Sistema sanzionatorio e mercato agroalimentare
Percorsi interni e dimensione transnazionale

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ABSTRACT

Compliance control of wine & spirits labels under french law

The enforcement of European and national law in the field of wine and spirits labelling in France is based on a complex system of procedural rules and sanctions (of administrative and criminal nature). In fact, the control of labelling on behalf of competent authorities is the vehicle for fighting against fraud and ensuring compliance of products with regard to a vast area of constraints (rules of Reg. 1169/2011, geographical indications, sales denominations, production methods, ageing schemes, traditional terms…).

The administrative and judicial practice shows that the complexity of these rules together with the absence of a control prior to the commercialization of the products lead to solutions where equity, proportionality and legal certainty take over from a binary pattern (sanction / authorization). Thus, the critical question for operators is not simply whether a label is "compliant or not" but rather where the product stands in terms of risk assessment and how can the operator limit the business consequences in case of a statement of noncompliance.