

**DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT****NO. R. 736****13 August 2021****LIQUOR PRODUCTS ACT, 1989****(ACT No. 60 OF 1989)****REGULATIONS: AMENDMENT**

The Minister of Agriculture, Land Reform and Rural Development 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, R. 413 of 21 May 2010, R. 525 of 13 July 2012,

R. 401 of 2 May 2014, R. 629 of 24 July 2015, R. 5 of 5 January 2018 and R. 274 of 1 March 2019.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended -

(a) by the substitution for the definition of "natural wine" of the following definition:

"'natural wine' means wine of which the alcohol content is more than 0.5 per cent but less than 16,5 per cent;"; and

(b) by the insertion after the definition of "responsible seller" of the following definition:

"'scheme' means the Wine of Origin Scheme, published by Government Notice No. R. 1434 of 29 June 1990;".

Amendment of regulation 9 of the Regulations

3. Regulation 9 of the Regulations is hereby amended by the insertion after item 4 of the Table of the following item:

<b>Raw material</b>	<b>Class of spirit</b>
<b>1</b>	<b>2</b>
"5. Fermented fruit other than the product of the vine	Mampoer".

Amendment of regulation 12 of the Regulations

4. Regulation 12 of the Regulations is hereby amended by the substitution for paragraph (a) of the following paragraph:

"(a) be distilled from the fermented juice of the product of the vine which is, under excise supervision, discontinuously distilled in batches using a pot still and distilled to an alcohol content of not more than 75 per cent;"

Insertion of regulation 20 in the Regulations

5. Regulation 20 is hereby inserted in the Regulations after regulation 19:

"20. Requirements for mampoer

Mampoer shall -

- (a) be distilled from the fermented juice of any fruit other than the product of the vine, which is distilled in a pot still to an alcohol content of not more than 75 per cent;
- (b) have an alcohol content of at least 50 per cent."

Amendment of regulation 33 of the Regulations

6. Regulation 33 of the Regulations is hereby amended by the substitution for subparagraph (i) of paragraph (a) of subregulation (2) of the following subparagraph:

"(i) is a skin macerated white, an extended barrel aged white/gris, a natural pale/non-fortified pale, a methode ancestrale, an alternative red/rosé/white, a perlé wine, a sparkling wine, a sun wine, a low alcohol wine or a spirit-barrel-aged wine; or".

Amendment of regulation 35 of the Regulations

7. Regulation 35 of the Regulations is hereby amended:

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

"(iii) in the case of a spirit-barrel-aged wine, the word "spirit" in the class designation shall be replaced by the name of the spirit concerned."; and

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

"(cA) If vodka is flavoured, the designation of the flavouring concerned shall, wherever the word "vodka" is to be used, be indicated on a label immediately preceding the words "flavoured vodka"."

Amendment of regulation 39 of the Regulations

8. Regulation 39 of the Regulations is hereby amended by the insertion after paragraph (c) of subregulation (1) of the following paragraphs:

"(d) in connection with the sale of wine indicate that such wine is free of sulphites, unless -

- (i) that wine does not contain any discernible sulphites; or
  - (ii) if that wine contains sulphites in a concentration of less than 10 milligram per litre (measured by aspiration with titration as total sulphur dioxide), such indication of being sulphites free is used in direct conjunction with wording to the effect that the wine contains less than 10 milligram per litre of sulphites.
- (e) in connection with the sale of wine indicate that such wine has no added sulphites or is low or lower in sulphites, unless that wine contains sulphites in a concentration of less than 10 milligram per litre, measured by aspiration with titration as total sulphur dioxide.
- (f) in connection with the sale of wine indicate that such wine is free of gluten unless such indication is in the form of "naturally gluten free".

- (g) in connection with the sale of wine indicate that such wine is lower in alcohol, light, lite or the like, unless that wine has an actual alcohol content of no more than 10 per cent.
  
- (h) in connection with the sale of wine indicate that such wine is low in kilojoules, lower in kilojoules or the like, unless that wine has a total (potential plus actual) alcohol content of no more than 10 per cent."

#### Amendment of Table 1 of the Regulations

9. Table 1 of the Regulations is hereby amended -

- (a) by the substitution for the entry "Alvarinho (Albarino)" of the entry "Alvarinho (Albariño)";
  
- (b) by the substitution for the entry "Cabernet Franc" of the entry "Cabernet franc";
  
- (c) by the substitution for the entry "Carmenere" of the entry "Carmenère";
  
- (d) by the substitution for the entry "Durif (Petite Sirah)" of the entry "Durif (Petite Sirah; Petite Syrah)";
  
- (e) by the substitution for the entry "Nero D'Avola" of the entry "Nero d'Avola";

(f) by the substitution for the entry "Pontak (Teinturier male)" of the entry "Pontak (Pontac; Teinturier male)"; and

(g) by the insertion in the alphabetically correct place of the entry "Counoise".

#### Amendment of Table 2 of the Regulations

10. Table 2 of the Regulations is hereby amended by the insertion after item 8e of the following items:

<b>Class</b>	<b>Specific requirements</b>
<b>1</b>	<b>2</b>
"8f. Low alcohol wine	<ol style="list-style-type: none"> <li>1. The alcohol content of the product shall be more than 0.5 per cent, but shall not exceed 4.5 per cent.</li> <li>2. The product shall not also claim to be one of the classes in this table, which must be certified.</li> <li>3. The product may lay claim to cultivar or vintage year if, before the removal of any alcohol, it was provisionally approved as such in terms of section 25 the scheme: Provided that such product need not be sensorially evaluated in terms of the scheme and shall not carry a seal or mark referred to in section 26 of the scheme.</li> </ol>
8g. Spirit-barrel-aged wine	The product shall be matured for at least 3 months in a barrel previously used to age a spirit."

#### Amendment of Table 4 of the Regulations

11. Table 4 of the Regulations is hereby amended by the substitution for the entry "2,5" in column 3 opposite item 4 of the entry "more than 0,5".

## Amendment of Table 6 of the Regulations

12. Table 6 of the Regulations is hereby amended -

- (a) by the substitution for the entry "Ammonium sulphite" in column 1 of the entry "ammonium sulphide";
- (b) by the substitution for the entry "All types and classes" in column 2 opposite the entry "Bentonite" in column 1 of the entry "All types and classes (excluding mampoer)";
- (c) by the substitution for the entry "wine (excluding noble late harvest wine); alcoholic fruit beverage; grape-based liquor; spirit-based liquor; spirits" in column 2 opposite the entry "Carbon dioxide" in column 1 of the entry "wine (excluding noble late harvest wine); alcoholic fruit beverage; grape-based liquor; spirit-based liquor; spirits (excluding mampoer)";
- (d) by the substitution for the entry "wine (excluding special late harvest wine and noble late harvest wine); alcoholic fruit beverage; spirits (excluding premium husk spirit, pot still brandy and vintage brandy); grape-based liquor; spirit-based liquor" in column 2 opposite the entry "Charcoal" in column 1 of the entry "wine (excluding special late harvest wine and noble late harvest wine); alcoholic fruit beverage; spirits (excluding premium husk spirit, mampoer, pot still brandy and vintage brandy); grape-based liquor; spirit-based liquor";



- (e) by the substitution for the entry "All types and classes" in column 2 opposite the entry "Filtering aids of inert material" in column 1 of the entry "All types and classes (excluding mampoer)";
- (f) by the substitution for the entry "husk spirit, premium husk spirit, pot still brandy, brandy, vintage brandy; gin; grape-based liquor (excluding grape liquor); spirit-based liquor; alcoholic fruit beverage" in column 2 opposite the entry "Flavourings of plant origin or extracts thereof" in column 1 of the entry "husk spirit, premium husk spirit, pot still brandy, brandy, vintage brandy; gin; vodka; grape-based liquor (excluding grape liquor); spirit-based liquor; alcoholic fruit beverage";
- (g) by the substitution for the entry "Flavourings of plant origin or extracts thereof" in column 1 of the entry "Flavourings of plant origin or extracts thereof, excluding flavourings, extracts or anything derived from plants of the genus *Cannabis*.";
- (h) by the substitution for the entry "alcoholic fruit beverage; grape-based liquor (excluding grape liquor); spirit-based liquor" in column 2 opposite the entry "Flavourings that are nature-identical" in column 1 of the entry "alcoholic fruit beverage; grape-based liquor (excluding grape liquor); spirit-based liquor; vodka";
- (i) by the substitution for the entry "Flavourings that are nature-identical" in column 1 of the entry "Flavourings that are nature-identical, excluding nature-identical flavourings, extracts or anything derived from plants of the genus *Cannabis*.";

- (j) by the substitution for the entry "All types and classes" in column 2 opposite the entry "Gelatine" in column 1 of the entry "All types and classes (excluding mampoer)";
- (k) by the substitution for the entry "wine; alcoholic fruit beverage; grape-based liquor; spirits" in column 2 opposite the entry "Potassium ferrocyanide" in column 1 of the entry "wine; alcoholic fruit beverage; grape-based liquor; spirits (excluding mampoer).";
- (l) by the substitution for the entry "Not more than 100mg/l of this substance may be added to wine." in column 3 opposite the entry "Sodium carboxymethyl cellulose (CMC)" in column 1 of the entry " Not more than 200mg/l of this substance may be added to wine.";
- (m) by the substitution for the entry "sparkling wines which undergo a second alcoholic fermentation; alcoholic fruit beverage (excluding fortified apple and pear beverages); spirits; grape-based liquor (excluding grape liquor and flavoured grape liquor); spirit-based liquor" in column 2 opposite the entry "Sugar of plant origin" in column 1 of the entry "sparkling wines which undergo a second alcoholic fermentation; alcoholic fruit beverage (excluding fortified apple and pear beverages); spirits (excluding mampoer); grape-based liquor (excluding grape liquor and flavoured grape liquor); spirit-based liquor";
- (n) by the substitution for the entry "wine; spirits (excluding grape spirit, cane spirit, vodka, unspecified spirit and mixed spirit); alcoholic fruit beverage; grape-based

liquor" in column 2 opposite the entry "Tannin if it is not foreign to wine" in column 1 of the entry "wine; spirits (excluding grape spirit, cane spirit, mampoer, vodka, unspecified spirit and mixed spirit); alcoholic fruit beverage; grape-based liquor";

- (o) by the substitution for the entry "Tannin if it is not foreign to wine" in column 1 of the entry "Tannin";
- (p) by the substitution for the entry "spirits; grape-based liquor; spirit-based liquor; alcoholic fruit beverage" in column 2 opposite the entry "Water" in column 1 of the entry "wine; spirits; grape-based liquor; spirit-based liquor; alcoholic fruit beverage";
- (q) by the insertion in column 3 opposite the entry "Water" in column 1 of the following entry: "In the case of wine this substance shall only be added where required on account of a specific technical necessity: Provided that if added to facilitate fermentation, it may not dilute the must below 22 degrees Balling."; and
- (r) by the substitution for the entry "wine; spirits (excluding grape spirit, cane spirit, vodka, unspecified spirit and mixed spirit); spirit-based liquor; alcoholic apple and pear beverage; grape-based liquor" in column 2 opposite the entry "Wood" in column 1 of the entry "wine; spirits (excluding grape spirit, cane spirit, mampoer, vodka, unspecified spirit and mixed spirit); spirit-based liquor; alcoholic apple and pear beverage; grape-based liquor".

Amendment of Table 8 of the Regulations

13. Table 8 of the Regulations is hereby amended by the substitution for the entry "0,3, but 0,25 in the case of wine produced after 31 December 1994, and 0,2 in the case of wine produced after 31 December 1997" in column 2 opposite the entry "Lead" in column 1 of the entry "0,3, but 0,25 in the case of wine produced after 31 December 1994, 0,2 in the case of wine produced after 31 December 1997, 0,1 for natural wine produced after 31 December 2019 and 0,15 for fortified wine produced after 31 December 2019.",

Amendment of Table 10 of the Regulations

14. Table 10 of the Regulations is hereby amended -

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

<b>Klasbenaming Class designation</b>	<b>Toelaatbare alternatief Permissable alternative</b>
<b>1</b>	<b>2</b>
"1AA. Dopmasereerde wit /Skin macerated white	Oranjewyn/ Orange wine
1AB. Methode ancestrale	Petillant natural/natura indien die druk in die bottel waarin dit verkoop staan te word gelyk aan of minder as 300 kPa is/ Petillant natural/natura if the pressure in the bottle in which it is to be sold is equal to or less than 300 kPa.";

(c) by the insertion of the following entries after item 13C:

<b>Klasbenaming Class designation</b>	<b>Toelaatbare alternatief Permissible alternative</b>
<b>1</b>	<b>2</b>
"13D. Potketelbrandewyn/ Pot still brandy	Cape Brandy indien van druiwe van die Oos-, Noord- of Wes-Kaap en gedistilleer in enige van genoemde provinsies/ Cape brandy if from grapes of the Eastern, Northern or Western Cape and distilled in any of said provinces."