



INFORMATION

1. PROPOSED AMENDMENTS TO REGULATIONS OF LIQUOR PRODUCTS ACT
2. PROPOSED AMENDMENTS TO WINE OF ORIGIN SCHEME
3. UPDATE ON HEALTH WARNING REGULATIONS

1 PROPOSED AMENDMENTS TO REGULATIONS OF LIQUOR PRODUCTS ACT

The administering officer of the Liquor Products Act, 60 of 1989, will be channeling proposed amendments to the Regulations of said Act to the Department of Agriculture, Forestry and Fisheries (DAFF) for consideration and eventual approval and publication by the Minister of Agriculture, Forestry and Fisheries. The proposed amendments are the result of inputs and requests from and consultations with various parties, including the industries concerned. Due consideration by DAFF will take some time, but we shall let you know as soon as publication happens and make an updated set of Regulations available for download.

Please note that we set out the proposed amendments for information purposes and for **comments by 31 August 2018** only – they are not actionable until approved and published by the Minister. Please feel free to email any comments or questions to the contact linked below the date above. The proposed amendments are:

1.1 Imported concentrated must used in wine to be declared on the label

As mentioned in the previous Wine Law, on the internationally accepted principle that the provenance of wine is determined by the origin of the grapes used, it is now officially proposed that the use of imported concentrated must in wine has to be declared on the label, including the country of origin.

1.2 Grape varieties allowed for wine production

The variety name “Muscat de Frontignan” is not allowed on South African wine within the territory of the European Union as it is also a geographical indication, but is allowed within our own borders. Exporters have requested the addition of the recognized synonym “Muscat blanc”, which is, thus, proposed to be added to the list of varieties allowed for the production of wine.

“Cinsaut blanc” is proposed to be added to the list as a new variety, allowed for the production of wine.

1.3 Alternative rosé added as a wine class

Table 2 of the Regulations sets out the requirements for the wine classes known as “alternative red” and “alternative white”. Producers have asked for a similar class for “alternative rosé”. Such a class with the following requirements is proposed:

- The product shall complete malolactic fermentation.
- The residual sugar content of the product shall not exceed 4.0 gram per litre.
- The sulphur dioxide content of the product shall not exceed 40.0 milligram per litre.
- The product shall have the colour that is distinctive of a rosé wine.
- The product may only be sold if it has been certified.

As with alternative red and white, indication of the class designation “alternative rosé” shall be compulsory.

1.4 Egg to be added for use in the production of a liqueur

Although the addition of egg to a spirit-based liquor (which includes liqueur) is already authorized in Table 6 of the Regulations, it is proposed to also be added in the Table 5 production framework for liqueur to remove any doubt in this regard. This is in line with international standards.

1.5 Addition of tannin and potassium polyaspartate

It is proposed that tannin may only be added to those liquor products where there is not a danger that such liquor products can, by such addition, be passed off as wood matured products. The same limitation currently applies to the addition of wood.

Potassium polyaspartate is now internationally allowed and used for the treatment of wine to contribute to tartaric stability. It is substantially less expensive than traditional treatments. Thus, it is proposed to allow use of this substance in the production of wine in South Africa.

1.6 Definitions for “single malt whisky” and “blended malt whisky”

Industry requested clarity in this regard. Following the rules for Scotch malt whisky, it is proposed:

- Single malt whisky – a malt whisky from a single distillery.
- Blended malt whisky – a blend of two or more single malt whiskies from different distilleries.

2 PROPOSED AMENDMENTS TO WINE OF ORIGIN SCHEME

As with above-mentioned proposed amendments to the Regulations, we set out the proposed amendments to the Wine of Origin Scheme for information purposes and for **comments by 31 August 2018** only – they are not actionable until approved and published by the Minister. Please feel free to email any comments or questions to the contact linked below the date above.

2.1 Submission of vineyard status returns to be compulsory

Information on the status of vineyards in South Africa is of vital importance to all role players for planning purposes and to the board for the certification of wine. Currently there is no effective mechanism to make sure vineyard status returns are lodged by producers. Such a mechanism is proposed by linking the lodging of returns to the authority to press grapes. It is proposed that the board may not issue an authority to press grapes if a vineyard status return was not lodged in respect of such grapes.

2.2 Grape varieties allowed for certified wine production

The variety name “Muscat de Frontignan” is not allowed on South African wine within the territory of the European Union as it is also a geographical indication, but is allowed within our own borders. Exporters have requested the addition of the recognized synonym “Muscat blanc”, which is, thus, proposed to be added to the list of varieties allowed for the production of certified wine.

“Cinsaut blanc” is proposed to be added to the list as a new variety, allowed for the production of certified wine.

2.3 Indication of varieties on a label

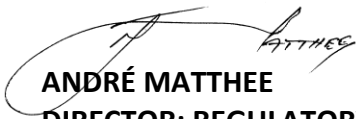
Currently the Wine of Origin Scheme provides that if the volume of two or more varieties in a blend is together 80 percent or more of the total volume of the wine concerned and each of those

two or more cultivars constitutes not less than 20 per cent of the total volume of that wine, only those two or more varieties need to be shown on a label.

A recent World Wine Trade Group (WWTG) agreement harmonizes this aspect between the parties to the agreement. The consensus and agreement were that the minimum percentage in this regard should be 85%. Currently our minimum is 80% as set out above. As a party to this agreement our obligation is to amend same to 85%, as is proposed.

3 UPDATE ON HEALTH WARNING REGULATIONS

As reported in the previous Wine Law, industry is in consultation with Government regarding the new requirements for health warnings on labels. From all accounts the Department of Health is willing to revisit these requirements, looking at pragmatic considerations and consequences. We shall keep you updated.



ANDRÉ MATTHEE

DIRECTOR: REGULATORY SERVICES

WINE AND SPIRIT BOARD

Tel: 022 423 8692 **Fax:** 086 559 0446 **Email:** matthee@wo.org.za

Disclaimer: This document has been prepared primarily for the general information of the South African wine industry and does not represent any form of legal advice. Accordingly, readers should not rely on the comments contained herein, whether express or implied, and should consult the legislation concerned and obtain specific advice on these matters from their own legal advisers. Writer or his employer does not accept responsibility for the accuracy or completeness of any recommendations, comments, information or advice contained herein, and will not be held liable for any loss or damage that may arise as a result of the use of the information.

WINE LAW is a publication of:

THE WINE AND SPIRIT BOARD

WINE OF ORIGIN (WO) · INTEGRATED PRODUCTION OF WINE (IPW) · ESTATE BRANDY
