

Council Regulation (EEC) No 2081/92

Application for registration: Art. 5 () Art. 17 (x)

PDO () PGI (x)

National application No...

1. Responsible department in the Member State:

Name: Bundesministerium der Justiz
Address: Heinemannstr. 6
53175 Bonn
Tel: 0228-58-0 Fax: 0228-58 45 25

2. Applicant group:

(a) Name: Verband Kulmbacher Brauereien e.V.
(b) Address: Hofer Strasse 20
D-95326 Kulmbach
Tel: 089/28 86 31 Fax: 089/28 39 75
(c) Composition: producer/processor (x) other ()

Members of the Association comprise all four Kulmbach breweries

- Reichelbräu
- Kulmbacher Mönchshof-Bräu
- EKV Brauerei
- Sandlerbräu

As evidenced by the statute of trademarks a principal duty of the association is to monitor and guarantee the geographical origin designation "Kulmbacher Bier". The association fulfils this duty with all means available to it. The attempt by the G. Heileman Brewing Company Inc. Milwaukee, USA to market beer brewed in

Milwaukee under the name "Kulmbacher Bier" or the historical spelling "Culmbacher Bier" was successfully rejected through the US American Bureau of Alcohol, Tobacco and Firearms (BATF) by reference to their directives Chapter 1 § 7.24 (f). BATF establishes in this directive that "Kulmbacher" is a designation of origin.

3. **Name of product:** Kulmbacher Bier

4. **Type of product** (see list in Annex VI): Beer

5. **Specification:**

(summary of requirements under Article 4(2))

(a) name: see 3 Kulmbacher Bier

(b) description:

Kulmbacher Bier

alkoholreduziert

A low-alcohol beer containing between 2.8 and 3.2% alcohol by volume; between 7.3 and 7.9% original wort; hop bitter content ranging from 25 to 30 EBC and colour from 5.0 to 7.0 EBC colour units. A mellow, slightly sharp-tasting beer with the trademark flavour of Kulmbacher Pils.

Pils

Contains between 4.7 and 5.2% alcohol by volume and between 11.1 and 11.8% original wort; a hop bitter content of 23-38 EBC and 5.0 to 11.0 EBC colour units. A mellow, lightly hopped beer with a fresh, delicately bitter character.

Lager hell

A light lager beer containing between 4.8 and 5.2% alcohol by content and between 11.0 and 13.0% original wort. The hop bitter content ranges from 18 to 26 EBC and the colour from 6.5 to 12 EBC colour units. A balanced, mellow, mild-flavoured beer.

Lager dunkel

A dark lager beer containing between 4.8 and 5.2% alcohol by content and 11.5 to 13.0 original wort. This beer has a hop bitter content ranging between 18 and 22 EBC and its colour is between 30 and 40 EBC colour units. A mellow, malty-aromatic beer.

Export hell

A light export beer containing between 4.7 and 5.9% alcohol by volume and between 12.1 and 13.0% original wort. The hop bitter content ranges from 22 to 30 EBC and the colour from 6.5 to 15 EBC colour units. A smooth, mildly aromatic-flavoured beer.

Export dunkel

A dark export beer containing between 4.7 and 5.6% alcohol by volume and between 12.1 and 13.0% original wort. The hop bitter content ranges from 22 to 32 EBC and the colour from 35 to 100 EBC colour units. This beer has a distinctively smooth and lightly hopped flavour.

Festbier

This "festival beer" contains between 5.4 and 5.9% alcohol by volume and between 13.0 and 13.7% original wort, with a hop bitter content ranging from 23 to 25 EBC and colour from 10 to 13 EBC colour units. This is a strong, aromatic, slightly sweet beer with a robust colour.

Bock dunkel

This dark “bock” beer contains between 6.4 and 6.8% alcohol by volume and between 16.0 and 16.8% original wort, with a hop bitter content ranging from 21 to 27 EBC and colour from 25 to 40 EBC colour units. This is lightly hopped, medium-coloured strong beer.

Starkbier hell

This pale-coloured strong beer contains between 9.0 and 11.2% alcohol by volume and between 24.0 and 30.0% original wort, with a hop bitter content ranging from 15 to 26 EBC and colour from 30 to 38 EBC colour units. This is a lightly hopped, medium-coloured strong beer.

Starkbier dunkel

This dark strong beer contains between 9.0 and 11.2% alcohol by volume and between 24.0 and 30.0% original wort, with a hop bitter content ranging from 15 to 26 EBC and colour from 60 to 100 EBC colour units. This malty aromatic, dark, robust strong beer is the strongest beer in the world: ECU (*Erste Kulmbacher Actienbrauerei*) 28.

Hefeweizen alkoholreduziert This low-alcohol, fizzy and yeasty wheat beer contains between 2.8 and 3.4% alcohol by volume and between 7.3 and 8.0% original wort, with a hop bitter content ranging from 13 to 17 EBC and colour from 7.0 to 15.0 EBC colour units. This is a light-flavoured, typical *Weizenbier* (literally “wheat beer”).

Hefeweizen hell

This pale-coloured fizzy and yeasty wheat beer contains between 5.0 and 5.6% alcohol by volume and between 12.2 and 12.9% original wort, with a hop

bitter content ranging from 13 to 17 EBC and colour from 10.0 to 15.0 EBC colour units. This is a slightly sweet, robust typical top-fermented beer.

Hefeweizen dunkel

This dark fizzy and yeasty wheat beer contains between 4.9 and 5.4% alcohol by volume and between 12.2 and 12.9% original wort, with a hop bitter content ranging from 13 to 17 EBC and colour from 60 to 80 EBC colour units. This is a malty-aromatic, dark beer with the typical characteristics of a top-fermented beer.

alcohol by volume in %

original wort content in %

hop bitter content and colour in accordance with EBC [European Brewing Convention]

Under the absolute law on purity (*Reinheitsgebot*) only malt, hops, yeast and water may be used in production of these beers. Kulmbacher Beer mainly differs from other beers as it uses the exceptionally mild and soft spring water which comes from the immediate surroundings of Kulmbach and is particularly well-suited to brewing. The same applies to the distinctive barley which is essential for brewing Kulmbacher beer, being low in protein and growing on the barren soil of the Frankenwald, the Fichtelgebirge and the Jura.

(c)geographical area: Administrative borders of the town of Kulmbach. The product must come from a brewery which has its headquarters and brewery within the administrative borders of the town of Kulmbach.

(d)proof of origin: The vessels found in the Kulmbach region (Hallstatt period barrow ground near Berndorf) with remains of pancake beer date from the 8th century BC and are thus the oldest beer finds on German soil. In more recent times the existence of a brewery in Kulmbach has been known since 1349. Kulmbach is called the secret

capital of beer because of its centuries-old brewing tradition. In Kulmbach more than 2 million hectolitres of beer are brewed annually, which with a population of 29,000 shows the significance of the tradition of brewing. Numerous documents testify to the importance of the designation "Kulmbacher Bier". There are five two-sided trade agreements between the Federal Republic of Germany and France, Greece, Italy, Spain and Switzerland. The name "Kulmbacher Bier" is registered with the German Patent Office and there is a RAL registration (registration of "Kulmbacher Bier" as a guarantee of origin by the German Institute for Quality Guarantee and Designation (RAL)). In several scientific dissertations "Kulmbacher Bier" is given by way of example for the designation of origin for beer produced in Kulmbach. The supreme court of the German Reich also established in a judgment handed down in 1923 that the name "Kulmbacher Bier" was a genuine designation of origin.

(e) method of production: A mash is prepared from crushed malt and water. The enzymes in the malt are released during the mash process and once the beer wort is boiled after the addition of hops and then cooled the added yeast converts the soluble substances (fermentation). After a ripening period the beer is filtered and bottled.

(f) link to geographical area: The quality and reputation of "Kulmbacher Bier" goes back to a centuries-old brewing tradition. Long before the first documented monastic brewery of 1349 there was probably a so-called communal brewery where the burgers of Kulmbach in a fixed order were allowed to brew beer for their own needs and for small-scale trade. That for example is how the EKV Brauerei was founded in 1872 from a Kulmbach communal brewery. The old tradition is still nurtured today. About 400 Kulmbach citizens have come together in a cooperative to produce beer for the needs of their own pub. The population's diligence, business acumen and brewing skills based on rich experience contribute significantly to the importance of "Kulmbacher Bier".

Attention is also drawn to the select raw materials for the production of "Kulmbacher Bier". Soft and mild Kulmbacher spring water, barley low in protein and natural hops form the basis.

(g) inspection body:

(1) Production inspection

Name: Bayerische Landesanstalt für Ernährung

Address: Am Neudeck 6

81541 München

(2) Fraud inspection

Name: Bayerisches Staatsministerium für Arbeit und Sozialordnung, Familie,
Frauen und Gesundheit

Address: 80792 München

(h) labelling: The labelling associates the product designation "Kulmbacher Bier" with one of the categories listed in 5 (b).

(i) national requirements (if any):

TO BE COMPLETED BY THE COMMISSION

EC No.: G/DE/473/26.01.94

Date of receipt of the full application: 20.05.97

