



Brussels
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Dear Ms Petropoulou,

First of all, my apologies for the delay in replying to your e-mail of 29 April 2020 concerning the use of the terms ‘Clos’ and ‘Domaine’ on the label of wines produced in countries other than France. Please note the following.

1. Use of the term ‘Clos’

According to Article 112 of Regulation (EU) No 1308/2013¹:

‘A "traditional term" means a term traditionally used in Member States for the products referred to in Article 92(1) to designate:

- a) that the product has a protected designation of origin or a protected geographical indication under Union or national law; or*
- b) the production or ageing method or the quality, colour, type of place, or a particular event linked to the history of the product with a protected designation of origin or a protected geographical indication.’*

The term ‘Clos’ is listed in e-Bacchus as a traditional term protected for France. However, as specified in the details of this traditional term, the term ‘Clos’ is also protected for Chile.

Therefore the indication ‘Clos’ can be used only to describe wines produced in France and Chile and complying with the relevant specifications.

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¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products - *OJ L 347, 20.12.2013, p. 671–854*

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2. Use of the term ‘domaine’

The term ‘domaine’ relates to the name of a holding. In this respect, reference should be made to Article 54 of Commission Delegated Regulation (EU) 2019/34², stating that:

1. *The terms referring to a holding listed in Annex VI, other than the indication of the name of the bottler, producer or vendor, shall be reserved for grapevine products with protected designations of origin or geographical indications.*
2. *Those terms shall only be used if the grapevine product is made exclusively from grapes harvested in vineyards exploited by that holding and the winemaking is entirely carried out on that holding.*
3. *Member States shall regulate the use of their respective terms listed in Annex VI. Third countries shall establish the rules on use applicable to their respective terms listed in Annex VI, including those emanating from representative professional organisations.*

Since the term ‘domaine’ is listed in Annex VI as a holding name reserved to France, it can only appear on the label of French wines with protected designations of origin or geographical indication complying with the conditions of use established at national level.

However, it is useful to point out that the list of traditional terms protected for Cyprus includes the term Κτήμα, which, according to the specifications published on e-Bacchus, can be accompanied by the equivalent French term ‘domaine’. This means that, when requesting the registration of the term Κτήμα, Cyprus has specified in the respective application that it asks for the protection of the term Κτήμα accompanied by its French equivalent ‘domaine’ and has subsequently obtained this protection.

The present opinion is provided on the basis of the facts as set out in your e-mail of 29 April 2020, it expresses the view of the Commission services and does not commit the European Commission. In the event of a dispute involving Union law it is, under the Treaty on the Functioning of the European Union, ultimately for the Court of Justice of the European Union to provide a definitive interpretation of the applicable Union law.

Yours sincerely,



p.o. Christophe Bertrand
in the absence of
Michael SCANNELL

² Commission Delegated Regulation (EU) 2019/33 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation - *OJ L 9, 11.1.2019, p. 2–45*