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GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

No. R. 835

26 August 2005

LIQUOR PRODUCTS ACT, 1989

(ACT No. 60 OF 1989)

WINE OF ORIGIN SCHEME : AMENDMENT

I, Angela Thokozile Didiza, Minister of Agriculture, acting under section 14 of the *Liquor* Products Act, 1989 (Act No. 60 of 1989), on the recommendation of the Wine and Spirit Board referred to in section 2 of said Act, hereby amend the Wine of Origin Scheme published by Government Notice No. R. 1434 of 1990, as amended, to the extent set out in the Schedule.

A. T. DIDIZA,

Minister of Agriculture.

SCHEDULE**Definition**

1. In this Schedule "the Scheme" means the Wine of Origin Scheme published by Government Notice No. R. 1434 of 29 June 1990, as amended by Government Notices No's R. 837 of 19 April 1991, R. 2842 of 29 November 1991, R.1054 of 10 April 1992, R. 2594 of 11 September 1992, R. 3231 of 27 November 1992, R. 546 of 2 April 1993, R. 1375 of 30 July 1993, R. 1021 of 27 May 1994, R. 2067 of 2 December 1994, R. 814 of 9 June 1995, R. 1875 of 8 December 1995, R. 1039 of 8 August 1997, R 834 of 26 June 1998, R 324 of 19 March 1999, R. 19 of 12 January 2001, R. 829 of 21 June 2002, R. 1306 of 25 October 2002 as corrected by R. 1503 of 6 December 2002, and R.1819 of 19 December 2003.

Amendment of section 1 of the Scheme

2. Section 1 of the Scheme is hereby amended by -

- (a) the substitution for the definition of "area of production" of the following definition:

"'area of production' means a geographical unit, region, district or ward;"

-
- (b) the deletion of the definition of "wine of a geographical unit".

Substitution of section 2 of the Scheme

3. The following section is hereby substituted for section 2 of the Scheme:

"Name of Scheme

2. This Scheme shall be known as the Wine of Origin Scheme."

Amendment of section 5 of the Scheme

4. Section 5 of the Scheme is hereby amended by -

- (a) the deletion of paragraph (9) of subsection (1); and
- (b) the substitution for subparagraph (ii) of paragraph (e) of subsection (2, of the following paragraph:

"(ii) that wine is a wine of origin."

Amendment of section 6 of the Scheme

5. Section 6 of the Scheme is hereby amended by -

- (a) the substitution for paragraph (a) of subsection (1) the following paragraph:

"(a) The board may by notice in the *Gazette* -

- (i) define areas under particular names as geographical units, regions, districts and wards; and
- (ii) amend or withdraw the definition of a geographical unit, region, district or ward.";

(b) the deletion of subsection (6).

Deletion of section 6A of the Scheme

6. Section 6A of the Scheme is hereby deleted.

Amendment of the Afrikaans text of section 6B of the Scheme

7. The Afrikaans text of Section 6B of the Scheme is hereby amended by the substitution for subparagraph (i) of paragraph (b) of subsection (6) of the following subparagraph:

"(i) grens aan die grond waarop die betrokke kelder gelee is; of."

Amendment of section 7 of the Scheme

8. Section 7 of the Scheme is hereby amended by -

- (a) the insertion of the following paragraph after paragraph (a) of subsection (1):
- "(aA) all tanks, casks and other receptacles used in the production and storage of the wine concerned, were, to the satisfaction of the board, gauged and marked to indicate the capacity thereof;"
- (b) the substitution for paragraph (e) of subsection (1) of the following paragraph:
- "(e) the wine concerned complies with the applicable requirements set out in sections 8, 9, 10, 11, 12, 13, 14 or 14A of this Scheme, and has been provisionally approved in terms of section 25 of this Scheme;"

Amendment of the English text of section 8 of the Scheme

9. The English text of section 8 of the Scheme is hereby amended by -
- (a) the substitution for paragraph (d) of subsection (1) of the following paragraph:
- "(d) It shall not display any unacceptable quality characteristics.";
- (b) the insertion of the following paragraph after paragraph (d) of subsection (1)
- "(e) It shall also be a wine of origin.";

- (c) the substitution for subsection (3) of the following subsection:

"(3) Notwithstanding the provisions of subsection (1)(b), the board may, in the case of an unit referred to in section 6B(6) of this Scheme, approve in terms of section 19 of this Scheme that an estate wine be removed from the unit concerned after all processes up to and including completion or termination of alcoholic fermentation in that wine have been completed on the unit concerned: Provided that such approval shall not be granted –

- (a) in respect of sparkling wine according to the traditional method that is intended for certification as an estate wine;
- (b) unless the application for the approval concerned was submitted to the board in writing before 1 November 2003;
- (c) unless a similar approval could legally have been issued to the producer concerned in terms of this Scheme before 1 July 2003; and
- (d) unless the wine concerned is certified or returned to the relevant unit prior to 1 July 2004."

Amendment of the Afrikaans text of section 8 of the Scheme

10. The Afrikaans text of section 8 of the Scheme is hereby amended by the insertion of

the following paragraph after paragraph (d) of subsection (1):

"(e) Dit moet ook 'n wyn van oorsprong wees."

Amendment of section 9 of the Scheme

11. Section 9 of the Scheme is hereby amended by -

(a) the substitution for subsection (1) of the following subsection:

"(1) A wine of origin of a particular geographical unit, region, district or ward shall -

- (a) subject to the provisions of subsection (2), be produced **solely** from grapes harvested in the geographical unit, region, district or ward concerned;
- (b) comply with the applicable requirements set out in the Act for wine or wine of a particular class;
- (c) not reveal any unacceptable quality characteristics; and
- (d) in the case of a distinctive wine, comply with further requirements prescribed in respect thereof under section 6(7)(e) of this Scheme.;"

(b) the substitution for paragraph (c) of subsection (2) of the following paragraph:

"(c) A spirit added to a wine of origin for purposes of fortification shall be deemed to be produced from grapes harvested within the geographical unit, region, district or ward concerned.";

(c) the substitution for paragraph (d) of subsection (2) of the following paragraph:

"(d) Concentrated must added, before or during alcoholic fermentation, to must intended for a wine of origin shall be deemed to have been produced from grapes harvested in the geographical unit, region, district or ward concerned."

Deletion of section 9A of the Scheme

12. Section 9A of the Scheme is hereby deleted.

Amendment of section 10 of the Scheme

13. Section 10 of the Scheme is hereby amended by -

(a) the substitution for paragraph (a) of subsection (1) of the following paragraph:

"(a) subject to the provisions of subsection (2), be produced in such a

manner that –

- (i) until 31 December 2005, at least **75** per cent of the contents thereof consist of wine produced from grapes of the vine cultivar concerned: Provided that where grapes of different vine cultivars are combined before, during, or directly after crushing, at least 80 per cent of the mass of those grapes shall consist of grapes of the vine cultivar concerned;
- (ii) from 1 January 2006, at least **85** per cent of the contents thereof consist of wine produced from grapes of the vine cultivar concerned: Provided that where grapes of different vine cultivars are combined before, during, or directly after crushing, at least 90 per cent of the mass of those grapes shall consist of grapes of the vine cultivar concerned;";

- (b) the substitution for paragraph (b) of subsection (1) of the following paragraph:

"(b) subject to the provisions of subsection (3), **also be a wine of origin;**";

- (c) the substitution for subsection (3) of the following subsection:

"(3) The board may on application approve that a cultivar wine **be** composed of wines produced from grapes harvested in different areas of

production if -

- (a) each ~~of~~ those wines -
 - (i) comply with the requirements set out in subsection (1) for a cultivar wine of the same vine cultivar; and
 - (ii) have up to and until completion or termination of alcoholic fermentation been produced in cellars situate in the respective areas of production; and
- (b) all the other provisions of this Scheme have been complied with in respect of each of the wines concerned and ~~the~~ cultivar wine composed thereof."

Amendment of section 11 of the Scheme

14. Section 11 of the Scheme ~~is~~ hereby amended by -

- (a) the substitution for paragraph (a) ~~of~~ subsection (1) of the following paragraph:

"(a) subject to the provisions of subsection (2), be produced in such a manner that -

- (i) until 31 December 2005, at least 75 per cent of the contents

thereof consist of wine produced from grapes harvested during the year concerned;

- (ii) from 1 January 2006, at least **85** per cent of the contents thereof consist of wine produced from grapes harvested during the year concerned;"

- (b) the substitution for paragraph (b) of subsection **(1)** of the following paragraph:

"(b) subject to the provisions of subsection (3), also be a wine of origin;"

- (c) the substitution for subparagraph (i) of paragraph (b) of subsection **(3)** of the following subparagraph:

"(i) be granted only if the producer Concerned has satisfied the board that the non-certification of that vintage wine **as a** wine of origin is justified during a particular year or in the long term; and".

Amendment of section 12 of the Scheme

15. Section 12 of the Scheme is hereby amended by the substitution for paragraph (a) of the following paragraph:

"**(a)** also be a wine of origin;"

Amendment of section 13 of the Scheme

16. Section 13 of the Scheme is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:

"(a) also be a vintage wine and a wine of origin;"

Amendment of section 14 of the Scheme

17. Section 14 of the Scheme is hereby amended by the substitution for paragraph (b) of the following paragraph:

"(b) also be a wine of origin;"

Amendment of section 14A of the Scheme

18. Section 14A of the Scheme is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) also be a wine of origin;"

Amendment of section 17 of the Scheme

19. Section 17 of the Scheme is hereby amended by -

(a) the substitution for subparagraph (ii) of paragraph (a) of subsection (2) of the following subparagraph:

"(ii) in the case of an estate wine, subject to the provisions of paragraph (b), be prepared in the cellar that is situated on the relevant unit that is registered for the production of estate wine, from grapes that were harvested on the unit concerned and, in the case of a wine of origin, be prepared from grapes that were harvested in the geographical unit, region, district or ward concerned;"

(b) the deletion of subparagraph (v) of paragraph (a) of subsection (2).

Amendment of section 19 of the Scheme

20. Section 19 of the Scheme is hereby amended by the substitution for paragraph (a) of subsection (4) of the following paragraph:

"(a) in the case of must, that must is intended for the production of a wine of origin, and is to be transferred from one cellar to another in the same geographical unit, region, district or ward;"

Amendment of section 20 of the Scheme

21. Section 20 of the Scheme is hereby amended by -

(a) the substitution of paragraph (c) of subsection (4) of the following paragraph:

"(c) in the case of a wine of origin, that sweet reserve has also been obtained from grapes harvested in the geographical unit, region, district or ward concerned;"

(b) the deletion of paragraph (g) of subsection (4).

Amendment of section 23 of the Scheme

22. Section 23 of the Scheme is hereby amended by -

(a) the substitution for paragraph (c) of subsection (4) of the following paragraph:

"(c) It may, in the case of a wine of origin of a particular geographical unit, region, district or ward, not be the name of any other geographical unit, region, district or ward or consist partially thereof unless it is indicated on the back labels of the containers of that wine.";

(b) the deletion of paragraph (cB) of subsection (4).

Amendment of section 24 of the Scheme

23. Section 24 of the Scheme is hereby amended by -

(a) the substitution for paragraph (c) of subsection (1) of the following paragraph:

"(c) The label on the container of a wine of origin may also indicate the name of the geographical unit, region or district within which the production area concerned is situated, in which case the provisions of subsection (6)(c)(v) are not applicable to the indication of the name of such geographical unit, region or district.";

(b) the deletion of paragraph (d) of subsection (1);

(c) the substitution for paragraph (a) of subsection (2) of the following paragraph:

"(a) The following particulars shall be indicated on the labels of the containers of a wine of origin:

(i) The name under which the geographical unit, region, district or ward concerned is defined.

(ii) The expression "wine of origin" or "wyn van oorsprong" or the abbreviation "W.O.": Provided that until 31 December 2007 this expression or abbreviation need not be indicated on the labels of the containers of a wine of origin of a geographical unit."

(d) the deletion of subsection (2A);

- (e) the substitution for subparagraph (ii) of paragraph (a) of subsection (3) of the following subparagraph:

"(ii) The particulars required in terms of subsection (2).";

- (f) the substitution for paragraph (b) of subsection (3) of the following paragraph:

"(b) If a cultivar wine is composed in the manner set out in section 10(3) of this Scheme, the names of all the production areas of the wines used to compose that cultivar wine shall be indicated on the labels of the containers of that cultivar wine in descending order according to the volume of each of those wines in the cultivar wine concerned.";

- (g) the substitution for subparagraph (ii) of paragraph (a) of subsection (4) of the following subparagraph:

"(ii) The particulars required in terms of subsection (2).";

- (h) the substitution for paragraph (b) of subsection (5) of the following paragraph:

"(b) The particulars required in terms of subsection (2).";

- (i) the substitution for paragraph (c) of subsection (5A) of the following paragraph:

"(c) The particulars required in terms of subsection (2).";

- (j) the substitution for paragraph (b) of subsection (58) of the following paragraph:

"(b) The particulars required in terms of subsection (2).";

- (k) the substitution for subsection (5C) of the following subsection:

"(5C) The following particulars shall be indicated on the labels of the containers of a wine from naturally dried grapes:

- (a) The class designation of the wine Concerned.
- (b) If the residual sugar content of the wine concerned is less than 20 grams per litre, the applicable class designation which indicates the grade of dryness or sweetness of the wine concerned.
- (c) The relevant particulars required in terms of subsection (2).";

- (1) the substitution for the words preceding paragraph (a) of subsection (6) of the following words:

"(6) Subject to the provisions of subsection (7), the particulars that must be indicated in terms of subsection (2) must be –".

Substitution of Table 1 of the Scheme

24. The following Table is hereby substituted for Table 1 of the Scheme:

"TABLE 1 / TABEL ■

VINE CULTIVARS TO WHICH SCHEME APPLIES / DRUIFKULTIVARS WAAROP SKEMA VAN TOEPASSING IS

[Section 4 / Artikel 4]

Alicante Bouschet (Henri Bouschet)	Muscat de Hambourg'
Auxerrois	Muscat Ottonel
Barbera	Nebbiolo
*Bastardo do Castello	Nouvelle
*Bastardo do Menudo	*Olasz
Bukettraube	Palomino (White French; Fransdruif)
Cabernet franc	Petit Verdot (Verdot)
Cabernet sauvignon	Pinotage
Carignan	Pinot blanc (Weissburgunder)
Chardonnay	Pinot gris (Pinot grigio)
Chenel	Pinot noir
Chenin blanc (Steen)	Pontak (Teinturier male)
Cinsaut (Cinsault)	Riesling (Cape Riesling; Kaapse Riesling; Crouchen)
Clairette blanche	Roobernet
Colombar (Colombard)	Ruby Cabernet
Cornifesto	Sangiovese
*Donzellino do Castello	Sauvignon blanc (Blanc Fume)
*Donzellino do Gallego	Schönburger
Emerald Riesling	Semillon (Groendruif)
*Erlihane	Shiraz (Syrah)
Fernao Pires	souzao
Furmint	

Gamay noir	Sultana (Sultanina; Thompson's Seedless)
Gewürztraminer	Sylvaner
Grachen	Tannat
Grenache (Rooi/Red Grenache)	Tempranillo (Tinta Roriz)
Grenache blanc (White/Wit Grenache)	Therona
Harslevelü	*Tinta Amarella
Kerner	Tinta Barocca
Malbec	Tinta Francisca
Merlot	Touriga Franca
Meunier (Pinot Meunier)	Touriga Nacional.
Morio Muscat	Ugni blanc (Trebbiano)
*Mourisco tinto	Verdelho
Mourvedré (Mataro)	Viognier
Muller-Thurgau	Weisser Riesling (Rhine Riesling; Ryn Riesling;)
Muscat d' Alexandrie (Hanepoot)	Zinfandel (Primitivo)
Muscat de Frontignan (Muscadel; Muskadel)	

*This Scheme is applicable to this cultivar only until 31 December 2005/

*Hierdie Skema is slegs tot 31 Desember 2005 van toepassing op hierdie kultivar".

Substitution of Table 2 of the Scheme

25. The following **Table is** hereby substituted for Table 2 of the Scheme:

"TABLE 2 / TABEL 2

**GRAPE CULTIVARS WHICH MAY BE USED FOR THE PRODUCTION OF BLANC DE
NOIR WINE**

**DRUIFCULTIVARS WAT VIR DIE PRODUKSIE VAN BLANC DE NOIR-WYN GEBRUIK
MAG WORD**

[Section 14(a) / Artikel 14(a)]

Barbera	Muscat de Frontignan (Muscadel/Muskadel)
*Bastardo do Castello	Muscat de Hambourg
*Bastardo do Menudo	Petit Verdot (Verdot)
Carbernet franc	Pinotage
Carbernet sauvignon	Pinot gris (Pinot grigio)
Carignan	Pinot noir
Cinsaut (Cinsault)	Ruby carbernet
Cornifesto	Sangiovese
*Donzellinho do Castello	Shiraz (Syrah)
*Donzellinho do Gallego	Tannat

Gamay noir	Tempranillo (Tinta Roriz)
Grenache (Red/Rooi Grenache)	Tinta Barocca
Mabec	Tinta Francisca
*Mourisco tinto	Touriga Nacional
Merlot	Zinfandel (Primitivo)
Meunier (Pinot Meunier)	

*This grape cultivar may be used for the production of blanc de noir wine only until 31 December 2005 /

*Hierdie druifcultivar mag slegs tot 31 Desember 2005 vir die produksie van blanc de noir-wyn gebruik word.

Substitution of Table 3 of the Scheme

26. The following Table is hereby substituted for Table 3 of the Scheme:

"TABLE 3 / TABEL 3

LETTER SIZES OF PARTICULARS ON LABELS LETTERGROOTTES VAN BESONDERHEDE OP ETIKETTE

[Section/Artikel 24(6)(c)(v)]

Nature of particulars Aard van besonderhede	Minimum vertical height in the case of labels on containers with a content of - Minimum vertikale hoogte in die geval van etikette op houers met 'n inhoudsmaat van -		
	Less than Minder as 250 ml	250 ml but not more than/maar hoogstens 375 ml	More than Meer as 375 ml
1	2	3	4
Name of geographical unit, region, district or ward/ Naam van geografiese eenheid, streek, distrik of wyk [section/artikel 24 (2) (a) (i)]	1,0 mm	1,5 mm	2,0 mm
The expression "wine of origin" or "W.O." / Die uitdrukking "wyn van oorsprong" of "W.O." [section/artikel 24 (2) (a) (ii)]	1,0 mm	1,5 mm	2,0 mm

Substitution of Table 4 of the Scheme

27. The following Table is hereby substituted for Table 4 of the Scheme:

"TABLE 4

UNACCEPTABLE QUALITY CHARACTERISTICS OF WINE

[Section 35(3)(c)]

ELEMENT 1	CLASS OF WINE 2	NATURE OF UNACCEPTABILITY 3
Clarity	All classes	With regard to age, cultivar and type: (a) Turbid, hazy (b) Sediment, crust, crystals
Colour	All classes	With regard to age, cultivar and type: (a) insufficient colour (b) Faulty colour
Flavour and taste	All classes except noble late harvest	With regard to age, cultivar and type: (a) Insufficient cultivar character (b) Excessive wood or vanillin character (c) Sulphur compounds (d) Volatile acid or ethyl acetate character (e) Cork or mouldy character (f) Thin, watery (g) Faulty acid balance (h) Faulty cultivar character (i) Overaged character (j) Sulphur dioxide (k) Filter material (l) Unidentifiable foreign to wine character or foreign to wine character (such as geranium, mousy, oil , paint) (m) Faulty taste (n) Tannic, astringent (o) Insufficient distinctive wine or style related character (p) Oxidation (q) Rancid (r) Excessive spirit character (s) Phenolic (t) Press juice, stalk and skin character (u) Bitter