

LAW No 427
**“Concerning the replacement, completion and abolition
of some provisions of the legislative Decree 243/1969
improvement and protection of viticultural production”**

Article 3

The paragraph 2 of article 4 of the L.D. 243/1969 is replaced as following:

“The wines of a certain regions can bear as an appellation of origin the toponymy of this region only if they meet the terms provided by the present law. It is prohibited to use, totally or partially, the appellation of origin as well as name of the variety of the vineyard included in the appellation of origin of a given wine, for wines of other origin, even though in the used words preceded or followed other determinative expressions as type, species, manner etc”.

Article 4

1. The paragraph 2 of article 5 of the L.D. 243/1969 is replaced as following:

“2. a) The wines of controlled appellations of origin must derived from grapes of fine varieties of vineyard, growing in soils proper for a quality wine production, in a restricted viticultural zone and meet certain requirements referred in the yield per strema of the vineyards, in the pruning system and in the minimum content of sugar into the must.

b) The wines belonged in the category of the simple appellations of origin must derived from grapes of appropriate varieties of vineyard growing in proper soils of a restricted viticultural zone”.

2. The par. 3 of article 5 of the L.D. 243/1969 is replaced from the beginning of the viticultural period 1975, as following:

“3. the processing of grapes into must and the must in to wine is carried out within the defined zone of appellation of origin of the wine. According to the decisions of the Minister of Agriculture, following C.C.P.V.P.’s opinion the above-mentioned processing can be carried out outside the zone of appellation of origin but in any case inside the area the name of which bear the typical wines as far as there are special reasons concerning these”.

3. The par. 8 of article 5 of the L.D. 243/1969 is replaced as following:

“8.

a) The recognition of the new appellations of origin is determined through the P.DS. issued after a proposal by the Minister of Agriculture, following C.C.P.V.P.’s recommendation.

b) According to the decision by the Minister of Agriculture, following C.C.P.V.P.’s recommendation, the conditions and the submitted information for the recognition of the new appellations of origin of wines are determined”.

4. The par. 9 of article 5 of the L.D. 243/1969 is replaced as following:

“9. With similar P.Ds. the following should be determined:

a) Concerning the wines of controlled appellation of origin, the limits of the area, the permitted varieties growing in each area, the pruning system, the maximum yields per ha, and the content of sugar into the must.

b) Concerning the wines of simple appellation of origin, the limits of the area and the permitted varieties growing in each area. The procedure of granting the right for the use of the appellation of origin for the wines produced each year, is determined by decisions of the Minister of Agriculture”:

5. The par. 10 of article 5 of the L.D. 143/1969 is replaced as following:

“10.

a) The wines of appellation of origin according to the present article are destined to consumption only in bottles. According to the provisions of the present law and the implementing P.Ds. and Ministerial decisions, the right for bottling of these wines has the trader of the wines of appellation of origin or other person being authorised through a notarial deed.

b) Exceptionally, the destination to consumption of unbottled wines of appellation of origin is permitted, only within the limits of the area of which bear the traditional name. The limits of the area in which the destination to consumption of unbottled wines of appellation of origin is permitted, the terms of marketing as well as the control of these, are determined by joint decisions of the Ministers of Agriculture, Finance, and Trade.

6. The paragr. 13 of article 5 of the L.D. 243/1969 is replaced as following:

“13. The requirements and terms of using the toponymy as trade-mark for wines are determined by P.D. issued after a proposal by the Ministers of Agriculture and Trade, following C.C.P.V.P.’s recommendations”.

7. The par. 14 of article 5 of the Low Decree 243/1969 is replaced as following:

“14. All the registered trade-marks for wines so far, bearing a toponymy, can be used until the above-mentioned P.D. has been issued, henceforth provided that the terms and conditions laid-down there-of are fulfilled”.

8. The par. 16 of article 5 of the L.D. 243/1969 is replaced as following:

“16. Matters relating to the production, control and protection of resinous wines, as well as the traditional names of wines, with the exception of the toponymies and the names of the varieties, are determined by P.Ds. issued after a proposal of the Ministers of Agriculture, Finance and Trade, following C.C.P.V.P.’s recommendations”.

9. In article 5 of the L.D. 243/1969, the paragraphs 18, 19 are added as follows:

“18. The type and the terms of furnishing by the competent Directorates of Agriculture of the certificates of origin for wines of common consumption and other wine’s categories in cases these are demanded for exports are determined by decisions of the Minister of Agriculture”.

“19.

a) Before the granting of control tapes or the certificates of origin, the typical wines, following their previous chemical and microscopic examination by the State Chemical Laboratory or the laboratories of the Ministry of Agriculture, go through an organoleptic test by a Committee set up by joint decisions of the Ministers of Agriculture and Finance and composed from two officials of the Ministry of Agriculture, two officials of the State Chemical Laboratory, one representative of the vine-growers designated by the Panhellenic Confederation of Agricultural Cooperative Organizations, and one representative of Wineries, cooperative or private, depending on the case, following the proposals of the Central Cooperative Federation of Greek Wine Producers, or of the Federation of Greek Industries.

In case of rejecting the relevant application, the interested person has the right to demand the re-examination from a central committee of appeal composed from two representatives of the Ministry of Agriculture, one representative of the Wine Institute, two representatives of the State Chemical Laboratory, one representative of Panhellenic Confederation of Agricultural Cooperative Organizations and one representative of the Federation of Greek Industries.

b) Finally the wine to be rejected can be consumed as wines of common consumption as well as they are not contrary to the provisions in fora.

c) According to the joint decisions by the Ministers of Agriculture and Finance published in the official Gasette are determined: the characters of wines of appellation of origin, the way of sampling, test and re-examination of these, the assignment of members of the Committee and their operation, the time of the beginning of measure application as well as each relevant detail”.

Article 6

The paragr. 5 of article 7 of the L.D. 243/1969, is replaced as following:

“5. The supervision and the control for compliance with the provisions of the present law, is carried out by the competent services of the Ministry of Agriculture or the State Chemical Laboratory according to the provisions in force”.

Article 10

Article 14 of the L.D. 243/1969 is replaced as follows:

“Article 14

At least with three months’ imprisonment and fine punished

- a) The offenders of the provisions of article 4 par. 2 of the present law.
- b) The offenders of the provisions of article 5, par. 5 of the present law.

Article 11

Article 15 of the L.D. 243/1969 is replaced as following:

“Article 15

The prosecution of the infringements of article 1 par. 3, 4, 5 and 6 par. 2 of the present law is carried out on the basis of an infringement protocol drawn up by the competent control agencies of the Ministry of Agriculture or State Chemical Laboratory: According to Pres, Decrees, issued after the proposals by the Ministers of Agriculture and Finance, the procedure of the prosecution of the above-mentioned the procedure of the seizure of the goods as well as the goods subject to “seizure are laid down”.

Article 12

Article 16 of the L.D. 243/1969 is replaced as following:

“Article 16

1. In case of violation of the provisions of articles 4, 5 and 6 paragr. 2 of the present law, the wine or must produced, owned transported, exported or destined to consumption is seized.
2. The competent Court orders the seizure independently of the participation in the offense concerned of the person who has any right on the goods.
3. The seized wine or must or the distilled alcohol or wine extract are sold according to the provisions in force and the money is deposited in the General Fund for Agriculture, Livestock Breeding and Forests, following clearing of import duties, taxes etc due to the Public”.

Article 13

Article 17 of the L.D. 243/1969 is replaced as following:

“Article 17

For infringements of articles 4 and 5 of the present law, the Court orders the destruction of the labels and wrappers. The Court can also orders the seizure of the bottles and pots, as well as the publication through a newspaper once for all of a verdict of guilt or an abstract of it at the expenses of condemned person”.
