Publication of an amendment application pursuant to Article 6(2) of Council Regulation (EC) No 510/2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

(2012/C 140/05)

This publication confers the right to object to the application pursuant to Article 7 of Council Regulation (EC) No 510/2006 ([1]). Statements of objection must reach the Commission within six months of the date of this publication.

AMENDMENT APPLICATION

COUNCIL REGULATION (EC) No 510/2006

AMENDMENT APPLICATION ACCORDING TO ARTICLE 9

'MÜNCHENER BIER'

EC No: DE-PGI-0217-0516-02.09.2010

PGI (X) PDO ( )

1. **Heading in the product specification affected by the amendment:**

— ☐ Name of product

— ☒ Description of product

— ☐ Geographical area

— ☐ Proof of origin

— ☒ Method of production

— ☒ Link with the geographical area

— ☒ Labelling

— ☐ National requirements

— ☐ Other (to be specified)

2. **Type of amendment(s):**

— ☒ Amendment to single document or summary sheet

— ☐ Amendment to specification of registered PDO or PGI for which neither the single document nor the summary sheet has been published

— ☐ Amendment to specification that requires no amendment to the published single document (Article 9(3) of Regulation (EC) No 510/2006)

— ☐ Temporary amendment to specification resulting from imposition of obligatory sanitary or phytosanitary measures by public authorities (Article 9(4) of Regulation (EC) No 510/2006)

3. **Amendment(s):**

(b) *Description:*

It is requested that the following additional information be provided concerning the types of beer listed:

Non-alcoholic Weißbier

Original gravity in %: 3,5-8,0

Alcohol content in % vol.: < 0,5

Colour (EBC): 8,0-21,0 units

Bitter agents (EBU): 7,0-19,0 units

Typical Weißbier: tangy, sweet, full-bodied, pale, golden to amber, ranging from fine yeast turbidity to naturally cloudy to cloudy with yeast, mildly hoppy to very slightly bitter.

([1]) OJ L 93, 31.3.2006, p. 12.

Non-alcoholic beer

Original gravity in %: 1,0-8,0

Alcohol content in % vol.: < 0,5

Colour (EBC): 4,0-13,0 units

Bitter agents (EBU): 13,0-29,0 units

Typical dry to sweet beer: fresh, rich, mild to full-bodied, clear, bright, pale to golden yellow, slightly spicy to spicy, mildly hoppy to a hoppy aroma.

Explanation:

The Munich breweries' non-alcoholic beers are subject to the same basic quality requirements as the other 'Münchener Biere'. It is only in terms of their alcohol content that certain non-alcoholic beers also pass through additional production steps. However, these steps do not change any of the other ingredients. The 'very much lighter' taste of non-alcoholic beers is due exclusively to their lower alcohol content. These beers already existed in Munich before the original application of 7 March 1993.

The *Allgemeine Brauer- und Hopfen-Zeitung* of 17 August 1898 confirms that non-alcoholic beer has been brewed in Bavaria since as early as 1898. Page 1590 of the 9 July 1898 edition of the same journal refers to an application filed by Karl MICHEL, the owner of the Munich Praktische Brauerschule, who wished to sell non-alcoholic beer (cf. p. 105 of *Münchener Braueindustrie 1871-1945* by Christian SCHÄDER). Although that application was unsuccessful, the Munich breweries did not lose sight of non-alcoholic beer, especially as 'weak beer' was produced on account of the shortage of raw materials in the times of need during and after the two World Wars. In any case, the uninterrupted brewing of non-alcoholic Weißbier and non-alcoholic beer in Munich has been resumed since at least 1986. Non-alcoholic 'Münchener Bier' enjoys and always has enjoyed the same excellent reputation as its alcoholic counterpart.

(e) *Production process:*

It is requested that the following passage be added to the original text:

> 'Non-alcoholic "Münchener Biere" are subject to the same high quality requirements as alcoholic beers and are also produced in accordance with the laws in force in Munich and Germany, in the case of both bottom and top-fermented beers. In accordance with the long tradition of brewing in Munich, two processes are therefore used to produce non-alcoholic beer and non-alcoholic Weißbier.
>
> In the first process, all or most of the alcohol is subsequently removed from the corresponding fully fermented type of beer by vacuum distillation and evaporation (downward flow evaporation/thin-layer vacuum evaporation). All the other ingredients remain unaltered, i.e. the quality requirements therefore continue to be applicable.
>
> In the second, older process, the first step, as described above, is to produce the corresponding word for a "Münchener Bier". However, the subsequent fermentation is then stopped at such an early stage that the maximum legally permitted alcohol content of 0,5 % vol. is not reached. Nevertheless, this does not alter the ingredients and the quality requirements remain constant.'

Explanation:

As the production of non-alcoholic beer to some extent differs from the basic production of beer, the 'Production process' heading must necessarily be extended to include these production steps.

(f) *Link with the geographical area:*

It is requested that the following passage be added to the original text after the second paragraph:

> 'Munich also has a long tradition of non-alcoholic beers. Page 1928 of the 17 August 1898 edition of the *Allgemeine Brauer- und Hopfen-Zeitung* states that non-alcoholic beer was produced in Bavaria. Page 1590 of the 9 July 1898 edition of the same journal refers to non-alcoholic beer in Munich. This passage tells of an application filed by Mr Karl MICHEL, the owner of the Munich Praktische Brauerschule, who wished to sell a non-alcoholic beer (cf. p. 105 of *Münchner Brauindustrie 1871-1945* by Christian SCHÄDER). Although this application was at the time refused, non-alcoholic beer retained its presence in Munich, especially as the shortage of raw materials, as is known, prompted the brewing of low-alcohol beers in the times of need during and after the two World Wars.
>
> In any case, Munich breweries have resumed their continuous production of non-alcoholic beer and non-alcoholic Weißbier since 1986. The only difference from other 'Münchener Biere' is that either the alcohol is subsequently removed from the finished 'Münchener Bier' or the fermentation of the 'Münchener Bier' is stopped prematurely. However, in this case, all the other ingredients remain unaltered. For all types of beer, non-alcoholic 'Münchener Bier' enjoys the same reputation as its alcoholic counterpart.'

The following passage should be added to the end:

> 'Page 1590 of the 9 July 1898 edition of *Allgemeine Brauer- und Hopfen-Zeitung* and p. 1928 of the 17 August 1898 edition'.

Explanation:

It should be noted that non-alcoholic beers are also part of the 'Münchener Bier' tradition. Non-alcoholic beer is mentioned for the first time in documents from 1898. As is known, the shortage of raw materials led to the production of 'weak beer' during the times of need and war of the 20th century. In any case, as has been demonstrated, non-alcoholic beer and non-alcoholic Weißbier have been produced ever since 1986. Non-alcoholic 'Münchener Bier' enjoys the same reputation as its alcoholic counterpart, in the case of both bottom and top-fermented beers.

(h) *Labelling:*

The words 'category of beer' have been replaced by the words 'type of beer'.

The following text is also added:

> 'In accordance with Article 8(2) of Regulation (EC) No 510/2006 of 20 March 2006 in conjunction with Article 14 of Regulation (EC) No 1898/2006 of 14 December 2006, either the EU symbol or the "Protected Geographical Indication" accompanied by the registered name "Münchener Bier" shall appear on the label.'

Explanation:

1. 'Category of beer' to 'type of beer'

The selection of the words 'category of beer' is incorrect. They should read 'type of beer'. In accordance with § 3 of the German Beer Ordinance (BierV), the term 'category of beer' refers for example to 'low gravity beer', 'draught beer' or 'strong beer'.

The correction is necessary, as point (h) relates to point (b) of the specification, which lists types of beer and not categories of beer.

2. Addition

At the latest since 1 May 2009, either the EU symbol or the words 'Protected Geographical Indication' must be attached to the label of products subject to the protection of Regulation (EC) No 510/2006, as must the name of the protected product. As this amendment/addition application was filed after 1 May 2009, the addition is necessary.

SINGLE DOCUMENT

COUNCIL REGULATION (EC) No 510/2006

'MÜNCHENER BIER'

EC No: DE-PGI-0217-0516-02.09.2010

PGI (X) PDO ( )

1. **Name:**

'Münchener Bier'

2. **Member State or Third Country:**

Germany

3. **Description of the agricultural product or foodstuff:**

3.1. *Type of product:*

Class 2.1 — Beer

3.2. *Description of the product to which the name in point 1 applies:*

Helles

Original gravity in %: 11,4-11,9

Alcohol content in % vol.: 4,7-5,4

Colour (EBC): 5,0-8,5 units

Bitter agents (EBU): 14,0-25,0 units

Light yellow, pale, palateful, pure, smooth, mildly to pleasantly hopped, delicately spicy to spicily fresh with a pleasant bitterness depending on the brewing process.

Export Hell

Original gravity in %: 12,5-12,8

Alcohol content in % vol.: 5,5-6,0

Colour (EBC): 5,5-7,5 units

Bitter agents (EBU): 15,0-26,0 units

Light yellow, highly attenuated (until bright), palateful, ranging from mild, mellow-smooth through to strongly spicy, delicately hopped and delicate bitterness.

Export Dunkel

Original gravity in %: 12,5-13,7

Alcohol content in % vol.: 5,0-5,9

Colour (EBC): 42,0 ≤ 60,0 units

Bitter agents (EBU): 15,0-24,0 units

Mellow, smooth, malty aroma to strong, Munich malt sometimes dominant.

Pils

Original gravity in %: 11,5-12,5

Alcohol content in % vol.: 4,9-5,8

Colour (EBC): 5,5-7,0 units

Bitter agents (EBU): 30,0-38,0 units

Slightly sharp, delicate, fine, hoppy bitterness, hoppy accents through to hoppy aroma, light, elegant, sparkling.

Non-alcoholic Weißbier

Original gravity in %: 3,5-8,0

Alcohol content in % vol.: < 0,5

Colour (EBC): 8,0-21,0 units

Bitter agents (EBU): 7,0-19,0 units

Typical Weißbier: tangy, sweet, full-bodied, pale, golden to amber, ranging from fine yeast turbidity to naturally cloudy to cloudy with yeast, mildly hoppy to very slightly bitter.

Leichtes Weißbier

Original gravity in %: 7,7-8,4

Alcohol content in % vol.: 2,8-3,2

Colour (EBC): 11,0-13,0 units

Bitter agents (EBU): 13,0-15,0 units

Refreshing, effervescent, tangy, cloudy with yeast, typical top-fermented Weißbier taste.

Kristall Weizen

Original gravity in %: 11,5-12,4

Alcohol content in % vol.: 4,9-5,5

Colour (EBC): 7,5-12,5 units

Bitter agents (EBU): 12,0-16,0 units

Effervescent, very tangy, filtered bright, clear, sparkling, top-fermented note, typically top-fermented.

Hefeweizen Hell

Original gravity in %: 11,4-12,6

Alcohol content in % vol.: 4,5-5,5

Colour (EBC): 11,0-20,0 units

Bitter agents (EBU): 12,0-20,0 units

Highly attenuated, naturally cloudy, typical top-fermented character, tangy, refreshing, effervescent, sparkling, sometimes yeasty, Weißbier aroma.

Hefeweizen Dunkel

Original gravity in %: 11,6-12,4

Alcohol content in % vol.: 4,5-5,3

Colour (EBC): 29,0-45,0 units

Bitter agents (EBU): 13,0-16,0 units

Naturally cloudy, mellow, malty taste/character, top-fermented note/character.

Märzen

Original gravity in %: 13,2-14,0

Alcohol content in % vol.: 5,3-6,2

Colour (EBC): 8,0-32,5 units

Bitter agents (EBU): 21,0-25,0 units

Very mellow, palatable, mild, 'altbayerisch' to malty aroma, very mild bitterness.

Bockbier

Original gravity in %: 16,2-17,3

Alcohol content in % vol.: 6,2-8,1

Colour (EBC): 7,5-40,0 units

Bitter agents (EBU): 18,0-32,5 units

Highly attenuated, ranging from mellow, palateful, smooth, aromatic, via delicately hopped, slightly sharp to well hopped, sometimes spicy in character.

Doppelbock

Original gravity in %: 18,2-18,7

Alcohol content in % vol.: 7,2-7,7

Colour (EBC): 44,0-75,0 units

Bitter agents (EBU): 18,0-28,0 units

Strong, powerful, spicy, full-bodied, malty taste.

Non-alcoholic beer

Original gravity in %: 1,0-8,0

Alcohol content in % vol.: < 0,5

Colour (EBC): 4,0-13,0 units

Bitter agents (EBU): 13,0-29,0 units

Typical dry to sweet beer: fresh, rich, mild to full-bodied, clear, bright, pale to golden yellow, slightly spicy to spicy, mildly hoppy to a hoppy aroma.

Leichtbier

Original gravity in %: 7,5-7,7

Alcohol content in % vol.: 2,7-3,2

Colour (EBC): 5,5-7,0 units

Bitter agents (EBU): 24,0-26,5 units

Slightly sharp fine taste.

Diät Pils

Original gravity in %: 8,5-9,3

Alcohol content in % vol.: 4,3-4,9

Colour (EBC): 5,0-6,5 units

Bitter agents (EBU): 26,0-30,0 units

Low in carbohydrates, slightly sharp, dry taste.

Schwarz-Bier

Original gravity in %: 11,3

Alcohol content in % vol.: 4,8

Colour (EBC): 70,0 units

Bitter agents (EBU): 17,0 units

Slightly spicy malty aroma.

ICE-Bier

Original gravity in %: 11,2

Alcohol content in % vol.: 4,9

Colour (EBC): 6,5 units

Bitter agents (EBU): 20,0 units

Harmonious, mellow, palateful;

Nähr-/Malzbier

Original gravity in %: 12,3-12,7

Alcohol content in % vol.: 0,0-1,2

Colour (EBC): 65,0-90,0 units

Bitter agents (EBU): 8,0-15,0 units

Low in alcohol, very mildly attenuated, malty, spicy, very weakly hopped;

Oktoberfestbier

Original gravity in %: 13,6-14,0

Alcohol content in % vol.: 5,3-6,6

Colour (EBC): 6,0-28,0 units

Bitter agents (EBU): 16,0-28,0 units

Light, golden, amber colours or dark, ranging from palateful, very mellow, smooth or malty aroma through to slightly hopped with a very mild bitterness or a powerful, slightly sweet taste.

3.3. *Raw materials (for processed products only):*

The water used by Munich's breweries comes from their own deep wells in the city, many of which are as deep as the strata dating from the tertiary period.

3.4. *Feed (for products of animal origin only):*

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3.5. *Specific steps in production that must take place in the defined geographical area:*

The entire process for producing 'Münchner Bier' has to take place in the area of the city of Munich.

The process for producing 'Münchner Bier' begins with crushing the malt and maceration and ends with storage, during which the green beer is naturally enriched with carbonic acid and matures until reaching its full flavour.

The same applies to the entire process for producing bottom and top-fermented, non-alcoholic 'Münchner Biere'. However, depending on the type of production, vacuum distillation and evaporation or the preferred completion of the fermentation stage are also a part of this process.

3.6. *Specific rules concerning slicing, grating, packaging, etc.:*

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3.7. *Specific rules concerning labelling:*

Beer labelling is based on the product description 'Münchener Bier' or 'Münchner Bier' in conjunction with one of the types of beer listed under point 3.2.

4. **Concise definition of the geographical area:**

Territory of the city of Munich.

5. **Link with the geographical area:**

5.1. *Specificity of the geographical area:*

Munich breweries have used the designation 'Münchener Bier' for centuries without any objections from third parties. Evidence of the long tradition includes the fact that cash payments and payments in kind made by Munich brewers are recorded as early as 1280 in the estate register of Duke Louis the Stern (see *München und sein Bier* by Heckhorn/Wiehr, Munich 1989, or the doctoral thesis by Dr Karin HACKEL-STEHR — as above for point 4 — and *Die 'prewen' Münchens* by Sedlmayr/Grohsmann, Nuremberg 1969, extracts from which are enclosed). See also *125 Jahre Verein Münchener Brauereien e. V* by Dr Christine RÄDLINGER, commemorative publication 1996).

Munich also has a long tradition of non-alcoholic beers. Page 1928 of the 17 August 1898 edition of the *Allgemeine Brauer- und Hopfen-Zeitung* states that non-alcoholic beer was produced in Bavaria. Page 1590 of the 9 July 1898 edition of the same journal refers to non-alcoholic beer in Munich. This passage tells of an application filed by Mr Karl MICHEL, the owner of the Munich Praktische Brauerschule, who wished to sell a non-alcoholic beer (cf. p. 105 of *Münchner Brauindustrie 1871-1945* by Christian SCHÄDER). Although this application was at the time refused, non-alcoholic beer retained its presence in Munich, especially as the shortage of raw materials, as is known, prompted the brewing of low-alcohol beers in the times of need during and after the two World Wars. In any case, Munich breweries have resumed their continuous production of non-alcoholic beer and non-alcoholic Weißbier since 1986.

5.2. *Specificity of the product:*

Consumers associate a special reputation and expectations of the highest quality with beer produced in Munich.

This quality is based not only on observance of the Munich Purity Law of 1487, which was passed 29 years before the equivalent Bavarian Law of 1516, but in particular on the fact that the Munich breweries obtain their brewing water from deep wells in the gravel plain of the city. These wells, which reach down to strata from the tertiary period, are as deep as 250 m in places.

5.3. *Causal link between the geographical area and the quality or characteristics of the product (for PDO) or a specific quality, the reputation or other characteristics of the product (for PGI):*

The population's strong attachment to 'Münchener Bier' and its associated reputation derive, in the Munich area, from the long tradition of beer production in Munich and the historical associations. As a result of its healthy growth 'Münchner Bier' achieved first local, then regional, then national and finally international renown.

Munich has responded positively to beer from the outset. As far back as 815, the *Kozrah* manuscript in *Historia Frisingensis* recounts how the Church of St John of Oberföhring was lent to Deacon Huwetzi, who in return was required to send the Chapter a cartload of beer by way of annual 'tithe' (tax).

The *Salbuch der Stadt München* from 1280 confirms that 'brewing warrants' were issued to citizens of Munich even then.

In 1372, Duke Stephen II reformed the brewing privilege in Munich and established the first brewing constitution, enshrining the right of commoners to brew 'Greußing' (which appears to have been a type of low gravity 'Nachbier') 'should they so desire'. It is worth noting that this right, where bestowed on an individual, could be sold and bequeathed.

In the 14th and 15th centuries, innumerable substances, some of which were poisonous, were constantly being added to beer in a bid to lengthen the beverage's shelf life. For this reason, the Municipal Office of the City of Munich issued in around 1453 a Beer Statute which stipulated that beer and Greußing must be boiled and brewed 'only from barley, hops, water and no other ingredients'. Such were the origins of the first 'purity law'.

Duke Albert IV of Bavaria then published in Munich on 30 November 1487 a slightly modified version of the Beer Statute text as the Munich Purity Law. From then on, only beer boiled from hops, barley and water was allowed to be served. Once this law had been enacted, it also became mandatory for beer to be subjected to a modern-day quality control-style inspection process. Food quality was therefore checked for the first time towards the end of the 15th century. The Munich Purity Law, which is the cornerstone of the success and reputation of 'Münchner Bier', ensures that only high-quality beer is produced.

In 1493, Duke George the Rich established a similar purity law for Lower Bavaria. In 1516, after his death and the Landshut War of Succession, the Bavarian Dukes William IV and Louis X, the sons of Duke Albert IV, promulgated the 'Munich Purity Law' in almost identical form as the Bavarian Purity Law. The law was amended several times before becoming the German Beer Tax Act of 1906 and the current provisional Beer Act. The Munich Purity Law is therefore still in force.

The reputation of 'Münchner Bier' spread further and further as the centuries went by. In the 16th century, for example, it became more famous thanks to the carriage drivers and carters who were able to keep their horses in the breweries. Eventually there was one brewery for roughly every 250 inhabitants.

Indeed, so devoted are the people of Munich to their beer that they are willing to take up arms in its name. In 1844, for example, a beer war was waged when the price of the beverage rose suddenly from 6 to 6,5 kreuzer. In May 1995, some 25 000 people demonstrated against a court ruling that would have obliged Munich's beer gardens to close at 21.30.

Of course those beer gardens, the 'Oktoberfest' and the city's restaurants have also played their part in establishing the reputation of 'Münchner Bier' in all parts of the world.

In the case of the city's genuine beer gardens, it is a famous right and much-loved custom of the people of Munich to take their own food with them to the beer garden or — as people used to say — to the beer cellar.

Just as imitated, though never equalled, is the 'Oktoberfest', which was held for the first time in 1810 and evolved from a horse race. There are now more than 2 000 'Oktoberfeste' across the globe. The 'Oktoberfest' and its beer, the 'Oktoberfestbier', which may only be produced by the Munich breweries, also contribute to the good reputation of 'Münchner Bier' throughout the world. Every year an average of over six million visitors come to Munich's 'Oktoberfest' in order to sample the world-famous beer. The 'Oktoberfest' with its 'Oktoberfestbier' represents the refinement of 'Münchner Bier' to its highest form. On one occasion the 'Landgericht München' (Munich Regional Court) even declared the 'Oktoberfest' to be the 'festival of "Münchner Bier"'.

Of the city's public houses, mention need merely be made of the world-famous 'Hofbräuhaus'. It goes without saying that both the song 'In München steht ein Hofbräuhaus …' and the pub itself have made 'Münchner Bier' famous across the world.

In addition to this history, technical innovations have also raised the profile of 'Münchner Bier'.

In the 19th century, Munich's brewers began brewing in genuine ice houses and cellars. The technical requirements that this entailed were of such complexity that the 'Königliche Baugewerkeschule' started to offer courses in beer cellar design.

In 1873, Carl von Linde developed the world's first cooling machine for the Spaten Brewery in Munich. The machine was important because it allowed for the first time any desired amount of consistently high-quality beer to be continuously produced irrespective of climate and external temperature.

Around 1900, the Hacker Brewery in Munich even had refrigerating holds based on the Linde system installed on two Dutch ships which it used to export 'Münchner Bier' and its reputation overseas.

In addition, since the 19th century the Munich breweries have each owned their own fleet of up to 90 refrigerated railway wagons for transporting their products to sales areas further afield. These refrigerated wagons, which at the same time served as a means of advertising for the breweries, could be used in all parts of the European railway network, which was undergoing major expansion at the time. Much more important than the advertising effect was the preservation of quality that the wagons allowed. In terms of the shelf life of the beer this was a huge step forward. High-quality 'Münchner Bier' was exported and could be enjoyed abroad, again enhancing the beverage's reputation. The export figures, which at the time were constantly increasing, are testimony to the renown of 'Münchner Bier'.

In order to be able to generate a constant temperature so as to ensure consistently high production standards, many of Munich's breweries started in the 19th century to use steam engines to generate power. The 'Dampfkessel-Revisionsverein' (Boiler Inspection Association) was founded with the involvement of Munich breweries to address the resulting safety issues and technical problems. This association became the present-day, world-famous 'Technischer Überwachungsverein' (Technical Inspection Association). The safety awareness of the Munich breweries also enhanced their reputation and that of the beer they produced.

In the 19th century, the development of scientific methods was accompanied by the founding of brewing technology departments in agricultural colleges, universities and private educational and research institutes. Another significant development was the launch of specialist brewing publications. The hub of this development was Munich which can from this stage on be described as a 'cerevisial' (beer-brewing) university city. To this day, the Brewing Technology Faculty of the Technische Universität München-Weihenstephan and the Doemens Institute are the leading training institutions for brewers and brewing engineers who go on to work in all parts of the world.

The renown and reputation of 'Münchner Bier' have, as we have seen, grown continuously in Germany and other EU Member States over the last 550 years. The rising export figures of the last 30 years, especially of the famous 'Oktoberfestbier' (a name that only the Munich breweries are entitled to give their products), speak for themselves. The 'Oktoberfest', as the festival of 'Münchner Bier', is known throughout the world. Its procession of festival goers in traditional regional and military costume, its opening ceremony and the daily reporting from the 'Oktoberfest' tents have made 'Münchner Bier' a household name. Sports sponsorship, e.g. of the German national bobsleigh team or in the 'Olympiahalle' arena, has displayed the name of 'Münchner Bier' on television sets across the world. In recent decades, radio, television and especially the Internet have introduced more and more people from many different countries to 'Münchner Bier', a beverage avidly discussed in online forums and fan clubs. The websites of the Munich breweries regularly receive hits from across the globe.

Reference to publication of the specification:

(Article 5(7) of Regulation (EC) No 510/2006)

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http://register.dpma.de/DPMAregister/geo/detail.pdfdownload/13252