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## GOVERNMENT NOTICES

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### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

No. R. 525

13 July 2012

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 3 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. 24 of 8 January 1999, 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. 349 of 20 April 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, R. 555 of 22 May 2009 and R. 413 of 21 May 2010.

**Amendment of regulation 10 of the Regulations**

2. Regulation 10 of the Regulations is hereby amended by the deletion of paragraph (b).

**Amendment of regulation 12 of the Regulations**

3. Regulation 12 of the Regulations is hereby amended by the deletion of paragraph (c) of subregulation (1).

**Amendment of regulation 13 of the Regulations**

4. Regulation 13 of the Regulations is hereby amended –

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

"(a) wine spirit distilled from the fermented juice of the product of the vine to an alcohol content of at least 60 per cent; or"; and

- (b) by the deletion of subparagraph (iii) of paragraph (b) of subregulation (1).

**Amendment of regulation 33 of the Regulations**

5. Regulation 33 of the Regulations is hereby amended –

- (a) by the insertion of the following paragraph after paragraph (f) of subregulation (1):

"(g) The lot identification of that liquor product as required in regulation 38B."; and

- (b) by the insertion of the following paragraph after paragraph (e) of subregulation (2):

"(f) The indication of the lot identification is –

- (i) only required in respect of a liquor product filled after 30 June 2012; and

- (ii) not required for a wine with a certification seal."

Amendment of regulation 34 of the Regulations

6. Regulation 34 of the Regulations is hereby amended –

(a) 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) and the lot identification referred to in regulation 33(1)(f) need not be indicated in the same field of vision as the other particulars referred to in regulation 33(1);"; and

(b) by the substitution for subregulation (3) of the following subregulation:

"(3) (a) A label printed before 1 January 1996 and which complies with the requirements of these regulations as applied before 1 October 1995, is regarded as complying with the provisions of this regulation.

(b) The provisions of paragraph (c)(i), (ii) and (v) of subregulation (1) do not apply to the lot identification referred to in regulation 33(1)(f)."

Amendment of regulation 35 of the Regulations

7. Regulation 35 of the Regulations is hereby amended by the substitution for paragraph (aA) of subregulation (2) of the following paragraph:

"(aA) (i) 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.

(ii) Without prejudice to the residual sugar content requirements of the classes of sparkling wine specified in items 10a, 10b, 10c, 11, 12, 13 and 14 of Table 2, the residual sugar content may not differ by more than 3 grams per litre from what appears on a label of such a class of sparkling wine."

Insertion of regulation 38B in the Regulations

8. The following regulation is hereby inserted after regulation 38A of the Regulations:

"Indication of lot identification [11(1); 27(1)(a)]

38B. (1) For the purposes of this regulation "lot" means a batch of sales units of a liquor product produced, manufactured or packaged under practically the same conditions.

(2) The lot identification shall consist of any indication or mark identifying the lot to which a liquor product belongs, preceded by the letter "L".

Amendment of regulation 41 of the Regulations

9. Regulation 41 of the Regulations is hereby amended –

(a) by the substitution for subparagraph (iii) of paragraph (b) of subregulation (3) of the following subparagraph:

"(iii) after filling and final closure, have an oxygen permeability not exceeding the limit, expressed as cubic centimetres of oxygen and measured in a 24 hour period at a temperature of 23 degrees Celsius in an atmosphere with a relative humidity of 50 per cent, set out in column 2 of the Table below for the container capacity specified in column 1 opposite thereto; and"; and

(b) by the substitution for paragraph (d) of subregulation (4) of the following paragraph:

"(d) after filling and final closure, have an oxygen permeability not exceeding the limit, expressed as cubic centimetres of oxygen and measured in a 24 hour period at a temperature of 23 degrees Celsius in an atmosphere with a relative humidity of 50 per cent, set out in column 2 of the Table below for the container capacity set out in column 1 opposite thereto."

Amendment of regulation 62 of the Regulations

10. Regulation 62 of the Regulations is hereby amended –

(a) by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

"(a) when forwarded by post, be addressed to the Administering Officer (Act No. 60 of 1989), Directorate: Food Safety and Quality Assurance, Division: Liquor Products, Private Bag X5015, STELLENBOSCH, 7599; and"; and

(b) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:

"(b) when forwarded to rail or delivered by hand be delivered to -

The Administering Officer (Act No. 60 of 1989)  
Directorate: Food Safety and Quality Assurance, Division: Liquor products  
Plant Quarantine Station  
Polkadraai Road  
STELLENBOSCH 7600."

Amendment of Table 1 of the Regulations

11. Table 1 of the Regulations is hereby amended –

(a) by the substitution for the entry "Durif" of the entry "Durif (Petite Sirah)";

(b) by the substitution for the entry "Mourvèdre (Mataro)" of the entry "Mourvèdre (Mataro; Monastrell; Monastrel)"; and

(c) by the insertion in the alphabetically correct places of the entries "Graciano", "Grasa de Cotnari", "Irsay Olivier" and "Viura".

Amendment of Table 2 of the Regulations

12. Table 2 of the Regulations is hereby amended by the substitution in columns 1 and 2 for the entries numbered 10c, 11, 12 and 13 of the following entries:

<b>Class</b>	<b>Specific requirements</b>
<b>1</b>	<b>2</b>
"10c. Brut sparkling wine	1. The residual sugar content of the product shall be less than 12,0 gram per litre. 2. See note 1.
11. Extra dry sparkling wine	1. The residual sugar content of the product shall be more than 12,0 gram per litre, but less than 17,0 gram per litre. 2. See note 1.
12. Dry sparkling wine	1. The residual sugar content of the product shall be more than 17,0 gram per litre, but less than 32,0 gram per litre. 2. See note 1.
13. Semi-sweet sparkling wine	1. The residual sugar content of the product shall be more than 32,0 gram per litre, but less than 50,0 gram per litre. 2. See note 1."

Amendment of Table 6 of the Regulations

13. Table 6 of the Regulations is hereby amended –

- (a) by the substitution for the entries in columns 2 and 3 opposite the substance "Carboxy methyl cellulose" in column 1 of the following entries:

<b>Liquor products to which substance may be added</b>	<b>Manner and conditions of addition</b>
<b>2</b>	<b>3</b>
"Grape-based liquor (excluding grape liquor); wine	Not more than 100 mg/l of this substance may be added to wine.";

- (b) by the substitution for the entry in column 3 opposite the substance "Concentrated must" in column 1 of the following entry:

<b>Manner and conditions of addition</b>
<b>3</b>
<p>"1. In unreconstituted form, this substance may –</p> <p>(a) in the case of wine of the classes specified in items 27 to 34 of Table 2, be added only as allowed in that Table;</p> <p>(b) in the case of other wine, be added before or during alcoholic fermentation and on condition that -</p> <p style="padding-left: 40px;">(i) the volume of the must to which it is added may not increase by more than 5 per cent as a result of such addition; and</p> <p style="padding-left: 40px;">(ii) the total (actual plus potential) alcohol content of the final product may not increase by more than 2 per cent as a result of such addition;</p> <p>(c) otherwise, only be added after completion or termination of alcoholic fermentation; and</p> <p>(d) in the case of the spirits specified in column 2, only be added to such extent that the sugar content of the final product, calculated as reducing sugar, does not exceed 15 g/l.</p> <p>2. In reconstituted form, this substance may –</p> <p>(a) only be added to wine or a grape-based liquor, either before, during or after alcoholic fermentation;</p> <p>(b) in the case of wine, only be added to wine not intended for certification and on condition that -</p> <p style="padding-left: 40px;">(i) it shall not be reconstituted to below 20 degrees Balling;</p> <p style="padding-left: 40px;">(ii) notice, which shall include the volume of water to be used and the degrees Balling of</p>

the concentrated must concerned, shall be given to the administering officer at least 24 hours prior to commencement of reconstitution;

- (iii) reconstitution shall not commence unless approved by the administering officer;
- (iv) any further reconstitution shall be subject to the conditions set out in subparagraphs (i), (ii) and (iii) of this paragraph;
- (v) after alcoholic fermentation and any sweetening of the wine concerned, the wine shall be analysed for alcohol and residual sugar content and such analyses shall be kept and maintained on record for a period of at least five years.";

- (c) by the substitution for the entry in column 3 opposite the substance "Pimarizin" in column 1 of the following entry:

<b>Manner and conditions of addition</b>
<b>3</b>
"This substance may –  (a) not be added to wine intended for certification;  (b) in the case of other wine, only be added until 31 December 2013 and may only be added in bottling or filling containers and only on bottling or filling premises.";

- (d) by the substitution for the entries in columns 2 and 3 opposite the substance "Water" in column 1 of the following entries:

<b>Liquor products to which substance may be added</b>	<b>Manner and conditions of addition</b>
<b>2</b>	<b>3</b>
"Spirits; grape-based liquor; spirit-based liquor; alcoholic fruit beverage	...";



(e) by the insertion after the last row of entries of the following entries in columns 1 and 2:

<b>Name of substance</b>	<b>Liquor products to which substance may be added</b>
<b>1</b>	<b>2</b>
"Yeast mannoproteins	Wine".

Substitution of Table 7 of the Regulations

14. The following Table is hereby substituted for Table 7 of the Regulations:

**"TABLE 7**

**SUBSTANCES WHICH MAY BE REMOVED FROM LIQUOR PRODUCTS**

**[Reg. 31]**

<b>Name of substance</b>	<b>Liquor products from which substance may be removed</b>	<b>Manner and conditions of removal</b>
<b>1</b>	<b>2</b>	<b>3</b>
Alcohol	Grape-based liquor; wine; alcoholic fruit beverage	By means of physical separation techniques and, in the case of wine, in accordance with the provisions of note 1.
Bacteria and fungi	Wine; alcoholic fruit beverage; grape-based liquor	By means of ultraviolet radiation on condition that, in the case of wine, the treated wine shall have a vinous character.

Cloudiness, colouring agents and proteins	Wine; alcoholic fruit beverage; grape-based liquor	By means of -  (a) pasteurisation or cold stabilisation or, in the case of a grape-based liquor or alcoholic fruit beverage, also filtration or ion exchange resins; or  (b) treatment with any of the applicable substances listed in column 1 of Table 6, under the applicable manner and conditions of addition set out in column 3 of that table.
Heavy metals	Wine; alcoholic fruit beverage; spirits; grape-based liquor	By means of treatment with potassium ferro cyanide in accordance with the provisions of regulation 31(4) or, in the case of an alcoholic fruit beverage or grape-based liquor, also ion exchange resins.
Organic acids	Wine; alcoholic fruit beverage; grape-based liquor	By means of cold stabilisation or treatment with any of the applicable substances listed in column 1 of Table 6, under the applicable manner and conditions of addition set out in column 3 of that table, or in the case of an alcoholic fruit beverage or grape-based liquor, also ion exchange resins.
Sulphur dioxide	Wine; alcoholic fruit beverage; grape-based liquor	By means of physical processes or treatment with any of the applicable substances listed in column 1 of Table 6, under the applicable manner and conditions of addition set out in column 3 of that table. In the case of wine, such physical processes may only be used on the must intended for wine.

Tartrates and other substances which could affect the stability of a liquor product	Wine; alcoholic fruit beverage; grape-based liquor	By means of -  (a) cold stabilisation or, in the case of a grape-based liquor or alcoholic fruit beverage, also membrane diffusion or ion exchange resins;  (b) treatment with any of the applicable substances listed in column 1 of Table 6, under the applicable manner and conditions of addition set out in column 3 of that table; or  (c) electro dialysis treatment in accordance with the provisions of note 2.
Undesirable flavours	Wine; alcoholic fruit beverage; grape-based liquor	By means of treatment with any of the applicable substances listed in column 1 of Table 6, under the applicable manner and conditions of addition set out in column 3 of that table, or, in the case of an alcoholic fruit beverage or grape-based liquor, also ion exchange resins.
Volatile Acid	Wine; alcoholic fruit beverage; grape-based liquor	By means of physical separation techniques followed by ion exchange resins.
Water	Wine; alcoholic fruit beverage; grape-based liquor	By means of physical separation techniques. In the case of wine, this substance may only be removed from the must intended for wine.

**Notes:**

1. (a) The treated wine shall have a vinous character.
- (b) No water or other substance other than that contained in the original wine prior to processing may be returned to the wine being treated.
- (c) Treatment of the original wine may not commence unless prior written notification thereof was given to the administering officer and the customs and excise officer concerned, and the administering officer has taken a sample of the original wine.

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- (d) Comprehensive records, ensuring full traceability from the original wine to the treated wine of all actions, processes and substances involved, shall, to the satisfaction of the administering officer, be kept by all involved parties.
- (e) A treated wine may not be bottled or sold unless prior written notification thereof was given to the administering officer and the administering officer has given written permission for the treated wine to be bottled or sold, irrespective whether the administering officer has taken a sample of the treated wine or not.
2. (a) This treatment shall be a physical method for the extraction of ions in super-saturation in the product under the action of an electric field with the help of membranes permeable only to anions on the one hand, and membranes permeable only to cations on the other hand.
- (b) The membranes shall be arranged alternately in a system typical of a filter-press or any other appropriate system, that establishes compartments of processing (product) and concentration (reject water).
- (c) Cation exchange membranes shall be adapted to the extraction of only cations and in particular:  $K^+$ ,  $Ca^{++}$ .
- (d) Anion exchange membranes shall be adapted to the extraction of only anions and especially of tartrate anions.
- (e) The equipment used shall be operated under a control system that takes into account the instability of each product in such a way that only the super-saturation in potassium hydrogen tartrate and in salts of calcium is eliminated.
- (f) The implementation of the process shall be under the responsibility of an oenologist or specialist technician."