That declaration shall be inspected and approved in accordance with the specific provisions of paragraph 2 of this Article and shall be submitted by the chemist from the local Inspecting Chemical Service who carried out the inspection along with a copy of any shortfall report prepared by him and any violation report within five working days to the competent Directorate of the State General Laboratory’s Central Service.

7. a. The competent Chemical Services shall carry out random checks and inspections on undertakings which receive pre-packaged fermented beverages ready for immediate human consumption from other Member States or import them from third countries, and on commercial undertakings on whose behalf fermented beverages are made in accordance with the relevant provisions of Article 12 hereof.

The inspection shall entail examining the accounting and other records, books and information held and any other relevant written materials, as well as sampling done at its discretion.

An inspection report shall be prepared in relation to the inspection, as shall sampling reports, and the samples taken shall undergo chemical testing at the local Chemical Service of the State General Laboratory, in compliance with the procedures set out in the relevant provisions of Article 14 hereof.

b. The Chemical Services of the State General Laboratory shall in the context of their remit under the relevant provisions of Law 2969/2001 and Law 4177/2013 carry out random inspections at the locations where the said products are sold and consumed, in accordance with a schedule of official inspections in the fields of ethyl alcohol and alcoholic drinks prepared by the competent Directorate of the State General Laboratory’s Central Service.

c. If violations falling within the Customs Office’s remit are identified during the said random inspections conducted by the Chemical Services of the State General Laboratory, the local Customs Authority shall be notified, and the relevant dossier dispatched to it.

8. Without prejudice to the relevant provisions of Law 2960/2001, failure to comply with the terms and provisions hereof is a violation punishable with the sanctions specified in each case in the relevant provisions of Law 2969/2001 and Law 4177/2013.

**CHAPTER II**

#### Article 18

**Amendment of Ministry of Finance Decision No. ΔΕΦΚΦ Β 5026381 ΕΞ 2015/16.12.2015 (Government Gazette 2787/B)**

The existing provisions of Article 1(2) of Decision No ΔΕΦΚΦ Β 5026381 ΕΞ 2015/16.12.2015 (Government Gazette 2787/B) are hereby renumbered (a) and a new subparagraph (b) is inserted, the text of which is as follows:

“b. In the case of products in Combined Nomenclature tariff heading 22.06, the concept of first racking referred to above shall also cover the case where immediately after alcoholic fermentation filtration or centrifugation is used to remove the sediment or cloudiness which results from alcoholic fermentation”.

**CHAPTER III**

#### Article 19

**Transitional provisions**

1. Products which have been imported into Greece prior to the entry into effect of this decision whose labelling is not in accordance with the terms hereof may continue to be on the market even after the entry into effect hereof until stocks are exhausted, and in all events no later than the end of 1 year from the date on which this decision enters into force.

2. Products for which the relevant customs imports return has already been submitted to the competent Customs Authority by the date on which this decision enters into force shall be imported into Greece without the obligation to submit the dossier specified in the relevant provisions of Article 10(4) hereof, subject solely to the condition that they meet the general requirements of EU and national food legislation.

3. In that case the phrases the importer shall be responsible for ensuring that the phrases in Greek on those products are in accordance with the terms hereof.

#### Article 20

#### Entry into force

1. Annexes A and B attached to this decision form an integral part hereof.

2. This decision shall take effect upon publication in the Government Gazette.

3. This decision shall be published in the Government Gazette.

**THE DEPUTY MINISTER**

**EKATERINI PAPANATSIOU**

**ANNEX A:**

**PERMISSIBLE PRACTICES, PROCESSES AND ADDITIVES**

The following processes, practices and additives are permitted in producing the fermented beverages under Article 1(2) hereof:

**A. Various natural processes such as:**

1. Thermal processes.

2. Centrifugation and filtration (with or without inert filtration enhancers).

3. Use of carbon dioxide, argon or nitrogen, either alone or in a mixture, to create an inert atmosphere and to handle the product in the absence of air.

4. Carbon treatment for oenological use.

5. Clarification by means of one or more of the following substances:

* edible gelatin,
* fish sticks,
* casein and potato casein,
* ovalbumin,
* bentonite,
* silicon dioxide in the form of a gel or colloidal solution,
* kaolinite,
* tannin,
* pectinolytic enzymes,
* enzyme preparation of β-glycanase,
* any other substances that may be foreseen in the relevant Union provisions in force and in accordance with the provisions thereof.

**B. Fortification:**

The increase in the natural alcoholic strength by volume of fermented musts or juice to be fermented or partially fermented and of the beverage still in fermentation by the following practices:

a) in the case of must or juice which is to undergo fermentation or which has undergone partial fermentation, by the addition of concentrated juice from the same agricultural product from which the must or the juice is derived or by the addition of sugars referred to in Articles 64 and 65 of the Hellenic Food and Beverages Code, as well as partial concentration, including reverse osmosis,

b) in the case of a beverage which is still in the fermentation process, by partial concentration through cooling.

**C. Regulation (increase or decrease) in acidity:**

The regulation (increase or decrease) in acidity of musts or juice to be fermented or which have been partially fermented and of the beverage still in fermentation, as appropriate, using one or more of the following substances:

* juice of the same (immature) fruit,
* malic, tartaric, citric or lactic acid,
* potassium bicarbonate,
* calcium carbonate,
* water,
* any other substances provided for in the relevant Union provisions in force and in accordance with the provisions thereof.

The acidity of the products referred to in Article 1(2) hereof shall be expressed, as appropriate, in terms of malic, tartaric or citric acid, depending on the particular nature of those products.

**D. Mixing fermented beverages:**

It is not permitted to mix fermented beverages from a third country with fermented beverages from the Union, and to mix various fermented beverages from third countries.

**E. Sweetening:**

The addition to a fermented beverage of one or more of the following products:

a) concentrated must or concentrated juice from the same fruit, berry or agricultural product from which the beverage is made.

b) the sugars referred to in Articles 64 and 65 of the Hellenic Food and Beverages Code.

c) honey,

d) sweeteners, for products for which that is permitted by the applicable provisions of EU law, and done in accordance with those provisions.

**F. Use/addition of additives, enzymes and flavourings:**

The use of additives, enzymes and flavourings in products for which such use is specified in the applicable relevant Union provisions (Regulations (EC) No 1333, 1332, 1334/2008, etc.) shall be performed in accordance with the provisions thereof.

**G. Addition to CO2:**

The addition of CO2 to produce sparkling fermented beverages in accordance with the provisions of point 7 of Annex B hereof.

**ANNEX B:**

**Categories of fermented beverages in Combined Nomenclature Tariff Heading 22.06**

1. **“Cider”** is a fermented beverage made by alcoholic fermentation of natural (fresh) apple juice and/or concentrated apple juice which:

a) has a minimum actual alcoholic strength by volume of 1.2% and max. of 8.5%;

b) has a volatile acidity (expressed in acetic acid) of not more than 1.2 gr/l;

c) has total acidity (expressed in malic acid) of not less than 3 gr/l;

d) has solid residues, after removal of any sugars present, of not less than 13 gr/l;

e) has not had ethyl alcohol added to it.

f) may have undergone fortification using the sugars specified in Articles 64 and 65 of the Hellenic Food and Beverages Code, in a quantity not exceeding 50% max. of the total sugars in the fermented must.

g) may have undergone other processes, practices, other than fortification, or had additives added in accordance with Annex A hereof, as specified in the relevant applicable EU legislation.

Where the cider has not been fortified with extra sugars and the quantity of concentrated apple juice used corresponds to 50% max. of the total sugars in the fermented must, it shall be called “natural cider”.

Depending on its residual sugar content, and provided that no sweeteners are added, cider may be characterised as:

* dry when it contains up to 9 gr/l residual sugars,
* semi-dry/semi-sweet when it contains from 9 gr/l to 40 gr/l residual sugars
* sweet when it contains over 40 gr/l residual sugars.

2. **“Perry”** is a fermented beverage made by alcoholic fermentation of the must or juice of pears, which:

a) has a minimum actual alcoholic strength by volume of 1.2% and max. of 9%;

b) has a volatile acidity (expressed in acetic acid) of not more than 1.2 gr/l;

c) has total acidity (expressed in malic acid) of not less than 3 gr/l;

d) has solid residues, after removal of any sugars present, of not less than 14 gr/l;

e) has not had ethyl alcohol added to it;

f) may have been fortified using concentrated pear juice, by no more than 50% of the total volume of must/juice used, while the sugars specified in Articles 64 and 65 of the Hellenic Food and Beverages Code may be added in a quantity corresponding to up to 20% max. of the end-product’s actual alcoholic strength by volume;

g) may have undergone other processes, practices, other than fortification, or had additives added in accordance with Annex A hereof, as specified in the relevant applicable EU legislation.

Depending on its residual sugar content, and provided that no sweeteners are added, perry may be characterised as:

* dry when it contains up to 9 gr/l residual sugars,
* semi-dry/semi-sweet when it contains from 9 gr/l to 40 gr/l residual sugars
* sweet when it contains over 40 gr/l residual sugars.

3. **“Fermented pomegranate beverage”** is a fermented beverage made by alcoholic fermentation of the must or juice of pomegranates, which:

a) has a minimum actual alcoholic strength by volume of 1.2% and max. of 12%.

b) has a volatile acidity (expressed in acetic acid) of not more than 1.0 gr/l.

c) has total acidity (expressed in malic acid) of not less than 6 gr/l.

d) has solid residues, after removal of any sugars present, of not less than 14 gr/l.

e) has not had ethyl alcohol added to it.

f) may have been fortified using concentrated pomegranate juice, by no more than 50% of the total volume of must/juice used, while the sugars specified in Articles 64 and 65 of the Hellenic Food and Beverages Code may be added in a quantity corresponding to up to 10% max. of the end-product’s actual alcoholic strength by volume.

g) may have undergone other processes, practices, other than fortification, or had additives added in accordance with Annex A hereof, as specified in the relevant applicable EU legislation.

4. **“Fermented grain beverages”** are fermented beverages made using (total or partial) alcoholic fermentation of the grains and/or grains malts and/or extracts thereof, which:

a) have a minimum actual alcoholic strength by volume of 1.2% and max. of 9%.

b) have a volatile acidity (expressed in acetic acid) of not more than 1.2 gr/l.

c) have total acidity (expressed in malic acid) of not less than 1 gr/l.

d) has solid residues, after removal of any sugars present, of not less than 14 gr/l.

e) may have undergone fortification using the sugars specified in Articles 64 and 65 of the Hellenic Food and Beverages Code, in a quantity not exceeding a maximum of 40 % of the total extract in the fermented must.

f) may have been flavoured with hops and/or other scented plants, berries, fruit, in accordance with the provisions of applicable relevant EU legislation.

g) have undergone other processes, practices, other than fortification, or had additives added in accordance with Annex A hereof, depending on their specific nature in each case.

5. **“Mead”** is a fermented beverage made by alcoholic fermentation of an aqueous solution of honey, which:

a) has a minimum actual alcoholic strength by volume of 1.2% and max. of 15%.

b) has a volatile acidity (expressed in acetic acid) of not more than 1.2 gr/l,

c) has total acidity (expressed in malic acid) of not less than 3 gr/l.

d) has solid residues, after removal of any sugars present of not less than 20 gr/l.

e) has been sweetened solely using honey.

f) may have been flavoured with scented plants, berries, fruit, in accordance with the provisions of applicable relevant EU legislation.

g) may have undergone other processes, practices other than fortification and sweetening, and had additives added, in accordance with the provisions of Annex A hereof.

Depending on its residual sugar content, and provided that no sweeteners have been added, mead may be characterised as:

* dry when it contains up to 10 gr/l residual sugars.
* semi-dry/semi-sweet when it contains from 10 gr/l to 30 gr/l residual sugars.
* sweet when it contains over 30 gr/l residual sugars.

6. “**Sparkling fermented beverages”** are fermented beverages which contain carbon dioxide which comes exclusively from fermentation inside sealed containers and which, when kept at a temperature of 20oC (inside sealed containers) are under excess pressure of at least 3 bar, due exclusively to the dissolved carbon dioxide.

7. **“Semi-sparking fermented beverages”** are fermented beverages which contain carbon dioxide which comes exclusively from fermentation inside sealed containers, and which, when kept at a temperature of 20oC (inside sealed containers) are under excess pressure of at least 1 bar but no more than 2.5 bar, due exclusively to the dissolved carbon dioxide.

8. **“Aerated sparking fermented beverages”** are fermented beverages which contain carbon dioxide which comes wholly or partially from the addition (injection) of carbon dioxide and which, when kept at a temperature of 20oC (inside sealed containers) are under excess pressure of at least 3 bar, due exclusively to the dissolved carbon dioxide.