



CALL FOR COMMENTS

1. PROPOSED AMENDMENTS TO REGULATIONS/NOTICES OF LIQUOR PRODUCTS ACT
2. PROPOSED AMENDMENTS TO WINE OF ORIGIN SCHEME

1 PROPOSED AMENDMENTS TO REGULATIONS/NOTICES OF LIQUOR PRODUCTS ACT

The administering officer of the Liquor Products Act, 60 of 1989, will be channeling proposed amendments to the Regulations and Notices of said Act to the Department of Agriculture, Land Reform and Rural Development (DALRRD) for consideration and eventual approval and publication by the Minister concerned. The proposed amendments are the result of inputs and requests from and consultations with various parties, including the industries concerned. Due consideration by DALRRD will take some time, but we shall let you know as soon as publication happens and make an updated set of Regulations and Notices available for download.

Please note that we set out the proposed amendments for information purposes and for **comments by 31 October 2021** only – they are not actionable until approved and published by the Minister. Please feel free to email any comments or questions to the contact linked below the date above. The proposed amendments are:

1.1 Spirit aperitif

Currently this class of spirit-based liquor is known as spirit cocktail with the permissible alternative name of spirit aperitif. It has a minimum alcohol content of 24 %, but no maximum alcohol content, and requires a sugar content of at least 75 gram per litre.

This class has become a catch all category for both imported and local products, resulting in spirit aperitifs being passed off as spirit classes (like a brandy or a rum), both in packaging and in taste. Some with spirit flavourings (like a brandy flavouring) and other flavourings and most displayed with spirits at retail and online outlets. This has not only made application of this legislation by DALRRD difficult but has been misleading and confusing to the consumer. Despite the required minimum sugar content, the distinction between a spirit and a spirit aperitif has become blurred.

As a result, the proposal is to do away with a single, all-encompassing spirit aperitif class and replace it with existing, defined spirits classes to which is added herbs, natural extracts of herbs, other flavourings of vegetable origin or flavourings which are nature-identical (excluding spirit flavourings), egg, milk, sugar of plant origin or water. Thus, for example, brandy must form the basis of a "brandy aperitif", rum the basis of a "rum aperitif", vodka the basis of a "vodka aperitif", and so on. Any one of the following existing spirit classes can form the basis of the new spirit aperitif class: grape spirit, 100 % agave, husk spirit, premium husk spirit, pot still brandy, brandy, vintage brandy, whisky, malt whisky, blended whisky, cane spirit, rum, compound gin, infused gin, distilled gin or vodka.

The new spirit aperitif ("cocktail" no longer to be used) class will not have a minimum sugar content. To ensure a clear distinction between a spirit aperitif and spirit, the former will have a maximum allowed alcohol content of 30 % and the "spirit" (or the name of the spirit concerned) must always be used in conjunction with "aperitif" – for example "spirit aperitif" or "brandy aperitif" or "rum aperitif".

As a result of above-mentioned, provision will be made (see below) for certain flavoured/spiced spirits, like spiced rum and absinthe.

Provision is made for the phasing out of current products over a period of about 3 years – until 31 December 2024.

1.2 Absinthe

At present absinthe is sold as a spirit aperitif. With the proposed maximum alcohol content for a spirit aperitif this will no longer be possible. Consequently, absinthe as a class of spirit is proposed. The specifics, following international standards, are set out in ANNEX A hereto.

1.3 Flavoured/spiced rum

Another spirit which has been camouflaging as a spirit aperitif. It is now proposed that natural flavourings and honey be allowed to be added to rum. These additives together with any sugar added, may not increase the sugar content of the final product to more than 15 gram per litre.

Spiced rum must still have a discernible rum taste as opposed to a distinctive rum taste for the "unflavoured" product.

As is currently the case in respect of flavoured vodka, to avoid misleading the consumer, the following labelling requirement will apply:

"If rum is flavoured, the word "rum" shall only be used on any label if it is used in conjunction with and in letters of the same colour, type and size as the name or names of the flavouring or flavourings and the word "flavoured" or, if that is the case, "infused": Provided that -

- (i) the names of such flavourings may be substituted by a collective name for such flavourings; and
- (ii) if rum is spiced, the name or names of such spice or spices and the word "flavoured" or "infused" may be replaced by the word "spiced".

1.4 Gin classes

Gin has exploded over recent years. Unfortunately, not always following the correct route. To rectify this and on account of the proposed new spirit aperitif requirements, and in line with international legislation, 3 classes of gin are proposed.

Please see ANNEX B hereto for the specifics of this proposal.

1.5 100 % agave

A new spirit class necessitated by the spirit aperitif proposal but also overdue to be a separate class.

ANNEX C hereto gives the necessary details.

1.6 Sensorial evaluation and analyses of old red and white wines

Some producers make exclusive wines in small quantities. These wines are released in smaller lots over a long period of time. To have to provide samples of these wines for sensorial evaluation and analyses, for local sales or exports, becomes expensive. Thus, the proposal that samples need not be taken if the wine has been in glass containers for at least 10 years for red wine and 7 years for white wine and the wine has been approved at least 3 times by the Wine and Spirit Board.

1.7 Rosé from white wine aged in wooden casks, previously used to age red wine

A new wine class proposed at the request of producers. Please see ANNEX D for details.

1.8 Rules regarding low in alcohol, extra light and the like

The guidelines regarding the use of terms such as "lower in alcohol", "light" and "lite" have recently been incorporated into the Regulations. This has given rise to difficulties in the application and interpretation of the use of terms such as "low in alcohol", "extra light" and the like. To solve this, using the maximum alcohol content of the class "Low in Alcohol wine" as criterium, the following regulation is proposed (new regulation in red):

No person shall -

- (1) in connection with the sale of wine indicate that such wine is –
 - (a) lower in alcohol, light, lite or the like, unless that wine has an actual alcohol content of no more than 10 per cent; and
 - (b) low or very low in alcohol, extra light, ultra light, extra lite, ultra lite or the like, unless that wine has an actual alcohol content of no more than 4.5 per cent: Provided that the board or the administering officer, as the case may be, may until 31 December 2024 allow wine not complying with this provision.

Stock, not complying with this new regulation, will be allowed to be phased out.

1.9 The Cape Red Blend

Pinotage is a red grape variety unique to South Africa. Utilising this, the proposal is for a unique South African red wine class as follows:

The Cape Red Blend	1. The product shall be a blend of wines from red wine varieties of which the variety Pinotage shall be the largest component and be at least 30 per cent and not more than 70 per cent of the total volume of the product.
	2. The product shall comply with the provisions of section 23(4)(e)(i) and (ii) of the scheme.
	3. The product may only be sold if it has been certified.
	4. The administering officer or the board, as the case may be, may until 31 December 2024 allow the product not complying with the above-mentioned requirements.

1.10 Pineapples not allowed for the production of alcoholic fruit beverages

DALRRD has decided to not allow pineapples to be used to produce an alcoholic fruit beverage. If you have queries or concerns in this regard please contact the administering officer of the Liquor Products Act at WendyJ@dalrrd.gov.za.

1.11 List of grape varieties allowed for wine production

The Wine and Spirit Board and the administering officer of the Liquor Products Act have approved the use for wine production of several grape varieties and have also given permission for the indication of synonyms for some grape varieties. Table 1 of the Regulations has been updated accordingly. See ANNEX E – new varieties and new synonyms are shown in red.

1.12 Descriptors for pot still brandy (Cape brandy) and vintage brandy

It is proposed to codify the use of the descriptors "VS", "VSOP", "XO" and "XXO" for above-mentioned products as follow:

VS = 3 years of oak maturation required

VSOP = 4 years of oak maturation required

XO = 10 years of oak maturation required

XXO = 14 years of oak maturation required

1.13 List Calcium tartrate as an approved additive to wine

Proposed, after considering international standards and safety factors, that Calcium tartrate be added to the Regulations for use as an additive to wine.

1.14 Use of "mezcal"

"Tequila" may not be used in South Africa unless such use is in compliance with the official Mexican standard. It is proposed that the same should apply to the use of "mezcal".

2 PROPOSED AMENDMENTS TO WINE OF ORIGIN SCHEME

As with above-mentioned proposed amendments to the Regulations and Notices, we set out the proposed amendments to the Wine of Origin Scheme for information purposes and for **comments by 31 October 2021** only – they are not actionable until approved and published by the Minister. Please feel free to email any comments or questions to the contact linked below the date above.

2.1 List of grape varieties allowed for certified wine production

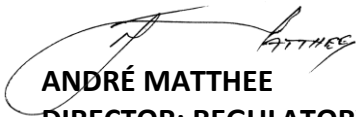
The Wine and Spirit Board and the administering officer of the Liquor Products Act have approved the use for certified wine production of several grape varieties and have also given permission for the indication of synonyms for some grape varieties. Table 1 of the Wine of Origin Scheme has been updated accordingly. See ANNEX F – new varieties and new synonyms are shown in red.

2.2 Sensorial evaluation and analyses of old red and white wines

Some producers make exclusive wines in small quantities. These wines are released in smaller lots over a long period of time. To have to provide samples of these wines for sensorial evaluation and analyses, for local sales or exports, becomes expensive. Thus, the proposal that samples need not be taken if the wine has been in glass containers for at least 10 years for red wine and 7 years for white wine and the wine has been approved at least 3 times by the Wine and Spirit Board.

2.3 Indication of the name of an origin area

It is compulsory for a certified wine label to indicate the name of the origin area concerned together with the expression "Wine of Origin" or "W.O." in the prescribed manner. Once this requirement has been met, producers are free to use the name of such an origin area without this expression. This has been the case since the Wine of Origin Scheme came into operation in 1973. For the avoidance of any doubt, it is proposed to make this even clearer in the Wine of Origin Scheme.



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Disclaimer: This document has been prepared primarily for the general information of the South African wine industry and does not represent any form of legal advice. Accordingly, readers should not rely on the comments contained herein, whether express or implied, and should consult the legislation concerned and obtain specific advice on these matters from their own legal advisers. Writer or his employer does not accept responsibility for the accuracy or completeness of any recommendations, comments, information, r advice contained herein, and will not be held liable for any loss or damage that may arise as a result of the use of the information.

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THE WINE AND SPIRIT BOARD

WINE OF ORIGIN (WO) · INTEGRATED PRODUCTION OF WINE (IPW) · ESTATE BRANDY

TABLE 1
GRAPE CULTIVARS WHICH MAY BE USED FOR THE PRODUCTION OF WINE

Alicante Bouschet (Henri Bouschet)	Grasa de Cotnari	Pinotage
Alvarinho (Albariño)	Grenache (Rooi/Red Grenache; Grenache noir; Garnacha)	Pinot blanc (Weissburgunder)
Auxerrois	Grenache blanc (Wit/White Grenache)	Pinot gris (Pinot grigio; Gruaburgunder)
Barbarossa	Grenache gris	Pinot noir
Barbera	Grüner Veltliner	Piquepoul blanc
Barlinka	Harslevelü	Pontak (Pontac; Teinturier male)
Bastardo do Castelo	Irsai Olivier (Irsay Oliver)	Raisin blanc (Gros Vert)
Bastardo do Menudo	Kanaän (Belies; Canaän)	Riesling** (Weisser Riesling; Ryn Riesling; Rhine Riesling)
Beogradska Bela	Kerner	Roobernet
Beogradska Crna	Kristal	Roussanne
Bourboulenc	Malbec	Ruby Cabernet
Bukettraube	Marsanne	Sangiovese
Cabernet franc	Marselan	Sauvignon blanc (Blanc Fumé; Fumé blanc)
Cabernet Sauvignon	Merbein Seedless	Schönburger
Carignan (Carinena)	Merlot	Sémillon (Groendruif)
Carmenère	Meunier (Pinot Meunier)	Seyval blanc
Ceresa	Morio Muscat (Muscat; Moscato)	Shiraz (Syrah)
Chambourcin	Mourisco tinto	Souzão
Chardonnay	Mourvèdre (Mataro; Monastrell; Monastrel)	Sultana (Sultanina; Thompson's Seedless)
Chenel	Müller-Thurgau	Sylvaner
Chenin blanc (Steen)	Muscat d'Alexandrie (Hanepoot; Muscat; Moscato; Muscat of Alexandria)	Tannat
Cinsaut	Mliteuscat de Frontignan (Muskadel; Muscadel; Muscat; Muscat blanc; White Muscadel; Wit Muscadel; Muscat rouge; Red Muscadel; Rooi Muscadel; Moscato; Muscat blanc á Petit Grains)***)	Tempranillo (Tinta Roriz)
Cinsaut blanc	Muscat de Hambourg (Muscat; Moscato)	Therona
Cinsaut gris	Muscat Ottonel (Muscat; Moscato)	Tinta Amarela (Tinta Amarela; Trincadeira; Trincadeira Preta)
Clairette blanche	Nebbiolo	Tinta Barocca (Tinta das Baroccas)
Colombar (Colombard)	Nero d'Avola	Tinta Francisca
Colomino	Nouvelle	Touriga Franca
Cornifesto	Olasz	Touriga Nacional
Counoise	Palomino (Fransdruif; White French; Malvasia Rei; Listán blanc; Listón Blanco)	Ugni blanc (Trebbiano)
Crouchen (Riesling*; Cape Riesling; Kaapse Riesling)	Pedro (Valse)	Verdelho
Donzellinho do Castelo	Petit Verdot (Verdot)	Vermentino
Donzellinho do Gallego		Vidal blanc
Durif (Petite Sirah; Petite Syrah)		Villard blanc
Emerald Riesling		Viognier
Erlihane		Viura (Macabeo)
Ferdinand de Lesseps		Weldra
Fernão Pires		Zanthe Korinthe
Furmint		Zinfandel (Primitivo)
Gamay noir		
Gewürztraminer		
Grachen		
Graciano		

TABLE 1
VINE CULTIVARS TO WHICH SCHEME APPLIES

Alicante Bouschet (Henri Bouschet)	Müller-Thurgau
Alvarinho (Albariño)	Muscat d' Alexandrie (Hanepoot; Muscat; Moscato; Muscat of Alexandria)
Auxerrois	Muscat de Frontignan (Muskadel; Muscadel; Muscat; Muscat blanc; White Muscadel; Wit Muskadel; Muscat Rouge; Red Muscadel; Rooi Muskadel; Moscato; Muscat blanc á Petit Grains ***)
Barbarossa	Muscat de Hambourg (Muscat; Moscato)
Barbera	Muscat Ottonel (Muscat; Moscato)
Bastardo do Castelo	Nebbiolo
Bastardo do Menudo	Nero d'Avola
Bourboulenc	Nouvelle
Bukettraube	Olasz
Cabernet franc	Palomino (White French; Fransdruif; Malvasia Rei; Listán blanc; Listón blanco)
Cabernet Sauvignon	Petit Verdot (Verdot)
Carignan (Carinena)	Pinotage
Carmenère	Pinot blanc (Weissburgunder)
Chardonnay	Pinot gris (Pinot grigio; Gruaburgunder)
Chenel	Pinot noir
Chenin blanc (Steen)	Piquepoul blanc
Cinsaut (Cinsault)	Pontak (Pontac; Teinturier male)
Cinsaut blanc	Riesling** (Weisser Riesling; Ryn Riesling; Rhine Riesling)
Clairette blanche	Roobernet
Colombar (Colombard)	Roussanne
Cornifesto	Ruby Cabernet
Counoise	Sangiovese
Crouchen (Riesling*; Cape Riesling; Kaapse Riesling)	Sauvignon blanc (Blanc Fumé; Fumé blanc)
Donzellinho do Castelo	Schönburger
Donzellinho do Gallego	Sémillon (Groendruif)
Durif (Petite Sirah; Petite Syrah)	Shiraz (Syrah)
Emerald Riesling	Souzào
Erlihane	Sultana (Sultanina; Thompson's Seedless)
Fernão Pires	Sylvaner
Furmint	Tannat
Gamay noir	Tempranillo (Tinta Roriz)
Gewürztraminer	Therona
Grachen	Tinta Amarella (Tinta Amarela; Trincadeira; Trincadeira Preta)
Graciano	Tinta Barocca (Tinta das Baroccas)
Grasa de Cotnari	Tinta Francisca
Grenache (Rooi/Red Grenache; Grenache noir; Garnacha)	Touriga Franca
Grenache blanc (White/Wit Grenache)	Touriga Nacional.
Grenache gris	Ugni blanc (Trebbiano)
Grüner Veltliner	Verdelho
Harslevelü	Vermentino
Irsai Oliver (Irsay Oliver)	Viognier
Kerner	Viura (Macabeo)
Kristal	Weisser Riesling (Rhine Riesling; Ryn Riesling)
Malbec	Zinfandel (Primitivo)
Marsanne	
Marselan	
Merlot	
Meunier (Pinot Meunier)	
Morio Muscat (Muscat; Moscato)	
Mourisco tinto	
Mourvèdre (Mataro; Monastrell; Monastrel)	