

2. The European Wine Regime

2.1 Introduction

EC Regulations are published in the "L" series of the "Official Journal" as either "Council" or "Commission" regulations.

Council Regulations result from proposals by the European Commission, are approved by the Council of Ministers (the Agricultural Ministers of Member States), and give general instructions on particular subjects.

Commission Regulations are compiled by the Commission through the medium of the Wine Management Committee (on which all Member States are represented) and provide the detailed instructions required to support Council Regulations.

2.2 EC Legislation Website

The EC website "Europa" lists all legislation in force including amendments and supplements to original text. All regulations are classified by code for the Directory of Community Legislation in Force. Wine is grouped under principal heading 03 – Agriculture, with the sub-heading 03.60.55.

2.3 Council Regulation 1493/1999

The outline of the system of control is laid down in Council Regulation 1493/99. The general rules fall under the headings:

Production potential, including planting of vines;

Oenological practices and processes, Description, Designation,
Presentation and Protection;

Market Mechanisms, including storage and distillation;

Trade with Third Countries;

Free circulation and release to the market.

The regulation also sets out the framework of labelling requirements for still and sparkling wines, semi sparkling wines and liqueur wines (Annexes VII and VIII).

2.4 Commission Regulations

The general rules for specific aspects of the wine regime are as follows:-

Commission Regulation 1607/00 - Quality Wines

Commission Regulation 2729/00 - Controls in the Wine Sector

Council Regulation 2392/86 - Community Vineyard Register

Commission Regulation 1227/00 – Vines classification, production inventory

Commission Regulation 884/01 - Accompanying Documents and Records

Commission Regulation 1622/00 – Oenological practices

Commission Regulation 753/02 – Labelling

2.5 EC Information and Notices

These documents are published in the "C" series of "Official Journals", and are for information only. They include lists of quality wine specified regions and geographical designations for Table Wines, authorities in Member States, designated laboratories.

2.6 UK National Legislation

Common Agricultural Policy (Wine) Regulations

The EC wine regulations are brought into effect, and therefore into UK legislation, by Statutory Instrument - The Common Agricultural Policy (Wine) Regulations. The CAP (Wine) Regulations are updated by means of amending S.I.s at regular intervals and in response to any important new Regulations coming into force.

The CAP (Wine) Regulations perform the following functions:-

- They set out (Schedule 2) the Community Regulations under which prosecutions may be pursued and controls on movement of wine products imposed, and for which the various competent authorities have responsibilities for enforcement and execution;
- They specify the penalties that can be imposed on persons found guilty of offences;
- They list the various enforcement authorities and the scope of their responsibilities;
- They specify the powers of the "authorised officers";
- They set out any UK national provisions (e.g. the Quality Wine rules, definition of 'Medium Dry' etc.) where these are specifically permitted by EC regulations.

In this context the WSB is specified as an authority for enforcement purposes for importation/exportation of wine and in the industry in general, with the exception of the retail sector. Inspectors have powers as "authorised officers". The other authorities with powers under the CAP (Wine) Regulations are Local Authorities, HM Revenue and Customs, and the relevant central authorities in England, Scotland, Wales and Northern Ireland.

Other National Legislation

In addition to EC wine regulations and the CAP (Wine) Regulations, there is of course a wide range of national legislation, which applies to the UK wine industry. Although the WSB has no enforcement responsibilities for national legislation, some of the major items are shown below for general information:-

- Weights and Measures Act 1985
- Alcoholic Liquor Duties Act 1979
- Food Act 1984
- Imported Food Regulations 1997
- Food Labelling Regulations 1996
- Trade Descriptions Act 1968
- Trade Marks Rules 1994
- Food Safety Act 1990
- Food (Lot Marking) Regulations 1996

An explanatory diagram is shown in Section 2 Annex.