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Judgment of the Court in Case C-354/22 | Weingut A

Winemaking and wine labelling: A wine-grower may indicate its own wine-growing holding even if pressing takes place on the premises of another wine-grower

However, this is on condition that, during the necessary period, only the eponymous wine-grower uses the winepress under lease and that it manages the pressing and supervises it closely and continuously

A wine-grower of the German Moselle region uses the terms “Weingut” (wine-growing estate) and “Gutsabfüllung” (bottled at the estate) for wine which it produces from grapes coming from vineyards under lease located approximately 70 km from its own holding. In accordance with a contract, the vines under lease are cultivated by their owner under the instructions of the eponymous wine-grower. At the end of the harvest, a winepress facility under lease is available exclusively, for a period of 24 hours, for the processing of the grapes coming from the vineyards under lease, in accordance with the oenological practices of the eponymous wine-grower. The latter then transports the wine obtained to its holding.

The Land Rhineland-Palatinate takes the view that the eponymous wine-grower cannot use the indications at issue for wine made on the premises of the other wine-grower. Indeed, in order for certain indications which refer to an eponymous wine-growing holding such as “Weingut” to be used, EU legislation ¹, requires that the grapevine product be made exclusively from grapes harvested in the vineyards exploited by that holding and that the winemaking be entirely carried out on that holding ².

Hearing the case, the German Federal Administrative Court asked the Court of Justice about that latter requirement.

In the first place, the Court observes that, under EU law, the terms at issue, which aim to guarantee a superior quality, are reserved for grapevine products covered by a protected designation of origin (PDO) or a protected geographical indication (PGI). It is for the Federal Administrative Court to determine whether the vineyards under lease, situated 70 km from the eponymous wine-growing holding, are covered by that holding’s PDO or PGI.

Moreover, Court finds that **the concept of “holding”, and therefore the use of the terms at issue, are not restricted solely to land owned by the wine-grower or situated near it. They may extend to vineyards under lease and situated elsewhere so long as the eponymous wine-grower assumes actual management, close and continuous supervision and responsibility for the cultivation and harvesting of the grapes.**

Where those conditions are satisfied so far as concerns the pressing in a winepress leased for a short period from another holding and so long as that winepress is exclusively at the disposal of the eponymous wine-growing holding for the period necessary, the winemaking may be regarded as having been entirely carried out on that holding.

Furthermore, the same conditions apply where staff of the wine-growing holding which rents out the winepress carries out the pressing. That operation must be carried out in accordance with the eponymous wine-growing

holding's own requirements. The latter cannot merely rely on any instructions given by the wine-growing holding which rents out the pressing facility.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of EU law or the validity of an EU act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court's decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

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The [full text and, as the case may be, the abstract](#) of the judgment are published on the CURIA website on the day of delivery.

Press contact: Jacques René Zammit ☎ (+352) 4303 3355.

Images of the delivery of the judgment are available on "[Europe by Satellite](#)" ☎ (+32) 2 2964106.

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¹ Commission [Delegated Regulation \(EU\) 2019/33](#) of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation, as amended by Commission [Delegated Regulation \(EU\) 2021/1375](#) of 11 June 2021. Delegated Regulation 2019/33 contains a list of eligible indications, for each Member State. For Germany, those are "Burg, Domäne, Kloster, Schloss, Stift, Weinbau, Weingärtner, Weingut, Winzer".

² Those requirements do not apply to the indication of the name of the bottler, producer or vendor.