

No. R. 555

22 May 2009

**LIQUOR PRODUCTS ACT, 1989
(ACT No. 60 OF 1989)**

REGULATIONS: AMENDMENT

The Minister of Agriculture has, under section 27 of the Liquor Products Act, 1989 (Act No. 60 of 1989), made the regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1433 of 29 June 1990, as amended by Government Notices Nos. R. 838 of 19 April 1991, R. 2841 of 29 November 1991, R. 2079 of 24 July 1992, R. 2593 of 11 September 1992, R. 2791 of 2 October 1992, R. 3152 of 20 November 1992, R. 1376 of 30 July 1993, R. 2350 of 10 December 1993, R. 356 of 25 February 1994, R. 636 of 8 April 1994, R. 1022 of 27 May 1994, R. 2242 of 23 December 1994, R. 394 of 17 March 1995, R. 1695 of 30 November 1995, R. 1876 of 8 December 1995, R. 501 of 29 March 1996, R. 1038 of 8 August 1997, R. 1141 of 29 August 1997, R. 833 of 26 June 1998, R. 1078 of 28 August 1998, R. 70 of 22 January 1999, R. 672 of 28 May 1999, R. 951 of 6 August 1999, R. 21 of 12 January 2001, R. 678 of 27 July 2001, R. 343 of 7 March 2003, R. 77 of 3 February 2006, R. 814 of 11 August 2006 and R. 846 of 14 September 2007.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the substitution for subparagraph (ii) of paragraph (c) of the following subparagraph:

- "(ii) in the case of a wine in respect of which certification as a noble late harvest wine or as a wine from naturally dried grapes has been refused, not exceed 1,8 gram per litre; and".

Amendment of regulation 9 of the Regulations

3. Regulation 9 of the Regulations is hereby amended by -

- (a) the substitution for item 3 in column 1 of the table in subregulation (1) of the following item:
- "3 Fermented sugar cane juice, sugar cane syrup or sugar cane molasses";
- (b) the substitution for item 4 in column 1 of the table in subregulation (1) of the following item:
- "4 Any fermented harmless vegetable article".

Amendment of regulation 18 of the Regulations

4. Regulation 18 of the Regulations is hereby amended by the substitution for paragraph (a) of the following paragraph:

- "(a) be produced by the distillation of -
- (i) fermented sugar cane juice;
- (ii) fermented, undiluted sugar cane molasses, or fermented sugar cane molasses, which has been diluted with water; or
- (iii) fermented, undiluted sugar cane syrup, which has been produced in the manufacturing of cane sugar, or fermented, with water diluted, sugar cane syrup, which has been produced in the manufacturing of cane sugar, in a rectifying or fractionating column;"

Amendment of regulation 19 of the Regulations

5. Regulation 19 of the Regulations is hereby amended by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) be produced by the distillation of -

- (i) fermented sugar cane juice;
- (ii) fermented, undiluted sugar cane molasses, or fermented sugar cane molasses, which has been diluted with water; or
- (iii) fermented, undiluted sugar cane syrup, which has been produced in the manufacturing of cane sugar, or fermented, with water diluted, sugar cane syrup, which has been produced in the manufacturing of cane sugar,

at less than 96 per cent alcohol per volume, irrespective of whether sugar cane leaves or fruit have been added thereto;"

Amendment of regulation 22 of the Regulations

6. Regulation 22 of the Regulations is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) be produced by the distillation of any fermented, undiluted, harmless vegetable article or any fermented, with water diluted, harmless vegetable article, including any of the products mentioned in regulation 18(a), in a rectifying or fractionating column;"

Amendment of regulation 23 of the Regulations

7. Regulation 23 of the Regulations is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) be produced by the distillation of any fermented, undiluted, harmless vegetable article or any fermented, with water diluted, harmless vegetable article, except the fermented product of the vine;"

Amendment of regulation 34 of the Regulations

8. Regulation 34 of the Regulations is hereby amended by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) indicated in the same field of vision on one or more labels which are permanently attached to the container concerned: Provided that the expression referred to in regulation 33(1)(e) need not be indicated in the same field of vision as the other particulars referred to in regulation 33(1);"

Amendment of regulation 35 of the Regulations

9. Regulation 35 of the Regulations is hereby amended by the insertion of the following paragraph after paragraph (a) of subregulation (2):

"(aA) If the residual sugar content of a sparkling wine justifies the use of more than one of the class designations specified in items 10a, 10b, 10c, 11, 12 and 13 of Table 2, only one such class designation may be used on the labels of that sparkling wine."

Amendment of regulation 39A of the Regulations

10. Regulation 39A of the Regulations is hereby amended by the insertion of the following subregulation after subregulation (4):

- "(5) The provisions of section 11(2)(e) of the Act shall not be construed as restricting the indication, in connection with the sale of a spirit or a spirit-based liquor, of the alcohol content in degrees proof: Provided that the alcohol content indicated in degrees proof -
- (a) shall be in addition to the alcohol content required in terms of regulation 33(1)(b);
 - (b) shall always appear with the alcohol content as required to be indicated in terms of regulation 33(1)(b);
 - (c) shall be set off by parentheses or dots or otherwise be distinguished from the alcohol content as required to be indicated in terms of regulation 33(1)(b); and
 - (d) may not be more prominent than the alcohol content as required to be indicated in terms of regulation 33(1)(b)."

Amendment of regulation 50 of the Regulations

11. Regulation 50 of the Regulations is hereby amended by the substitution for paragraph (c) of the following paragraph:

- "(c) is exported to a country mentioned in Table 12, in the labelled containers in which it will be sold to the general public;"

Substitution of Table 1 of the Regulations

12. The following Table is hereby substituted for Table 1 of the Regulations:

"TABLE 1/ TABEL 1

**GRAPE CULTIVARS WHICH MAY BE USED FOR THE PRODUCTION OF WINE
DRUIFCULTIVARS WAT VIR DIE PRODUKSIE VAN WYN GEBRUIK MAG WORD**

[Reg. 2]

Alicante Bouschet (Henri Bouschet)	Gamay noir	Raisin blanc (Gros Vert)
Auxerrois	Gewürztraminer	Riesling*** (Weisser Riesling; Ryn Riesling; Rhine Riesling)
Barbera	Grachen	Roobernet
*Barlinka	Grenache (Rooi/Red Grenache)	Roussanne
*Bastardo do Castello	Grenache blanc (Wit/White Grenache)	Ruby Cabernet
Bastardo do Menudo	Harslevelū	Sangiovese
*Bourboulenc	*Kanaän (Belies; Canaän)	Sauvignon blanc (Blanc Fumé)
Bukettraube	Kerner	Schönburger
Cabernet Franc	Malbec	Sémillon (Groendruif)
Cabernet Sauvignon	Merlot	Shiraz (Syrah)
Carignan	Meunier (Pinot Meunier)	Souzao
*Ceresa	Morio Muscat	Sultana (Sultanina; Thompson's Seedless)
Chardonnay	*Mourisco tinto	Sylvaner
Chenel	Mourvèdre (Mataro)	Tannat
Chenin blanc (Steen)	Müller-Thurgau	Tempranillo (Tinta Roriz)
Cinsaut	Muscat d'Alexandrie (Hanepoot)	Therona
*Cinsaut blanc	Muscat de Frontignan (Muskadel; Muscadel)	Tinta Amarella (Tinta Amarela; Trincadeira; Trincadeira Preta)
*Cinsaut gris	Muscat de Hambourg	
Clairette blanche	Muscat de Hambourg	
Colombar (Colombard)	Muscat Ottonel	
*Colomino	Nebbiolo	

Cornifesto	Nouvelle	Tinta Barocca
Crouchen (Riesling**; Cape Riesling; Kaapse Riesling)	*Olasz	Tinta Francisca
*Donzellinho do Castello	Palomino (Fransdruif; White French)	Touriga Franca
*Donzellinho do Gallego	*Pedro (Valse)	Touriga Nacional
Durif	Petit Verdot (Verdot)	Ugni blanc (Trebbiano)
Emerald Riesling	Pinotage	Verdelho
*Erlihane	Pinot blanc (Weissburgunder)	Viognier
*Ferdinand de Lesseps	Pinot gris (Pinot grigio)	Weldra
Fernão Pires	Pinot noir	Zinfandel (Primitivo)
Furmint	Pontak (Teinturier male)	

*The designation of this grape cultivar shall lapse on 31 December 2010.

**This name (Riesling) may only be used for wine produced from the Crouchen grape cultivar until, and inclusive of, the 2009 grape harvest.

***This name (Riesling), may only be used for wine produced from the Weisser Riesling/ Rhine Riesling grape cultivar as from the 2010 grape harvest.

*Die aanwysing van hierdie druifcultivar verval op 31 Desember 2010.

**Hierdie naam (Riesling) mag slegs gebruik word vir wyn geproduseer van die Crouchen druifcultivar tot, en met insluiting van, die 2009 druif-oes

***Hierdie naam (Riesling) mag slegs gebruik word vir wyn geproduseer van die Weisser Riesling/ Ryn Riesling druifcultivar vanaf die 2010 druif-oes."

Amendment of Table 2 of the Regulations

13. Table 2 of the Regulations is hereby amended by -

(a) the insertion of the following entries after item 10:

Class	Specific requirements
1	2
"10a. Brut nature sparkling wine	1. The residual sugar content of the product shall be less than 3,0 gram per litre. 2. The product shall also be a sparkling wine according to the traditional method.
	3. No sugar shall be added to the product after the second alcoholic fermentation. 4. See notes 1 and 2.
10b. Extra brut sparkling wine	1. The residual sugar content of the product shall be less than 6,0 gram per litre. 2. See note 1.
10c. Brut sparkling wine	1. The residual sugar content of the product shall be less than 15,0 gram per litre. 2. See note 1.";

(b) the substitution for paragraph 1 in column 2 opposite item 11 in column 1 of the following paragraph:

"1. The residual sugar content of the product shall be more than 12,0 gram per litre, but less than 20,0 gram per litre.";

(c) the substitution for paragraph 1 in column 2 opposite item 12 in column 1 of the following paragraph:

"1. The residual sugar content of the product shall be more than 17,0 gram per litre, but less than 35,0 gram per litre.";

- (d) the substitution for paragraph 1 in column 2 opposite item 13 in column 1 of the following paragraph:
- "1. The residual sugar content of the product shall be more than 33,0 gram per litre, but less than 50,0 gram per litre.";
- (e) the substitution for paragraphs 1, 2, 3, 4 and 5 in column 2 opposite item 22 in column 1 of the following paragraphs:
- "1. The product shall be a blend of young, full-bodied and fruity fortified wines.
2. At least 50 per cent of the fortified wines used in the product shall be matured for at least 6 months in oaken casks or in tanks.
3. The fortified wines used in the product shall be matured in oaken casks or in tanks for not more than 3 years.
4. See notes 3 and 4.";
- (f) the substitution for paragraphs 1, 2, 3, 4 and 5 in column 2 opposite item 23 in column 1 of the following paragraphs:
- "1. At least 80 per cent of the product shall be matured in oaken casks.
2. The product shall be tawny in colour.
3. The product shall have a smooth, slightly nutty flavour.
4. See notes 3 and 4.";
- (g) the substitution for paragraph 3 in column 2 opposite item 25 in column 1 of the following paragraph:
- "3. At least 85 per cent of the product shall be of a single vintage year."; and
- (h) the substitution for paragraph 1 in column 2 opposite item 26 in column 1 of the following paragraph:
- "1. The product shall be matured in oaken casks or tanks for at least 1 year.".

Amendment of Table 6 of the Regulations

14. Table 6 of the Regulations is hereby amended by -

- (a) the substitution for the entry in column 2 opposite the substance "Lactic acid" in column 1 of the following entry:
- "Alcoholic fruit beverage; spirit-based liquor; wine"; and
- (b) the insertion of the following entry in column 3 opposite the substance "Pimarizin" in column 1:
- "This substance may not be used for wine intended for export to Argentina, Australia, Canada, Chile, New Zealand and the United States of America.".

Amendment of Table 8 of the Regulations

15. Table 8 of the Regulations is hereby amended by the substitution for subparagraph (vi) of paragraph (b) of note 2 of the following subparagraph:

- "(vi) wine in respect of which certification as a noble late harvest wine or as a wine from naturally dried grapes has been refused, may contain a maximum of 300 mg/l of sulphur dioxide.".

Amendment of Table 10 of the Regulations

16. Table 10 of the Regulations is hereby amended by -

(a) the insertion of the following entries after item 1A:

Klasbenaming Class designation	Toelaatbare alternatief Permissible alternative
1	2
"1B. Wyn van natuurlik gedroogde druiwe/ Wine from naturally dried grapes	Straw wine
1C. Brut nature vonkelwyn/ Brut nature sparkling wine	Naturherb vonkelwyn/ sparkling wine; Bruto natural vonkelwyn/ sparkling wine; Pas dose vonkelwyn/ sparkling wine; Dosage zero vonkelwyn/ sparkling wine; Natūralusis briutas vonkelwyn/ sparkling wine; Įsts bruts vonkelwyn/ sparkling wine; Přírodně tvrde vonkelwyn/ sparkling wine; Popolnoma suho vonkelwyn/ sparkling wine; Dosaggio zero vonkelwyn/ sparkling wine.
1D. Extra brut vonkelwyn/ Extra brut sparkling wine	Extra herb vonkelwyn/ sparkling wine; Ekstra briutas vonkelwyn/ sparkling wine; Ekstra brut vonkelwyn/ sparkling wine; Ekstra bruts vonkelwyn/ sparkling wine; Zvláště tvrde vonkelwyn/ sparkling wine; Extra bruto vonkelwyn/ sparkling wine; Izredno suho vonkelwyn/ sparkling wine; Ekstra wytrawne vonkelwyn/ sparkling wine.
1E. Brut vonkelwyn/ Brut sparkling wine	Herb vonkelwyn/ sparkling wine; Briutas vonkelwyn/ sparkling wine; Bruts vonkelwyn/ sparkling wine; Tvrde vonkelwyn/ sparkling wine; Bruto vonkelwyn/ sparkling wine; Zelo suho vonkelwyn/ sparkling wine; Bardzo wytrawne vonkelwyn/ sparkling wine.";

(b) the substitution for the entry in column 2 opposite item 2 in column 1 of the following entry:

"Extra trocken vonkelwyn/ sparkling wine; Extra seco vonkelwyn/ sparkling wine; Labai sausas vonkelwyn/ sparkling wine; Ekstra kuiv vonkelwyn/ sparkling wine; Ekstra sausais vonkelwyn/ sparkling wine; Kulonlegesen szaraz vonkelwyn/ sparkling wine; Wytrawne vonkelwyn/ sparkling wine; Suho vonkelwyn/ sparkling wine; Zvláště suche vonkelwyn/ sparkling wine; Extra suche vonkelwyn/ sparkling wine.";

(c) the substitution for the entry in column 2 opposite item 3 in column 1 of the following entry:

"Sec vonkelwyn/ sparkling wine; Trocken vonkelwyn/ sparkling wine; Secco vonkelwyn/ sparkling wine; Asciutto vonkelwyn/ sparkling wine; Ξηρός vonkelwyn/ sparkling wine; Tor vonkelwyn/ sparkling wine; Seco vonkelwyn/ sparkling wine; Torr vonkelwyn/ sparkling wine; Kuiva vonkelwyn/ sparkling wine; Sausas vonkelwyn/ sparkling wine; Kuiv vonkelwyn/ sparkling wine; Sausais vonkelwyn/ sparkling wine; Szaraz vonkelwyn/ sparkling wine; Połwytrawne vonkelwyn/ sparkling wine; Polsuho vonkelwyn/ sparkling wine; Suche vonkelwyn/ sparkling wine.";

(d) the substitution for the entry in column 2 opposite item 4 in column 1 of the following entry:

"Demi-sec vonkelwyn/ sparkling wine; Halbtrocken vonkelwyn/ sparkling wine; Abboccato vonkelwyn/ sparkling wine; Halvtor vonkelwyn/ sparkling wine; Medium dry vonkelwyn/ sparkling wine; Ημίξηρος vonkelwyn/ sparkling wine; Semi seco vonkelwyn/ sparkling wine; Meio seco vonkelwyn/ sparkling wine; Halvtorr vonkelwyn/ sparkling wine; Puolikuiva vonkelwyn/ sparkling wine; Pusiau sausas vonkelwyn/ sparkling wine; Poolkuiv vonkelwyn/ sparkling wine; Pussausais vonkelwyn/ sparkling wine; Felszaraz vonkelwyn/ sparkling wine; Połśłodkie vonkelwyn/ sparkling wine; Poślodko vonkelwyn/ sparkling wine; Polosuche vonkelwyn/ sparkling wine; Polosłodke vonkelwyn/ sparkling wine.";

- (e) the substitution for the entry in column 2 opposite item 5 in column 1 of the following entry:

"Doux vonkelwyn/ sparkling wine; Mild vonkelwyn/ sparkling wine; Dulce vonkelwyn/ sparkling wine; Sod vonkelwyn/ sparkling wine; Dolce vonkelwyn/ sparkling wine; Γλυκύς vonkelwyn/ sparkling wine; Doce vonkelwyn/ sparkling wine; Sot vonkelwyn/ sparkling wine; Makea vonkelwyn/ sparkling wine; Saldus vonkelwyn/ sparkling wine; Magus vonkelwyn/ sparkling wine; Pussaldais vonkelwyn/ sparkling wine; Edes vonkelwyn/ sparkling wine; Helu vonkelwyn/ sparkling wine; Słodkie vonkelwyn/ sparkling wine; Śladko vonkelwyn/ sparkling wine; Śladke vonkelwyn/ sparkling wine.";

- (f) the substitution for the entry in column 2 opposite item 10 in column 1 of the following entry:

Jerepiko/ Jerepigo; Volsoet/ Full Sweet; Likeurwyn/ Liqueur wine; Port en Sjerrie slegs in Botswana, Lesotho, Namibië, Suid-Afrika en Swaziland en slegs tot 1 Januarie 2012/ Port and Sherry only in Botswana, Lesotho, Namibia, South Africa and Swaziland and only until 1 January 2012."; and

- (g) the insertion of the following entry after item 19:

Klasbenaming Class designation	Toelaatbare alternatief Permissable alternative
1	2
"20. Kaapse oesjaar / Cape vintage	Kaapse oesjaar reserwe / Cape vintage reserve".

Substitution of Table 12 of the Regulations

17. The following Table is hereby substituted for Table 12 of the Regulations:

"TABEL 12 / TABLE 12

VRYGSTELDE LANDE / EXEMPTED COUNTRIES

[Reg. 50]

Botswana	Namibië/ Namibia
Lesotho	Swaziland".