



STATUTORY INSTRUMENTS

1995 No. 615
AGRICULTURE

The Common Agricultural Policy (Wine)
Regulations 1995

<i>Made</i>	<i>7th March 1995</i>
<i>Laid before Parliament</i>	<i>9th March 1995</i>
<i>Coming into force</i>	<i>1st April 1995</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated¹ for the purposes of section 2(2) of the European Communities Act 1972² in relation to the common agricultural policy of the European Community, acting jointly in exercise of the powers conferred on them by the said section 2(2) and of all other powers enabling them in that behalf, hereby make the following Regulations:—

PART I
TITLE, COMMENCEMENT,
INTERPRETATION AND REVOCATION

Title, extent and commencement

1. These Regulations may be cited as the Common Agricultural Policy (Wine) Regulations 1995, shall apply throughout the United Kingdom and shall come into force on 1st April 1995.

Interpretation and revocation

2.—

(1) In these Regulations, unless the context otherwise requires—

“analysis” has, in relation to England, Wales and Scotland, the same meaning as in section 53(1) of the Food Safety Act 1990³ and, in relation to Northern Ireland, the same meaning as in Article 2(2) of the Food Safety (Northern Ireland) Order 1991⁴;

“authorised officer” means any person (whether or not an officer of that authority) who is authorised for the purposes of these Regulations by an enforcement authority;

“the Commissioners” means the Commissioners of Customs and Excise;

¹S.I. 1972/1811.

²1972 c.68; the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act 1993 (c.51).

³1990 c.16.

⁴S.I. 1991/762 (N.I.7).

“Community provision” means any provision of any Regulation of the European Communities which is referred to in Schedule 1 to these Regulations, or of the Treaties relating to the accession to the European Communities, respectively, of the Hellenic Republic signed at Athens on 28th May 1979⁵ and of the Kingdom of Spain and the Portuguese Republic signed, respectively, at Madrid and Lisbon on 12th June 1985⁶ and, where any such provision has been adapted by the European Economic Area Agreement, includes the adaptation to it effected thereby;

“controlled wine-sector product” means any wine-sector product whose movement has been prohibited pursuant to regulation 9;

“county” means in relation to England, a county established by section 1 of the Local Government Act 1972⁷ and in relation to Wales, a county established by section 20 of that Act;

“enforcement authority” means—

- (a) in relation to any part of the United Kingdom, the Commissioners or the Wine Standards Board;
- (b) in relation to England, the Minister of Agriculture, Fisheries and Food;
- (c) in relation to Scotland or Wales, the Secretary of State;
- (d) in relation to Northern Ireland, the Department of Health and Social Services for Northern Ireland and the Department of Agriculture for Northern Ireland acting jointly;
- (e) in relation to the area of a local authority, the local authority.

“establishment” has the same meaning as in Article 1(3) of Council Regulation (EEC) No. 2392/89, as amended, laying down general rules for the description and presentation of wines and grape musts⁸;

“the European Economic Area Agreement” has the same meaning as does “the Agreement” in section 6(1) of the European Economic Area Act 1993⁹;

“examination” has, in relation to England, Wales and Scotland, the same meaning as in section 28(2) of the Food Safety Act 1990 and, in relation to Northern Ireland, the same meaning as in Article 2(2) of the Food Safety (Northern Ireland) Order 1991;

“food analyst” and “food examiner” respectively have, in relation to England, Wales and Scotland, the same meanings as in section 30(9) of the Food Safety Act 1990 and, in relation to Northern Ireland, the same meanings as in Articles 30(9) and 31(3) of the Food Safety (Northern Ireland) Order 1991;

“local administrative area” has the same meaning as in Article 1(3) of Council Regulation (EEC) No. 2392/89, as amended, laying down general rules for the description and presentation of wines and grape musts;

“local authority” means—

- (i) as respects England, an authority (other than the Council of a non-metropolitan district) which is a food authority for the purposes of the Food Safety Act 1990;
- (ii) as respects Wales, a county council;
- (iii) as respects Scotland, an authority which is a food authority for the purposes of the Food Safety Act 1990;
- (iv) as respects Northern Ireland, a district council;

“manufacturing” means using wine or other wine-sector products, for the purpose of a trade or business (other than a catering business), in the composition, manufacture or preparation of any product;

⁵OJ No. L291, 19.11.79, p.17.

⁶OJ No. L302, 15.11.85, p.23.

⁷1972 c.70.

⁸OJ No. L232, 9.8.89, p.13, the amendments to which are specified at item 36 in column 1 of Schedule 1 to these Regulations; they are not relevant to Article 1(3) of the Regulation.

⁹1993 c.51.

“the Minister” means, in relation to England, the Minister of Agriculture, Fisheries and Food, in relation to Scotland or Wales, the Secretary of State and, in relation to Northern Ireland, the Department of Health and Social Services for Northern Ireland and the Department of Agriculture for Northern Ireland acting jointly;

“relevant Community provision” means any Community provision referred to in column 1 or column 2 of Schedule 2 to these Regulations, the subject matter of which is described in Column 3 thereof;

“retail sale” means any sale to a person buying otherwise than for the purpose of resale but does not include a sale to a caterer in the course of his catering business or to a manufacturer in the course of his manufacturing business;

“the Wine Standards Board” means the Wine Standards Board of The Vintners’ Company;

“wine” and “wine-sector product” shall include aromatized wine.

(2) Other expressions used in these Regulations have, in so far as the context admits, the same meanings as in Council Regulation (EEC) No. 2048/89 laying down general rules on controls in the wine sector¹⁰ and, in relation to aromatized wines, in Council Regulation (EEC) No. 1601/91, as amended, laying down general rules on the description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails¹¹.

(3) In these Regulations any reference to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule so numbered in these Regulations.

(4) The Common Agricultural Policy (Wine) Regulations 1994¹² are hereby revoked subject to paragraphs (5) and (6) below.

(5) In relation to the application of Part III of these Regulations and Schedules 4 to 6 to any wine produced from grapes harvested before 1st September 1993, that Part and those Schedules shall be read as if their contents were identical to those of the corresponding Part of and Schedules to the Common Agricultural Policy (Wine) Regulations 1993¹³.

(6) In relation to the application of Part III of these Regulations and Schedules 4 to 6 to any wine produced from grapes harvested before 1st September 1994, that Part and those Schedules shall, unless paragraph (5) above applies, be read as if their contents were identical to those of the corresponding Part of and Schedules to the Common Agricultural Policy (Wine) Regulations 1994.

PART II GENERAL PROVISIONS

Official functions and enforcement

3.—

(1) Subject to the provisions of this regulation, local authorities, the Minister, the Commissioners and the Wine Standards Board are hereby designated as—

- (a) competent authorities for the purposes of the Community provisions, and
- (b) agencies for the purpose of the discharge, in relation to the wine sector, of the official functions of agencies (other than intervention agencies) under the Community provisions.

¹⁰OJ No. L202, 14.7.89, p.32.

¹¹OJ No. L149, 14.6.91, p.1, the amendment to which is specified at item 41 in column 1 of Schedule 1 to these Regulations.

¹²S.I. 1994/674.

¹³S.I. 1993/517, amended by S.I. 1993/3071 and revoked by S.I. 1994/674.

(2) For the purposes of Article 4(2) of Council Regulation (EEC) No. 2048/89 laying down general rules on controls in the wine sector, the Minister of Agriculture, Fisheries and Food is hereby designated as the liaison authority for the United Kingdom.

(3) Each local authority shall secure the enforcement and execution of the relevant Community provisions in so far as they relate to the retail sale of products within its area.

(4) The Minister, the Commissioners and the Wine Standards Board shall secure the enforcement and execution of the relevant Community provisions in so far as they relate to the importation and exportation of any wine-sector product to or from the United Kingdom.

(5) The Minister and the Wine Standards Board shall secure the enforcement and execution of the relevant Community provisions in so far as they relate to any matter not mentioned in paragraphs (3) or (4) of this regulation.

(6) Nothing in this regulation shall be taken as authorising the Wine Standards Board or the Commissioners or, in relation to Scotland only, the Minister or a local authority to institute proceedings for an offence.

Definition of medium dry

4. For the purposes of Article 14(7)(b) of Commission Regulation (EEC) No. 3201/90, as amended, laying down detailed rules for the description and presentation of wines and grape musts¹⁴ wine may be labelled and described as “medium dry” if it has a residual sugar content not exceeding 18 grams per litre where the total acidity content of that wine expressed as grams of tartaric acid per litre is not more than 10 grams per litre below its residual sugar content.

Geographical ascriptions for table wine

5.—

(1) In pursuance of Article 72(2) of Council Regulation (EEC) No. 822/87, as amended, on the common organisation of the market in wine¹⁵, the use of a geographical ascription for the designation of table wine produced in any part of the United Kingdom is prohibited unless—

- (a) that table wine is produced wholly from one or more of the varieties of vine specified in Schedule 3, and
- (b) that table wine is produced exclusively from grapes harvested in the geographical unit the name of which is used for the designation of that table wine.

(2) Notwithstanding paragraph (1)(b) above, a geographical ascription may be used to designate a table wine obtained by the coupage of wines as permitted by Article 72(3) of Council Regulation (EEC) No. 822/87, as amended, on the common organisation of the market in wine.

(3) In paragraph (1)(b) above “geographical unit” means a precisely demarcated area which—

- (a) is a part of the United Kingdom; and
- (b) satisfies the definition of “a geographical unit which is smaller than the Member State” in Article 4(1) of Council Regulation (EEC) No. 2392/89, as amended, laying down general rules for the description and presentation of wines and grape musts¹⁶.

(4) No geographical ascription other than the name of a geographical unit as specified in this regulation shall be used on the labelling or advertising of a table wine produced in any part of the United Kingdom.

¹⁴OJ No. L309, 8.11.90, p.1, the amendments to which are specified at item 39 in column 1 of Schedule 1 to these Regulations; they are not relevant to Article 14(7)(b) of the Regulation.

¹⁵OJ No. L84, 27.3.87, p.1, the amendments to which are specified at item 27 in column 1 of Schedule 1 to these Regulations; they are not relevant to Article 72(2) of the Regulation.

¹⁶OJ No. L232, 9.8.89, p.13, the amendments to which are specified at item 36 in column 1 of Schedule 1 to these Regulations; they are not relevant to Article 4(1) of the Regulation.

(5) Notwithstanding paragraph (4) above, the expression “United Kingdom” may be used on the labelling or advertising of a table wine produced in any part of the United Kingdom, to describe the origin of that wine, in accordance with Article 2 of Council Regulation (EEC) No. 2392/89, as amended, laying down general rules for the description and presentation of wines and grape musts.

Exemption relating to labelling requirements

6. The relevant Community provisions relating to the information required on labels of the products mentioned in Article 1 of Council Regulation (EEC) No. 2392/89, as amended, laying down general rules for the description and presentation of wines and grape musts shall not apply to—

- (a) unlabelled products which are transported between two or more establishments or between vineyards and wine making plants, in either case belonging to the same undertaking and situated in the same local administrative area;
- (b) unlabelled quantities of grape musts and wines not exceeding 15 litres per batch and not intended for sale;
- (c) unlabelled quantities of grape musts and wines intended for the domestic consumption of the producer and his employees.

Exemption relating to planting and other prohibitions

7. The provisions of Article 13(1) of Council Regulation (EEC) No. 2389/89¹⁷, as amended, relating to the prohibition of the planting, field grafting and double-grafting of vine varieties not listed in the classification referred to in Article 1 of that Regulation shall not apply where the purpose of the planting is one of the purposes set out in the first sub-paragraph of Article 13(2) thereof.

Powers of authorised officers

8.—

(1) An authorised officer may, on producing, if so required, some duly authenticated document showing his authority, at any reasonable time enter any land or vehicle (other than land or a vehicle used solely as a dwelling), for the purposes of ascertaining whether any offence under these Regulations has been or is being committed or whether any offence under the Common Agricultural Policy (Wine) Regulations 1993 or 1994 has been committed.

(2) An authorised officer who has entered any land or vehicle in accordance with paragraph (1) above may, for the purpose specified in that paragraph or for the purpose of securing evidence of any such offence which he has reason to believe is or may be being, or has been or may have been, committed—

- (a) inspect any materials or articles found in or on that land or vehicle;
- (b) subject to paragraph (5) below, examine any register, record or appropriate document—
 - (i) which any person is required to keep under any relevant Community provision, or
 - (ii) which is in the possession or under the control of any person,

and may take copies of any such register, record or document, or of any entry in any such register, record or document and where any such register, record or document is kept by means of a computer, have access to, and inspect the operation of, any computer and any associated apparatus or material which is or has been in use in connection with that register, record or document and require such register, record, document or entry to be produced in a form in which it may be taken away;

¹⁷OJ No. L232, 9.8.89, p.1, the amendment to which is specified at item 34 in column 1 of Schedule 1 to these Regulations; it is not relevant to Article 13(1) of the Regulation.

- (c) subject to paragraph (5) below, seize and retain any such register, record, document or entry which he has reason to believe may be required as evidence in proceedings under these Regulations;
 - (d) undertake stock counts of products and of anything which may be used in the preparation of products; and
 - (e) purchase or take samples of any product and of anything which may be used for the preparation of any product.
- (3) An authorised officer who has procured a sample of any product may analyse or examine that sample or have that sample analysed or examined.
- (4) An authorised officer entering any land or vehicle by virtue of this regulation may take with him such other persons as he considers necessary.
- (5) An authorised officer shall not be entitled under paragraph (2)(b) or (c) above to examine, copy, seize or retain any record or document so far as—
- (a) it is in England or Wales and comprises—
 - (i) an item subject to legal privilege within the meaning of section 10 of the Police and Criminal Evidence Act 1984¹⁸,
 - (ii) excluded material within the meaning of section 11 of that Act, or
 - (iii) special procedure material within the meaning of section 14 of that Act,
 - (b) it is in Scotland and comprises an item subject to legal privilege within the meaning of section 40 of the Criminal Justice (Scotland) Act 1987¹⁹, or
 - (c) it is in Northern Ireland and comprises—
 - (i) an item subject to legal privilege within the meaning of article 12 of the Police and Criminal Evidence (Northern Ireland) Order 1989²⁰,
 - (ii) excluded material within the meaning of article 13 of that Order, or
 - (iii) special procedure material within the meaning of article 16 of that Order.

Control on movement

9.—

- (1) Where an authorised officer inspects any wine-sector product he may prohibit its movement if he has reason to believe that an offence has been, is being or is likely to be committed in respect of it by contravention of, or failure to comply with, any relevant Community provision referred to in columns 1 or 2 of Part I, II, III, V or IX of Schedule 2 and that there is or is likely to be a risk to public health in relation to that product or there has been or is likely to be any fraudulent treatment of that product.
- (2) An officer who exercises the power conferred by paragraph (1) above shall, without delay, give the person who appears to him to be in charge of the wine-sector product concerned notice in writing—
- (a) specifying the wine-sector product in relation to which the power has been exercised;
 - (b) stating that the wine-sector product may not be moved without the written consent of an authorised officer; and
 - (c) specifying the Community provision in respect of which the officer has reason to believe that an offence has been, is being or is likely to be committed.
- (3) If the person to whom the officer gives the notice does not appear to him to be the owner of the wine-sector product concerned or an agent, contractor or employee of the owner, the officer shall use his best endeavours to bring the contents of the notice additionally to the attention of such a person as soon as possible.

¹⁸1984 c.60.

¹⁹1987 c.41.

²⁰S.I. 1989/1341 (N.I.12).

(4) An authorised officer may affix to any wine-sector product in relation to which the power conferred by paragraph (1) above has been exercised, or to any container in which the wine-sector product is packed, labels warning of the exercise of the power.

Consent to movement

10.—

(1) An authorised officer may, at any time, give written consent to the movement of a controlled wine-sector product.

(2) An authorised officer shall, upon request, give written consent to the movement of a controlled wine-sector product if he, or another authorised officer, has been given a written undertaking to the effect that—

- (a) the wine-sector product will be moved to a place approved by an authorised officer; and
- (b) the wine-sector product will not be moved from that place without the written consent of an authorised officer.

(3) A consent given by an authorised officer under this regulation shall—

- (a) specify the wine-sector product to which it relates; and
- (b) state that the wine-sector product continues to be controlled.

Authorised officer acting in good faith

11.—

(1) An authorised officer shall not be personally liable in respect of any act done by him in the execution or purported execution of these Regulations and within the scope of his employment, if he did that act in the belief to which paragraph (5) below applies.

(2) Nothing in paragraph (1) above shall be construed as relieving an enforcement authority from any liability in respect of the acts of its authorised officers.

(3) Where an action has been brought against an authorised officer in respect of an act done by him in the execution or purported execution of these Regulations and the circumstances are such that he is not legally entitled to require the enforcement authority to indemnify him, the authority may, nevertheless, indemnify him against the whole or part of any damages and costs or in Scotland of any damages and expenses which he may have been ordered to pay or which he may have incurred, if that authority is satisfied that he honestly believed the act complained of was within the scope of his employment and that his duty under the Regulations required or entitled him to do it.

(4) Subject to paragraph (5) below, this regulation applies to any person accompanying an authorised officer and acting under his instructions as it applies to an authorised officer.

(5) The belief to which this paragraph applies is—

- (a) in relation to any act of an authorised officer, the honest belief that these Regulations required or empowered him to do it, and
- (b) in relation to any act of a person accompanying an authorised officer and acting under his instructions, the honest belief that these Regulations empowered the authorised officer to instruct him to do it.

Power to require analysis or examination

12.—

(1) The court before which any proceedings are brought for an offence under these Regulations may, if it thinks fit for the purposes of the proceedings, cause any article which is the subject of the proceedings and, if it has already been analysed or examined, is capable of being further analysed or examined, to be sent to a food analyst or food examiner, who shall make such analysis or examination as is appropriate and transmit to the court a certificate of the result thereof, and the costs of the analysis or examination shall be paid by the prosecutor or the person charged as the court may order.

(2) If in a case in which an appeal is brought no action has been taken under paragraph (1) of this regulation as respects a particular article, the provisions thereof shall apply as respects that article in relation to the court by which the appeal is heard.

(3) Any certificate of the results of an analysis or examination, transmitted by a food analyst or food examiner under this regulation shall be signed by or on behalf of that food analyst or food examiner, but the analysis or examination may be made by any person under the direction of the person by whom the certificate is signed; and any certificate so transmitted by a food analyst or food examiner shall be evidence of the facts stated therein unless any party to the proceedings requires that the person by whom it is signed or a person acting under his direction be called as a witness.

PART III

QUALITY WINES PRODUCED IN SPECIFIED REGIONS

Interpretation of Part III

13.—

(1) In this Part—

“Regulation 823/87” means Council Regulation (EEC) No. 823/87, as amended, laying down special provisions relating to quality wines produced in specified regions²¹;

“quality wines psr” has the meaning assigned to it by Article 1(2) of Regulation 823/87;

“specified regions” mean, unless the context otherwise requires, English Vineyards and Welsh Vineyards as defined in regulation 14.

(2) Other expressions used in this Part have, in so far as the context admits, the same meanings as in regulation 823/87.

Specified regions

14.—

(1) Subject to paragraph (2) below, the specified regions in the United Kingdom for the purposes of Article 3 of Regulation 823/87 are—

- (a) English Vineyards, comprising the areas of the counties, subject to any alteration of boundaries under Part IV of the Local Government Act 1972²², described in Part I of Schedule 4, and
- (b) Welsh Vineyards, comprising the areas of the counties, subject to any alteration of boundaries under Part IV of the Local Government 1972, described in Part II of Schedule 4.

(2) There shall be excluded from the areas described in Part I and Part II of Schedule 4 any land situated at an altitude of more than 220 metres above sea level.

Vine varieties

15. For the purposes of Article 4 of Regulation 823/87, the list of vine varieties of the species *Vitis vinifera* suitable for producing quality wines psr in the specified regions is specified in Schedule 5.

²¹OJ No. L84, 27.3.87, p.59, the amendments to which are specified at item 28 in column 1 of Schedule 1 to these Regulations.

²²1972 c.70.

Minimum natural alcoholic strength

16. The minimum natural alcoholic strength for quality wines psr produced in the specified regions shall be 6%.

Authorisation under Article 6(3) of Regulation 823/87

17. Notwithstanding the provisions of the second indent of Article 6(1) of Regulation 823/87, which requires the processing of grapes into must and the processing of that must into wine as well as the production of such wine within the specified region where the grapes used were harvested, a quality wine psr may be produced in an area in immediate proximity to a specified region.

Maximum yield

18. For the purposes of Article 11 of Regulation 823/87, the maximum yield for each hectare of land cultivated with vines for producing quality wines psr in the specified regions shall be 100 hectolitres.

Analytical test

19. For the purposes of Article 13 of Regulation 823/87—

- (a) the analytical test to establish whether any wine is eligible for designation as quality wine psr shall comprise a measurement of each of the factors specified in Schedule 6 in relation to that wine; and
- (b) wine shall be so eligible only where it meets each standard specified in that Schedule.

PART IV OFFENCES AND PENALTIES

Offences and penalties

20.—

(1) If any person contravenes, or fails to comply with, regulation 5 or any of the relevant Community provisions referred to in column 1 or 2 of Parts I, II, III, V or IX of Schedule 2, he shall be guilty of an offence and liable—

- (a) on summary conviction in Great Britain to a fine not exceeding the statutory maximum or on such conviction in Northern Ireland to a fine not exceeding £2,000; or
- (b) on conviction on indictment, to a fine.

(2) If any person—

- (a) contravenes, or fails to comply with, any of the relevant Community provisions referred to in column 1 or 2 of Parts IV, VI, VII or VIII of Schedule 2, or
- (b) discloses to any other person any information obtained by him in pursuance of his duties under these Regulations, unless the disclosure is made in, or for the purposes of, the performance by him or any other person of any functions under these Regulations, or in pursuance of a Community obligation,

he shall be guilty of an offence and liable on summary conviction in Great Britain to a fine not exceeding level 4 on the standard scale or on such conviction in Northern Ireland to a fine not exceeding £1,000.

Movement of a controlled wine-sector product

21.—

- (1) Any person who, knowing a wine-sector product to be a controlled wine-sector product—
 - (a) moves it, or
 - (b) causes it to be moved,

without the written consent of an authorised officer shall be guilty of an offence.

- (2) Any person who, knowing a wine-sector product to be a controlled wine-sector product—
 - (a) removes from it, or
 - (b) causes to be removed from it,

a label which has been affixed under regulation 9(4) shall be guilty of an offence.

(3) Any person who fails to comply with an undertaking given by him for the purposes of regulation 10 shall be guilty of an offence.

- (4) It shall be a defence for a person charged with any offence under this regulation to prove that—
 - (a) when the power conferred by regulation 9(1) was exercised, no offence had been, was being or was likely to be committed in respect of the wine-sector product concerned; and
 - (b) there was a reasonable excuse for the act or omission in respect of which he is charged.

(5) A person guilty of an offence under this regulation shall be liable on summary conviction in Great Britain to a fine not exceeding level 5 on the standard scale or on such conviction in Northern Ireland to a fine not exceeding £2,000.

Obstruction

22. Any person who—

- (a) intentionally obstructs an authorised officer acting in the execution of these Regulations; or
- (b) fails to give to any such officer any assistance or information or to provide any facilities which that officer may reasonably require of him for the purposes of his functions under these Regulations,

shall be guilty of an offence and liable on summary conviction in Great Britain to a fine not exceeding level 3 on the standard scale or on such conviction in Northern Ireland to a fine not exceeding £400.

Offences by officers of bodies corporate

23.—

(1) Where an offence under these Regulations which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or be attributable to any neglect on the part of, any director, manager, secretary or a similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, the provisions of paragraph (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(3) Where an offence under these Regulations is committed in Scotland by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

Defence of due diligence

24. In any proceedings for an offence under regulation 20 or 22(b) it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by himself or by a person under his control.

Michael Jack
Minister of State,
Ministry of Agriculture, Fisheries and Food

2nd March 1995

Hector Monro
Parliamentary Under-Secretary of State,
Scottish Office

**7th March 1995 SCHEDULE 1
COMMUNITY PROVISIONS**

Regulation 2(1)

*Measures containing Community provisions**Official Journal of the
European Communities:
Reference*

1. Commission Regulation (EEC) No. 1135/70 on the notification of the planting and replanting of vines for the purpose of controlling the development of planting	OJ No. L134, 17.6.70, p.2 (OJ/SE 1970(II) p.379)
2. Commission Regulation (EEC) No. 1618/70 on measures for controlling the sweetening of table wines and of quality wines produced in specified regions	OJ No. L175, 8.8.70, p.17 (OJ/SE 1970(II) p.562)
3. Commission Regulation (EEC) No. 2314/72 on certain measures for examining the suitability of certain vine varieties for cultivation, as amended by Commission Regulation (EEC) No. 3296/80 (OJ No. L344, 19.12.80, p.13) and by Commission Regulation (EEC) No. 2462/93 (OJ No. L226, 7.9.93, p.1)	OJ No. L248, 1.11.72, p.53 (OJ/SE 1972 (November) p.11)
4. Commission Regulation (EEC) No. 2247/73 on the control of quality wines produced in specified regions, as amended by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17) and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8) and by Commission Regulation (EEC) No. 986/89 (OJ No. L106, 18.4.89, p.1)	OJ No. L230, 18.8.73, p.12
5. Commission Regulation (EEC) No. 2805/73 determining a list of quality wines produced in specified regions and of imported white quality wines containing a percentage of sulphur dioxide ²³	OJ No. L289, 16.10.73, p.21
6. Commission Regulation (EEC) No. 2152/75 on detailed rules for the application of Council Regulations (EEC) Nos. 358/79 and 823/87 in respect of sparkling wines ²⁴ as amended by Commission Regulation (EEC) No. 986/89 (OJ No. L106, 18.4.89, p.1)	OJ No. L219, 19.8.75, p.7
7. Commission Regulation (EEC) No. 1972/78 laying down detailed rules on oenological practices, as amended by Commission Regulation (EEC) No. 45/80 (OJ No. L7, 11.1.80, p.12)	OJ No. L226, 17.8.78, p.11

²³See also the Agreement on the European Economic Area, Protocols 1 (OJ No. L1, 3.1.94, p.37) and 47 (OJ No. L1, 3.1.94, p.210).

²⁴The title of this Regulation as published in the edition of the Official Journal referred to is Commission Regulation (EEC) No. 2152/75 on detailed rules for the application of Council Regulations (EEC) Nos. 2893/74 and 2894/74 in respect of sparkling wines. Regulations (EEC) Nos. 2893/74 and 2894/74 have been superseded by Council Regulations (EEC) Nos. 2332/92 and 823/87 respectively.

Measures containing Community provisions

Official Journal of the
European Communities:
Reference

8. Council Regulation (EEC) No. 351/79 concerning the addition of alcohol to products in the wine sector, as amended by Council Regulation (EEC) No. 2817/79 (OJ No. L320, 15.12.79, p.7) and by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p. 17) and by Council Regulation (EEC) No. 3196/80 (OJ No. L333, 11.12.80, p.6) and by Council Regulation (EEC) No. 3658/81 (OJ No. L366, 22.12.81, p.1) and by Council Regulation (EEC) No. 3267/82 (OJ No. L347, 7.12.82, p.1) and by Council Regulation (EEC) No. 3518/83 (OJ No. L352, 15.12.83, p.1) and by Council Regulation (EEC) No. 3689/84 (OJ No. L341, 29.12.84, p.7) and by Council Regulation (EEC) No. 3581/85 (OJ No. L343, 20.12.85, p.6) and by Council Regulation (EEC) No. 255/87 (OJ No. L26, 29.1.87, p.2) and by Council Regulation (EEC) No. 4090/87 (OJ No. L382, 31.12.87, p.26) and Council Regulation (EEC) No. 3904/88 (OJ No. L347, 16.12.88, p.9) and by Council Regulation (EEC) No. 1372/90 (OJ No. L133, 24.5.90, p.5) and by Council Regulation (EEC) No. 1029/91 (OJ No. L106, 26.4.91, p.6) OJ No. L54, 5.3.79, p.90
9. Council Regulation (EEC) No. 357/79 on statistical areas under vines, as amended by Council Regulation (EEC) No. 1992/80 (OJ No. L195, 29.7.80, p.10) and by Council Regulation (EEC) No. 3719/81 (OJ No. L373, 29.12.81, p.5) and by Council Regulation (EEC) No. 3768/85 (OJ No. L362, 31.12.85, p.8) and by Council Regulation (EEC) No. 490/86 (OJ No. L54, 1.3.86, p.22) and by Council Regulation (EC) No. 3205/93 (OJ No. L289, 24.11.93, p.4) OJ No. L54, 5.3.79, p.124
10. Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties amending various Regulations concerning wine as a result of the accession of Greece, signed on 28 May 1979 OJ No. L291, 19.11.79, p.17
11. Commission Regulation (EEC) No. 2903/79 on the downgrading of quality wines produced in specified regions, as amended by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8) OJ No. L326, 22.12.79, p.14
12. Commission Regulation (EEC) No. 940/81 on the declaration of areas used for producing vegetative propagation material for vines OJ No. L96, 8.4.81, p.10.
13. Commission Regulation (EEC) No. 3388/81 laying down special detailed rules in respect of import and export licences in the wine sector, as amended by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8) and by Commission Regulation (EEC) No. 3826/90 (OJ No. L366, 29.12.90, p.58) OJ No. L341, 28.11.81, p.19
14. Commission Regulation (EEC) No. 3800/81 determining the classification of vine varieties, as amended by Commission Regulation (EEC) No. 1469/82 (OJ No. L159, 10.6.82, p.21) and by Commission Regulation (EEC) No. 2060/83 (OJ No. L202, 26.7.83, p.15) and by Commission Regulation (EEC) No. 3582/83 (OJ No. L356, 20.12.83, p.18) and by Commission Regulation (EEC) No. 1871/85 (OJ No. L175, 5.7.85, p.9) and by Commission Regulation (EEC) No. 2599/85 (OJ No. L248, 17.9.85, p.5) and by Commission Regulation No. 418/86 (OJ No. L48, 26.2.86, p.8) and by Commission Regulation (EEC) No. 416/87 (OJ No. L42, 12.2.87, p.18) and by Commission Regulation (EEC) No. 1467/87 (OJ No. L138, 28.5.87, p.44) and by Commission Regulation (EEC) No. 276/89 (OJ No. L32, 3.2.89, p.10) and by Commission Regulation (EEC) No. 1543/89 (OJ No. L151, 27.7.89, p.2) and by Commission Regulation (EEC) No. 2218/90 (OJ No. L202, 31.7.90, p.20) and by Commission Regulation (EEC) No. 1565/91 (OJ No. L146, 11.6.91, p.7) and by Commission Regulation (EEC) No. 3774/91 (OJ No. L356, 24.12.91, p.36) and by Commission Regulation (EEC) No. 3369/92 (OJ No. L342, 25.11.92, p.11) and by Commission Regulation (EC) No. 3255/94 (OJ No. L346, 19.12.94, p.32). OJ No. L381, 31.12.81, p.1.

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15. Council Regulation (EEC) No. 1873/84 authorising the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Council Regulation (EEC) No. 822/87 ²⁵ as amended by Council Regulation (EEC) No. 2179/88 (OJ No. L191, 22.7.88, p.10) and by Council Regulation (EEC) 2245/89 (OJ No. L216, 27.7.89, p.2) and by Council Regulation (EEC) No. 3888/89 (OJ No. L378, 27.12.89, p.15) and by Council Regulation (EEC) No. 2180/90 (OJ No. L198, 28.7.90, p.11) and by Council Regulation (EEC) No. 2200/91 (OJ No. L202, 24.7.91, p.18) and by Council Regulation (EEC) No. 527/92 (OJ No. L58, 3.3.92, p.4) and by Council Regulation (EEC) No. 1336/92 (OJ No. L145, 27.5.92, p.7) and by Council Regulation (EEC) No. 3201/92 (OJ No. L319, 4.11.92, p.2) and by Council Regulation (EEC) No. 1212/93 (OJ No. L123, 19.5.93, p.5) and by Council Regulation (EC) No. 1277/94 (OJ No. L140, 30.5.94, p.4)	OJ No. L194, 24.7.84, p.1
16. Commission Regulation (EEC) No. 2394/84 laying down conditions of use of ion exchange resins and detailed implementing rules for the preparation of recitified concentrated grape must as amended by Commission Regulation (EEC) No. 2751/86 (OJ No. L253, 5.9.86, p.11) ²⁶	OJ No. L224, 21.8.84, p.8
17. Commission Regulation (EEC) No. 1907/85 on the list of vine varieties and regions providing imported wine for the making of sparkling wines in the Community	OJ No. L179, 11.7.85, p.21
18. Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties, signed on 12 June 1985	OJ No. L302. 15.11.85, p.23
19. Commission Regulation (EEC) No. 3590/85 on the certificate and analysis report required for the importation of wine, grape juice and grape must, as amended by Commission Regulation (EEC) No. 1614/86 (OJ No. L142, 28.5.86, p.22) and by Commission Regulation (EEC) No. 2039/88 (OJ No. L179, 9.7.88, p.29)	OJ No. L343, 20.12.85, p.20
20. Council Regulation (EEC) No. 3805/85 adapting, on account of the accession of Spain and Portugal, certain Regulations relating to the wine sector	OJ No. L367, 31.12.85, p.39
21. Commission Regulation (EEC) No. 305/86 on the maximum total sulphur dioxide content of wine originating in the Community produced before 1st September 1986 and, for a transitional period, imported wine ²⁶	OJ No. L38, 13.2.86, p.13
22. Commission Regulation (EEC) No. 1888/86 on the maximum total sulphur dioxide content of certain sparkling wines originating in the Community and prepared before 1st September 1986, and, for a transitional period, of imported sparkling wines ²⁶	OJ No. L163, 19.6.86, p.19
23. Commission Regulation (EEC) No. 2094/86 laying down detailed rules for the use of tartaric acid for the de-acidification of specified wine products in certain regions of Zone A, as amended by Commission Regulation (EEC) No. 2736/86 (OJ No. L252, 4.9.86, p.15) ²⁶	OJ No. L180, 4.7.86, p.17
24. Council Regulation (EEC) No. 2392/86 establishing a Community vineyard register, as amended by Council Regulation (EEC) No. 3577/90 (OJ No. L353, 17.12.90, p.23)	OJ No. L208, 31.7.86, p.1
25. Commission Regulation (EEC) No. 2707/86 laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines, as amended by Commission Regulation (EEC) No. 3378/86 (OJ No. L310, 5.11.86, p.5) and by Commission Regulation (EEC) No. 2249/87 (OJ No. L207, 29.7.87, p.26) and by Council Regulation (EEC) No. 575/88 (OJ No. L56, 2.3.88, p.22) and by Commission Regulation (EEC) No. 2657/88 (OJ No. L237, 27.8.88 p.17) and by Commission Regulation (EEC) No. 596/89 (OJ No. L65, 9.3.89, p.9) and by Commission Regulation (EEC) No. 2776/90 (OJ No. L267, 29.9.90, p.30) and by Commission Regulation (EEC) No. 3826/90 (OJ No. L366, 29.12.90, p.58) ²⁶	OJ No. L246, 30.8.86, p.71
26. Commission Regulation (EEC) No. 649/87 laying down detailed rules for the establishment of a Community vineyard register as amended by Commission Regulation (EEC) No. 1097/89 (OJ No. L116, 28.4.89, p.20)	OJ No. L62, 5.3.87, p.10

²⁵The title of this Regulation as published in the edition of the Official Journal referred to is Council Regulation (EEC) No. 1873/84 authorising the offer or disposal for direct human consumption of certain imported wines which may have undergone certain oenological processes not provided for in Council Regulation (EEC) No. 337/79. Regulation (EEC) No. 337/79 has been superseded by Council Regulation (EEC) No. 822/87.

²⁶See also the Agreement on the European Economic Area, Protocols 1 (OJ No. L1, 3.1.94, p.37) and 47 (OJ No. L1, 3.1.94, p.210).

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27. Council Regulation (EEC) No. 822/87 on the common organisation of the market in wine, as amended by Council Regulation (EEC) No. 1390/87 (OJ No. L133, 22.5.87, p.3) and by Council Regulation (EEC) No. 1972/87 (OJ No. L184, 3.7.87, p.26) and by Council Regulation (EEC) No. 3146/87 (OJ No. L300, 23.10.87, p.4) and by Council Regulation (EEC) No. 3992/87 (OJ No. L377, 31.12.87, p.20) and by Council Regulation (EEC) No. 1441/88 (OJ No. L132, 28.5.88, p.1) and by Council Regulation (EEC) No. 2253/88 (OJ No. L198, 26.7.88, p.35) and by Council Regulation (EEC) No. 2964/88 (OJ No. L269, 29.9.88, p.5) and by Council Regulation (EEC) No. 4250/88 (OJ No. L373, 31.12.88, p.55) and by Council Regulation (EEC) No. 1236/89 (OJ No. L128, 11.5.89, p.31) and by Council Regulation (EEC) No. 388/90 (OJ No. L142, 16.2.90, p.9) and by Council Regulation (EEC) No. 1325/90 (OJ No. L132, 23.5.90, p.19) and by Council Regulation (EEC) No. 1734/91 (OJ No. L163, 26.6.91, p.6) and by Council Regulation (EEC) No. 1756/92 (OJ No. L180, 1.7.92, p.27) and by Council Regulation (EEC) No. 1566/93 (OJ No. L154, 25.6.93, p.39; corrigendum at OJ No. L170, 13.7.93, p.32) and by Council Regulation (EC) No. 1891/94 (OJ No. L197, 27.7.94, p.42)²⁶ OJ No. L84, 27.3.87, p.1
28. Council Regulation (EEC) No. 823/87 laying down special provisions relating to quality wines produced in specified regions as amended by Council Regulation (EEC) No. 2043/89 (OJ No. L202, 14.7.89, p.1) and by Council Regulation (EEC) No. 3577/90 (OJ No. L353, 17.12.90, p.23) and by Council Regulation (EEC) No. 3896/91 (OJ No. L368, 31.12.91, p.3)²⁶ OJ No. L84, 27.3.87, p.59
29. Commission Regulation (EEC) No. 3929/87 on harvest, production and stock declarations relating to wine-sector products as amended by Commission Regulation (EEC) No. 2572/89 (OJ No. L249, 25.8.89, p.39) and by Commission Regulation (EEC) No. 1784/90 (OJ No. L163, 29.6.90, p.50) and by Commission Regulation (EEC) No. 2776/90 (OJ No. L267, 29.9.90, p.30) and by Commission Regulation (EEC) No. 605/92 (OJ No. L65, 11.3.92, p.24) and by Commission Regulation (EC) No. 1991/94 (OJ No. L200, 27.7.94, p.10) OJ No. L369, 29.12.87, p.59
30. Council Regulation (EEC) No. 4252/88 on the preparation and marketing of liqueur wines produced in the Community as amended by Council Regulation (EEC) No. 1328/90 (OJ No. L132, 23.5.90, p.24) and by Council Regulation (EEC) No. 1735/91 (OJ No. L163, 26.6.91, p.9) and by Council Regulation (EEC) No. 1759/92 (OJ No. L180, 1.7.92, p.31) and by Council Regulation (EEC) No. 1568/93 (OJ No. L154, 25.6.93, p.42) and by Council Regulation (EC) No. 1893/94 (OJ No. L197, 27.7.94, p.45)²⁶ OJ No. L373, 31.12.88, p.59
31. Council Regulation (EEC) No. 2048/89 laying down general rules on controls in the wine sector OJ No. L202, 14.7.89, p.32
32. Commission Regulation (EEC) No. 2202/89 defining the terms "coupage", "the turning into wine", "bottler" and "bottling"²⁶ OJ No. L209, 21.7.89, p.31
33. Commission Regulation (EEC) No. 2240/89 on the notification, execution and monitoring of the processes entailing the enriching, acidifying and deacidifying of wine OJ No. L215, 26.7.89, p.16
34. Council Regulation (EEC) No. 2389/89 on general rules for the classification of vine varieties as amended by Council Regulation (EEC) No. 3577/90 (OJ No. L353, 17.12.90, p.23) OJ No. L232, 9.8.89, p.1
35. Council Regulation (EEC) No. 2390/89 laying down general rules for the import of wines, grape juice and grape must as amended by Council Regulation (EEC) No. 3887/89 (OJ No. L378, 27.12.89, p.14) and by Council Regulation (EEC) No. 1772/90 (OJ No. L198, 28.7.90, p.11) and by Council Regulation (EEC) No. 2179/90 (OJ No. L198, 28.7.90, p.10) and by Council Regulation (EEC) No. 2199/91 (OJ No. L203, 26.7.91, p.91) and by Council Regulation (EEC) No. 526/92 (OJ No. L58, 3.3.92, p.3) and by Council Regulation (EEC) No. 1335/92 (OJ No. L145, 27.5.92, p.6) and by Council Regulation (EEC) No. 3200/92 (OJ No. L319, 4.11.92, p.1) and by Council Regulation (EEC) No. 1211/93 (OJ No. L123, 19.5.93, p.4) and by Council Regulation (EC) No. 1276/94 (OJ No. L140, 30.5.94, p.3) OJ No. L232, 9.8.89, p.7
36. Council Regulation (EEC) No. 2392/89 laying down general rules for the description and presentation of wines and grape musts as amended by Council Regulation (EEC) No. 3886/89 (OJ No. L378, 27.12.89, p.12) and by Council Regulation (EEC) No. 2356/91 (OJ No. L216, 3.8.89, p.1) and by Council Regulation (EEC) No. 3897/91 (OJ No. L368, 31.12.91, p.5)²⁶ OJ No. L232, 9.8.89, p.13
37. Council Regulation (EEC) No. 3677/89 on the total alcoholic strength by volume and the total acidity of certain imported quality wines as amended by Council Regulation (EEC) No. 2178/90 (OJ No. L198, 28.7.90, p.9) and by Council Regulation (EEC) No. 2201/91 (OJ No. L203, 26.7.91, p.3) and by Council Regulation (EEC) No. 2795/92 (OJ No. L282, 26.9.92, p.5) and by Council Regulation (EEC) No. 2606/93 (OJ No. L239, 24.9.93, p.6) and by Council Regulation (EC) No. 2796/94 (OJ No. L297, 18.11.94, p.1)²⁶ OJ No. L360, 9.12.89, p.1

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38. Commission Regulation (EEC) No. 2676/90 determining Community methods for the analysis of wines as amended by Commission Regulation (EEC) No. 2645/92 (OJ No. L266, 12.9.92, p.10) and by Commission Regulation (EC) No. 60/95 (OJ No. L11, 17.1.95, p.19)²⁶ OJ No. L272, 3.10.90, p.1
39. Commission Regulation (EEC) No. 3201/90 laying down detailed rules for the description and presentation of wines and grape musts as amended by Commission Regulation (EEC) No. 2384/91 (OJ No. L219, 7.8.91, p.9) and by Commission Regulation (EEC) No. 3298/91 (OJ No. L312, 13.11.91, p.20) and by Commission Regulation (EEC) No. 153/92 (OJ No. L17, 24.1.92, p.20) and by Commission Regulation (EEC) No. 3650/92 (OJ No. L369, 18.12.92, p.25) and by Commission Regulation (EEC) No. 1847/93 (OJ No. L168, 10.7.93, p.33) and by Commission Regulation (EC) No. 1362/94 (OJ No. L150, 15.6.94, p.7; corrigendum at OJ No. L268, 19.10.94, p.34)²⁶ OJ No. L309, 8.11.90, p.1
40. Commission Regulation (EEC) No. 3302/90 laying down detailed rules on the transfer of rights to replant vines OJ No. L317, 16.11.90, p.25
41. Council Regulation (EEC) No. 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine based drinks and aromatized wine product cocktails as amended by Council Regulation (EEC) No. 3279/92 (OJ No. L327, 13.11.92, p.1) OJ No. L149, 14.6.91, p.1
42. Commission Regulation (EEC) No. 3664/91 laying down transitional measures for aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails as amended by Commission Regulation (EEC) No. 1914/92 (OJ No. L192, 11.7.92, p.39) and by Commission Regulation (EEC) No. 3568/92 (OJ No. L362, 11.12.92, p.47) and by Commission Regulation (EEC) No. 1791/93 (OJ No. L163, 6.7.93, p.20) OJ No. L348, 17.12.91, p.53
43. Council Regulation (EEC) No. 3895/91 laying down rules for the description and presentation of special wines OJ No. L368, 31.12.91, p.1
44. Commission Regulation (EEC) No. 3901/91 laying down certain detailed rules on the description and presentation of special wines OJ No. L368, 31.12.91, p.15
45. Commission Regulation (EEC) No. 2009/92 determining Community analysis methods for ethyl alcohol of agricultural origin used in the preparation of spirit drinks, aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails OJ No. L203, 21.7.92, p.10
46. Council Regulation (EEC) No. 2332/92 on sparkling wines produced in the Community as amended by Council Regulation (EEC) No. 1568/93 (OJ No. L154, 25.6.93, p.42) and by Council Regulation (EC) No. 1893/94 (OJ No. L197, 27.7.94, p.45) OJ No. L231, 13.8.92, p.1
47. Council Regulation (EEC) No. 2333/92 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines OJ No. L231, 13.8.92, p.9
48. Commission Regulation (EEC) No. 586/93 providing for an exception in respect of the volatile acid content of certain wines as amended by Commission Regulation (EC) No. 1252/94 (OJ No. L137, 1.6.94, p.45) OJ No. L61, 13.3.93, p.39
49. Council Decision 93/722/EC concerning the conclusion of an Agreement between the European Community and Republic of Bulgaria on the reciprocal protection and control of wine names OJ No. L337, 31.12.93, p.11
50. Council Decision 93/723/EC concerning the conclusion of an agreement between the European Community and the Republic of Hungary on the reciprocal protection and control of wine names OJ No. L337, 31.12.93, p.83
51. Council Decision 93/726/EC concerning the conclusion of an Agreement between the European Community and Romania on the reciprocal protection and control of wine names OJ No. L337, 31.12.93, p.177
52. Commission Regulation (EEC) No. 2238/93 on the accompanying documents for the carriage of wine products and the relevant records to be kept OJ No. L200, 10.8.93, p.10; corrigendum at OJ No. L301, 8.12.93, p.29
53. Commission Regulation (EC) No. 3111/93 establishing the lists of quality liqueur wines produced in specified regions referred to in Articles 3 and 12 of Regulation (EEC) No. 4252/88 OJ No. L278, 11.11.93, p.48
54. Commission Regulation (EC) No. 122/94 laying down certain detailed rules for the application of Council Regulation (EEC) No. 1601/91 on the definition, description and presentation of aromatized wines, aromatized wine-based drinks, and aromatized wine-product cocktails OJ No. L21, 26.1.94, p.7
55. Council Decision 94/184/EC concerning the conclusion of an agreement between the European Community and Australia on trade in wine OJ No. L86, 24.1.94, p.1



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56. Commission Regulation (EC) No. 2733/94 authorising the United Kingdom to permit an additional increase in the alcoholic strength of table wines and of quality wines produced in a specified region

OJ No. L289, 10.11.94,
p.5

SCHEDULE 2 RELEVANT COMMUNITY PROVISIONS

Regulations 2(1) and 20

PART I ACCOMPANYING DOCUMENTS AND RECORDS

(1) <i>Relevant Community provisions</i>	(2) <i>Supplementing provisions</i>	(3) <i>Subject matter</i>
1. Regulation 822/87: Article 71(1) and (2)	Regulation 2238/93: all Articles except 3(3), 7(1), 7(2), 7(3), 7(5), 7(6), 9, 18, 20, 21 and 22	Requirements relating to accompanying documents and records
2. Regulation 822/87: Article 70(1) as amended by Regulation 4250/88 Article 1	Regulation 2390/89 as amended by Regulation 3887/89: Article 1 and by Regulation 1772/90: Article 1 and by Regulation 2179/90: Article 1 and by Regulation 2199/91: Article 1 and by Regulation 526/92: Article 1 and by Regulation 1335/92: Article 1 and by Regulation 3200/92: Article 1 and by Regulation 1211/93: Article 1 and by Regulation 1276/94: Article 1 Regulation 3590/85 as amended by Regulation 1614/86: Article 1 and by Regulation 2039/88: Article 1	Accompanying documents required for the importation of wines and other products
3. Regulation 2392/89: Articles 9, 18, 23 and 33		Requirements relating to the keeping of registers and details to be recorded

PART II QUALITY WINES PRODUCED IN SPECIFIED REGIONS

(1) <i>Relevant Community provisions</i>	(2) <i>Supplementing provisions</i>	(3) <i>Subject matter</i>
1. Regulation 823/87: Article 4(3) and (4)		Restrictions on the use of certain vine varieties
2. Regulation 823/87: Article 5		Provisions relating to wine-growing methods and to irrigation
3. Regulation 823/87: Article 6(1) and (3) as amended by Regulation 2043/89		Requirement for quality wine psr to be produced from specified vine varieties and in specified regions
4. Regulation 823/87: Article 6(4) as amended by Regulation 2043/89		Requirements relating to separate wine-making processes and storage for quality wine psr
5. Regulation 823/87: Article 7(1) and (2) as amended by Regulation 2043/89 and by Regulation 3896/91		Minimum natural alcoholic strength for quality wine psr

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
6. Regulation 823/87: Article 8(1) and (2) as amended by Regulation 2043/89		Permitted vinification and manufacturing methods and enrichment methods
7. Regulation 823/87: Article 8(3) as amended by Regulation 2043/89		Minimum total alcoholic strength of quality wine psr
8. Regulation 823/87: Article 9(1) as amended by Regulation 2043/89		Conditions for acidification and deacidification of quality wine psr
9. Regulation 823/87: Article 9(2) as amended by Regulation 2043/89		Conditions for sweetening quality wine psr
10. Regulation 823/87: Article 10 as amended by Regulation 2043/89		Conditions for carrying out authorised processes
11. Regulation 823/87: Article 11(2)		Prohibition of use of designation if the prescribed yield per hectare is exceeded
12. Regulation 823/87: Article 13(1) and (3) as amended by Regulation 2043/89		Requirement to submit quality wine psr to analytical and organoleptic tests
13. Regulation 823/87: Article 15(1), (2), (4), (5) and (7) as amended by Regulation 2043/89 and by Regulation 3896/91	Regulation 2247/73: Article 2 and Act of Accession of the Kingdom of Spain and the Portuguese Republic: Article 129	General provisions relating to the use of the expression "quality wines psr" and other expressions and terms traditionally used by Member States to designate particular quality wines
14. Regulation 823/87: Article 15(3) as amended by Regulation 2043/89 and by Regulation 3896/91		Restrictions on use of specified terms and other traditionally equivalent terms
15. Regulation 823/87: Article 15a as amended by Regulation 2043/89	Regulation 2903/79: Articles 3 and 4	Provisions relating to downgrading of quality wine psr

PART III DESCRIPTION AND PRESENTATION

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 2392/89: all Articles except 1, 36, 45 and 46 as amended by Regulation 3886/89: Article 1 and by Regulation 3897/91	Regulation 3201/90: All Articles except 28 and 29 as amended by Regulation 3298/91: Article 1 and by Regulation 153/92: Article 1 and by Regulation 3650/92 Article 1	General rules and particular requirements relating to the description and presentation of wines and other products
2. Regulation 2333/92: all Articles except 17	Regulation 2707/86: All Articles except 11 as amended by Regulation 3378/86: Article 1 and by Regulation 2249/87: Article 1 and by Regulation 575/88: Article 1 and by Regulation 2657/88: Article 1 and by Regulation 596/89: Article 1 and by Regulation 2776/90: Article 1	General rules and particular requirements relating to the description and presentation of sparkling wines and aerated sparkling wines
3. Regulation 822/87: Articles 72(2) and (3)	Regulation 2392/89: Articles 2(3), 3, 4, 5, 6, 7 as amended by Regulation 3886/89: Article 1 and by Regulation 3897/91: Article 1	General rules relating to the use of geographical ascriptions for table wine



<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
4. Regulation 3895/91: Article 1	Regulation 3901/91: Articles 1 and 2	General rules and particular requirements relating to the indication of alcoholic strength on the labelling of liqueur wines, semi-sparkling wines and aerated semi-sparkling wines
5. Regulation 3895/91: Article 2		Prohibition on the use of lead based capsules or foils on liqueur wines, semi-sparkling wines or aerated semi-sparkling wines

PART IV PRODUCTION AND CONTROL OF PLANTING

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 822/87: Article 3(1), (2) and (3)	Regulation 3929/87 as amended by Regulation 2572/89: Article 1 and by Regulation 1784/90: Article 1 and by Regulation 2776/90: Article 1 and by Regulation 605/92: Article 1	Harvest, production and stock declarations
2. Regulation 822/87: Article 6(1) and (2), read with Article 11, as amended by Regulation 1325/90: Article 1	Regulation 1135/70: Article 2	Restriction on new planting of vines
3. Regulation 822/87: Article 7 and 8, read with Article 11, as amended by Regulation 1236/89: Article 1 and by Regulation 1325/90: Article 1	Regulation 940/81: Articles 1 and 2 Regulation 3302/90	Restriction on replanting of vines
4. Regulation 822/87: Articles 13(2) and 69	Regulation 2389/89: Article 13(1) Regulation 2314/72 as amended by Regulation 3296/80: Article 1	Restrictions on the use of certain vine varieties

PART V OENOLOGICAL PROCESSES AND CONDITIONS FOR RELEASE TO THE MARKET

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 822/87: Articles 18(1) and (2) and 19(1) to (7)	Regulation 2240/89	Conditions for increasing alcoholic strength
2. Regulation 822/87: Article 21(1) and (3)	Regulation 2240/89 Regulation 2094/86: Article 1 as amended by Regulation 2736/86	Conditions for acidification and deacidification of wine
3. Regulation 822/87: Article 22(1) and (2)		Conditions for sweetening table wines and imported wines
4. Regulation 1618/70: Articles 1, 2, 3 and 4		Notifications and keeping of turnover records in relation to sweetening operations
5. Regulation 822/87: Article 23(1), (2) and (3)	Regulation 2240/89: Articles 2 and 3	Conditions for carrying out authorised processes (including notification and keeping of register)
6. Regulation 822/87: Article 16(2)		Restriction on mixing certain products with products suitable for yielding table wines

(1) Relevant Community provisions	(2) Supplementing provisions	(3) Subject matter
7. Regulation 822/87: Article 35(1)		Prohibition of the over pressing of grapes and the pressing of wine lees
8. Regulation 822/87: Article 25 (1)	Regulation 351/79: Articles 1, 2 and 3 as amended by Act of Accession of the Hellenic Republic: Article 21 and Annex I, Part IIB, (n) 16 and by Regulation 3196/80: Article 1 and by Regulation 3267/82: Article 1 and by Regulation 3518/83: Article 1 and by Regulation 3689/84: Article 1 and by Regulation 3581/85: Article 1 and by Regulation 255/87: Article 1(1) and (2) and by Regulation 3904/88: Article 1 and by Regulation 1372/90: Article 1 and by Regulation 1029/91: Article 1	Addition of alcohol
9. Regulation 822/87: Article 16(3) to (7)	Regulation 1781/86: Article 1 and Regulation 2202/89	Permitted methods for the production of table wine by coupage
10. Regulation 822/87: Article 65(1) and (2) as amended by Regulation 1734/91	Regulation 2805/73: Article 2 as amended by Regulation 3548/73: Article 1 and Regulation 305/86: Article 1	Maximum permissible sulphur dioxide content of wine
11. Regulation 822/87: Articles 15(1), (3) and (4), 16(1) and (2), 17(1), (2) and (3) and 66 as amended by Regulation 2253/88 and Regulation 1734/91 and Regulation 1756/92 and Regulation 1566/93 and Regulation 1891/94	Regulation 2394/84: Articles 1(1) and 2 as amended by Regulation 2751/86: Article 1	Permitted oenological practices and processes
12. Regulation 822/87: Article 67(1) as amended by Regulation 3992/87		Wine and certain grape musts that may be offered for direct human consumption
13. Regulation 822/87: Articles 13(4) and 67(2) to (7) as amended by Regulation 3992/87 and Regulation 4250/88		Restrictions relating to certain wines and other products originating in the Community
14. Regulation 822/87: Article 68		Restrictions relating to the use of wine originating in third countries in the production of sparkling wine
15. Regulation 822/87: Article 70(3) to (6)		Restriction on the use of products originating in third countries
16. Regulation 3677/89: Article 1 as amended by Regulation 2178/90 and Regulation 2201/91 and Regulation 2795/92 and Regulation 2606/93	Regulation 3826/81	Rules relating to quality wines originating in third countries
17. Regulation 822/87: Article 73(1)	Regulation 1873/84: Article 1 as amended by Regulation 2179/88: Article 1 and Regulation 3888/89: Article 1 and Regulation 2180/90: Article 1 and Regulation 527/92: Article 1 and Regulation 1336/92: Article 1 and Regulation 3201/92: Article 1 and Regulation 1212/93: Article 1 and Regulation 1277/94: Article 1	General rules relating to release of wine products for human consumption
18. Regulation 822/87: Article 74(1)	Regulation 2676/90: as amended by Regulation 2645/92 and Regulation 60/95: Article 1	Community methods for the analysis of wines



<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
19. Regulation 2332/92: all Articles except 21 as amended by Regulation 1568/93: Article 1 and by Regulation 1893/94: Article 1	Regulation 2152/75: Article 1	Rules for the production and marketing of sparkling wines
20. Regulation 3590/85: Article 8(1)		Conditions for release for human consumption of products originating in third countries
21. Regulation 1972/78: Articles 1, 2, and 4a as amended by Regulation 45/80: Article 1		Restrictions relating to the holding of unfit wines and the use of oenological substances
22. Regulation 4252/88: all Articles except 17, 19 and 22 as amended by Regulation 1328/90: Article 2 and by Regulation 1735/91: Article 2 and by Regulation 1759/92: Article 2 and Regulation 1568/93: Article 2	Regulation 3111/93	Rules for the preparation and marketing of liqueur wines produced in the Community

PART VI SPECIFICATION

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 822/87: Article 72(1)		Use of the term "table wine"
2. Regulation 2392/89: Article 43	Regulation 3201/90: Article 24	Use of the term "wine"

PART VII VINEYARD REGISTER

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 2392/86: Article 3(2)	Regulation 649/87 as amended by Regulation 1097/89	Establishment of a vineyard register

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 2048/89: Articles 6, 8(5) and 15 as amended by Regulation 3279/92: Article 1	Regulation 2009/92 Regulation 2347/91	Facilitation of controls by and powers of officials including analysis for Community purposes

PART IX AROMATIZED WINES

<i>(1) Relevant Community provisions</i>	<i>(2) Supplementing provisions</i>	<i>(3) Subject matter</i>
1. Regulation 1601/91: Articles 2, 3, 4 as amended by Regulation 3279/92: Article 1	Regulation 2009/92 Regulation 122/94	General rules and particular requirements relating to the description, presentation and preparation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails
2. Regulation 1601/91: Article 5		Permitted oenological practices and processes



(1) Relevant Community provisions	(2) Supplementing provisions	(3) Subject matter
3. Regulation 1601/91: Article 6		Restrictions on the use of descriptions
4. Regulation 1601/91: Article 7		Restrictions on the description and sale of aromatized drinks
5. Regulation 1601/91: Article 8		General rules relating to the labelling, presentation and advertising of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails
6. Regulation 1601/91: Article 10		Supervision and protection of aromatized drinks originating in third countries
7. Regulation 1601/91: Article 11		Export of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails
8. Regulation 3664/91: Articles 1 and 2 as amended by Regulation 3568/92 and Regulation 1791/93		Transitional measures for aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails

SCHEDULE 3

LIST OF VINE VARIETIES FOR PRODUCING TABLE WINE

Regulation 5(1)(a)

Auxerrois
Bacchus
Cascade
Chardonnay
Chasselas
Dornfelder
Dunkelfelder
Ehrenfelser
Elbling
Faberrebe
Findling
GM 6494/5
Gutenborner
Huxelrebe
Kerner
Kernling
Kranzler
Leon Millot
Madeleine angevine
Madeleine Royale
Madeleine sylvaner
Mariensteiner
Muller-Thurgau (Rivaner)
Optima
Orion
Ortega
Perle
Pinot blanc



Pinot noir
Regner
Reichensteiner
Riesling
Rulander (Pinot Gris)
Scheurebe
Schonburger
Senator
Seyval blanc
Siegerrebe
Triomphe
Wrotham pinot (Pinot meunier)
Würzer
Zweigeltrebe

SCHEDULE 4

SPECIFIED REGIONS PRODUCING QUALITY WINES PSR

Regulation 14

PART I

(SPECIFIED REGION OF ENGLISH VINEYARDS)

The counties of—
Avon
Bedfordshire
Berkshire
Buckinghamshire
Cambridgeshire
Cheshire
Cornwall
Derbyshire
Devon
Dorset
Durham
East Sussex
Essex
Gloucestershire
Greater London
Hampshire
Hereford & Worcester
Hertfordshire
Humberside
Isle of Wight
Kent
Leicestershire
Lincolnshire
Norfolk
Northamptonshire
Nottinghamshire
Oxfordshire
Shropshire



Somerset
South Yorkshire
Staffordshire
Suffolk
Surrey
Warwickshire
West Midlands
West Sussex
West Yorkshire
Wiltshire

PART II
(SPECIFIED REGION OF WELSH VINEYARDS)

The counties of—
Clwyd
Dyfed
Gwent
Mid Glamorgan
Powys
South Glamorgan
West Glamorgan

SCHEDULE 5
LIST OF VINE VARIETIES FOR PRODUCING
QUALITY WINES PSR

Regulation 15

Auxerrois
Bacchus
Chardonnay
Chasselas
Dornfelder
Dunkelfelder
Ehrenfelser
Elbling
Faberrebe
Findling
Gutenborner
Huxelrebe
Kerner
Kernling
Madeleine angevine
Madeleine sylvaner
Muller-Thurgau (Rivaner)
Optima
Ortega
Pinot blanc
Pinot noir
Regner
Reichensteiner
Riesling



Rulander (Pinot gris)
Scheurebe
Schonburger
Senator
Siegerrebe
Wrotham pinot (Pinot meunier)
Würzer
Zweigeltrebe

SCHEDULE 6 ANALYTICAL TEST FOR QUALITY WINES PSR

Regulation 19

The analytical test to establish whether any wine is eligible for designation as quality wine psr shall (subject to numbered paragraph 6 below) comprise measurement of each factor specified in the heading to a numbered paragraph of this Schedule, and the standard (if any) required to be met in relation to that factor in order for the wine to be so eligible is that specified in the remainder of that paragraph.

1. Actual Alcoholic Strength

A minimum of 5.5% actual alcoholic strength for wines having a natural alcoholic strength of not less than 10%.

A minimum of 8.5% actual alcoholic strength for other wines.

2. Total Dry Extract

A minimum of 15 g/l.

4. pH

No standard required to be met.

5. Total Acidity

A minimum of 5 g/l expressed as tartaric acid.

A maximum of 14 g/l expressed as tartaric acid.

6. Volatile Acidity

A maximum volatile acid content as defined in Council Regulation (EEC) No. 822/87 as amended (to be recorded for sweet wines and red wines only).

7. Total Sulphur Dioxide

Where effective oenological techniques are used to ensure the stability of the wine, no minimum, and otherwise 15 mg/l.

A maximum as defined in point 7 of Annex 1 to Council Regulation (EEC) No. 822/87.

8. Free Sulphur Dioxide

A maximum of 45 mg/l for dry wines as defined in Article 14(7) of Commission Regulation (EEC) No. 3201/90 as amended.

A maximum of 60 mg/l for other wines.

9. Copper

A maximum of 0.5 mg/l.

10. Iron

A maximum of 8 mg/l.

11. Sterility

There must be no indication of yeasts or bacteria liable to cause spoilage of the wine.

12. Protein Stability

The wine must remain unchanged in appearance after being held at 70°C for 15 minutes and subsequently cooled to 20°C.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply throughout the United Kingdom and come into force on 1st April 1995, provide for the enforcement of EC Regulations (as specified in Schedules 1 and 2) concerned with the production and marketing of wine and related products. They revoke and re-enact with amendments the provisions of the Common Agricultural Policy (Wine) Regulations 1994 (S.I. 1994/674).

The Regulations—

- (i) designate competent authorities, agencies and a liaison authority for the purposes of enforcement (Regulation 3);
- (ii) define “medium dry” for the purposes of labelling and description (Regulation 4);
- (iii) specify conditions for the use of geographical ascriptions for the designation of table wine (Regulation 5);
- (iv) exempt certain products from provisions relating to information required on labels (Regulation 6);
- (v) permit the planting for certain purposes of vine varieties whose planting would otherwise be prohibited (Regulation 7);
- (vi) provide for powers of inspection and enforcement (Regulation 8);
- (vii) authorise controls on the movement of wine sector products (Regulations 9 and 10);
- (viii) relieve authorised officers of personal liability for acts done by them in execution of the Regulations (Regulation 11);
- (ix) confer on courts before which proceedings are brought powers in relation to the analysis and examination of samples (Regulation 12);
- (x) specify the regions in the United Kingdom for producing quality wines psr (Regulation 14);
- (xi) specify the list of vine varieties, minimum natural alcoholic strength, maximum yield per hectare and analytical test in the production of quality wine psr and permit the production of such wine in areas of immediate proximity to the specified regions (Regulations 15 to 19); and
- (xii) prescribe offences and penalties and provide defences (regulations 20 to 24).

The Schedules have been revised and brought up to date so as to include references to any secondary legislation of the European Community which has been adopted or identified as requiring inclusion since the Common Agricultural Policy (Wine) Regulations 1994 came into force and to delete references to any such secondary legislation which has been repealed or superseded or has become redundant; in addition, the definition of “Community provision” in regulation 2(1) has been extended to cover adaptations effected by the Agreement on the European Economic Area. Subject to that, and to minor drafting changes, the format of these Regulations follows that used in the revoked 1994 Regulations, save that changes are made in Regulation 19 and Schedule 6 so as to distinguish between factors to be measured and standards to be met in the case of the analytical test for quality wines psr, and in regulation 3(1) so as to limit the functions of agencies to those relating to the wine sector, in parallel to the limit on the functions of competent authorities resulting from the combination of regulation 2(2) and Council Regulation (EEC) No. 2048/89 (OJ No. L202, 14.7.89, p.32).



In Schedule 1 each Regulation is given the title which appears in the Official Journal except in cases where the title refers to a Regulation that has been repealed or superseded. In such a case the title given in Schedule 1 refers to the superseding Regulation and the title in the Official Journal is given in a footnote. In addition, footnotes to Schedule 1 identify provisions within it which are subject to adaptations effected by the Agreement on the European Economic Area.

A Compliance Cost Assessment has been prepared and has been deposited in the library of each House of Parliament.