



INFORMATION

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1 USE OF TRADITIONAL TERMS IN THE EU

Article 24 of EU Regulation 753 of 2002 protects a long list of so called traditional terms. These terms are also protected against "all misuse, imitation or evocation,...".

Most problematic for us has been use of the expression "reserve", one of the traditional terms listed. In practice, not all EU countries have prohibited use of "reserve". We know that Germany and Sweden do not allow use of this expression, but the UK does as long as it is not used together with the name of a variety, e.g. "Chardonnay Reserve". However, said Regulation empowers all EU countries to effectively prohibit use of "reserve" and all the other traditional terms. Thus, there will always be a risk in using any of the traditional terms.

The protection is language specific, but will also apply if an expression is too similar (imitation or evocation) to the term in the protected language, e.g. "straw wine" might be too close to "strohwein".

As was reported in a previous Wine Law, the "port" terms "ruby", "tawny" and "vintage" are now allowed (must be used with "Cape") on certified wines, but many other "port" and "sherry" terms are on the list. These include: criadera, solera, cream, fino, oloroso, fine, late bottled vintage/character, LBV, crusted, crusting and amontillado.

Other terms listed, which might be problematic, include: eiswein, landwein, classic, klassik, classico, noble, château, claret, clos, grand cru, sur lie, strohwein and bergwein.

Protection of these terms does not apply in the case of trade marks legally registered or acquired in any EU Member State before date of publication (4 May 2002) of this Regulation, but be prepared to submit proof of registration or acquisition.

2 PRODUCTION OF ROSÉ WINE FOR THE EU

In some quarters there is the belief that a rosé wine may only be exported to the European Union if it is also a blanc de noir wine. We have now received confirmation from the EU Commission that a blend of white and red wine may also be exported to the EU as a rosé wine, but only in the case of certified wine (wine of origin).

3 INDICATION OF MORE THAN ONE ORIGIN FOR THE EU

In Wine Law of 4 September 2006 you were informed that, under certain conditions, it is now possible to blend wines (or grapes) from different origin areas and indicate it as such, for example, "Wine of Origin Stellenbosch and Constantia". We also promised to let you know whether this

practice will be allowed for export to the EU. The EU Commission has now indicated that this practice is prohibited on the EU market.

4 GENETICALLY MODIFIED ORGANISMS

The Wine and Spirit Board has officially confirmed that it supports the industry's policy in above regard. This entails that the board will not allow the use of GM grapes for or GM organisms in the production of certified wine until such time that such practices are internationally acceptable. Research in this regard is supported, but only if strictly controlled through internationally accepted protocols.


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