

(English version)

**Question for written answer E-002565/24
to the Commission
Carmen Crespo Díaz (PPE)
(18 November 2024)**

Subject: EU recognition of the uniqueness of Brandy de Jerez

Regulation (EU) 2019/787 on spirit drinks contains an explicit derogation exempting Brandy de Jerez from the ‘youngest component’ rule. There is an urgent need for the relevant delegated regulation to be adopted as soon as possible to protect our European producers and safeguard production by providing legal certainty to our farmers.

In light of the above:

1. When does the Commission plan to adopt a regulation that reflects the above derogation for Brandy de Jerez?
2. How does the Commission intend to prevent unjustified tariffs from being imposed on this product and its designation of origin?

Submitted: 18.11.2024

**Answer given by Mr Hansen on behalf of the European Commission
(17 January 2025)**

Although Regulation (EU) 2019/787 ⁽¹⁾ does not contain any exemption for Brandy de Jerez from the ‘youngest component’ rule, the Commission was empowered to adopt delegated acts by laying down derogations from the general rule and for appropriate control mechanisms in relation to brandies produced using the traditional dynamic ageing system known as the ‘criaderas y solera’ system or ‘solera e criaderas’ system.

In 2022, the Commission services considered the preparation of such delegated act, but discussions with Member States revealed the same positions that in 2018 had made impossible to introduce a derogation in Regulation (EU) 2019/787, with some Member States considering that making an exception for one single product would weaken the very authority of the general age labelling rule, applied worldwide for many years.

In view of such disagreement, the Commission has not presented so far a draft for discussion to the expert group for spirit drinks. The Commission will continue to engage with Member States and stakeholders on these matters.

The Commission takes very seriously any unfair or questionable use of trade defence instruments and formally requested consultations at the World Trade Organisation (WTO) on 25 November 2024 over the provisional anti-dumping measures imposed by China on EU brandy.

The Commission considers that the imposition of these duties are incompatible with China’s obligations under WTO rules. The Commission has been following the procedure very closely and intervened on several occasions to express its objections to the questionable nature of China’s allegations and subsequent measures.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R0787>