

WINE STANDARDS BOARD

CODE OF ENFORCEMENT

This leaflet tells you what standards of service you can expect from the Wine Standards Board (WSB) if you produce grapes or wine, import or export wine, or trade in wine at the wholesale level.

ENFORCEMENT CONCORDAT

This Code incorporates the provisions of the central and local government Enforcement Concordat. This commits us to good enforcement policies and procedures.

1 INTRODUCTION

The WSB is one of the UK enforcement agencies for European Community wine legislation. If you are a grower of grapes, producer of wine, shipper, importer or exporter of wine or other wine-sector products, or a wine wholesaler we should have you on our register. When registered with us, you can expect a periodic visit from one of our Inspectors. This Code will therefore be of interest to you.

2 WHAT IS OUR JOB?

- to raise your awareness and understanding of the legislation which applies to you;
- to help you comply with the requirements of this legislation. This will include advice on the records to be kept, the forms which you are required to fill in and return, and information about the checks which our Inspectors can undertake;
- to ensure you comply with the necessary legislation and the associated rules and procedures.

3 OUR COMMITMENT TO YOU

We will

- carry warrants as identification and give you our names in all communications;
- be polite and courteous, respect your rights and explain these to you;
- keep your affairs confidential;
- give clear and helpful information and advice;
- give you, when you first register with us, details of a contact point, usually your local Inspector, for any enquiries;
- reply within 10 working days of receipt of any enquiry. If however, your question requires extensive consultation, for example with the enforcement agency of another country, we will acknowledge your letter within this deadline and explain what is happening;
- monitor our standards and our complaints procedure and make information publicly available on an annual basis on the extent to which we have achieved these. You may obtain a copy of this information from us (see Paragraph 8). The results will also be included in the WSB's Annual Report which is made available to Parliament.

4 VALUE FOR MONEY

To conform with Government policy on deregulation and the need to reduce the burdens on industry, we will strive to minimise the effort and costs to you of complying with requirements.

5 INFORMATION AND OPENNESS

Requests for information will be treated in accordance with the relevant provisions of the publication scheme of the Freedom of Information Act as agreed with the Information Commissioner.

At all times, we will comply strictly with legal requirements relating to confidentiality in respect of any of your data or information that you supply to us in confidence.

To provide you with information and advice to enable you to conform with requirements we will issue the following:-

- a guide on European Community Wine Legislation to all growers and producers registered with us. This explains the Community requirements and is updated regularly;
- notes of guidance for all newly registered traders, which explain the requirements.

If you have a problem which is not a WSB responsibility, your local Inspector will nonetheless try to put you in contact with someone who can help.

6 CONSULTATION AND COMMUNICATION

If you have any difficulty in complying with any requirement, we are there to offer advice (you should first contact your local Inspector). This will enable us to appreciate your problems and difficulties. This also enables the Government to review and, if appropriate, seek amendment to requirements so as to increase their relevance and acceptability.

If we have to introduce any new documentation or procedures we will normally discuss how the requirements might best be met with representatives of the industry. Depending on the subject, we will consult the Wine and Spirit Association, the United Kingdom Vineyards Association and the National Farmers Union.

7 WHAT WILL HAPPEN DURING AN INSPECTION VISIT?

Our Inspectors have been granted powers to enter non-retail premises to see if trade is being conducted in wine and/or wine based products. Inspectors will always make you or your representative aware of their presence on your premises and they will, on request, produce credentials for your inspection.

During visits, Inspectors will provide advice on compliance with the Wine Regulations and will be happy to answer any queries you may have. You can of course contact your local Inspector during normal working hours if you have a query. Inspectors will try to answer your query as soon as possible and certainly within 10 working days.

Sometimes, when a fault is found, an Inspector may require you to take corrective action. If this is the case then the action you need to take to comply with the Regulations will be fully explained to you. In the event of more serious

infringements, we will send you a letter spelling out in detail what is to be done, with notice of required timescales. Sometimes an infringement is sufficiently serious to lead to a possible prosecution. If that is the case then evidence will be gathered in compliance with the laws pertaining to the collection of evidence for presentation in a Court of Law.

In all instances of non-compliance we will seek to ensure that you fully understand what is happening and will treat you in a fair and courteous manner.

8 IMPROVING OUR PERFORMANCE

We are always striving to improve our effectiveness and performance; if you have any views on how we do our job and the service we provide the Chief Executive would like to hear from you at the address given in paragraph 9.

We will monitor our performance against our standards of service and the effectiveness of the complaints procedures set out in this document. We will also undertake random feedback surveys, via a questionnaire to help measure our performance. A percentage of premises visited by Inspectors will be contacted. The details and results of this feedback will be included in our annual reports.

9 COMPLAINTS

If you are dissatisfied with the action or decision made by one or more of our Inspectors, you can write to

The Chief Executive
Wine Standards Board
Five Kings House
1 Queen Street Place
London EC4R 1QS

Tel: 0207 236 9512

Fax: 0207 236 7908

e.mail: chiefexecutive@wsb.org.uk

The Chief Executive will investigate and give a written reply within 10 working days of receipt of your complaint. If you are still not satisfied you can write to the Chairman at the above address or by e.mail to chairman@wsb.org.uk

Your complaint will then be considered by the Board (which includes independent trade and consumer members) at its next meeting (these take place five times a year). We will inform you of the date of the next meeting and we will inform you in writing of the outcome within 10 days of the meeting.

If you are in England or Scotland and remain dissatisfied, you can write to any Member of Parliament / Member of the Scottish Parliament and ask for your complaint to be referred to the Parliamentary Commissioner for Administration (the Parliamentary Ombudsman). For complainants in Wales, you can contact the Welsh Administration Ombudsman, 5th Floor, Capital Tower, Greyfriars Road, Cardiff, CF10 3AG (Telephone 029 2039 4621).