

This Annex is the European Union's proposal for legal text on "Distilled spirits / spirit drinks" in TTIP. It was tabled for discussion with the US and then made public on 21 March 2016. The actual text in the final agreement will be a result of negotiations between the EU and US.

TTIP - DRAFT ANNEX ON DISTILLED SPIRITS/SPIRIT DRINKS

1. This Annex applies to all measures relating to distilled spirits/spirit drinks.
2. No Party shall require any of the following to appear on the container, label, or packaging of a distilled spirit/spirit drink:
 - a. date of packaging;
 - b. date of bottling;
 - c. date of production or manufacture;
 - d. date of expiration, use by date, use or consume by date, expire by;
 - e. date of minimum durability, best-by-date, best quality before date; or
 - f. sell-by-date,

except that a Party may require the display of a date of minimum durability on products that on account of the addition of perishable ingredients could have a shorter date of minimum durability than would normally be expected by the consumer.

3. No Party shall require translations of trademarks, brand names or names of origin to appear on distilled spirits/spirit drinks containers, labels, or packaging.
4. Each Party shall permit mandatory information, including translations, to be displayed on a supplementary label affixed to a distilled spirits/spirit drinks container. Each party shall permit such supplementary labels to be affixed to an imported distilled spirits/spirit drinks container after importation but prior to the product being offered for sale in the Party's territory, provided that the mandatory information of the original label is fully and accurately reflected.
5. No Party shall require the removal of lot identification codes from distilled spirits/spirit drinks containers, labels or packaging provided that they are not misleading to consumers and irrespective of:
 - a. Where the lot identification codes are placed on the containers, labels or packaging, provided they are not placed so as to obscure mandatory information; and
 - b. The specific font size, type, and formatting for the codes.

This Annex is the European Union's proposal for legal text on "Distilled spirits / spirit drinks" in TTIP. It was tabled for discussion with the US and then made public on 21 March 2016. The actual text in the final agreement will be a result of negotiations between the EU and US.

6. No Party shall apply a measure to distilled spirits/spirit drinks that were entered into commerce in the Party's territory prior to the date on which the measure entered into force, except under exceptional circumstances.

7. Spirit drinks shall not be subject to allergen labelling with regard to allergens which (i) have been used in the manufacture and preparation of the spirit drink and are not present in the final product or (ii) on the basis of the scientific evidence, are not likely to cause an allergic reaction following their consumption by susceptible individuals.

8. Use of drawings, figures, illustrations shall be permitted on bottles. They shall not replace mandatory labelling information and shall not mislead the consumer as to the real characteristics and composition of the spirit drinks.

9. For the purposes of this Annex:

distilled spirit/spirit drink means any alcoholic beverage covered by the Code 2208 of the Combined Nomenclature, with the exception of ethyl alcohol;

mandatory information means information required by a Party to appear on a distilled spirits container, label, or packaging.

END