
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

**The Wine (Miscellaneous Amendment)
(Scotland) Regulations 2024**

Citation and commencement

1. These Regulations may be cited as the Wine (Miscellaneous Amendment) (Scotland) Regulations 2024 and come into force on 15 July 2024.

Commission Delegated Regulation (EU) 2019/33

2. In Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation⁽¹⁾, in Article 53, after paragraph 6 insert—

“7. No person may market a product in Scotland using a term mentioned in paragraph 8 unless the product is a wine made exclusively from grapes naturally frozen on the vine.

8. The terms referred to in paragraph 7 are:

- (a) “ice wine”;
- (b) “icewine”;
- (c) “ice-wine”;
- (d) a term similar to a term mentioned in point (a), (b) or (c);
- (e) a term having the same meaning as a term mentioned in point (a), (b) or (c) in a language other than English;
- (f) a term having a similar meaning to a term mentioned in point (a), (b) or (c) in a language other than English.”.

Commission Delegated Regulation (EU) 2019/934

3.—(1) Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files⁽²⁾ is amended as follows.

(2) In Article 1a⁽³⁾—

- (a) number the existing paragraph as paragraph (1),
- (b) after paragraph (1) (as re-numbered by sub-paragraph (a)) insert—

⁽¹⁾ EUR 2019/33, relevantly amended by S.I. 2020/1637.

⁽²⁾ EUR 2019/934, relevantly amended by S.I. 2020/1637 and S.I. 2021/632.

⁽³⁾ Article 1a was inserted by S.I. 2020/1637.

“(2) In this Regulation, insofar as it relates to the use of oenological practices in Scotland, “OIV Code of Oenological Practices” means the 2023 issue of the International Code of Oenological Practices published by the International Organisation of Vine and Wine in Dijon in France in January 2023 (ISBN 978-2-85038-071-6).”.

(3) Part A of Annex 1 is amended in accordance with paragraphs (4), (5) and (6).

(4) After the heading of Part A and before the heading of Table 1 insert—

“In this Part, insofar as it relates to the use of oenological practices in Scotland, “OIV Codex” and “International Oenological Codex” mean the 2023 issue of the International Oenological Codex published by the International Organisation of Vine and Wine in Paris in January 2023 (ISBN 978-2-85038-063-1).”.

(5) In Table 1 (authorised oenological processes as referred to in Article 3(1))—

(a) in the header row, in the third column numbered 2, at the end insert “**(including any geographic limitations)**”,

(b) after the row numbered 2 insert—

“2a	Cold treatments (Scotland)	For use in Scotland for fresh grapes and the products defined in points (1) to (12) (inclusive), (15) and (16) of Part 2 of Annex 7 to Regulation (EU) No1308/2013 (4). Subject to the conditions set out in: (a) point 1(c) of Section B of Part 1 of Annex 8 to Regulation (EU) No1308/2013 ; (b) files 1.14 (2005), 1.15 (2005), 2.1.12.4 (1998), 2.3.6 (1988), 3.1.2 (1979), 3.1.2.1 (1979), 3.3.4 (2004) and 3.5.11.1 (2001) of the OIV Code of Oenological Practices.”
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(c) in the row numbered 8 (flotation), in the third column numbered 2, after the second sentence insert—

“This row does not apply to the use of flotation in Scotland. (See row 8a for the use of flotation in Scotland.)”,

(d) after the row numbered 8 (flotation) insert the following row—

“8a	Flotation (Scotland)	For use in Scotland for the products defined in points (10) to (12) (inclusive) of Part 2 of Annex 7 to Regulation (EU) No1308/2013 but only when using nitrogen or carbon dioxide or by aerating. Subject to the conditions set out in file 2.1.14 (2022) of the OIV Code of Oenological Practices.”
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(e) at the end insert the following rows—

“20	Partial concentration (Scotland)	For use in Scotland, for grape must, subject to the conditions laid down in:
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(4) EUR 1308/1308, relevantly amended by [S.I. 2019/821](#) and [S.S.I. 2022/361](#).

		<p>(a) point 1(b) of Section B of Part 1 of Annex 8 to Regulation (EU) No1308/2013;</p> <p>(b) files 2.1.12 (1998), 2.1.12.1 (1993), 2.1.12.2 (2001), 2.1.12.3 (1998) and 2.1.12.4 (1998) of the OIV Code of Oenological Practices.</p> <p>For use in Scotland, for wine, subject to the conditions laid down in:</p> <p>(a) point 1(c) of Section B of Part 1 of Annex 8 to Regulation (EU) No1308/2013;</p> <p>(b) files 3.5.11 (2001) and 3.5.11.1 (2001) of the OIV Code of Oenological Practices.</p> <p>The treatment in relation to use for grape must and wine must be recorded in the register referred to in Article 147(2) of Regulation (EU) No1308/2013.</p>
21	Treatment by discontinuous high pressure processes (Scotland)	<p>For use in Scotland with fresh grapes, grape must, partially fermented grape must and partially fermented grape must extracted from raisined grapes.</p> <p>Subject to the conditions laid down in files 1.18 (2019) and 2.1.26 (2019) of the OIV Code of Oenological Practices.</p>
22	Treatment by continuous high pressure processes (Scotland)	<p>For use in Scotland with grape must, partially fermented grape must and partially fermented grape must extracted from raisined grapes.</p> <p>Subject to the conditions laid down in file 2.2.10 (2020) of the OIV Code of Oenological Practices.</p>
23	Treatment by ultrasound (Scotland)	<p>For use in Scotland on crushed, fresh grapes for a rapid extraction of grape compounds.</p> <p>Subject to the conditions laid down in file 1.17 (2019) of the OIV Code of Oenological Practices.</p>
24	Treatment of grapes by pulsed electric fields (Scotland)	<p>For use in Scotland with fresh grapes.</p> <p>Subject to the conditions laid down in file 2.1.27 (2020) of the OIV Code of Oenological Practices.</p>
25	Treatment using adsorbent styrene-divinylbenzene beads (Scotland)	<p>For use in Scotland on the products defined in points (1) to (12) (inclusive), (15) and (16) of Part 2 of Annex 7 to Regulation (EU) No1308/2013.</p> <p>Subject to the conditions laid down in files 2.2.11 (2020) and 3.4.22 (2020) of the OIV Code of Oenological Practices.”</p>

(6) In Table 2 (authorised oenological compounds as referred to in Article 3(1))—

- (a) in the descriptive header row, in the eighth column numbered 7, at the end insert—
“(including any geographic limitations),”
- (b) in section 1 (acidity regulators)—
 - (i) after the row numbered 1.7(5) insert the row in Part 1 of the schedule,
 - (ii) after the row numbered 1.9 insert the rows in Part 2 of the schedule,
- (c) in section 2 (preservatives and antioxidants), after the row numbered 2.7 insert the row in Part 3 of the schedule,
- (d) in section 3 (sequestrants)—
 - (i) in the title row numbered 3, in the second column, for “Sequestrants” substitute “Adsorbents”,
 - (ii) in the row numbered 3.2 (selective vegetal fibres), in the eighth column numbered 7 insert—
“This row does not apply to the use of selective vegetal fibres in Scotland. (See row 3.2a for the use of selective vegetal fibres in Scotland.)”,
 - (iii) after the row numbered 3.2 insert the row in Part 4 of the schedule,
- (e) in section 4 (activators for alcoholic and malolactic fermentation)—
 - (i) in the row numbered 4.1 (microcrystalline cellulose), in the eighth column numbered 7, after the first sentence insert—
“This row does not apply to the use of microcrystalline cellulose in Scotland. (See row 4.1a for the use of microcrystalline cellulose in Scotland.)”,
 - (ii) after the row numbered 4.1 insert the row in Part 5 of the schedule,
- (f) in section 6 (stabilising agents)—
 - (i) in the row numbered 6.8 (gum arabic), in the eighth column numbered 7, at the end insert—
“This row does not apply to the use of gum arabic in Scotland. (See row 6.8a for the use of gum arabic in Scotland.)”,
 - (ii) after the row numbered 6.8 insert the row in Part 6 of the schedule,
 - (iii) in the row numbered 6.11 (carboxymethylcellulose), in the eighth column numbered 7, after the first sentence insert—
“This row does not apply to the use of carboxymethylcellulose in Scotland. (See row 6.11a for the use of carboxymethylcellulose in Scotland.)”,
 - (iv) after the row numbered 6.11 insert the row in Part 7 of the schedule,
- (g) in section 7 (enzymes), after the row numbered 7.8 insert the rows in Part 8 of the schedule.

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