

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

No. R. 413**21 May 2010****LIQUOR PRODUCTS ACT, 1989****(ACT No. 60 OF 1989)****REGULATIONS: AMENDMENT**

The Minister of Agriculture, Forestry and Fisheries 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, R. 846 of 14 September 2007, R. 171 of 15 February 2008 and R. 555 of 22 May 2009.

Amendment of regulation 9 of the Regulations

2. Regulation 9 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) The raw material specified in item 1 of the table in subregulation (1) shall, with the exception of fruit of the vine cultivar Villard blanc, be derived solely from fruit of plants of *Vitis vinifera*."

Insertion of regulation 56A in the Regulations

3. The following regulation is hereby inserted after regulation 56 of the Regulations:

"Keeping of records [27(1)(j)]

56A. (1) From 1 January 2011 a producer, blender or filler of a liquor product other than certified wine, shall record full particulars of all steps in the production, blending or filling process of such a liquor product, including –

- (a) raw materials, components and substances used;

- (b) the application of treatments;
 - (c) containers used; and
 - (e) movement between containers or premises.
- (2) Particulars to be recorded in terms of subregulation (1) shall, where applicable, include:
- (a) The name and address of each supplier of raw materials, components and substances received.
 - (b) If using a contractor to apply treatments, the name and address of such contractor.
 - (c) The nature of treatments applied and of raw materials, components and substances received and used.
 - (d) The volume, quantity or mass, as is normally applicable, of raw materials, components and substances received and used.
 - (e) The potential or actual alcohol content, as the case may be, of raw materials, components and substances received and used.

-
- (f) The supplier's batch numbers, lot numbers or other similar applicable means of batch identification of raw materials, components and substances received and used.
 - (g) The dates of delivery by suppliers of raw materials, components and substances received.
 - (h) The dates treatments were applied and raw materials, components and substances were used.
 - (i) The volume, quantity or mass, as is normally applicable, of the product to be treated and of the product the raw materials, components and substances are to be used on.
 - (j) The volume, quantity or mass, as is normally applicable, of the result of the application of treatments and of the result of the usage of raw materials, components and substances.
 - (k) The actual alcohol content of the result of the application of treatments and of the result of the usage of raw materials, components and substances.
 - (l) Particulars of any losses incurred in production, blending, filling, treatment or other process.

- (m) Type, quantity and volume of any container used.
 - (n) A flow chart or other applicable record of the movement of raw materials, components and liquor products between bulk storage containers.
 - (o) Particulars of transporters of bulk raw materials, components and liquor products used, including the registration numbers of the vehicles concerned.
 - (p) Particulars of delivery notes of bulk raw materials, components and liquor products.
 - (q) The results of any analyses of raw materials, components, substances and liquor products.
 - (r) Particulars, including particulars of invoices and of SAWIS 6 certificates, of the disposal, removal or transfer of any raw materials, components, substances and liquor products.
 - (s) Particulars requested in writing by the administering officer.
- (3) Particulars which have to be recorded in terms of this regulation shall be recorded not later than the working day following the working day on which the recordable act concerned took place.

- (4) Records which have to be kept in terms of this regulation shall be kept and maintained for a period of at least five years.

Substitution of regulation 59 of the Regulations

4. The following regulation is hereby substituted for regulation 59 of the Regulations:

"59. Offences and penalties [27 (3)]

Any person who contravenes or fails to comply with any provision of regulation 2, 39(1), 41, 56(1), 56(3), 56A or 60A shall be guilty of an offence and on conviction liable to a fine not exceeding R2 000 or to imprisonment for a period not exceeding six months, or to both that fine and that imprisonment."

Substitution of Table 1 of the Regulations

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

"TABLE 1

GRAPE CULTIVARS WHICH MAY BE USED FOR THE PRODUCTION OF WINE

[Reg. 2]

Alicante Bouschet (Henri Bouschet)	Gewürztraminer	Raisin blanc (Gros Vert)
Auxerrois	Grachen	Riesling** (Weisser Riesling; Ryn Riesling; Rhine Riesling)
Barbera	Grenache (Rooi/Red Grenache)	Roobernet
Barlinka	Grenache blanc (Wit/White Grenache)	Roussanne
Bastardo do Castello	Harslevelü	Ruby Cabernet

Bastardo do Menudo	Kanaän (Belies; Canaän)	Sangiovese
Bourboulenc	Kerner	Sauvignon blanc (Blanc Fumé)
Bukettraube	Malbec	Schönburger
Cabernet Franc	Merbein Seedless	Sémillon (Groendruif)
Cabernet Sauvignon	Merlot	Shiraz (Syrah)
Carignan	Meunier (Pinot Meunier)	Souzão
Ceresa	Morio Muscat	Sultana (Sultanina; Thompson's Seedless)
Chardonnay	Mourisco tinto	Sylvaner
Chenel	Mourvèdre (Mataro; Monastrell; Monastrel)	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	Tinta Barocca
Clairette blanche	Muscat Ottonel	Tinta Francisca
Colombar (Colombard)	Nebbiolo	Touriga Franca
Colomino	Nouvelle	Touriga Nacional
Cornifesto	Olasz	Ugni blanc (Trebbiano)
Crouchen (Riesling*; Cape Riesling; Kaapse Riesling)	Palomino (Fransdruif; White French)	Verdelho
Donzellinho do Castello	Pedro (Valse)	Villard blanc
Donzellinho do Gallego	Petit Verdot (Verdot)	Viognier
Durif (Petit Sirah)	Pinotage	Weldra
Emerald Riesling	Pinot blanc (Weissburgunder)	Zinfandel (Primitivo)
Erlihane	Pinot gris (Pinot grigio)	
Ferdinand de Lesseps	Pinot noir	
Fernão Pires	Pontak (Teinturier male)	
Furmint		
Gamay noir		

*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."

Amendment of Table 2 of the Regulations

6. Table 2 of the Regulations is hereby amended by the insertion of the following entry after entry 21:

Class	Specific requirements
1	2
"21a. Cape pink	<ol style="list-style-type: none"> 1. The product shall be produced from non-muscat varieties. 2. The product shall be matured for at least 6 months. 3. The product shall be pink in colour, with or without a brown hue. 4. See notes 3 and 4."

Amendment of Table 6 of the Regulations

7. Table 6 of the Regulations is hereby amended by the substitution for the entries in columns 2 and 3 opposite the substance "Water" in column 1 of the following entries:

Liquor products to which substance may be added	Manner and conditions of addition
2	3
" Wine; spirits; grape-based liquor; spirit-based liquor; alcoholic fruit beverage	<p>This substance shall in the case of wine –</p> <ol style="list-style-type: none"> (a) only be added to wine intended for certification; (b) be added solely for the correction of moisture loss in grapes used; (c) only be added before or during alcoholic fermentation; (d) only be added to such an extent that the sugar content is not decreased to below 22 degrees Balling; (e) not increase the volume of the wine added to by more than 15 per cent; and (f) only be added if the directions regarding records and analyses, obtainable from the administering officer, are complied with."

Amendment of Table 7 of the Regulations

8. Table 7 of the Regulations is hereby amended by the insertion of the following entry after the last entry:

Name of substance	Liquor products from which substances may be removed	Manner en conditions of removal
1	2	3
"Bacteria and fungi	Wine; alcoholic fruit beverage; grape-based liquor	By means of ultraviolet radiation on condition that, in the case of wine, the vinous character of the treated wine may not be altered."

Amendment of Table 8 of the Regulations

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

"(iv) wine destined for export in bulk, must contain at least 30 mg/l of free sulphur dioxide, as analysed by means of the aspiration method;"

Amendment of Table 10 of the Regulations

10. Table 10 of the Regulations is hereby amended by the substitution for the entry in column 2 opposite item 1A in column 1 of the following entry:

"Natuurlike soet wyn/ Natural sweet wine; Natuurlik soet/ Natural sweet; Soet/ Sweet."