

## **BRIEF INTRODUCTION TO THE WINE REGULATIONS OF THE EUROPEAN COMMUNITY (E.C.)**

The Wine Standards Board became part of the Food Standards Agency in July 2006 which then assumed the task of enforcement of European Community wine regulations in the UK. These responsibilities are detailed in Statutory Instruments, The Wine Regulations, which are issued separately for England and each of the devolved regions: Northern Ireland, Scotland and Wales. They are amended periodically.

These notes are intended to give general guidance to wholesalers, bottlers and importers of wine concerning EC regulations. They should not be quoted as authoritative interpretations of the law.

### **1. Control by Documents and Records**

#### **(a) Records**

All traders must keep records of their stock of all wine products (e.g. wine, grape must, liqueur wine, sparkling wine etc). For every entry or withdrawal of wines the following information must be shown: date, quantity, product, and document number. Normally accompanying documents, or in their absence commercial invoices, serve this purpose for bottled wine.

In addition to the records mentioned in the preceding paragraph those handling wine in bulk must keep records in which entries of the following information shall be made: nature and quantity of products used, vat numbers, number and capacity of bottles filled, date, and accompanying document number. Where wine is bottled under contract, the name and address of the person who commissioned the bottling must be shown.

Records and accompanying documents must be kept for at least 5 years after the product they refer to has been disposed of. They should be made available at all times for examination by Wine Standards inspectors.

#### **(b) Accompanying documents.**

### Community products:

In bulk –

An administrative accompanying document (AAD) or a Commercial Accompanying Document (CAD) as required by the Regulations) must be used. These are supplied by the consignor.

In small containers –

An AAD or CAD or commercial document (e.g. an invoice or delivery note) must be used except under the circumstances listed below.

- i) Pre-packed, labelled wine sealed with a non-reusable closure (e.g. cork +capsule), which enables the bottler to be identified. This only applies if the total Quantity of the consignment does not exceed 100 litres.
- ii) diplomatic supplies
- iii) commercial samples.

This document must contain the following information: date of issue and carriage, document number, the number and capacity of containers, the total quantity and a description of the product. In addition, for delivery notes the names and addresses of the consignor and consignee must be shown. The description of the product must include either the following information, or use a code/bin number which relates to the consignor's records: quality designation/type of product, country of origin or euroblend phrase, colour. If they appear on the labelling, the following must also appear: vine varieties, production details, vintage and geographic area. In view of the amount of information required it is recommended that a code number is used.

Instructions for the completion of accompanying documents are available with the forms.

### 3rd Country Products:

Wine products entering the EC must be accompanied by a VI form provided by the consignor in the country of origin. Once customs duty (but not necessarily excise) has been paid, the same rules apply as for EC products.

HM Revenue and Customs should be contacted for advice on other documentation required.

## **2. Description and Presentation (Labels)**

*Note that new labelling regulations were introduced from 1 August 2009, though labels in conformity with existing requirements may be used until 31 December 2010.*

### **(a) General**

For description and presentation, wines must be divided into the following categories:-

- i. Light still wines (see (b))
- ii. Sparkling wines (see (c))
- iii. Semi-Sparkling wines and Liqueur ('fortified') wines (see (d))
- iv. Partially Fermented Grape Must (see (e))
- v. Aromatized Wines (e.g. vermouth)

Aromatized Wines must carry a sales description set out in the aromatized wines Council Regulation. De-Alcoholised Wine and Made (British) Wine are covered by UK Food Labelling Regulations.

### **(b) Light Still Wines**

(i) Light still wines are divided into these categories for labelling purposes:

- Wines
- Protected Designation of Origin (PDO)
- Protected Geographical Indication (PGI)
- Third Country wines with (non protected) geographical designation

Some notes on the mandatory information which is required on labels of light still wines are given below. There is also provision for optional information (e.g. colour, sweet/ dry etc), which varies for the different categories of wine. Further details are available in the Guide to the Law page on the website or directly in the regulations. The Wine and Spirit Trade Association publishes Check List available for a fee: <http://www.wsta.co.uk/Publications.html#Checklist> tel 020 7089 3877 fax 020 7089 3870.

(ii) Briefly, it is mandatory to show the following on a label of a light still wine produced in an EC member state:

- The category of wine, usually " Wine". However wines entitled to show a controlled geographic denomination may use a "traditional expression" (e.g. Vin de Pays or Appellation Controlee) or the term Protected Designation of Origin or

Protected Geographical Indication, with the geographic unit (e.g. Beaujolais).

- the provenance ( country of origin) in one of the following formats:  
“Wine of x”, “Produced in x”, “Product of x”
- The bottler's name and head office address including Member State, preceded by the words 'Bottler', 'Bottled by', 'Bottled for' as appropriate. All of the bottler's address must be in lettering of the same type and size and not more than half the size of 'wine' or of a protected region.

If the wine is bottled at a different location to that of the bottler's head office this should be stated.

- The nominal volume of the wine in litres, centilitres or millilitres, as set out in UK national legislation: height 2 mm for volumes up to 5 cl; 3 mm for 5 cl to 20 cl; 4mm over 20 cl up to 1 litre and 6 mm over 1 litre.
- The actual alcoholic strength in whole or half units (e.g. 10.0, 10.5, 11.0 etc.) followed by the symbol "% vol". The size of lettering must be at least 2 mm for volumes up to 20 cl; 3mm over 20 cl up to 1 litre and 5 mm over 1 litre.
- Lot mark
- Allergenic ingredients

Contains sulphites/sulphur dioxide/sulfites.

All mandatory information must be grouped together in the same field of vision apart from the lot mark and allergenic ingredients

(ii) For light still wines imported from outside the EC, the mandatory items are:

- The category of wine, usually " Wine".
- the provenance ( country of origin) in one of the following formats:  
“Wine of x”, “Produced in x”, “Product of x”
- If bottled in the Community, the bottler's details as above. Wines bottled outside the Community must show the importer's name and head office address preceded by 'importer' or 'Imported by'. The address must be in lettering not more than half the size of the term “Wine” (or another defined category of wine product) or of a *protected* geographic unit if shown.
- The nominal volume (as above).
- The actual alcoholic strength (as above).
- a geographical designation, if entitled to show this.

- Lot mark
- Allergenic ingredients
- Contains sulphites (or contains sulphur dioxide).

All mandatory information must be grouped together in the same field of vision except for the importer's details, allergenic ingredients and the lot mark, and must be clearly legible.

- (iv) There is further EC legislation covering specified optional information which can be shown on labels of light still wines produced in the Community or imported. You should consult the Wine and Spirit Trade Association Check List or contact Wine Standards.
- (v) Information on labels, both on wines produced in the community and imported, may be in one or more of the Official languages of the Community; but note that, for certain types of wines such as blends from more than one country, some information must be in English when held for sale in UK. The phrases 'Blend of wines from different countries of the European Community/Blend of wines from outside the European Community/Blend from names of Third Countries]' and 'Wine made in .... from grapes harvested in ....' must be in English.
- (vi) The EC regulations concerning description and presentation extend to all forms of advertising, including price lists, and care must be taken to ensure that lists are not misleading or confusing. For example, wines should not be listed under headings bearing the names of protected wine designations.

**(c) Sparkling Wines**

Some notes on the mandatory requirements for Sparkling wines are given below. Further details appear in the website Guide to the Law page.

- (i) Briefly, it is mandatory to show the following on a bottle of sparkling wine:

- One of the following official categories of the product, unless the wine has a protected designation of origin or geographical indication

Aerated Sparkling Wine accompanied by 'obtained by the addition of (or *adding*) carbon dioxide' in same type/size lettering.

Sparkling Wine.

Quality Sparkling Wine or Sekt

Quality Aromatic Sparkling Wine

- the name of the country, combined with either "Produced in.." "Wine

of..” “Product of”

- The nominal volume of the product (see page 4).
- The actual alcoholic strength (see page 4 for Still wines).

The type of product, as determined by the residual sugar content. There are six types and the most common terms used for each are listed below:

extra brut' (0-6 g/1); 'brut' (0-15 g/1); 'extra dry', 'extra trocken', 'extra secco' (12-20 g/1); 'sec', 'trocken', 'secco', 'dry', (17-35 g/1); 'demi-sec', 'halbtrocken', 'abboccato', 'medium dry' (33-50 g/1); 'doux', 'dolce', 'sweet' (50 + g/1).

Only one type can be specified for each wine.

- For sparkling wines produced in the EC: the name and business name of the producer or of a vendor established in the community, and the names of the local administrative area (or part thereof) and the member state in which the head office is situated.
- For sparkling wines imported into the EC:
  - the name or business name of the Importer and the names of the local administrative area and Member State in which his head office is situated,
  - the name or business name of the producer and the names of the local administrative area and third country in which his head office is situated.

Details of the producer, vendor and importer should be preceded by an indication of their relationship to the wine e.g. produced by, distributed by or imported by.

- (ii) There is additional mandatory information for certain categories of wine viz:

For Sparkling Wine with protected designation of origin or geographical indication, the name of the region where grapes originate and production takes place

For Quality Sparkling Wine of the aromatic type, the name of the authorised vine variety or the words 'produced from aromatic varieties of grape'.

- (iii) All mandatory information must be grouped together in the same field of vision except for Importer's details and Contains sulphites statement. It must also be clear and legible

For additional information which may appear on the labelling, see Sparkling Wine labelling sheet via the Guide to the Law page on the website

- (iv) Information on the labels has to be given in one or more of the official languages of the Community so that the final consumer can easily understand the information. However, names of specified regions and geographical units must be given in the language of the country of production (for Greece this may be repeated in another official language).

For products imported into the EC, an official language of that country of origin may be used in addition to an EC language.

- (v) The description and presentation of the products and their advertising must not be incorrect nor misleading or confusing, especially in regard to PDO and PGI wines.

**(d) Liqueur and Semi-sparkling Wines**

Apart from the sales description Liqueur Wine or Semi-sparkling Wine, these are covered in much the same way as still wine. Liqueur/semi-sparkling wines with PDO or PGI are subject to the provisions governing other wines in these categories: the protected region on its own for Port, Sherry and Madeira or the region and a traditional specific term in place of the PDO or PGI expression e.g. French Liqueur Wine 'Muscat de Beaume de Venise' uses the specific term Vin Doux Naturel.

**(e) Partially Fermented Grape Must**

Details of the labelling rules for this product may be obtained from Wine Standards inspectors.

**3. Composition of Wine**

Certain constituents in wine must be within legal levels (eg sulphur dioxide content, alcoholic strength and volatile acidity) and details are given in Regulation 606/2009 'certain detailed rules for oenological practices and processes'.)

**4. Sampling**

Wine Standards inspectors are empowered to take samples of wine during either transit or in storage in order to verify their authenticity.

**5. Responsibilities of other authorities in the UK**

- local authorities

Retail sector and food legislation

Local authorities have responsibility for wine sector sales at retail level as well as for non-wine sector legislation which in limited respects applies to wine as a foodstuff. This includes requirements for Lot Marking, accurate fill of bottles and use of e-mark (Weights and

Measures) and maximum levels for various materials e.g. lead (general heading of the Food Safety Act). Local Authorities are also responsible for other alcoholic beverages including spirits and beer. Local Authorities also supervise measures taken under product recall notices.

Trading Standards is usually the relevant local authority in England, Wales and Northern Ireland; Environmental Health in Scotland.

### Licencing System

The current Licencing System is in two parts, a personal licence valid for 10 years and a premises licence (annual fee payable) under the control of local Councils. You should either contact your local Trading Standards department for further information or look at the Department of Culture, Media and Sport website (responsibility is being transferred to the Home Office [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk) ).

[http://www.culture.gov.uk/what\\_we\\_do/alcohol\\_and\\_entertainment/default.aspx](http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/default.aspx)

One way to find your local Trading Standards using your postcode is to look on the Trading Standards Institute website

<http://www.tradingstandards.gov.uk/>

- Rural Payments Agency : Import Licences

From 1 August 2008, import licences have not been required for wines from Third Countries.

- HM Revenue and Customs

Information about Import Duty, Excise and VAT can be found on their web site <http://www.hmrc.gov.uk/home.htm>, via the Advice Line tel 0845 010 9000 or obtained from your local HM Revenue and Customs office.

Customs also checks that wines from non EC countries are accompanied by VI1 forms.

## 6. **Legislation**

Copies of Statutory instruments (including the Wine Regulations), may be purchased from The Stationery Office Ltd, Customer Services, PO Box 29, Norwich NR3 1GN tel 0870 600 0522 <http://www.tso.co.uk/site.asp> or accessed on the Office of Public Sector Information web site (<http://www.opsi.gov.uk>).

EC Regulations, published in Official Journals, may also be purchased from The Stationery Office or are available on the EC web site <http://eur-lex.europa.eu/en/legis/20080901/chap0360.htm> select Wine.

## 7. **Further Information**

When you have decided the actual wines that you intend to market and the type of container(s) to be used, you may obtain further information from the Food Standards Agency London office (see website for details) or contact one of our local Inspectors.

You are advised to have your labels checked by your Local Inspector. Proposals and drafts can also be checked and this could avoid the expense of subsequent alteration.

Your Local Inspector can be found on the Wine Standards page of the website.

<http://www.food.gov.uk/enforcement/sectorrules/winestandards/contactinspectors>