
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply throughout the United Kingdom and come into force on 6th August 1990, provide for the enforcement of EEC Regulations (as specified in Schedules 1 and 2) concerned with the production and marketing of wine and related products.

The Regulations, which revoke and re-enact with amendments the provisions of the Common Agricultural Policy (Wine) Regulations 1987—

- (a) designate competent authorities for the purposes of enforcement (regulation 3);
- (b) define “medium dry” for the purposes of labelling and description (regulation 4);
- (c) exempt certain products from provisions relating to information required on labels (regulation 5);
- (d) permit the planting for certain purposes of vine varieties whose planting would otherwise be prohibited (regulation 6);
- (e) provide for powers of inspection and enforcement (regulation 7);
- (f) authorise controls on the movement of wine sector products (regulations 8 and 9);
- (g) relieve authorised officers of personal liability for acts done by them in execution of the Regulations (regulation 10);
- (h) confer on courts before which proceedings are brought powers in relation to the analysis of samples (regulation 11); and
- (i) prescribe offences and penalties (regulations 12, 13, 14 and 15).

The Regulations differ from the Common Agricultural Policy (Wine) Regulations 1987 in that—

- (a) the term “medium dry” has been defined for the purposes of labelling and description of wine by reference to its residual sugar content in relation to its total acidity content (regulation 4);
- (b) powers of entry, inspection of materials and documents, taking stock counts, sampling and analysis have been conferred on authorised officers of designated enforcement authorities (regulation 7);
- (c) powers have been given to authorised officers to prohibit the movement of wine sector products where they have reason to believe that an offence triable summarily or on indictment is being committed and that there is a risk to public health or has been any fraudulent treatment of those products and to consent to the movement of such products in certain circumstances (regulations 8 and 9);
- (d) provision is made with respect to the personal liability of authorised officers and the analysis of samples in the course of proceedings; 18
- (e) new offences have been created in relation to the unauthorised movement of controlled wine (regulation 13) and the obstruction of authorised officers (regulation 14);
- (f) the Schedules have been revised and brought up to date so as to include references to relevant Regulations of the European Economic Community which have been adopted since the Common Agricultural Policy (Wine) Regulations 1987 came into force and to delete references to Regulations which have been repealed or superseded or have become redundant.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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.