

Wine and Spirit Drinks Act

Promulgated, State Gazette No. 86/1.10.1999, effective 2.01.2000, amended and supplemented, SG No. 56/7.06.2002, SG No. 16/27.02.2004, supplemented, SG No. 108/10.12.2004, effective 1.01.2005, amended, SG No. 113/28.12.2004, effective 1.01.2005, SG No. 99/9.12.2005, effective 10.06.2006, SG No. 105/29.12.2005, effective 1.01.2006

Chapter One

GENERAL PROVISIONS

Article 1. (1) (Supplemented, SG No. 16/2004) This Act establishes the terms and the procedure for the production, obtaining, processing, trade and control of grapes for wine-making, wines, grape-based and wine-based products, and of spirit drinks, as well as the management and control of vine-growing and wine production potential.

(2) (New, SG No. 16/2004) The provisions of this Act shall apply to the products listed in Annex 1 hereto.

(3) (Renumbered from Paragraph (2), SG No. 16/2004) This Act is intended to create conditions for rehabilitation and development of the vine and wine sector, for improvement of the quality of wines, grape based or wine-based drinks and products, through introduction of a system of measures regulating the processes of the obtaining, production and trade thereof.

(4) (Renumbered from Paragraph (3) and amended, SG No. 16/2004) The Minister of Agriculture and Forestry, jointly with the National Vine and Wine Chamber, shall prepare a National Strategy for Development of Vine growing and Wine-making in Bulgaria and shall lay the said Strategy before the Council of Ministers for approval.

(5) (New, SG No. 16/2004) The Minister of Agriculture and Forestry shall implement the state policy in the vine and wine sector.

Chapter Two

CATEGORIES, KINDS AND TYPES OF WINE

Article 2. (1) Wine is the product obtained exclusively from the total or partial alcoholic fermentation of crushed or whole fresh grapes or of grapemust from fresh grapes.

(2) (Supplemented, SG No. 16/2004) Wines shall be white, ros? and red, and shall be classified in categories, kinds and types.

Section I

Wine Categories

Article 3. (Amended, SG No. 16/2004) There shall be two categories of wine: table wines, and quality wines produced in specified regions.

Table Wines

Article 4. (Amended, SG No. 56/2002 and SG No. 16/2004) Table wine shall bewine produced from grapes of recommended, authorized or temporarily authorized wine grape varieties, having a natural alcoholic strength by volume of not less than 7.5 % vol., an actual alcoholic strength by volume of not less than 9 % vol., and a total alcoholic strength by volume not exceeding 20 % vol., applicable to wines obtained without an increase in the natural alcoholic strength by volume, and a total titratable acidity content expressed as tartaric acid of not less than 3.5 grams per litre.

Article 5. (1) (Amended, SG No. 16/2004) Regional wine shall be table wine in respect of which the use of a geographical indication for its designating shall be conditional on the said wine being produced from grapes of authorized or recommended vine varieties determined according to the procedure established by the ordinance under Article 24 (1) herein and harvested in the vine growing region whose name the wine bears.

(2) (Amended, SG No. 16/2004) The use of a geographical indication to designate a regional wine resulting from the coupage of wines produced from grapes harvested in different vine-growing regions shall be permitted if atleast 85 % of the said grapes originate in the vine-growing region whose name the relevant regional wine bears.

(3) (New, SG No. 16/2004) Regional wines shall be endorsed by an order of the Minister of Agriculture and Forestry under terms and according to a procedure established in the ordinance referred to in Article 7 herein.

Article 6. (Amended, SG No. 16/2004) The geographical indication used to designate a regional wine must be associated with the vine-growing region from which the wine originates. A traditional name

may be used as a geographical indication of a specified vine-growing region.

Article 7. The Council of Ministers shall adopt an ordinance establishing the rules and requirements for production of regional wines.

Quality Wines Produced in Specified Regions
(Heading amended, SG No. 16/2004)

Article 8. (1) (Amended, SG No. 16/2004) Quality wine produced in a specified region shall be wine originating from a specific vine-growing region, subregion or area whose name serves to designate the wine and which is obtained, treated and bottled in the specific region, subregion or area. The quality or essential characteristics of any such wine are due basically or exclusively to the geographical environment which includes natural conditions and production traditions. The producers of quality wines produced in specified regions may not cede the rights thereof as users of the designation of origin to any third parties which are not registered as users of the designation of origin.

(2) (Repealed, SG No. 16/2004).

(3) (Amended and supplemented, SG No. 16/2004) The geographical indications used to designate quality wines produced in specified regions shall be associated with the specified vine-growing regions, subregions or areas from which the wines originate. A traditional name can be acknowledged as a geographical indication of a specified region, subregion or area in a manner and according to a procedure established by the ordinance referred to in Paragraph (8).

(4) (Amended, SG No. 16/2004) The names of the specified regions, subregions or areas shall be used under the terms established by the ordinance referred to in Paragraph (8).

(5) (Amended, SG No. 56/2002, amended and supplemented, SG No. 16/2004) Each region, subregion or area whereof the name is used to designate quality wines produced in specified regions shall be subject to obligatory definition performed by the Minister of Agriculture and Forestry or a person authorized thereby, taking into account the factors which contribute towards the quality of wines and especially the climate, the situation of the individual vineyard, the composition and the properties of the soil and subsoil. The region whereof the name is used to designate quality wines produced in specified regions shall be defined on a motion by the Executive Director of the Vine and Wine Executive Agency, in consultation with the National Vine and Wine Chamber.

(6) (Amended, SG No. 16/2004) The specific conditions which quality wines produced in specified regions must fulfil, regard being had to the traditional conditions of production, shall be based on the following factors:

1. (amended, SG No. 56/2002 and SG No. 16/2004) a production region, subregion or area plotted on the vineyard map;

2. (supplemented, SG No. 56/2002 and SG No. 16/2004) authorized and recommended vine varieties, allocated for the relevant region by the ordinance referred to in Article 24 (1) herein;

3. cultivation methods;

4. (amended, SG No. 16/2004) wine-making methods;

5. minimum natural alcoholic strength by volume;

6. (amended, SG No. 16/2004) grapes yield per hectare;

7. (amended, SG No. 16/2004) results of physical and chemical analysis and microbiological test and assessment of organoleptic characteristics;

8. (new, SG No. 16/2004) proportion between quantity of grapes harvested and quantity of wine produced.

(7) (New, SG No. 16/2004) Each quality wine produced in a specified region shall be designated by a control number under terms and according to a procedure established by the ordinance referred to in Paragraph (8).

(8) (Renumbered from Paragraph (7) and amended, SG No. 16/2004) The Council of Ministers shall adopt an ordinance establishing the conditions which quality wines produced in specified regions must fulfil, the procedure and the manner for the endorsement of any such wines.

(9) (New, SG No. 56/2002, renumbered from Paragraph (8), SG No. 16/2004) A selective vineyard map, register and information system shall be created on the basis of the data regarding the location, the boundaries, the sizes and other characteristics of the regions, subregions or areas. The contents of the selective map and register, as well as the terms and the creation and maintenance thereof, shall be established by an ordinance of the Minister of Agriculture and Forestry and the Minister of Regional Development and Public Works according to Article 32 (3) of the Cadastre and Property Register Act.

Article 9. (1) (Amended, SG No. 16/2004) Quality wines produced in specified regions may be:

1. quality wines of guaranteed designation of origin;
2. quality wines of guaranteed and controlled designation of origin.

(2) (Amended, SG No. 16/2004) Quality wines of guaranteed designation of origin shall be the wines defined in Article 8 herein. The conditions which any such wines must fulfil shall be established by the ordinance referred to in Article 8 (8) herein.

(3) (Amended, SG No. 16/2004) Quality wines of guaranteed and controlled designation of origin shall be the wines defined in Article 8 herein and which enjoy an established reputation. The conditions which each wine of guaranteed and controlled designation of origin must fulfil shall be established by the ordinance referred to in Article 8 (8) herein.

(4) (Repealed, SG No. 16/2004).

Article 9a. (New, SG No. 16/2004) The designations of origin of quality wines produced in specified regions and the geographical indications of regional wines may be used solely to designate wines which conform to the requirements established by this Act and the statutory instruments for the application thereof.

Section II

Kinds of Wine

Article 10. (Amended, SG No. 16/2004) There shall be three kinds of wine: still, sparkling, and special.

Article 11. Still wines shall be wines whereof the carbon dioxide content does not exceed 2 grams per litre.

Article 12. (1) (Amended, SG No. 16/2004) Sparkling wines shall be wines obtained by first or second alcoholic fermentation or through addition of carbon dioxide which, when the container wherein the wine is stored is opened, characteristically release carbon dioxide. Sparkling wines can be sparkling wines proper and semi-sparkling wines.

(2) The Council of Ministers shall adopt an ordinance regulating the rules for production of sparkling and semi sparkling wines and the procedure for use of authorized sweeteners, flavourings and food additives.

Article 13. (1) Special wines shall be: liqueur wines, aromatized wines, and noble sweet wines.

(2) The Council of Ministers shall adopt an ordinance on the varieties of special wines and the rules for the production thereof.

Sparkling Wines Proper

Article 14. (1) (Amended, SG No. 16/2004) Sparkling wines proper shall be natural sparkling wines and aerated sparkling wines.

(2) Natural sparkling wines shall be wines obtained by first or second alcoholic fermentation of fresh grapes, of grape must, of wine suitable for yielding table wine, of table wine, of quality wine produced in a specified region, and of imported wine. Natural sparkling wines characteristically release carbon dioxide derived exclusively from alcoholic fermentation and have an excess pressure, due to carbon dioxide in solution, of not less than 3 bar when kept at a temperature of 20°C in closed containers.

(3) (Amended, SG No. 16/2004) Aerated sparkling wines are always obtained from table wines. Aerated sparkling wines characteristically release, when the container is opened, carbon dioxide derived wholly or partially from an addition of carbon dioxide and have an excess pressure, due to carbon dioxide in solution, of not less than 3 bar when kept at a temperature of 20°C in closed containers.

(4) The addition of sucrose, wine distillate, natural flavourings and food additives and/or extracts thereof shall be permissible in the production of sparkling wines proper under the terms and according to the procedure established by the ordinance referred to in Article 12 (2) herein.

(5) (Amended, SG No. 16/2004) Sparkling wines proper may be categorized as quality wines produced in specified regions under the terms established by the ordinance referred to in Article 8 (8) herein.

(6) (Amended, SG No. 16/2004) Quality sparkling wines proper produced in specified regions may not be produced from and with the inclusion of imported wines.

Semi-Sparkling Wines

Article 15. (1) (Amended, SG No. 16/2004) Semi sparkling wines shall be natural semi-sparkling and aerated semi-sparkling.

(2) (Amended, SG No. 16/2004) Natural semi-sparkling wines shall be wines obtained from table wines, from quality wines produced in specified regions, or from products suitable for yielding table or quality wines produced in specified regions, having a natural alcoholic strength by volume of not less than

7 % vol. and an actual alcoholic strength by volume of not less than 9 % vol., and an excess pressure, due to endogenous carbon dioxide in solution of not less than 1 bar and not more than 2.5 bar when kept at a temperature of 20°C in closed containers.

(3) (Amended, SG No. 16/2004) Aerated semi-sparkling wines shall be wines obtained from table wines, from quality wines produced in specified regions or from products suitable for yielding table wine or quality wines produced in specified regions, having a natural alcoholic strength of not less than 7 % vol. and an actual alcoholic strength of not less than 9 % vol. and an excess pressure of not less than 1 bar and not more than 2.5 bar when kept at a temperature of 20°C in closed containers due to carbon dioxide in solution which has been wholly or partially added.

(4) The addition of sucrose, wine distillate, natural flavourings and food additives and/or extracts thereof shall be permissible in the production of semi-sparkling wines under the terms and according to the procedure established in the ordinance referred to in Article 12 (2) herein.

Liqueur Wines

Article 16. (1) Liqueur wines shall be wines obtained from fresh or partially fermented grape marc or grape must in fermentation, or wine or a combination of the above products by addition of ethyl alcohol of agricultural origin or wine distillate.

(2) (Amended, SG No. 16/2004) Liqueur wines shall have an actual alcoholic strength by volume of not less than 15 % vol. and not more than 22 % vol., and a total alcoholic strength by volume of not less than 17.5 % vol., except for certain quality liqueur wines produced in specified regions as indicated in the ordinance referred to in Article 8 (8) herein.

(3) (Amended, SG No. 16/2004) Liqueur wines may be categorized as quality wines produced in specified regions under the terms and according to the procedure established by the ordinance referred to in Article 8 (8) herein.

Aromatized Wines

Article 17. (1) Aromatized wines shall be wines whose organoleptic characteristics are conferred by flavouring with the aid of natural flavouring substances and/or natural flavouring preparations and/or aromatic herbs and spices, including extracts thereof, and/or flavouring foodstuffs, and/or combinations thereof.

(2) (Amended, SG No. 16/2004) Aromatized wines shall have a minimum actual alcoholic strength by volume of 14.5 % vol. or more and a maximum actual alcoholic strength by volume of less than 22 % vol., and a minimum total alcoholic strength by volume of 17.5 % vol. or more.

(3) (Repealed, SG No. 16/2004).

(4) It shall be permissible to add carbon dioxide to aromatized wines.

(5) Aromatized wines shall be prepared from wine and/or fresh grape must with fermentation arrested by the addition of alcohol or from wines to which ethyl alcohol of agricultural origin and sweeteners have been added.

(6) Semi-white and white sugar, refined white sugar, dextrose, fructose, glucose syrup, liquid sugar, invert sugar syrup, rectified concentrated grape must, burned sugar, honey, carob syrup, as well as all other natural carbohydrate substances having a similar effect to the above products may be used as sweeteners under Paragraph (5).

(7) (New, SG No. 16/2004) An aromatized wine-based drink shall be a drink obtained from wine which has been flavoured with the aid of flavouring substances, with or without added grape must, and which has an actual alcoholic strength by volume of 7 % vol. or more and less than 14.5 % vol.

(8) (New, SG No. 16/2004) To be designated "pelin," an aromatized wine-based drink must be produced in Bulgaria according to a special method. The mixture of herbs used in the production of pelin, the share of herbs of the wormwood genus must be not less than 20 % weight.

Noble Sweet Wines

Article 18. (1) Noble sweet wines shall be wines whose initial raw materials are at least 85 % of ripe withered grapes or attacked by *Botrytis Cinerea*, obtained from grape must with an initial minimum natural sugar content of 212 grams per litre as the fermentation has been arrested by addition of ethyl alcohol, wine distillate or other authorized oenological practices.

(2) (Amended, SG No. 16/2004) To be designated by the specific traditional name of "noble sweet wine", quality wines produced in specified regions must be produced under terms and according to a procedure established by the ordinance referred to in Article 8 (8) herein.

Section III

Types of Wine

Article 19. The type of wine shall be determined by the residual sugar content.

Sugar Content of Still Wines

Article 20. (Amended, SG No. 16/2004) Still wines shall be:

1. dry: having a sugar content not exceeding 4 grams per litre, or not exceeding 9 grams per litre, provided that the total titratable acidity is not more than 2 grams below the residual sugar content;
2. medium dry: having a sugar content in excess of 4 grams per litre but not exceeding 12 grams per litre; the sugar content may be up to 18 grams per litre on condition that the total acidity, expressed as grams of titratable acids per litre, added to the figure 10, does not exceed the sugar content of the wine;
3. medium sweet: having a sugar content in excess of 12 grams per litre but not more than 45 grams per litre;
4. sweet: having a sugar content of at least 45 grams per litre.

Sugar Content of Sparkling and Semi-Sparkling Wines

Article 21. (1) (Amended, SG No. 16/2004) Sparkling and semi-sparkling wines shall be:

1. extra brut: if the sugar content thereof is between 0 and 6 grams per litre;
2. brut: if the sugar content thereof is less than 15 grams per litre;
3. extra dry: if the sugar content thereof is between 12 and 20 grams per litre;
4. dry: if the sugar content thereof is between 17 and 35 grams per litre;
5. medium dry: if the sugar content thereof is between 33 and 50 grams per litre;
6. sweet: if the sugar content thereof is greater than 50 grams per litre.

(2) Should the residual sugar content in wine allow use of two of the wine type definitions under Paragraph (1), the producer or the importer shall have a choice to use only one definition.

Chapter Three

MANAGEMENT AND CONTROL OF THE VINE-GROWING AND WINE
PRODUCTION POTENTIAL

(Heading amended, SG No. 16/2004)

Article 21a. (New, SG No. 16/2004) The Vine and Wine Executive Agency shall create and maintain a vineyard register and information system for management and control of the vine-growing and wine production potential.

Harvest, Production and Stocks Declaration

(Heading amended, SG No. 16/2004)

Article 22. (Amended, SG No. 56/2002) (1) (Supplemented, SG No. 16/2004) Producers of grapes for wine-making and producers of grape must shall declare each year the quantities of grapes produced from the last harvest, including the quantities of grapes intended for consumption by the producer's family, to the territorial units of the Vine and Wine Executive Agency.

(2) (Amended and supplemented, SG No. 16/2004) Producers of wine shall declare each year the quantities of grapes and grape must produced during the last harvest, including the quantities produced with material supplied by customers and such intended for consumption by the producer's family, to the territorial units of the Vine and Wine Executive Agency.

(3) (Supplemented, SG No. 16/2004) Producers of wine and producers of grape must and wholesalers of wine and grape must shall declare each year their stocks of wine and grape must produced from the last harvest and from the harvest of preceding years to the territorial units of the Vine and Wine Executive Agency. Any quantities of wine and grape must imported into the Republic of Bulgaria shall be subject to declaration to the competent territorial unit of the Executive Agency by the importers.

(4) (Amended, SG No. 16/2004) The declarations referred to in Paragraphs (1) and (2) shall be submitted annually, not later than the 10th day of December. Any declaration under Paragraph (3) in respect of the stocks of grape must and wine by the 31st day of July shall be submitted not later than the 20th day of August 20. The form, the contents and the procedure for submission of the declarations referred to in Paragraphs (1), (2) and (3) shall be established by the ordinance referred to in Article 43 (3) herein.

(5) (Supplemented, SG No. 16/2004) The start of grape harvesting shall be announced by an order of the municipality mayor depending on the condition of the vintage and the ripeness of the grapes at a recommendation of the territorial units of the territorial units of the Vine and Wine Executive Agency, taking into consideration the requests of the Regional Vine and Wine Chamber and of the producers or grapes and wine.

Article 22a. (New, SG No. 56/2002, supplemented, SG No. 16/2004) The wine production year for the products covered under Article 1 herein with the exception of spirit drinks shall begin on the 1st day of

August each year and shall end on the 31st day of July of the following year.

Vine-growing Farms Demarcation and Registration

(Heading amended, SG No. 16/2004)

Article 23. (Amended, SG No. 56/2002) (1) Vine growing farms shall be demarcated by means of creation of a selective maps, vineyard registers and information system.

(2) (Amended, SG No. 16/2004) The contents of the selective map and vineyard register, as well as the terms and procedure for the creation and maintenance thereof, shall be established by an ordinance of the Minister of Agriculture and Forestry and the Minister of Regional Development and Public Works according to Article 32 (3) of the Cadastre and Property Register Act.

(3) (Repealed, SG No. 16/2004).

Article 23a. (New, SG No. 16/2004) (1) The Vine and Wine Executive Agency shall create and maintain a register of vine-growing farms under terms and according to a procedure established by the ordinance referred to in Article 23 (2) herein.

(2) Any producers of wine grapes, whether natural or legal persons, shall be obligated to register the vine growing farms managed thereby with the Vine and Wine Executive Agency.

(3) For registration of a vine-growing farm, the persons referred to in Paragraph (2) shall submit an application to the relevant territorial unit of the Vine and Wine Executive Agency exercising competence over the location of the vine-growing farm or of the largest aggregate surface area of the estates planted with vines. The following shall be attached to any such application:

1. a statement declaration, completed in a standard form issued by the Vine and Wine Executive Agency, regarding the location of the vine plantations;

2. an original of a certificate of current status (of the Commercial Register entry): applicable to legal persons;

3. (amended, SG No. 105/2005) a copy of the BULSTAT Register identification card and a copy of a registration under the Tax and Social Insurance Procedure Code certificate: applicable to persons registered under the Commerce Act or under the Cooperatives Act.

(4) Upon ascertainment of any deficiencies and/or inaccuracies in the documents as submitted, the relevant territorial unit of the Vine and Wine Executive Agency shall notify the applicant in writing within seven days.

(5) The applicant shall be obligated to rectify any such deficiencies and/or inaccuracies within 14 days after receipt of a notification.

(6) The Vine and Wine Executive Agency shall enter the vine-growing farms in the register within 14 days after submission of the documents or after rectification of the deficiencies and/or inaccuracies.

(7) Each vine-growing farm shall be entered in the register referred to in Paragraph (1) under an individual identification number.

(8) The identification number referred to in Paragraph (7) shall consist of eleven digits, with digit one identifying the vine-growing region, digit two being the number of the territorial unit of the Vine and Wine Executive Agency exercising competence over the location of the vine-growing farm, digits three to seven being the Uniform Classifier of Political Units and Territorial Units code of the nucleated settlement in the land-use area whereof the vine-growing estates are located, and digits eight to eleven being the sequential number of the entry.

(9) Any natural and legal persons, who or which manage registered vine-growing farms, shall be obligated to declare any change in the circumstances covered under Paragraph (3), as well as any change in the structure of the vine-growing farm, to the territorial units of the Vine and Wine Executive Agency whereof the vine-growing farm has been registered within 30 days after occurrence of any such change.

Legal Framework of New Planting, Replanting, Grafting-on and Grubbing-up of Vines

Article 23b. (New, SG No. 56/2002, redesignated from Article 23a, SG No. 16/2004) (1) (Amended, SG No. 16/2004) The Vine and Wine Executive Agency shall establish a National Reserve System of Planting Rights in Respect of Vine Varieties for Wine Production (National Reserve).

(2) New planting of vine varieties for wine production shall be carried out upon acquisition of a new planting right, after grubbing-up and accrual of a replanting right, or upon acquisition of a replanting right from the National Reserve.

(3) A new planting right may not be transferred or ceded to third parties.

(4) (Amended, SG No. 16/2004) Any vines planted in violation of the provisions of this Act and of the

statutory instruments for the application thereof shall be subject to grubbing-up. Vines shall be grubbed up on a reasoned order of the Executive Director of the Vine and Wine Executive Agency.

(5) It shall be prohibited to offer for sale on the market any grapes, wine and grape-based and wine-based products produced from vines planted in violation of this Act and of the statutory instruments for the application thereof.

(6) (Amended, SG No. 16/2004) The Council of Ministers shall issue an ordinance establishing the terms and a procedure for new planting, replanting, grafting-on and grubbing-up of existing vines, the replenishment and management of the National Reserve.

Classification of Vine Varieties for Wine Production

Article 24. (1) (Amended, SG No. 56/2002) Vine varieties for wine production, which are classified as: recommended, authorized and temporarily authorized, shall be authorized for growing. The Council of Ministers shall issue an ordinance regulating the rules for classification of vine varieties for wine production.

(2) Vine varieties for wine production shall be classified on the basis of wine-growing regions.

(3) (Amended, SG No. 56/2002) Only recommended, authorized and temporarily authorized vine varieties may be planted, replanted and grafted on within the territory of Bulgaria. For experimental purposes, for scientific research, in plant breeding and in production of vegetative reproduction material intended for export, planting, replanting and grafting-on of it shall be authorized by the Executive Director of other vine varieties shall be permissible as well by authorization of the Executive Director of the Vine and Wine Executive Agency.

(4) Fresh grapes, grape must, grape must in fermentation, new wines still in fermentation and wines obtained from grapes of vine varieties not classified according to the procedure established by Paragraph (1) may be used solely for production of distillate, for obtaining vinegar, and for consumption by the producer's family.

Production of Organic Grapes and Control

Article 25. The terms for production of organic grapes and of wine obtained from organic grapes, the use of the term "organic" in the labelling, in the business books and documents, in packaging and advertising of products, as well as their control, shall be regulated by an ordinance of the Council of Ministers establishing terms for the production, designation, presentation and control of unprocessed and processed organic agricultural products.

Chapter Four

RULES REGARDING OENOLOGICAL PRACTICES AND PROCESSES

Section I

General Provisions

Authorized Oenological Practices

Article 26. (1) Solely authorized oenological practices and processes may be used for obtaining grape must, grape must in fermentation, fresh grape must with fermentation arrested by the addition of alcohol, concentrated grape must, rectified grape must, wines, new wines still in fermentation, wine suitable for yielding table wine, sparkling wines and special wines. The Council of Ministers shall adopt an ordinance on the authorized oenological practices, processes and on verification of compliance therewith.

(2) Under the terms and according to the procedure established by the ordinance referred to in Paragraph (1), the application of certain oenological practices and processes may be prohibited, as well as new practices and processes may be included or the value limits of the adopted oenological practices and processes may be changed as a result of technological advances and the world experience.

(3) It shall be prohibited to dilute and to add water to the products covered under Paragraph (1).

(4) The coupage of table wines, of quality wines produced in specified regions, of imported wines, of table wines with wine suitable for yielding table wine shall be prohibited if one of these products does not satisfy the requirements established by this Act or by the ordinance referred to in Paragraph (1).

(5) Coupage of grape must or table wine in the production of which authorized oenological practices and processes have been used with grape must or table wine in the obtaining of which unauthorized oenological practices and processes have been used shall be prohibited.

(6) It shall be prohibited to decrease sulphur dioxide and sulphates by chemical processes.

(7) It shall be prohibited to produce grape must and wine from raisins and from concentrated grape must.

Article 27. (Amended, SG No. 56/2002) The Minister of Agriculture and Forestry or a person authorized thereby, jointly with the Minister of Health, may authorize the experimental use of oenological

practices and processes other than those established by the ordinance referred to in Article 26 (1) herein, provided that the period of such use does not exceed three years, the quantities involved in each individual experiment do not exceed 200,000 litres per annum, and the said quantities are not intended for export.

Section II

Enrichment of Vine and Wine Products

Increase and Decrease in Natural Alcoholic Strength

Article 28. (1) (Supplemented, SG No. 16/2004) An increase in natural alcoholic strength by volume up to a maximum of 2 % vol. may only be achieved:

1. in respect of fresh grapes, grape must in fermentation and new wine still in fermentation, only by adding sucrose, concentrated grape must, or rectified concentrated grape must;

2. in respect of grape must: by adding sucrose, concentrated grape must, rectified grape must, or by partial concentration;

3. in respect of wine suitable for yielding table wine and table wine, by partial concentration through cooling.

(2) (Amended, SG No. 16/2004) The terms and the procedure for addition of sucrose, concentrated grape must and rectified grape must for increase in the natural alcoholic strength by volume of grapes, of grape must, of grape must in fermentation and of new wine still in fermentation, the sweetening of table wines and of imported wines, as well as the control over these practices, shall be established by the ordinance referred to in Article 26 (1) herein.

Acidification and Deacidification

Article 29. (1) Fresh grapes, grape must, grape must in fermentation, new wine still in fermentation and wine may be subject to acidification and deacidification.

(2) Acidification of fresh grapes, grape must, grape must in fermentation and new wine still in fermentation may be carried out only up to a maximum of 1.5 grams per litre, expressed as tartaric acid, and acidification of wine may be carried out only up to a maximum of 2.5 grams per litre, expressed as tartaric acid.

(3) Deacidification may be carried out only up to a maximum of 1 gram per litre, expressed as tartaric acid.

Increase and Reduction in Natural Sugar Content and Acidification and Deacidification

Article 30. (Amended, SG No. 56/2002) It shall be prohibited to acidify and increase the sugar content, as well as to acidify and deacidify one and the same product except in unfavourable natural climatic conditions and by permission of the Minister of Agriculture and Forestry or a person authorized thereby under terms and according to a procedure established by the ordinance referred to in Article 26 (1) herein.

Conditions for Sweetening and Concentration of Wine

Article 31. (1) The sweetening of table wines shall be forbidden when the fresh grapes, the grape must, the grape must in fermentation, the new wine still in fermentation, the wine suitable for yielding table wine or the table wine itself have undergone any of the processes covered under Article 28 herein.

(2) The sweetening of table wine shall be authorized only provided that the products covered under Paragraph (1) have not undergone any of the processes covered under Article 28 herein and the sweetening is effected with the aid of concentrated grape must, of rectified concentrated grape must or of grape must, provided that the total alcoholic strength by volume of the wine in question is not raised by more than 2 % vol.

Regime of Processes

Article 32. (1) (Amended, SG No. 16/2004) None of the processes covered under Articles 28 through 31 herein, with the exception of acidification and deacidification of wines, shall be authorized unless carried out only once at the time when grapes, grape must in fermentation or new wine still in fermentation are being turned into wine suitable for yielding table wine, into table wine, or into another vine and wine drink intended for direct human consumption other than sparkling wine proper or aerated sparkling wine.

(2) The terms under Paragraph (1) shall furthermore apply to the processes of acidification, deacidification and concentration of wines suitable for yielding table wines.

(3) Acidification and deacidification of wines shall be carried out only in the place where the wine is obtained.

(4) Concentration by cooling, as well as acidification and deacidification of wines, may be practised

throughout the year.

(5) (Amended, SG No. 56/2002) The processes covered under Articles 28 through 31 herein shall be subject to declaration to the territorial units of the Vine and Wine Executive Agency not later than 48 hours before being carried out. The producers, processors, bottlers and merchants, registered or licensed within the meaning given by this Act, shall enter regularly the stocks of sugar, concentrated grape must and rectified grape must in the records on input and output raw materials and products.

Conditions for Addition of Ethyl Alcohol of Agricultural Origin,
Wine Spirit and Wine Distillate

Article 33. (1) It shall be prohibited to add ethyl alcohol of agricultural origin, wine spirit and wine distillate to wine and wine products except in the cases of production of fresh grape must with fermentation arrested by the addition of alcohol, liqueur wines, aromatized wines, noble sweet wines and vermouths.

(2) (Amended, SG No. 16/2004) The Council of Ministers, acting on a motion by the Minister of Agriculture and Forestry may, as an exception, permit the addition of ethyl alcohol, wine spirit and wine distillate to wine and grape-based and wine-based products under the terms and according to the procedure established by the ordinance referred to in Article 26 (1) herein.

Section III

Analyses

Article 34. (1) Physical and chemical analysis and microbiological test of wines, spirit drinks and grape based and wine-based drinks and products shall be carried out by accredited laboratories.

(2) (New, SG No. 16/2004, effective 2.03.2005) Physical and chemical analysis and microbiological test of wines for the endorsement thereof as quality wines produced in specified regions and for exercise of control over the production thereof, as well as the issuing of a document referred to in Article 51a herein, shall be carried out by laboratories of the Vine and Wine Executive Agency.

(3) (Renumbered from Paragraph (2) and amended, SG No. 16/2004) Organoleptic assessment of wines, rakiyas and wine brandy shall be carried out by Regional Tasting Boards at the Regional Vine and Wine Chambers and a Central Board of Wine-Tasting Arbitration at the Ministry of Agriculture and Forestry. The organization and operation of the tasting boards shall be established by regulations issued by the Minister of Agriculture and Forestry.

(4) (Repealed, renumbered from Paragraph (3) and amended, SG No. 16/2004) Organoleptic assessment shall be carried out only on samples accompanied by an analysis report issued by laboratories referred to in Paragraph (1).

(5) (New, SG No. 16/2004) Organoleptic assessment of quality wines produced in specified regions and of wines intended for export shall be carried out only on samples accompanied by an analysis report issued by the laboratories referred to in Paragraph (1).

(6) (New, SG No. 16/2004) The Vine and Wine Executive Agency shall charge fees for the carrying out of physical and chemical analysis and microbiological test at the laboratories referred to in Paragraph (2) to an amount fixed in a rate schedule of the Council of Ministers.

Chapter Five

SPIRIT DRINKS

Article 35. (1) (Supplemented, SG No. 56/2002) Spirit drinks shall be of the following kinds: rum, whisky, grain spirits, wine (grape) spirits, brandy, grape-marc spirits, fruit-marc spirits, fruit spirit drinks, dried grape spirits, apple spirits and pear spirits, gentian spirits, distilled gin, aniseed-flavoured spirit drinks, juniper-flavoured spirit drinks, bitter, vodka, liqueur, tequila, arak, sake, rakiya, mastika, creme de menthe.

(2) To be designated "rakiya," a spirit drink must be produced in the Republic of Bulgaria.

(3) To be designated "mastika," an aniseed-flavoured spirit drink must be produced in the Republic of Bulgaria.

Article 36. The Council of Ministers shall adopt an ordinance giving definitions of the kinds of spirit drinks and establishing the rules for the production thereof, the authorized additives and the terms of use of the said additives.

Article 37. Only safe spirit drinks, which satisfy the requirements of the ordinance under Article 36 herein, shall be released to the market for direct human consumption.

Article 38. (1) The addition of drinking water, possibly distilled or demineralized, shall be authorized upon production of spirit drinks, provided the water added does not change the nature of the product.

(2) Ethyl alcohol, used to dissolve colorants, flavourings or any other authorized additives used in the production of spirit drinks, must be of agricultural origin and be designated for nutritious purposes.

Article 39. (1) (Amended and supplemented, SG No. 56/2002) The names of the spirit drinks covered under Article 35 herein may be used for the designation thereof only if the drinks satisfy the requirements established by the ordinance referred to in Article 36 herein. Any drinks, which do not satisfy the definite requirements, may be placed on the market and may be designated "spirit drink" provided the contents thereof has been approved in advance by the Minister of Health or an authorized Deputy Minister of health, and the production method thereof has been approved by the Minister of Economy or an authorized Deputy Minister of Economy.

(2) A geographical indication may be attached to the names of the spirit drinks covered under Article 35 herein, provided the phase of the production whereat the spirit drinks obtain the specific or final characteristics and qualities thereof is fulfilled in the respective geographical unit.

(3) The designation and presentation of spirit drinks shall be regulated by the ordinance referred to in Article 45 herein.

(4) (Amended, SG No. 16/2004) The producers shall submit a declaration to the Ministry of Economy on the spirit drinks produced, stocked and disposed of under the terms and according to the procedure established by the ordinance referred to in Article 40 (11) herein.

Chapter Six

PRODUCTION AND TRADE IN WINE AND SPIRIT DRINKS

Section I

Registration

(Heading amended, SG No. 16/2004)

Article 40. (1) (Amended and supplemented, SG No. 56/2002) Production of wine grapes, wine and other grape based or wine-based products shall be carried out by legal and natural persons entered in the register of the National Vine and Wine Chamber. Any persons, who or which produce wine grapes, wine and grape-based and wine-based products intended for consumption by the producer's family, shall not pay a fee upon the entry thereof in the register. The certificate of registration thereof shall show any such producers as producers of wine grapes, wine and grape-based and wine-based products intended for consumption by the producer's family without a right to offer wine grapes, wine and grape-based and wine-based products on the market.

(2) (Amended, SG No. 16/2004) Production of wine grapes for making quality wine produced in a specified region, production of quality wine produced in a specified region, as well as production of grape rakiya and wine brandy, shall be carried out by persons who or which are members of the Regional Vine and Wine Chambers.

(3) (Amended and supplemented, SG No. 16/2004) Production of alcohol, distillates and spirit drinks may be carried out only by persons registered as merchants within the meaning given by the Commerce Act, who have been entered in the register of producers of alcohol, distillates and spirit drinks. The register of producers of alcohol, distillates and spirit drinks shall contain a special section on "Facilities for Distillation of Fermented Fruit Marc Intended for Production of Rakiya." The said register shall be open to public inspection, shall be maintained in an electronic form, and shall be posted on the Internet.

(4) (Amended, SG No. 16/2004) Producers of alcohol, distillates and spirit drinks shall register with the Ministry of Economy on the basis of an application for registration, addressed to the Minister of Economy, where to the following documents shall be attached:

1. the original or a notarized copy of the judgment of court on registration and of the court certificate of current status (of the Commercial Register record on) the company;

2. a technical information sheet on the production or storage facilities, whether opened or closed, stating the floor space and the location thereof, a full description of the process equipment, including the vessels and the capacity thereof;

3. the original or a notarized copy of a document certifying the commissioning of the facility, issued according to the procedure established by the Spatial Development Act;

4. the original or a notarized copy of a certified technical specification for production of alcohol, distillates or spirit drinks and a production declaration by the producer according to the procedure established by the ordinance referred to in Article 36 herein;

5. the original or a notarized copy of the sanitary permit for commercial-scale commissioning of the production facility, issued by the director of the competent Regional Inspectorate of Hygiene and Epidemiology;

6. a list stating the forenames, patronymics and surnames and the Standard Public Registry Personal Numbers of the process engineers who conduct the production process and effect entries in the

records referred to in Article 40b herein;

7. (amended, SG No. 105/2005) copies of the BULSTAT Register identification card and of the registration under the Tax and Social Insurance Procedure Code certificate, certified by the merchant;

8. a declaration by the producer, to the effect that the said producer has not carried out production without registration, save as where the production carried out without registration (licence) was an administrative penal sanction imposed thereon for this according to the procedure established by Articles 76 and 77 herein, and that the said producer has not been stricken from the register, except where 12 months have lapsed since the entry into effect of the order on the striking;

9. documentary proof of payment of a fee for entry in the register of producers of alcohol, distillates and spirit drinks to an amount fixed under the Rate Schedule of Fees Collected in the Ministry of Economy System under the Stamp Duty Act.

(5) (Amended, SG No. 16/2004) Within 14 days after submission of the documents or after rectification of any deficiencies in the said documents, the Minister of Economy or a Deputy Minister of Economy authorized thereby, on the basis of the application and the documents covered under Paragraph (4) attached thereto, shall issue an order issuing or refusing to issue a certificate of entry in the register of producers of alcohol, distillates and spirit drinks under terms and according to a procedure established by the ordinance referred to in Paragraph (11).

(6) (Amended, SG No. 16/2004) The Minister of Economy or a Deputy Minister of Economy authorized thereby shall refuse to issue a certificate of entry in the register of producers of alcohol, distillates and spirit drinks:

1. should any deficiencies and/or inaccuracies be found in the documents as submitted, and should the said deficiencies and/or inaccuracies have not been rectified within the time limit established by the ordinance referred to in Paragraph (11);

2. where, after an on-site inspection, it has been established that the applicant lacks the technological capacities required for production of the drinks and/or declared products.

(7) (Amended, SG No. 16/2004) The Minister of Economy or a Deputy Minister of Economy authorized thereby shall issue an order striking a producer of alcohol, distillates and spirit drinks from the register referred to in Paragraph (3):

1. at the request of the producer;

2. upon dissolution or liquidation of the merchant;

3. upon the death of the merchant if a natural person;

4. upon ascertainment, by an effective written statement drawn up by a control authority, where:

(a) the producer is unable to ensure the technological, sanitary and hygienic conditions required for production of alcohol, distillates and/or spirit drinks;

(b) the producer has discontinued production for a period of six months, as ascertained by the control authorities;

(c) an intervening change has occurred in the circumstances relevant to the certificate of entry in the register of alcohol, distillates and spirit drinks as issued, and the said change has not been declared to the issuing authority;

(d) the records referred to in Article 40b herein are not available; upon failure to keep the said records, or upon entry of untrue data therein; upon failure to submit a declaration of the produced, stocked and disposed of quantities and kinds of alcohol, distillates and spirits, determined by the ordinance referred to in Article 11 herein; upon production of toxic products or counterfeits.

(8) (New, SG No. 16/2004) Any producer, who or which has been stricken from the register under the terms established by Item 4 (b) to (d) of Paragraph (7), may apply for entry in the register of producers according to the procedure established by Paragraph (5) not earlier than 12 months after the effective date of the order on the striking from the register, and in the cases referred to in Item 4 (a) of Paragraph (7), after the required conditions have been ensured.

(9) (New, SG No. 16/2004) The orders referred to in Paragraphs (5) and (7) shall be appealable according to the procedure established by the Supreme Administrative Court Act.

(10) (New, SG No. 16/2004) Within 14 days after an intervening change in any circumstances covered under Paragraph (4), the registered producer of alcohol, distillates and spirit drinks shall submit an application to the Minister of Economy and documents certifying the change, as well as documentary proof of payment of a fee according to the Rate Schedule of Fees Collected in the Ministry of Economy System under the Stamp Duty Act. The entry or the refusal to enter the changes in circumstances in the register of producers of alcohol, distillates and spirit drinks shall follow the terms and the procedure

established by Paragraphs (5) and (6).

(11) (Renumbered from Paragraph (8) and amended, SG No. 16/2004) The Council of Ministers shall adopt an ordinance establishing terms and a procedure for registration and striking from the register, the recordable particulars, the manner of keeping the records, the contents and the forms of the harvest and stock declarations, and the control over registered persons and the activity thereof.

Article 40a. (New, SG No. 16/2004) (1) Compliance with the production method requirements upon production of alcohol, distillates and spirit drinks shall be ascertained by means of certification of a technical specification for production of alcohol, distillates and spirit drinks.

(2) Certification of the technical specification shall be performed by means of inspection and reconciliation of the contents of the said specification through affixation of a signature, date and number by officials who are state inspectors expressly authorized for this by the Minister of Economy.

(3) To obtain a certification referred to in Paragraph (1), producers shall present a technical specification for production of alcohol, distillate and spirit drink, prepared conforming to a standard form endorsed by the Minister of Economy.

(4) Should any deficiencies and/or inaccuracies be found in the technical specification as presented, the officials referred to in Paragraph (2) shall notify the applicant within 14 days according to the procedure established by the Code of Civil Procedures, giving directions for rectification of the said deficiencies and/or inaccuracies within a time limit which may not be longer than one month.

(5) Upon failure to rectify the deficiencies and/or inaccuracies within the time limit referred to in Paragraph (4), the technical specification shall be left without consideration.

(6) The officials shall certify the technical specification referred to in Paragraph (1) within 14 days after the receipt and/or after rectification of the deficiencies and/or inaccuracies referred to in Paragraph (4).

(7) The technical specifications shall be modified and supplemented according to the procedure established by the ordinance referred to in Article 40 (11) herein.

Article 40b. (New, SG No. 16/2004) Producers of wine, grape-based and wine-based products, alcohol, distillates and spirit drinks shall be obligated to keep records, entering therein data that make it possible to determine and control the authenticity, origin and category of the goods, and the production processes performed. The requirements to the keeping of the said records, as well as the recordable data, shall be established by the ordinance referred to in Article 40 (11) herein.

Article 40c. (New, SG No. 16/2004) (1) Only persons registered under the Commerce Act or under the Cooperatives Act may own or lease facilities for distillation of fermented fruit marc intended for production of rakiya (rakiya distillation facilities).

(2) (Amended, SG No. 105/2005) The persons referred to in Paragraph (1) shall submit an application for registration to the relevant territorial National Revenue Agency Directorate, attaching thereto the documents referred to in Items 1, 2, 3, 5 and 7 of Article 40 (4) herein, as well as a list stating the forenames, patronymics and surnames and the Standard Public Registry Personal Numbers of the persons who conduct the production process (persons in charge of the distillation facilities) and who must conform to the requirements established by the ordinance referred to in Article 40 (11) herein.

(3) (Amended, SG No. 105/2005) On the basis of the application and the documents attached thereto under Paragraph (2), the director of the relevant territorial National Revenue Agency Directorate shall issue or shall refuse to issue a certificate of registration within 14 days after submission of the documents or after rectification of any deficiencies therein. The director of the territorial tax directorate shall refuse to issue a certificate of registration should any circumstances covered under Article 40 (6) herein exist.

(4) (Amended, SG No. 105/2005) Within seven days after issuing an order referred to in Paragraph (3), the director of the territorial National Revenue Agency Directorate shall transmit a copy of the certificate referred to in Paragraph (3) to the Minister of Economy. The said certificate shall state the particulars of the registered facility referred to in Paragraph (2).

(5) On the basis of the certificate referred to in Paragraph (3), the Minister of Economy shall enter the facilities for distillation of fermented fruit marc in a special section of the register referred to Article 40 (3) herein. No fee shall be paid for entry in the said register.

(6) (Amended, SG No. 105/2005) The director of the territorial National Revenue Agency Directorate shall issue an order invalidating the certificate:

1. at the request of the owner;
2. upon the death of the natural person;

3. upon dissolution or liquidation of the merchant;
4. upon an effective written statement drawn up by a control authority, where:
 - (a) the person referred to in Paragraph (1) is unable to ensure the sanitary and hygienic conditions required at the rakiya distillation facility, as well as the technological capacities required for production of the declared products;
 - (b) an intervening change has occurred in the circumstances relevant to the certificate of entry in the register as issued, and the said change has not been declared to the issuing authority;
 - (d) toxic rakiyas are being produced;
 - (e) no conditions for production have been ensured according to the requirements of the ordinance referred to in Article 36 herein.
- (7) (Amended, SG No. 105/2005) The director of the territorial National Revenue Agency Directorate shall notify the Minister of Economy within seven days after expungement (sic, must be invalidation) of a certificate.
- (8) Any distillation facility, which has been stricken from the register under the terms established by Item 4 (b) to (d) of Paragraph (6), may not be re-entered in the register earlier than 12 months after the effective date of the order on striking, and in the cases referred to in Item 4 (a) of Paragraph (6), after the required conditions are ensured.
- (9) The orders referred to in Paragraphs (3) and (6) shall be appealable according to the procedure established by the Administrative Procedur Act.
- (10) (Amended, SG No. 105/2005) Within 14 days after an intervening change in any circumstances covered under Paragraph (2), the person referred to in Paragraph (1) shall submit an application to the director of the territorial National Revenue Agency Directorate. The documents certifying the change shall be attached to the application. The entry or the refusal to enter the changes in circumstances in the register referred to in Article 40 (3) herein shall follow the terms and the procedure established by Paragraphs (2) and (3).
- (11) The terms and procedure for the issuing and entry of certificates of registration and the striking thereof from the register, the recordable particulars, the manner of keeping the documents required for the operation thereof, and the control over the said operation shall be regulated by the ordinance referred to in Article 40 (11) herein.
- (12) (Amended, SG No. 105/2005) On a daily basis, the persons in charge of the distillation facilities referred to in Paragraph (1) shall enter the fruit marc delivered for distillation on records certified by the director of the territorial National Revenue Agency Directorate. The said records shall contain particulars of the persons who own fermented fruit marc, the quantity and type of the said marc, the quantity and the alcoholic strength of the products produced.

Section II

Production of Wine and Rakiya Intended for Consumption by the Producer's Family

Declaring the Production

(Heading amended, SG No. 16/2004)

Article 41. (1) Any natural persons who produce wine and rakiya intended for consumption by the producer's family shall declare the said wine and rakiya according to the procedure and manner established by the Excise Tax Act.

(2) (Supplemented, SG No. 16/2004) Upon request, the Minister of Finance shall provide consolidated data under Paragraph (1) to the vine and wine chambers and to the Vine and Wine Executive Agency.

(3) (New, SG No. 16/2004) Rakiyas intended for consumption by the producer's family shall be distilled solely from own grapes and fruits at distillation facilities registered under Article 40c herein.

Article 41a. (New, SG No. 16/2004) (1) Any natural persons, who are registered producers under Article 40 (1) herein, may process up to 1,000 kilograms of grapes intended for wine and/or rakiya for consumption by the producer's family.

(2) The processing of grapes in quantities exceeding 1,000 kilograms, including such intended for wine and rakiya for consumption by the producer's family, shall be carried out by persons registered as merchants within the meaning given by the Commerce Act or under the Cooperatives Act.

Article 41b. (New, SG No. 16/2004) Producers of grapes intended for production of wine and rakiya shall be obligated to sell the said grapes to the persons referred to in sentence one of Article 40 (1) and Article 40 (3) herein or to persons authorized thereby.

Section III

Transport of Grapes, Wine, Grape-Based or Wine-Based Products, Alcohol,
Distillates and Spirit Drinks
(Heading supplemented, SG No. 56/2002)
Accompanying Documents

Article 42. (1) (Supplemented, SG No. 56/2002) Grapes, wine, grape-based and wine-based products, alcohol, distillates and spirit drinks can be transported within the territory of the Republic of Bulgaria only with accompanying document completed in a standard form endorsed by the Minister of Finance.

(2) The document referred to in Paragraph (1) shall furthermore be required for transport within the national territory of any products covered under Paragraph (1) which have been imported or which are intended for export.

(3) The accompanying document shall be issued by the consignor, who or which shall incur liability for the true contents thereof.

(4) (Amended, SG No. 105/2005) Upon transport of any products covered under Paragraph (1) in containers of a capacity exceeding 60 litres, a copy of the accompanying document shall be transmitted to the territorial directorate of the National Revenue Agency exercising competence over the place of registration of the consignor.

(5) (Amended, SG No. 105/2005) Each territorial directorate shall keep a register of the accompanying documents.

(6) An accompanying document for the products covered under Paragraph (1) shall not be required:

1. upon transport of products intended for consumption by the producer's family, subject to the condition that the total quantity does not exceed 30 litres;

2. upon transport of products intended for scientific research, subject to the condition that the total quantity does not exceed 100 litres;

3. upon transport of samples, subject to the condition that the total quantity does not exceed 30 litres;

4. (Amended, SG No. 56/2002) upon transport of grapes or grape must from a vineyard of the producer to the place of processing of the said grapes or must, where the distance between the said vineyard and the said place does not exceed 40 kilometres;

5. in other cases expressly regulated in the ordinance referred to in Article 43 herein.

(7) (New, SG No. 16/2004) Upon transport of grapes intended for production of wine and rakiya, the following shall be required, in addition to the accompanying document referred to in Paragraph (1):

1. the relevant certificates of registration referred to in Article 40 herein;

2. powers of attorney granted by the persons referred to in Article 40 (1) and (3) herein for purchase of grapes intended for production of wine and rakiya;

3. written contracts, where third parties act on behalf and for the account of the persons referred to in Article 40 (1) and (3).

Article 43. (1) The accompanying document must contain and certify the following particulars: name, address and identification code of the consignor; name, address and identification code of the consignee; number of the document; issue date of the document and date of shipment, in case the latter is different from the issue date of the document; description of the product transported according to the requirements of the statutory instruments; quantity of the product transported; actual alcoholic strength for wine, alcohol, distillate, spirit drinks; total alcoholic strength for new wines still in fermentation and grape must in fermentation, and sugar content for unfermented products.

(2) The original accompanying documents or copies thereof shall be kept by the issuers of the documents and by the consignees of the goods and shall be at the disposal of the control authorities for a period of two years.

(3) (Supplemented, SG No. 56/2002) The Council of Ministers shall adopt an ordinance on the accompanying documents upon transport of grapes, local and imported wines, grape-based and wine-based products, alcohol, distillates and spirit drinks.

Chapter Seven

RULES REGARDING PLACING ON THE MARKET OF WINE, SPIRIT
DRINKS AND OTHER VINE AND WINE PRODUCTS

Section I

Placing on the Market of Wine, Spirit Drinks and Other Vine and Wine

Products within the Territory of Bulgaria

Article 44. (1) (Supplemented, SG No. 16/2004) Safe wines, spirit drinks and grape-based and wine-based products, which satisfy the requirements of the statutory instruments and, applicable to spirit drinks, the said requirements and the technical specifications of the producers, shall be placed on the market.

(2) (Amended and supplemented, SG No. 16/2004) It shall be prohibited to place on the market any quality wines produced in specified regions which do not hold a certificate of origin and any grape rakiya and wine brandy which do not hold a certificate of origin and a control number, and any grape rakiyas and wine brandies which do not hold a certificate of authenticity.

(3) Only vessels and equipment manufactured of or internally surfaced with materials permitted to come into contact with foodstuffs shall be authorized for use upon production, storage, transport and trade in wine, spirit drinks, grape-based or wine-based drinks and products.

Article 44a. (New, SG No. 16/2004, effective 1.01.2005) in respect of the prohibition of packaging (bottling) and sale of spirit drinks in plastic containers other than with a content not exceeding 0.2 litres)

(1) The sale of spirit drinks in bulk (non-bottled) shall be prohibited.

(2) The provision of Paragraph (1) shall not apply to sales between registered producers of spirit drinks.

(3) It shall be prohibited to package (to bottle) and to sell rakiyas and other spirit drinks in plastic containers.

(4) (Amended, SG No. 113/2004) The provision of Paragraph (3) shall not apply to sale of spirit drinks in containers (bottles) with a content not exceeding 0.5 litres.

Article 45. The Council of Ministers shall adopt an ordinance on the designation and presentation of wines, spirit drinks and grape-based and wine-based products.

Section II

Release to the Market of Wine, Spirit Drinks and Vine and Wine Products
for Direct Human Consumption

Maximum Total Sulphur Dioxide Content

Article 46. (1) Upon the release of wine to the market for direct human consumption, the total sulphur dioxide content thereof must not exceed:

1. one hundred and sixty milligrams per litre for red wines;
2. two hundred and ten milligrams per litre for white wines and for ros wine.

(2) The maximum total sulphur dioxide content, as regards wines with a residual sugar content, expressed as invert sugar, of not less than 5 grams per litre, must not exceed:

1. two hundred and ten milligrams per litre for red wines;
2. two hundred and sixty milligrams per litre for white wines and for ros wine.

(3) (Amended, SG No. 16/2004) As regards particular quality wines produced in specified regions, the maximum total sulphur dioxide content shall be determined by the ordinance referred to in Article 8 (8) herein.

(4) (Amended, SG No. 16/2004) In unfavourable natural climatic conditions, at a proposal of the Vine and Wine Executive Agency, consulted with the National Vine and Wine Chamber, an increase of the maximum total sulphur dioxide levels by a maximum of 40 milligrams per litre may be authorized for wines produced within the territory of the Republic of Bulgaria under terms and according to a procedure established by the ordinance referred to in Article 26 (1) herein.

Maximum Volatile Acid Content

Article 47. (1) The volatile acid content, expressed as acetic acid, may not exceed:

1. eighteen milliequivalents per litre (1.08 grams/litre) for grape must in fermentation;
2. eighteen milliequivalents per litre (1.08 grams/litre) for white wines and for ros wine;
3. twenty milliequivalents per litre (1.2 grams/litre) for red wines.

(2) (Amended, SG No. 16/2004) As regards quality wines produced in specified regions and as regards regional wines which have matured over a period of at least two years or which have been produced according to particular methods, as well as as regards wines with a total alcoholic strength by volume of at least 13 % vol., other maximum volatile acid content levels can be provided for under terms and according to a procedure established by the ordinance referred to in Article 26 (1) herein.

Release to the Market of Wines and Spirit Drinks for
Direct Human Consumption

Article 48. (1) (Amended, SG No. 16/2004) Only table wines, quality wines produced in specified

regions, sparkling proper, semi-sparkling, aerated sparkling, aerated semi-sparkling, special wines, grape juice, and the spirit drinks authorized under Article 37 herein may be released to the market for direct human consumption.

(2) Neither wine nor any other beverage intended for direct human consumption may be made from wine lees or from marc, whether local or imported. Use of wine lees and marc, whether local or imported, shall be permitted for production of alcohol, rakiya or piquette.

(3) Piquette may be used only for distillation.

(4) Fortified wines, whether local or imported, may only be used for distillation.

Article 49. (Amended, SG No. 16/2004) It shall be prohibited to produce concentrated grape must, rectified grape must, grape must in fermentation, grape must with fermentation arrested by the addition of alcohol, wine suitable for yielding table wine, table wine, quality wine produced in a specified region, liqueur wine, sparkling wine proper and special wine, from grapes of vine varieties other than classified, except in cases specified in the ordinance referred to in Article 24 (1) herein.

Article 50. It shall be prohibited to sell for direct human consumption and to place on the market any wines and wine-based and grape-based products for the production whereof oenological practices and processes unauthorized by the law and the ordinance referred to in Article 26 (1) herein.

Conditions for Import and Placing on the Market of Wines,

Alcohol, Distillates, Spirit Drinks and Other

Grape-based and Wine-based Products

Produced in Other Countries

(Heading supplemented, SG No. 56/2002)

Article 51. (1) (Supplemented, SG No. 56/2002) Any wines, alcohol, distillates, spirit drinks and grape based and wine-based products imported into Bulgaria must fulfil the following conditions:

1. they must be in conformity with the requirements for production and placing on the market in the country of origin, which is ascertained by an attestation issued by an official body in the country of origin; the products intended for direct human consumption must furthermore be accompanied by an analysis report issued by an expressly authorized body in the country of origin;

2. (Amended, SG No. 16/2004) wines intended for direct human consumption, with the exception of liqueur wines and sparkling wines proper, must have an actual alcoholic strength by volume of not less than 9 % vol. and of not more than 15 % vol. and a total acidity content, expressed as tartaric acid, of not less than 3.5 grams per litre;

3. (Amended, SG No. 16/2004) liqueur wines intended for direct human consumption must have an actual alcoholic strength by volume of not less than 15 % vol. but not more than 22 % vol.

(2) The Minister of Economy and the Vine and Wine Executive Agency shall list the official bodies referred to in under Item 1 of Paragraph (1).

(3) It shall be prohibited to import any wines, spirit drinks and grape-based and wine-based products without an accompanying attestation issued by the authority referred to in Item 1 of Paragraph (1) shall be prohibited.

Export of Wines and Grape-based and Wine-based Products

Article 51a. (New, SG No. 16/2004) Upon export of wines and grape-based and wine-based products to the Member States of the European Union and to States of equalized treatment, the Vine and Wine Executive Agency shall certify document V I 1 under terms and according to a procedure established by an ordinance of the Minister of Agriculture and Forestry.

Chapter Eight

VINE AND WINE CHAMBERS AND CONTROL

Section I

Inter-Professional Organizations

National and Regional Representative Inter-professional Organizations

Article 52. (1) The National Vine and Wine Chamber (NWWC) shall be the inter-professional organization of the persons producing, processing and trading in grapes, wine, and grape and wine products.

(2) The purpose of the National Vine and Wine Chamber shall be to assist and defend the common interests of the members thereof, to protect and control the origin, quality and authenticity of the products produced and traded, and to develop vine-growing and wine-making.

(3) The National Vine and Wine Chamber shall be a legal person with a head office in Sofia.

(4) (Amended, SG No. 16/2004) The National Vine and Wine Chamber shall adopt a Statute regulating the organization and operation thereof.

(5) (Amended, SG No. 16/2004) The Regional Vine and Wine Chambers shall be legal persons whereof the seats and territorial scope shall be determined by the General Meeting of the National Vine and Wine Chamber, and which shall carry out the activity thereof in compliance with the resolutions of the General Meeting of the National Vine and Wine Chamber.

(6) The right to be designated "Regional Vine and Wine Chamber" shall be limited to legal persons fulfilling the conditions under this Act.

Article 53. The National Vine and Wine Chamber shall perform the following functions:

1. (amended, SG No. 16/2004) participate in the preparation of the strategy referred to in Article 1 (4) herein;

2. (amended, SG No. 56/2002) prepare an annual report on the state of vine-growing and wine-making in Bulgaria and submit the said report to the Minister of Agriculture and Forestry, the Minister of Economy and the Minister of Finance;

3. participate in the elaboration of drafts of statutory instruments relevant to the vine and wine sector;

4. prepare opinions on the statutory instruments relevant to vine-growing and wine-making;

5. propose to the Minister of Agriculture and Forestry modalities for distribution of resources of the Agriculture State Fund for development of and assistance to vine-growing;

6. consolidate the information provided by the Regional Vine and Wine Chambers and, if necessary, make proposals to the Council of Ministers for state intervention on the vine and wine market;

7. approve the internal regulations adopted by the Regional Vine and Wine Chambers;

8. create and maintain a national register of the producers of wine grapes, wine and other grape-based and wine-based products and a register of wines of guaranteed designation of origin and of guaranteed and controlled designation of origin;

9. participate in determining the subregions of the vine-growing potential;

10. propose the endorsement of quality wines produced in specified regions according to the procedure established by the ordinance referred to in Article 8 (7) herein;

11. (amended, SG No. 16/2004) endorse the composition of Regional Tasting Boards which carry out organoleptic assessment of wines, grape rakiyas and wine brandy according to the procedure established by the regulations referred to in Article 34 (2) herein;

12. (amended, SG No. 56/2002) propose supplementation and modification of the selective maps and vineyard register;

13. exercise control over the activities of the Regional Vine and Wine Chambers in respect of the issuing of certificates of origin for quality wines of appellation of origin to the wine producers and of certificates of authenticity to the producers of grape rakiya and wine brandy, and impose the sanctions provided for by the Statute of the National Vine and Wine Chamber;

14. participate in disputes on protection of wine quality and origin, when authorized by the members thereof;

15. verify the conformity of the acts of the Regional Vine and Wine Chambers with the Statute of the National Vine and Wine Chamber and with the resolutions of the General Meeting;

16. perform any other functions as may be assigned thereto by a law.

Article 54. Eligibility for membership of the National Vine and Wine Chamber shall be limited to:

1. the Regional Vine and Wine Chambers;

2. (amended, SG No. 16/2004) any natural or legal persons who or which own or farm vineyards on an area exceeding 100 decares or who or which produce wine and vine and wine products in a total annual volume exceeding 250,000 litres, or who or which trade in vine and wine products in an annual turnover exceeding 2 million litres;

3. any scientific viticultural and/or oenological organizations;

4. any growers of vine planting stock, as well as any other persons who facilitate or contribute to the development of vine-growing, wine-making and the wine trade in the Republic of Bulgaria.

Article 55. (1) The General Meeting of the National Vine and Wine Chamber shall consist of representatives of the Regional Vine and Wine Chambers, according to a representation quota fixed by the Statute of the Chamber, and of authorized representatives of the remaining persons covered under Article 54 herein.

(2) (Amended, SG No. 56/2002) The Minister of Agriculture and Forestry, the Minister of Economy, the Minister of Finance and the Minister of Health may participate in the proceedings of the General

Meeting of the National Vine and Wine Chamber in a non-voting capacity.

Article 56. (1) The National Vine and Wine Chamber shall create and maintain a national register of all producers of wine grapes, producers of wine and grape based and wine-based products, as well as a register of wines of guaranteed designation of origin and of wines of guaranteed and controlled designation of origin.

(2) The terms and the procedure for registration shall be established by the ordinance referred to in Article 40 (8) herein. The National Vine and Wine Chamber may not refuse entry in the register to any persons who fulfil the conditions provided for in the said ordinance.

(3) Only the persons registered under Paragraph (2) may enjoy the preferences for vine-growing and wine making available under this Act.

Article 57. (1) Eligibility for membership of a Regional Vine and Wine Chamber shall be limited to:

1. (Amended, SG No. 16/2004) owners of vineyards and graft nurseries located within the territory of the Regional Vine and Wine Chamber, organized in vine and wine associations with an aggregate area of not less than 100 decares;

2. legal and natural persons which and who produce vine planting stock;

3. persons who do not fall within the range of persons referred to in Item 1 and who farm vineyard located within the territory of the Regional Vine and Wine Chamber and who are members of vine and wine associations;

4. vine and wine cooperatives operating within the territory of the Regional Vine and Wine Chamber;

5. producers of wine and of wine products with an aggregate volume of production of not less than 100,000 litres annually, who or which carry out the activity thereof within the territory of the Regional Vine and Wine Chamber;

6. traders in grapes, wines and vine and wine products who or which have purchased not less than 200 tonnes of grapes or 150,000 litres of wine within one calendar year;

7. qualified agronomists;

8. persons who facilitate or contribute to the development of vine-growing, wine-making and the wine trade in the Republic of Bulgaria.

(2) The persons covered under Paragraph (1), who or which own or farm vineyards or carry out the activity thereof within the territory of multiple Regional Vine and Wine Chambers, shall be members of the relevant Regional Vine and Wine Chambers.

Article 58. In respect of the territory where within a Regional Vine and Wine Chamber operates, the said Chamber shall perform the following functions:

1. adopt professional rules for vine-growing and wine making, which shall be endorsed by the National Vine and Wine Chamber;

2. assist the municipal councils, the central and local executive authorities in the development of the economic policy thereof and in action financing of programmes and projects, inter alia on questions concerning the spatial renewal and development of agricultural and vine-growing regions and nucleated settlements;

3. give prescriptions to the owners who have left their plantations uncultivated, to take the required erosion-control and plant-protection action and to cultivate the vine plantations; in case any such prescriptions be not acted upon, the Regional Vine and Wine Chamber may:

(a) take the required action, for the account of the owner, for the purpose of protecting the remaining vine plantations, or

(b) organize the cultivation of the vine plantations, the harvesting and the sale of the harvest, with any disputes between the owners and the Regional Vine and Wine Chamber being actionable according to the standard procedure;

(c) if the owner of the vine plantations cannot be found or fails to take due care of the cultivation of the said plantations in the course of two years after the prescription for the purpose of protecting the rest of the plantations against disease or destruction and protecting the rest of the members against unnecessary expenses on the mandatory cultivation of the abandoned plantation, the Regional Vine and Wine Chamber shall propose to the Minister of Agriculture and Forestry to direct the grubbing-up of the plantation for the account of the owner; the act whereby the grubbing-up is directed shall be appealable according to the procedure established by the Supreme Administrative Court Act;

4. give opinions upon alteration of the intended purpose of an agricultural land tract which has been allocated for vine-growing; upon re-allocation of any such land tract for vine-growing, the Regional Agricultural Office shall be obliged to obtain the consent of the Regional Vine and Wine Chamber;

5. form Regional Tasting Boards for organoleptic assessment of wines, graperakiyas and wine brandy;

6. (amended, SG No. 16/2004) issue a certificate of origin of grapes intended for production of quality wines produced in specified regions; a certificate of origin of quality wines produced in specified regions, and a certificate of authenticity to the producers of grape rakiya and wine brandy; the form and content of the said certificates and the procedure for the issuing thereof shall be established by the ordinances referred to in Article 8 (8) and Article 36 herein; a certificate of origin of grapes shall furthermore be issued where the grapes is intended for production of table and regional wines.

Article 59. (1) The Regional Vine and Wine Chambers shall adopt professional rules in accordance with the requirements established by the law and the statutory instruments of subordinate legislation which determine the standards for advisable planting and cultivation, the procedure for planting, uniform plant protection of vineyards, grape harvesting, processing and proper treatment of wines, as well as other professional requirements, important from the point of view of protection of quality.

(2) (Amended, SG No. 56/2002) The professional rules, as determined by the respective Regional Vine and Wine Chamber, shall apply to all grounds included in the selective map and vineyard register.

(3) In case the professional rules come into conflict with the professional requirements, the National Vine and Wine Chamber shall not endorse the rules and shall give directions and recommendations which shall be binding on the Regional Vine and Wine Chambers. If the National Vine and Wine Chamber fails to give any directions and recommendations within 30 days after dispatch of the rules, endorsement of the said rules shall be presumed.

(4) (Amended, SG No. 56/2002) The professional rules shall be communicated to the interested parties, to the municipality mayors and to the territorial units of the Vine and Wine Executive Agency by means of a notice posted in an expressly designated place within the relevant municipality and inserted in at least one local newspaper. The professional rules shall take effect 15 days after the announcement thereof.

Article 60. (1) The Regional Vine and Wine Chamber shall control the observance of the professional rules. Upon ascertainment of a violation of the said rules, the Regional Vine and Wine Chamber may order the offender to perform or not to perform certain acts.

(2) Upon violation of the professional rules on the part of persons who are not members of the Regional Vine and Wine Chamber, the said Chamber may issue a warning for cessation of the wrongful behaviour, as well as to prescribe the performance of acts conforming to the professional rules.

Article 61. The Regional Vine and Wine Chamber shall perform other functions as well, assigned thereto by a law.

Article 62. (1) For promotion of the development of vine-growing, acting on a motion by the Regional Vine and Wine Chamber, the Minister of Agriculture and Forestry (as regards the land tracts of the state land stock) and the Municipal Council (as regards the land tracts of the municipal land stock) shall provide land tracts for long term use for vine-growing.

(2) The period of use of any land tracts under Paragraph (1) may not be shorter than 35 years.

Article 63. (1) The state control authorities and the National Vine and Wine Chamber shall cooperate and inform each other regarding the results of the control activities thereof.

(2) The bodies of local self-government, the central and local executive authorities shall interact with the bodies of the National Vine and Wine Chamber and with the Regional Vine and Wine Chamber towards attaining the purposes of this Act. Within the framework of this cooperation, they shall exchange relevant information.

(3) Upon elaboration of drafts of statutory instruments relevant to the vine and wine sector, the competent state bodies shall request the opinion of the National Vine and Wine Chamber.

Article 64. The Regional Vine and Wine Chambers shall collect fees for the activities referred to in Item 8 of Article 53 and in Items 5 and 6 of Article 58 herein, the amount whereof shall be fixed in a rate schedule approved by the Council of Ministers.

Section II

Control

Article 65. (Amended, SG No. 56/2002) The Minister of Agriculture and Forestry, the Minister of Economy, as well as every interested party may appeal any legally non conforming decisions of the National Vine and Wine Chamber and of the Regional Vine and Wine Chamber according to the procedure established by the Administrative Procedure Act.

Article 66. (1) (Amended, SG No. 56/2002) For verification of compliance with the requirements of

the law regarding vine plantations, grapes intended for production of wine, grape must, grape-based and wine based products, there shall be established a Vine and Wine Executive Agency with the Minister of Agriculture and Forestry.

(2) (Amended, SG No. 56/2002, supplemented, SG No. 16/2004) The Vine and Wine Executive Agency shall be a public-financed legal person with a head office in Sofia.

(3) (Amended, SG No. 56/2002) The Council of Ministers shall adopt regulations on the organization, structure, organization and operation of the Vine and Wine Executive Agency.

(4) (Repealed, SG No. 16/2004).

(5) (New, SG No. 56/2002, repealed, SG No. 16/2004).

Article 66a. (New, SG No. 16/2004) (1) For the purpose of exercising control over the vine-growing potential, the Vine and Wine Executive Agency shall:

1. conduct on-site inspections as to conformity with the data entered in the declarations on location of the vine-growing estates, the production declarations and the stocks declarations;
2. conduct on-site inspections as to conformity with the data entered in the declarations on grubbing-up, planting and replanting of wine grape varieties;
3. conduct inspections of documents and on-site inspections as to compliance with the procedure for planting, replanting, grafting-on and grubbing-up of vine plantations;
4. follow the dynamics of grapes maturation.

(2) For the purpose of exercising control over production and trade in wines and grape-based and wine based products, the Vine and Wine Executive Agency shall:

1. conduct inspections of documents and on-site inspections as to compliance with authorized oenological practices and processes;
2. conduct on-site inspections as to conformity of the production conditions with the act endorsing a quality wine produced in a specified region;
3. conduct on-site inspections as to conformity of the production conditions with the act endorsing regional wine;
4. conduct inspections of documents and on-site inspections as to the true entries in the records on the conduct of the production process and as to conformity of the said entries with the accompanying documents and the stocks;
5. take samples for physical and chemical analysis and microbiological test and for organoleptic assessment;
6. perform physical and chemical analysis and microbiological test of quality wines produced in specified regions and of wine intended for export;
7. determine and assign a control number to each quality wine produced in a specified region and see to the proper use of the said number;
8. conduct inspections as to compliance with the requirements for designation and presentation of wines and grape-based and wine-based products.

(3) For attainment of the purposes of control covered under Paragraphs (1) and (2), the officials of the Vine and Wine Executive Agency shall have the right to unimpeded access to:

1. the vine plantations;
2. the production, storage and trade facilities for wine and grape-based and wine-based products;
3. the means of transport carrying grapes, wine and grape-based and wine-based products;
4. the records on conduct of the production process, the accounting documents and other documents necessary for the purposes of control, and may require certified copies of the said records and documents.

(4) The officials of the Vine and Wine Executive Agency may recruit experts in the relevant field where the inspection is particularly complicated and requires specialized knowledge.

Article 66b. (New, SG No. 16/2004) The officials of the Vine and Wine Executive Agency shall be obligated:

1. to establish accurately the facts upon exercise of control;
2. to give mandatory prescriptions for rectification of non-conformities and violations of the law;
3. to provide conclusions on any objections in connection with the violations as ascertained;
4. to safeguard official, production and trade secrets, and not to disclose any data regarding the inspections prior to the completion of the said inspections, nor use the information regarding the inspection for a purpose other than as intended;
5. to notify the relevant specialized control authority, where another statutory instrument has been

violated.

Article 66c. (New, SG No. 16/2004) (1) The Vine and Wine Executive Agency and the other control authorities shall cooperate and exchange information regarding the results of the control activities thereof.

(2) The bodies of local self-government, the central and local executive authorities shall interact with the Vine and Wine Executive Agency. Within the framework of this cooperation, they shall exchange relevant information.

(3) The Council of Ministers shall adopt an ordinance on control and coordination of control over wines, alcohol, distillates and spirit drinks.

(4) The Minister of Agriculture and Forestry shall lay a report on the control exercised according to the requirements established by the ordinance referred to in Paragraph (3) and on the state of the vine and wine sector before the Council of Ministers for approval annually, on or before the 31st day of March.

Chapter Nine

PROMOTION OF VINE-GROWING

Article 67. (1) Acting on a motion by the National Vine and Wine Chamber, the Minister of Agriculture and Forestry shall project financing from the Agriculture State Fund for the following activities:

1. supply of vine planting stock and creation of nursery farms;
2. creation of new vine plantations;
3. purchase of machinery and materials for cultivation practices in the existing and newly established vine plantations, graft nurseries and nursery farms;
4. definition of vine-growing subregions;
5. establishment of vine and wine cooperatives and associations;
6. focussed and comprehensive projects for development of vine-growing regions and regions of vine growing potential;
7. stabilization of the grape market for the purpose of protection of the income of the vine growers.

(2) Resources for financing the activities covered under Paragraph (1) shall be raised from:

1. contributions amounting to 10 % of the income from the letting and lease of state-owned agricultural land used for vine plantations, graft nurseries and nursery farms;
2. fifty per cent of the fines, the penalties and the confiscation in favour of the State according to this Act, after deduction of the expenses incurred;
3. donations, aids and other receipts;
4. resources from international financial institutions, organizations and programmes;
5. resources amounting to 50 % of the amount of the fee upon alteration of the assigned purpose of grounds planted with vines;
6. the contributions referred to in Item 6 of Article 14 (1) of the Agricultural Producers Support Act, payable by the persons registered under Article 40 (1) herein.

(3) Annually, the Governing Board of the Agriculture State Fund shall provide information to the National Vine and Wine Chamber regarding the manner of spending of the resources covered under Paragraph (2).

Chapter Nine a

(New, SG No. 16/2004)

BULGARIAN WINE FUND

Article 67a. (New, SG No. 16/2004) (1) There shall be established a Bulgarian Wine Fund with the National Vine and Wine Chamber under terms and according to a procedure established by the Statute of the Chamber.

(2) The resources of the Fund shall be spent on conduct of advertising campaigns, financing of participation in fairs and exhibitions, organizing promotions and all other activities intended to popularize Bulgarian wine at home and abroad.

(3) The resources of the Fund shall be raised from:

1. voluntary annual contributions by wine producers, to an amount fixed by the General Meeting of the National Vine and Wine Chamber, remitted not later than the 31st day of March in the relevant year;
2. resources from the National Vine and Wine Chamber;
3. (Effective until 31.12.2006) an annual action grant, allocated by the Agriculture State Fund to an amount equal to the sum raised by the voluntary contributions under Item 1;
4. donations, aids and other solicited resources.

(4) The resources covered under Paragraph (3) shall be managed and the spending thereof shall be controlled jointly by representatives of the Agriculture State Fund and the Administrative Board of the

National Vine and Wine Chamber

Chapter Ten

ADMINISTRATIVE PENALTY PROVISIONS

Article 68. (Amended, SG No. 16/2004) Any person, who or which produces, advertises, places on the markets or sells counterfeit, spoiled or toxic wines, grape-based and wine-based products and spirit drinks, shall be liable to a fine of BGN 10,000 or exceeding this amount but not exceeding BGN 30,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 30,000 or exceeding this amount but not exceeding BGN 100,000.

Article 69. (Amended, SG No. 16/2004) Any person, who or which keeps any wine, wine-based and grape-based products and spirit drinks, which are ascertained to be counterfeit, spoiled or toxic, on premises for production, processing, storage, packaging or in means of transport for the purpose of production or sale, shall be liable to a fine of BGN 10,000 or exceeding this amount but not exceeding BGN 30,000, or to a pecuniary penalty of BGN 30,000 or exceeding this amount but not exceeding BGN 100,000.

Article 70. (Amended, SG No. 16/2004) Any person, who or which keeps any products and/or agents serving to counterfeit wine, wine-based and grape-based products and spirit drinks on premises for production, processing, storage, packaging or in means of transport for the purpose of production or sale, shall be liable to a fine of BGN 10,000 or exceeding this amount but not exceeding BGN 30,000, or to a pecuniary penalty of BGN 30,000 or exceeding this amount but not exceeding BGN 100,000.

Article 71. (Amended, SG No. 16/2004) Any person, who or which transports, sells or releases any wines, spirit drinks and other wine and wine products to the market for direct human consumption in respect of which the established requirements for transport, designation and presentation of wines, spirit drinks and other grape based and wine-based products are not complied with or in respect of whose import the requirements established by Article 51 herein have not been complied with, shall be liable to a fine of BGN 1,000 or exceeding this amount but not exceeding BGN 5,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

Article 72. (Amended, SG No. 16/2004) Any person, who or which uses another's name of producer or bottler, as well as another's registered office, address of the place of management of a factory, plant, winery or another economic entity upon designation of any wines, grape based and wine-based products and spirit drinks, shall be liable to a fine of BGN 30,000 or exceeding this amount but not exceeding BGN 100,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 50,000 or exceeding this amount but not exceeding BGN 150,000.

Article 73. (Amended, SG No. 16/2004) Any person, who or which falsifies names, signatures, letters, figures, serial numbers, emblems, lot numbers on the labels, commercial papers, the shipping and accompanying documents and the packaging, shall be liable to a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 15,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 15,000 or exceeding this amount but not exceeding BGN 50,000.

Article 74. (Amended, SG No. 16/2004) Any person, who uses a trade mark, signs or other designations on the labels, the packing, the packaging of wines, grape-based and wine-based products and spirit drinks, creating a false impression of origin that the product is local or imported, shall be liable to a fine of BGN 30,000 or exceeding this amount but not exceeding BGN 100,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 50,000 or exceeding this amount but not exceeding BGN 150,000.

Article 75. (Amended, SG No. 16/2004) Any person, who or which offers for sale or for consumption any wine, beverages and grape-based or wine-based products and spirit drinks purchased from unregistered producers, shall be liable to a fine of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 10,000 or exceeding this amount but not exceeding BGN 30,000.

Article 75a. (New, SG No. 16/2004) Any person, who or which produces alcohol, distillates and/or spirit drinks without being entered in the register referred to in Article 40 (3) herein, shall be liable to a fine of BGN 30,000 or exceeding this amount but not exceeding BGN 10,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 50,000 or exceeding this amount but not exceeding BGN 150,000.

Article 75b. (New, SG No. 16/2004) Any person, which produces rakiya without being entered in the special section of the register referred to in Article 40 (3) herein, shall be liable to a fine of BGN 1,500 or

exceeding this amount but not exceeding BGN 5,000.

Article 76. (Supplemented, SG No. 56/2002, amended and supplemented, SG No.16/2004) Any person, who or which violates the provisions of Articles 22, 23, 23a, 23b, 24, 26, 27, 28, 29, 30, 31, 32, 33, 39, 40, 41 (3), 41a, 41b, 42, 44, 45, 48, 49 and 50 or the mandatory provisions of the statutory instruments for the application thereof upon production and storage of grapes, wines, grape-based and wine-based drinks and products and spirit drinks, shall be liable to fine of BGN 500 or exceeding this amount but not exceeding BGN 3,000, unless subject to a severer sanction, or to a pecuniary penalty of BGN 3,000 or exceeding this amount but not exceeding BGN 10,000.

Article 76a. (New, SG No. 16/2004) Any person, who or which packages (bottles) and/or sells rakiyas and other spirit drinks in violation of Article 44a herein, shall be liable to a fine of BGN 3,000 or exceeding this amount but not exceeding BGN 5,000, unless liable to a severer penalty, or to a pecuniary penalty of BGN 5,000 or exceeding this amount but not exceeding BGN 10,000.

Article 77. (1) Upon repeated commission of the violations covered under Articles 68 to 76 herein, the fines or the pecuniary penalties shall be imposed in a double amount.

(2) "Repeated violation" shall be any violation which is committed within one year after the entry into force of a penalty decree whereby the offender was penalized for a violation under the same article of this Chapter.

Article 77a. (New, SG No. 56/2002) (1) (Amended, SG No. 16/2004) The order under Article 23b (4) shall be issued pursuant to a written statement ascertaining an administrative violation, drawn up by officials authorized by the Executive Director of the Vine and Wine Executive Agency.

(2) The order shall specify the manner of execution thereof.

(3) The order shall be appealable according to the procedure established by the Administrative Violations and Sanctions Act.

(4) (Amended, SG No. 105/2005) If the grubbing-up order is not executed voluntarily, the said order shall be executed coercively by the authorities of the Vine and Wine Executive Agency, independently or jointly with persons assigned to do this by the Executive Director of the Vine and Wine Executive Agency. The compulsory grubbing-up shall be for the account of the offender. The amounts due shall be collected from the debtors according to the procedure established by the Tax and Social Insurance Procedure Code.

Article 78. Any goods subject to the violations, the materials and the equipment used for commission of any violations covered under Articles 68 to 70 herein, shall be confiscated.

Article 79. (1) (Amended, SG No. 56/2002, amended and supplemented, SG No. 16/2004, amended, SG No. 99/2005) Violations shall be ascertained by officials (designated) by the Minister of Agriculture and Forestry, the Minister of Economy, the Executive Director of the Vine and Wine Executive Agency, the Chairperson of the Commission for Consumer Protection, as well as by the Ministers of Regional Development and Public Works, of Health, of Finance, of Transport, of Interior, and of Environment and Water, each acting within the competence conferred thereon by a law.

(2) (Amended, SG No. 56/2002, supplemented, SG No. 108/2004) The penalty decrees shall be issued by the authorities covered under Paragraph (1), or by the officials authorized thereby.

(3) The ascertainment of violations, the issuing, appeal against and execution of penalty decrees shall follow the procedure established by the Administrative Violations and Sanctions Act.

SUPPLEMENTARY PROVISION

§ 1. Within the meaning given by this Act:

1. "Vine-growing ground" shall be an agricultural land tract suitable for cultivation of vines.

2. (Amended, SG No. 56/2002) "Vine-growing area" shall be one or several cadastral regions of homogeneous and specific natural conditions, with plantations of varietal composition and cultivation method characteristic of the area, and with established vine growing and wine-making traditions.

3. "Vine-growing subregion" shall be a totality of two and more vine-growing areas.

4. "Vine-growing region" shall be a totality of two and more vine-growing subregions.

4a. (New, SG No. 56/2002) "Vine-growing farm" shall be an economic and technological entity under single management, located within the territory of a single vine growing region, which consists of vine-growing estates and where the producer of wine grapes owns the vine growing estates or uses the said estates on another legal ground.

4b. (New, SG No. 56/2002) "National Reserve System of Planting Rights in Respect of Vine Varieties for Wine Production" shall be a totality of planting rights, replenished and managed for the purpose of regulating the vine-growing potential.

4c. (New, SG No. 56/2002) "Vine-growing estate" shall be a lot with demarcated boundaries, planted with vines within or out of fruition period.

5. "Graft nursery" shall be a vine plantation designated for production of padding notches or grafts.

6. "Fresh grapes" shall be the fruit of the vine, ripe for processing, fit to be transformed and to undergo alcoholic fermentation.

7. "Grape must" shall be the liquid product obtained naturally or by physical processes from fresh grapes, having an actual alcoholic strength of not more than 1 % vol.

8. (Amended, SG No. 16/2004) "Grape must in fermentation" shall be a liquid product derived from the fermentation of grape must and having an actual alcoholic strength by volume of more than 1 % vol. but less than three fifths of its total alcoholic strength by volume.

9. (Amended, SG No. 16/2004) "Grape must in fermentation extracted from raisined grapes" shall be a liquid product obtained from raisined grapes, the total sugar content of which is at least 272 grams per litre, and which has undergone partial alcoholic fermentation as a result of which it has a natural and actual alcoholic strength by volume of not less than 8 % vol.

10. (Amended, SG No. 16/2004) "Fresh grape must with fermentation arrested by the addition of alcohol" shall be a liquid product having an actual alcoholic strength by volume of not less than 12 % vol. but less than 15 % vol. and obtained by addition to unfermented grape must having a natural alcoholic strength by volume of not less than 8.5 % vol. and derived from grapes of authorized or recommended vine varieties of:

(a) neutral alcohol of vinous origin, including alcohol obtained from the distillation of a product derived from dried grapes, having an alcoholic strength by volume of not less than 80 % vol.;

(b) an unrectified product derived from the distillation of wine and having an actual alcoholic strength by volume of not less than 52 % vol. and not more than 80 % vol.

11. "Concentrated grape must" shall be a product obtained by partial dehydration of grape must, carried out by any authorized method other than by direct heat in such a way that the figure indicated by a refractometer is not less than 50.9 % at a temperature of 20°C. The product shall be derived exclusively from grapes of classified vine varieties and having an actual alcoholic strength of not more than 1 % vol.

12. "Rectified concentrated grape must" shall be a product obtained by partial dehydration of grape must, carried out by any authorized method other than direct heat in such a way that the figure indicated by a refractometer is not less than 61.7 % at a temperature of 20°C. The raw material for obtaining such a product must have undergone authorized treatment for deacidification and elimination of constituents other than sugar. The raw material must be derived exclusively from classified vine varieties and must have an actual alcoholic strength of not more than 1 % vol.

13. "Grape juice" shall be an unfermented liquid product having an actual alcoholic strength by volume of not more than 1 % vol., obtained by appropriate treatment rendering it fit for consumption as it is. Grape juice may be obtained:

(a) from fresh grapes or from grape must;

(b) by reconstitution from concentrated grape must or from concentrated grape juice.

14. "Concentrated grape juice" shall be grape juice obtained by partial dehydration of grape juice, carried out by any authorized method other than by direct heat in such a way that the figure indicated by a refractometer is not less than 50.9 % at a temperature of 20°C and having an actual alcoholic strength by volume of not more than 1 % vol.

15. "New wine still in fermentation" shall be wine in which alcoholic fermentation is not yet complete and which is not yet separated from its lees.

16. "Wine suitable for yielding table wine" shall be wine derived exclusively from grapes of classified vine varieties having an actual alcoholic strength by volume of at least 7.5 % vol.

17. "Wine vinegar" shall be vinegar which is obtained exclusively by acetous fermentation of wine, vinasse and piquette and which has a total acidity of not less than 60 grams per litre, expressed as acetic acid.

18. "Wine lees" shall be the residue accumulating in vessels containing grape must or wine after fermentation, during storage or after authorized treatment, as well as the residue obtained from filtering or centrifuging this product.

19. "Grape marc" shall be the solid residue from the pressing of fresh grapes, whether or not fermented.

20. "Vinasse" shall be a liquid product with an alcoholic strength of not more than 1 % vol., obtained by distillation of wine, piquette, wine lees and fermented marc.

21. "Piquette" shall be a product obtained by alcoholic fermentation of untreated grape marc macerated in water, or obtained by leaching fermented grape march with water.

22. "Fortified wines" shall be products:

(a) (amended, SG No. 16/2004) having an actual alcoholic strength by volume of not less than 16 % vol. and not more than 24 % vol.;

(b) obtained exclusively by the addition to wine containing no residual sugar of an unrectified product derived from the distillation of wine and having a maximum actual alcoholic strength by volume of 86 % vol.;

(c) having a maximum volatile acidity of 1.5 grams per litre, expressed as acetic acid.

23. "Defective and sick grape must or wines" shall be grape must or wines deviating in colour and/or flavour and/or taste which deviations can be rectified or cured with the aid of oenological practices and processes authorized by this Act.

24. "Spoiled grape must or wines" shall be grape must or wines which cannot be rectified or cured with the aid of oenological practices and processes authorized by this Act.

25. "Counterfeits" shall be any products:

(a) where to any substances authorized by the law have been added in concentrations other than the established concentrations;

(b) where to substances unauthorized by the law have been added;

(c) which have been subject to prohibited practices and processes;

(d) (amended and supplemented, SG No. 56/2002) which have been subject to authorized practices, treatments and processes but in deviation from the standards established for the said practices, treatments and processes;

(e) (amended, SG No. 56/2002) where of the designation, labelling or presentation do not correspond to their actual content, category, origin, type and/or kind.

26. "Toxic products" shall be any products whose composition contains substances in a concentration endangering the health or life of the consumer.

27. "Safe wines, grape-based and wine-based products and spirit drinks" shall be any wines, grape-based and wine-based products and spirit drinks which do not contain any physical and/or chemical and/or biological and/or radiological contaminants or additives, or which contain any such contaminants or additives within the established limit values, as a result of which they cannot cause toxic, cancerogenic, mutagenic, allergic or other damage to human health upon normal and correct consumption.

28. "Spirit drinks" shall be liquids containing ethyl alcohol which:

(a) are intended for direct human consumption;

(b) have particular organoleptic qualities and a minimum alcoholic strength of 15 % vol.;

(c) are obtained:

- either directly, by the distillation of fermented products, with or without added flavourings, and/or by the maceration of vegetable substances in ethyl alcohol of agricultural origin, and/or the addition of flavourings, sugars and other authorized sweetening products and/or other agricultural products to ethyl alcohol of agricultural origin and/or wine distillate, or to distillate of agricultural origin and/or to rakiya;

- or by the mixture of a spirit drink with one or more other spirit drinks, and/or with ethyl alcohol of agricultural origin, distillate of agricultural origin or rakiya, and/or with wines and drinks.

29. "Alcoholic strength by volume" shall be the number of volumes of pure ethyl alcohol contained in 100 volumes of the products concerned.

30. "Natural alcoholic strength by volume" shall be the total alcoholic strength by volume of a product before any enrichment.

31. "Actual alcoholic strength by volume" shall be the pure alcohol contained in a product at a temperature of 20°C.

32. "Potential alcoholic strength by volume" shall be the alcoholic strength capable of being produced by total alcoholic fermentation of the sugars contained in the product concerned.

33. "Total alcoholic strength by volume" shall be the sum of the potential and actual alcoholic strengths.

34. "Coupage" shall be the mixing together of wines or musts coming from:

(a) the Republic of Bulgaria, but of different geographical origins, obtained from the grapes of different vine varieties or of different harvest years;

(b) different countries;

(c) different categories.

35. The following shall not be regarded as "coupage":

(a) the addition, for the purpose of increasing the natural alcoholic strength of the product concerned, of concentrated grape must;

(b) the sweetening of a table wine, of a quality wine produced in a specified region, where the sweetener comes from the specified geographical region and bears the name of the said region;

(c) production of a wine of the category of quality wines produced in specified regions in accordance with traditional methods for the region.

36. "Turning into wine" shall be the transformation into wine by total or partial alcoholic fermentation of fresh grapes, whether or not crushed, of grape must, of partially fermented grape must, of grape juice, or of new wines still in fermentation.

37. "Winery" shall be a production structure where turning into wine is carried out.

38. "Bottler" shall be a natural or legal person, or an association of such persons, who or which puts up the products concerned into containers for commercial purposes, for his, her or its own account either personally or commissions the said bottling to other persons.

39. "Certificate of origin" shall be a document certifying the origin of a particular quantity of grapes or quality wine produced in a specified region.

40. "Certificate of authenticity" shall be a document certifying the compliance of a particular quantity of grape rakiya or wine brandy with the requirements for production and typical organoleptic characteristics.

41. (Supplemented, SG No. 16/2004) "Consignor" shall be the person who or which holds on legal grounds any wine, grape-based and wine-based products, alcohol, distillates and spirit drinks and who or which carries out or commissions the transport of any such products.

42. "Oenological practices" shall be specific production practices in the production of grape must, grape must in fermentation, partially fermented grape marc, fresh grape must with fermentation arrested by the addition of alcohol, concentrated grape must, rectified grape must, wines, new wines still in fermentation, wine suitable for yielding table wine, sparkling wines and special wines.

43. (New, SG No. 16/2004) "Consumption by the producer's family" shall be a quantity of wine and rakiya produced without a commercial intended purpose, which is obtained from own grapes and/or fruits, which is limited in quantity, and which is intended to be consumed by a single household.

TRANSITIONAL AND FINAL PROVISIONS

§ 2. Within three months after the promulgation of this Act, the Council of Ministers shall ensure the drafting of the ordinances referred to in Article 8 (7), Article 23, Article 24 (1), Article 26 (1), Article 40 (8) and Article 45 herein, and shall adopt the said ordinances within seven days after the entry of this Act into force.

§ 3. Within six months after the entry of this Act into force, the Council of Ministers shall adopt the ordinances referred to in Article 7, Article 12 (2), Article 13 (2), Articles 25 and 36, Article 43 (3), and Article 66 (4) herein.

§ 4. Within six months after the entry of this Act into force, the Council of Ministers shall adopt the regulations referred to in Article 66 (3) herein.

§ 5. Within one month after the entry of this Act into force, the Minister of Economy and the Minister of Agriculture and Forestry shall issue the regulations referred to in Article 34 (2) herein.

§ 6. Within three months after the promulgation of this Act, the Minister of Economy shall ensure the drafting of the ordinance referred to in Article 34 (4) herein and shall issue the said ordinance within seven days after the entry of this Act into force.

§ 7. (Amended, SG No. 56/2002) Until the demarcation, plotting on the vineyard map and entry in the vineyard register, classification of vine varieties for wine production shall be carried out on the basis of region or part of region.

§ 8. (Repealed, SG No. 16/2004).

§ 9. (Repealed, SG No. 16/2004).

§ 10. (Repealed, SG No. 16/2004).

§ 11. Any persons, who or which have obtained permits (licences) according to the procedure established by the Ordinance Establishing Terms and a Procedure for Production of Wine, Alcohol and Spirit Drinks and for Trade Therein, adopted by Council of Ministers Decree No. 89 of 1996, shall retain the rights thereof until expiry of the term of validity of the licence.

§ 12. Any wines of a declared geographical region and of a controlled appellation of origin, produced from grapes of the 1999 harvest year and preceding harvest years, shall retain the right thereof to be

designated "wines of a declared geographical region" and "wines of controlled appellation of origin" until depletion of stocks.

§ 13. The Agricultural Producers Support Act (promulgated in the State Gazette No. 58 of 1998; amended and supplemented in Nos. 79 and 153 of 1998, Nos. 12 and 26 of 1999) shall be amended and supplemented as follows:

1. In Article 3:

(a) there shall be inserted the following new paragraph:

"(3) The annual report shall include a section on vine-growing with a view to implementation of the National Strategy for Vine-growing and Wine-making in Bulgaria referred to in Article 1 (3) of the Wine and Spirit Drinks Act.";

(b) Paragraph (3) shall be renumbered to become Paragraph (4).

2. In Paragraph (2) of Article 14, there shall be added the following new item:

"5. the activities covered under Article 67 of the Wine and Spirit Drinks Act."

3. In Article 16, the words "and 2" shall be replaced by "2 and 5".

4. In Article 17:

(a) there shall be inserted the following new paragraph:

"(2) Analytical accounts shall be kept for the raising of resources and for reporting the financing under Article 67 of the Wine and Spirit Drinks Act.";

(b) Paragraph (2) shall be renumbered to become Paragraph (3).

§ 14. The implementation of this Act shall be entrusted to the Council of Ministers.

§ 15. This Act shall enter into force three months after the promulgation thereof in the State Gazette and shall supersede the Wine Act ((promulgated in the) State Gazette No. 54 of 1978) and the Monopoly of Alcohol and Sweetened Spirit Drinks and Trade in Fruit Rakiyas and Wine Act (promulgated in the State Gazette No. 178 of 1947; amended and supplemented in Nos. 93 and 234 of 1948 and No. 36 of 1949).

Act to Amend and Supplement the Wine and Spirit Drinks Act

Promulgated, SG No. 56/7.06.2002

.....
§ 28. Throughout the Act, the words "the Minister of Agriculture, Forestry and Agrarian Reform", "the Ministry of Agriculture, Forestry and Agrarian Reform," "the Minister of Industry" and "the Ministry of Industry" shall be replaced, respectively, by "the Minister of Agriculture and Forestry", "the Ministry of Agriculture and Forestry", "the Minister of Economy" and "the Ministry of Economy".

Act to Amend and Supplement the Wine and Spirit Drinks Act

Promulgated, SG No. 16/27.02.2004, amended, SG No. 113/28.12.2004

TRANSITIONAL PROVISIONS

§ 74. The persons who own or lease facilities for distillation of fermented fruit marc intended for production of rakiya (rakiya distillation facilities) shall be obligated to register according to the requirements established by Article 40c (of the Wine and Spirit Drinks Act) within six months after the entry of this Act into force.

§ 75. Within 18 months after the entry of this Act into force, the Vine and Wine Executive Directorate shall accredit the laboratories referred to in Article 34 (2) (of the Wine and Spirit Drinks Act).

§ 76. Any persons, who or which have obtained a permit (licence) for production of alcohol, distillates and spirit drinks according to the previously effective procedure, shall retain the rights thereof under the said permits (or licences) until expiry of the term of validity indicated.

§ 77. Within six months after the entry of this Act into force, the Council of Ministers shall adopt the ordinances referred to in Article 51a and Article 66c (3) (of the Wine and Spirit Drinks Act).

§ 78. (Amended, SG No. 105/2005) Within three months after the entry of this Act into force, the municipality mayors shall transmit to the relevant territorial National Revenue Agency Directorate and to the Ministry of Economy data on the facilities for distillation of fermented fruit marc intended for production of rakiya registered according to the procedure established by Article 24 (2) of the Ordinance Establishing Terms and a Procedure for Registration, Licensing, Striking from the Register and Revocation of the Licences, the Recordable Particulars, the Manner of Keeping the Records, the Content and Form of the Harvest Declarations and the Stocks Declaration, and the Control over Licensees and the Activity Thereof (promulgated in the State Gazette No. 31 of 2000; amended, Nos. 59 and 82 of 2001, No. 8 of 2002 and No. 66 of 2003).

§ 79. Within three months after the entry of this Act into force, any persons who or which own or lease facilities for distillation of fermented fruit marc shall be obligated to equip the said facilities with

gauges and measuring instruments for determination of the quantities and the alcoholic strength of the products produced.

§ 80. The provision of Item 3 of Article 67a (3) (of the Wine and Spirit Drinks Act), as inserted by § 57 herein, shall apply until the 31st day of December 2006.

§ 81. The provision of Article 34 (2) (of the Wine and Spirit Drinks Act), as inserted by Item 1 of § 29 herein, shall enter into force one year after the entry of this Act into force.

§ 82. (Amended, SG No. 113/2004) The provision of Article 44a (of the Wine and Spirit Drinks Act), as inserted by § 41 herein, regarding the prohibition to package (bottle) and to sell spirit drinks in plastic containers other than with a content not exceeding 0.5 litres shall enter into force on the 1st day of January 2005.

§ 82. The National Vine and Wine Chamber and the Regional Vine and Wine Chambers shall bring the statutes thereof into conformity with the requirements of this Act within six months after the entry of this Act into force.

Annex 1

to Article 1 (2)

(excerpt from the 2004 Customs Tariff)

(New, SG No. 16/2004)

CN code	Description of goods
A) 2009 60 2204 30 92 2204 30 96 2204 30 98	Grape juice (including grape must) Other grape musts, other than those in fermentation or with fermentation arrested by the addition of alcohol
B) ex 2004	Wine of fresh grapes, including fortified wines; grape must other than that of heading 2009, excluding other grape must of subheadings 2204 30 92 and 2204 30 94, 2204 30 96 and 2204 30 98
C) 0806 10 93 0806 10 95 0806 00 19	Fresh grapes, other than table grapes
2209 00 11 2209 00 19	Wine vinegar
D) 2206	Other fermented beverages (for example, cider, perry, mead);

00		mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included
10	2206 00	Piquette
	2207 10000	Undenaturated ethyl alcohol of an alcoholic strength by volume of 80% vol. or higher
	2208	Spirituos beverages
11	2307 00	Wine lees
19	2307 00	
11	2308 90	Grape marc
19	2308 90	