

Wine Products- Labelling and Authenticity

Have you ever looked at the label of a bottle of wine from Germany or France and been dismayed by the complexity of the detail on the label? Have you wondered how the authenticity of fine wine from Australia or South Africa is checked?

Of course as a Food and Drink enforcement officer of a Local Authority you may already know the answer to some of these questions. UK legislation makes enforcement of these matters the responsibility of food authorities for the *retail* sale of wine.

What you may not know is that another statutory enforcement agency exists solely for the purpose of discharging UK obligations on wine as it enters the *wholesale* distribution chain, from the point of entry into the UK until it reaches the retail outlet.

The Wine Standards Board (WSB) was established in 1973 and is a non-profit making company limited by guarantee, charged with the enforcement of European Community wine regulations in the UK. Its responsibilities are detailed in Statutory Instrument entitled “Common Agricultural Policy (Wine) Regulations.” The WSB is funded by the Department for the Environment, Food and Rural Affairs (Defra) and The Vintners' Company, one of the twelve great City livery companies.

A small head office team is based in London with a network of inspectors covering all the regions of the UK. Eight regional inspectors work from their homes and visit both wine traders and vineyards on a risk assessed basis. Inspectors have generally been recruited from those who have retired from a senior career in public and/or consumer protection. The current inspectorate is made up of four ex-Police Officers, two ex-Environmental Health officers, one ex-Trading Standards officer and one ex-Customs Officer.

Approximately 1550 traders and about 350 active vineyards are registered with the WSB. Visits to premises are central to the work and are often unannounced. Some high-risk premises, such as customs bonded warehouses, are visited three or more times each year to inspect wine, labelling and accompanying documentation. Other traders may range from the head offices of large multiple chains to sole traders working from small lock up premises.

In the ten years up to 2001 UK consumption of wine per capita had increased from 14 litres per head per annum to nearly 22 litres. The UK is the largest market by value for a number of wine producing countries. By January 2004 the market was worth nearly £5.7 billion, with steadily increasing sales from non-EU countries. The quantities of wine entering and passing through the UK each year are enormous and, although the UK may not play a very large part in the production of wine, the ability of the WSB to correctly regulate labelling and quality is commercially significant within the EU.

The Wine Standards Board has a **web site** where you can identify which inspector covers your area of the country, and also download guidance notes on the basics of wine labelling. This is mainly covered by EC wine-sector regulations and not Food Labelling Regulations. You may find the website a useful source of information for your own inspection responsibilities.

The site also includes information concerning WSB objectives, the annual report and details of the make up of the board. There is a section on frequently asked questions and a guide to the law relating to wine sector products

The address of the site is **www.wsb.org.uk**

In addition to the **downloadable Guidance Notes** on wine labelling you can also link to other useful information sites. If you are dealing with traders who need more information on wine labelling then the site can be a useful reference point for them

WSB Inspectors are formally trained using specialist Wine and Spirit Education Trust courses, and they are happy to offer advice both to the trade and other enforcement agencies. Please do not hesitate to approach your local inspector if this might be helpful. Examples of collaborative work over the last three years with food and drug authorities include -

1. *German bottled Australian wine*

In November 2003, the French wine authorities provided details of a Notification under the Rapid Alert System for a red wine with sulphur dioxide levels considerably exceeding the permitted maximum. They requested the WSB to inform them if any of this wine had been shipped to France from the UK, where it was on sale through a major supermarket chain. The local inspector was able to confirm that no wine had been shipped to France. The Food Standards Agency took the lead for this enquiry. In conjunction with the WSB all stocks of the wine were voluntarily recalled. A Food Hazard Warning Notice category 'C' was issued to Local Authorities, asking them to check all wines were removed from sale given the potential risk to those likely to suffer an allergic reaction.

2. *Croydon Trading Standards* was assisted regarding an investigation of Perry labelled as "Valleé La Marne ...Champagne Style". This led to a conviction at Croydon Magistrates Court. Fines and costs were imposed for offences under Trade Descriptions and Food Safety legislation. Champagne being a protected term.

3. *Good co-operation* was reported between the WSB, TSOs and EHOs in dealing with defective Danish bottled South African and Australian red wines. Analysis revealed excessive levels of volatile acidity in two batches of the wines. Over fifteen hundred cases of faulty wines were removed from the market with the agreement of the trader and were destroyed under HM Customs & Excise supervision.

Legislation on Wine

EC Council Regulation 1493/1999 covers the main aspects of winemaking practices and processes with Regulation 753/2002 covering the detail of labelling rules. In the U.K. implementation of these regulations is via statutory instrument. This specifies the powers of authorised officers (Local Authorities, Customs and Excise and the Wine Standards Board) including power of entry, seizure and 'control on movement' of wine sector products.

Control by Documents and Records

Records

All wholesale traders must keep records of their stock of wine products and for every entry or withdrawal of wines.

Those handling wine in bulk must keep records of the 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. They must be made available at all times for examination by inspectors.

Accompanying Documents for wholesale trade

A) European Community Products:

In bulk

A Commercial Accompanying Document (CAD) (or an accompanying document as required by the Regulations) must be used. These are supplied by the consignor and overseen by the authorities in the originating countries.

In small containers-

A commercial document (e.g. an invoice or delivery note) must be used except for wine consigned in small quantities.

Commercial documents aim to authenticate the origin of products and verify their description and quantity as well as show an audit trail.

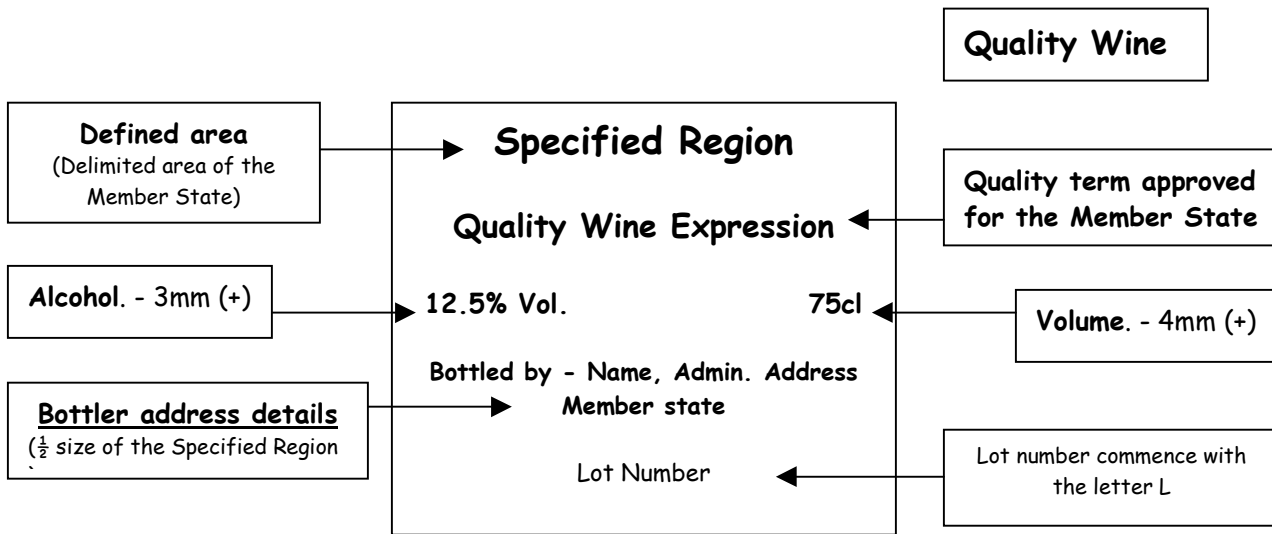
B) 3rd Country Products (from outside Europe)

Generally wine products entering the EC must be accompanied by a VII form provided by the consignor in the country of origin. Again this provides trace-ability and detailed description of the product. A VII also contains a formal analysis of the wine

General labelling and presentation

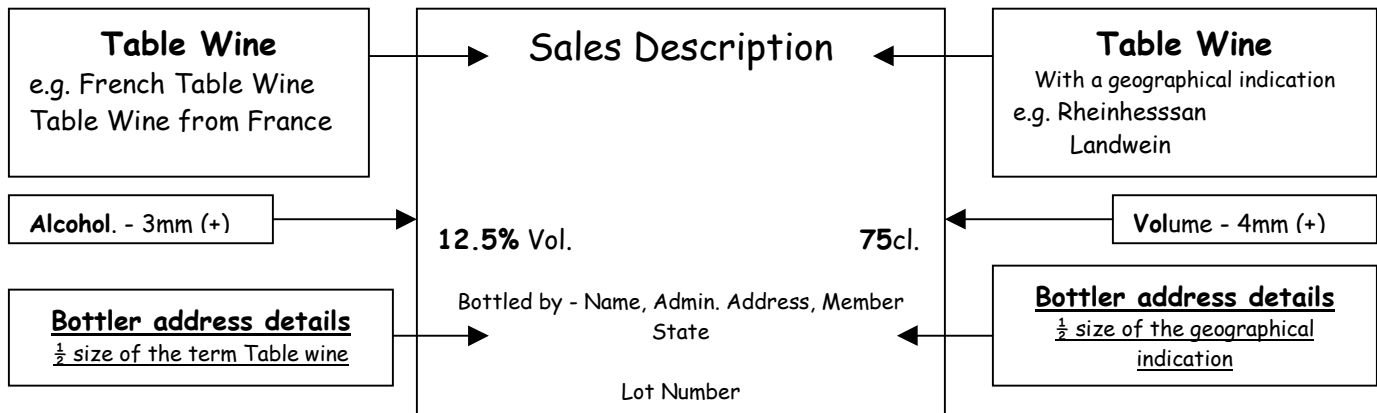
Set out below are mock-ups of the required general information on a wine label from within the EU and for wine imported from outside the EU.

European Compulsory label details



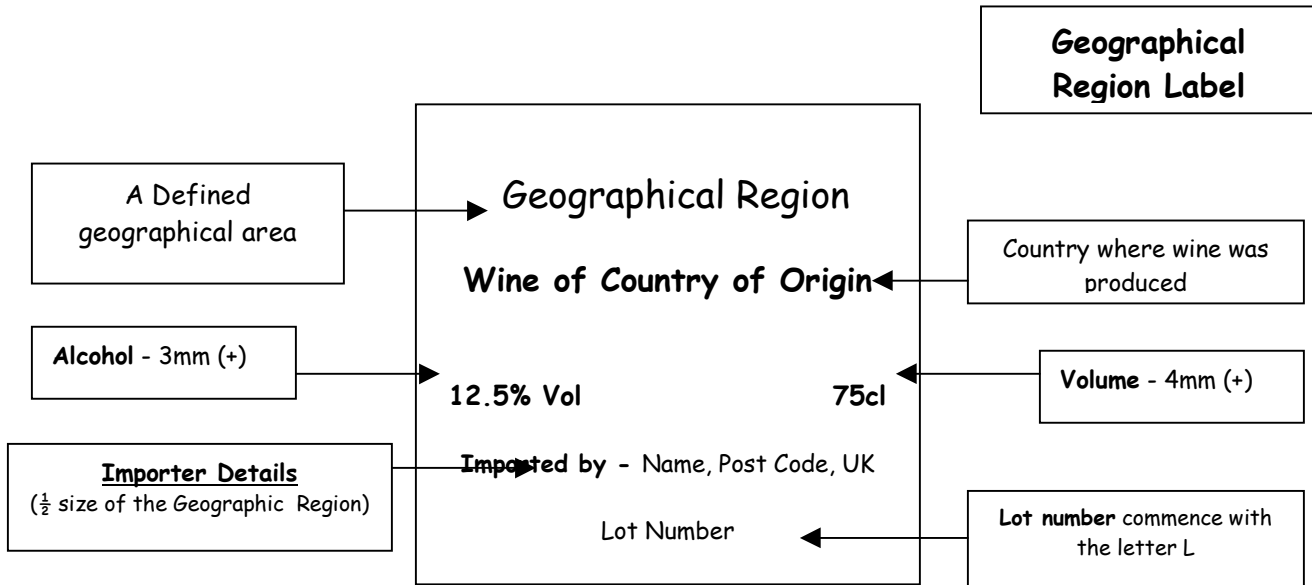
NB - Country of Origin not required

These guides are not a strict interpretation of the legislation; the position of the text is only as a guide it is not compulsory

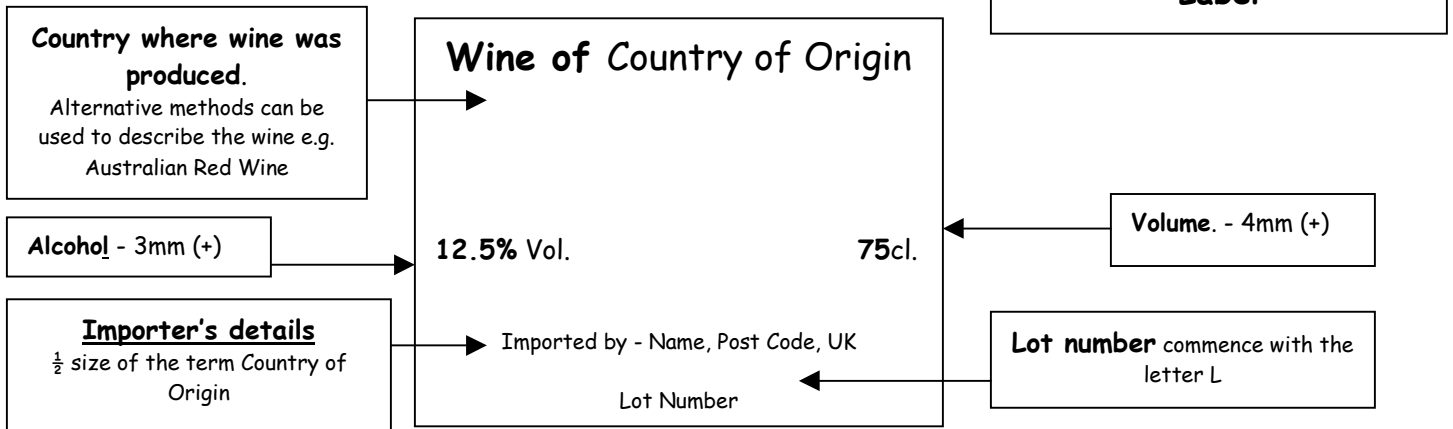


Only QUALITY WINE and TABLE WINE with a Geographical indication can use the optional information of a Vine Variety & Vintage

Non E U Compulsory label details



Non Geographical Region Label



Compulsory Particulars must be shown as in the examples above

These should be in the same visual field and clearly distinguishable from all other (written and graphic) content of the labelling. This can be achieved for example by the use of a line or a border surround or different background colouring or separate label to differentiate the Compulsory Particulars from any optional information. Lot numbers may appear elsewhere on the bottle

You may use a back label to display the **Compulsory Particulars** but it must contain the information as in the examples above

The description and presentation of the products and their advertising must not be incorrect nor misleading or confusing; particularly as regards use of words such as 'type' or 'style', the characteristics of the product (alcohol, origin, quality etc), the identity and status of the people involved in its production and distribution.

Composition of Wine

Certain constituents in wine must be within legal levels (e.g. sulphur dioxide content, alcoholic strength and volatile acidity) and details are given in Regulation (EC) 1493/99 (OJ L179) 'The Common Organisation of the Market in Wine' and 1622/2000 (certain detailed rules for oenological practices and processes.)

Sampling

The Board's inspectors are empowered to take samples of wine during either transit or in storage in order to verify its authenticity and description. Procedures used mirror formal food sampling techniques.

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