

Full title of law or regulation	As shown in individual sections
Title of relevant section	Various; see individual entries
Context	This document provides definitions in a German legal context related to the three alcohol sectors Beer, Wine and Spirits

Alcohol free

Alcohol-free	<p>Alcohol free (<i>Alkoholfrei</i>) beer may contain up to 0.5% ABV</p> <p>For the purposes of heading No 2202, the term 'non-alcoholic beverages' means beverages of an alcoholic strength by volume not exceeding 0.5 % vol. (Chap. 22 (Notes, point 3) of Council Regulation (EEC) No 2658/87 http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31987R2658 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff.</p> <p>Also: According to an agreement by the Federal State Working Group on Food Chemistry [<i>Länderarbeitskreises Lebensmittelchemie</i>], alcohol-free beer may have a content of up to 0.5%; from 2013 Annual Report – WBZ: http://www.gregsregs.com/downloads/DE_WBZ_AnnualReport_2013_Alcohol.pdf</p>
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Beer

Beer	<p>The German Beer Purity Law (<i>Reinheitsgebot</i>) does not impose a limit on alcohol content for beer; the Beer Regulation (<i>Bierverordnung</i> – http://www.gesetze-im-internet.de/bundesrecht/bierv/gesamt.pdf allows beers lawfully manufactured and marketed in another member state, which do not necessarily comply with the German purity laws, to be marketed as 'beer' (see s. 1 Beer Regulation). The designation of various beer genera (plural form of genus, meaning group, subdivision, subfamily, e.g. 'the largest genus of plants with fleshy fruits') is also referenced (i.e. requirements to market a beer as a Strong Beer or a Draft Beer). Overview here: http://www.gregsregs.com/downloads/DE_Beer_Regs.pdf</p> <p>By way of example, care should be taken with claims such as 'brewed in accordance with the German Purity law': only malted grains, hops, water, and yeast may be used.</p> <p>See WBZ case in 2016 Annual Report http://www.gregsregs.com/downloads/DE_WBZ_AnnualReport_2016_Alcohol.pdf which ruled against a Mexican beer which was advertised as 'Gluten-free / <i>glutenfrei</i>' and 'brewed according to the German Purity Law (<i>nach dem deutschen Reinheitsgebot gebraut</i>). The use of barley would mean that you could never describe the beer as gluten-free, meaning that if gluten free grain was cultivated the resulting beer would not have been brewed according to the Beer Purity Law.</p>
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Wine

Wine	<p>Wine Act (<i>Weingesetz</i>) https://www.gesetze-im-internet.de/weing_1994/BJNR146710994.html (DE) http://www.gregsregs.com/downloads/DE_WBZ_AnnualReport_2016_Alcohol.pdf (EN) regulates the placing on the market and promotion of wine and other wine products (as far as they are not covered by EC laws such as Regulation 607/2009 http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:193:0060:0139:EN:PDF s. 25 covers prohibitions for protection against deception</p> <p>for example Art. 40 - The traditional terms listed in Annex XII, are protected only in the language and for the categories of grapevine products claimed in the application, against: (a) any misuse even if the protected term is accompanied by an expression such as 'style', 'type',</p>
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'method', 'as produced in', 'imitation', 'flavour', 'like' or similar; (b) any other false or misleading indication as to the nature, characteristics or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to it; (c) any other practice liable to mislead the consumer, in particular to give the impression that the wine qualifies for the protected traditional term

Wine Regulation (*Weinverordnung*)

https://www.gesetze-im-internet.de/weinv_1995/BJNR063010995.html

contains special provisions for the use of certain traditional terms, such as 'Qualitätswein (Q.b.a.)' (quality wine) or 'Landwein' (local wine).

Spirits

Spirits

Council Regulation (EC) No 110/2008

<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32008R0110>

allows Spirits to have a minimum alcoholic strength of 15% ABV (Art. 2 (1c) Reg). Definition of a spirit drink is contained in full in Art. 2; Art. 16 contains provisions on protection of geographical indications in advertising. See here:

http://www.gregsregs.com/downloads/Alc_EU_SpiritsReg_110-2008.pdf

In particular, the geographical indications registered in Annex III of the Regulation shall be protected against any misuse, imitation or evocation, even if the true origin of the product is indicated or the geographical indication is used in translation or accompanied by an expression such as 'like', 'type', 'style', 'made', 'flavour' or any other similar term (as referenced in WBZ Summary 2015:

http://www.gregsregs.com/downloads/DE_WBZ_AnnualReport_2015_Alcohol.pdf
