
STATUTORY INSTRUMENTS

1997 No. 542

AGRICULTURE

**The Common Agricultural Policy
(Wine) (Amendment) Regulations 1997**

<i>Made</i>	- - - -	<i>28th February 1997</i>
<i>Laid before Parliament</i>		<i>3rd March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ 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—

Title, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Common Agricultural Policy (Wine) (Amendment) Regulations 1997, and shall come into force on 1st April 1997.

(2) These Regulations shall apply to the United Kingdom.

(3) In these Regulations “the principal Regulations” means the Common Agricultural Policy (Wine) Regulations 1996⁽³⁾.

Amendment of the principal Regulations

2. The principal Regulations shall be amended in accordance with regulations 3 to 14 of these Regulations.

3. In paragraph (1) of regulation 2 (interpretation and revocation), in the definition of “county”—

(a) for the words “by section 1 of the Local Government Act 1972” there shall be substituted the following words—

(1) S.I. 1972/1811.

(2) 1972 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).

(3) S.I. 1996/696.

“either by section 1 of the Local Government Act 1972⁽⁴⁾ or, as the case may be, by order⁽⁵⁾ under section 17 of the Local Government Act 1992⁽⁶⁾, and the administrative area of Greater London established by section 2(1) of the London Government Act 1963⁽⁷⁾

- (b) for the words “section 20 of that Act” there shall be substituted the words “section 20 of the Local Government Act 1972”.

4. After regulation 5 (geographical ascriptions for table wine), there shall be inserted the following regulation—

“Table wine: rules governing use of the term “regional wine”

5A. The rules required by Article 2(3)(i), as read with Article 4(3), of Council Regulation (EEC) No. 2392/89, as amended⁽⁸⁾, to be laid down before the term “regional wine” may be used (in accordance with the requirements of the said Regulation) in the description of a table wine originating in the United Kingdom are those contained in Schedule 3A.”.

5. In Schedule 1 (community provisions)—

- (a) items 4, 5, 6, 28 and 41 shall be deleted;
- (b) in the items listed below, in each case at the end of the first column, there shall be inserted the words specified in respect of that item—
- (i) in item 14, the words “and by Commission Regulation (EC) No. 1914/96 (OJ No. L252, 4.10.96, p.1)”;
 - (ii) in item 19, the words “and by Commission Regulation (EC) No. 1648/96 (OJ No. L207, 17.8.96, p.7)”;
 - (iii) in item 24, the words “and by Council Regulation (EC) No. 1596/96 (OJ No. L206, 16.8.96, p.38)”;
 - (iv) in item 26, the words “and by Council Regulation (EC) No. 1592/96 (OJ No. L206, 16.8.96, p.31)”;
 - (v) in item 27, the words “and by Council Regulation (EC) No. 1426/96 (OJ No. L184, 24.7.96, p.1)”;
 - (vi) in item 29, the words “and by Council Regulation (EC) No. 1594/96 (OJ No. L206, 16.8.96, p.35)”;
 - (vii) in item 35, the words “and by Council Regulation (EC) No. 1427/96 (OJ No. L184, 24.7.96, p.3; corrigendum at OJ No. L233, 14.9.96, p.28)”;
 - (viii) in item 38, the words “and by Commission Regulation (EC) No. 692/96 (OJ No. L97, 18.4.96, p.15) and by Commission Regulation (EC) No. 1056/96 (OJ No. L140, 13.6.96, p.15)”;
 - (ix) in item 40, the words “and by Regulation (EC) No. 2061/96 of the European Parliament and of the Council (OJ No. L277, 30.10.96, p.1)”;

(4) 1972 c. 70.

(5) S.I. 1995/493 (Bath and N.E. Somerset, City of Bristol, N.W. Somerset, S. Gloucestershire), 600 (E. Riding of Yorkshire, City of Kingston upon Hull, N. Lincolnshire, N.E. Lincolnshire), 1769 (Milton Keynes), 1770 (Brighton and Hove), 1771 (Poole, Bournemouth), 1772 (Darlington), 1773 (Derby), 1774 (Thamesdown), 1775 (Portsmouth, Southampton), 1776 (Luton), and 1996/507 (Leicester, Rutland).

(6) 1992 c. 19.

(7) 1963 c. 33.

(8) OJ No. L232, 9.8.89, p.13, the amendments to which are specified at item 35, in the first column, of Schedule 1 to S.I. 1996/696 as amended by these Regulations; the relevant amendment is Council Regulation (EC) No. 1427/96.

- (x) in item 45, the words “and by Council Regulation (EC) No. 1428/96 (OJ No. L184, 24.7.96, p.7) and by Council Regulation (EC) No. 1594/96 (OJ No. L206, 16.8.96, p.35)”;
 - (xi) in item 46, the words “and by Council Regulation (EC) No. 1429/96 (OJ No. L184, 24.7.96, p.9)”;
 - (xii) in item 47, the words “and by Commission Regulation (EC) No. 693/96 (OJ No. L97, 18.4.96, p.17)”;
 - (xiii) in item 55, the words “as amended by Commission Regulation (EC) No. 1915/96 (OJ No. L252, 4.10.96, p.10)”;
- (c) after item 55 there shall be inserted the following item—

<i>“in the first column (measures containing Community provisions)”</i>	<i>in the second column (OJ reference)”</i>
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56. Commission Regulation (EC) No. 1294/96 laying down detailed rules for the application of Council Regulation (EEC) No. 822/87 as regards harvest, production and stock declarations relating to wine-sector products as corrected by Commission Regulation (EC) No. 2050/96 (OJ No. L274, 26.10.96, p.17)	OJ No. L166, 5.7.96, p.14”.
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6. In Part I (accompanying documents and records) of Schedule 2 (relevant community provisions), in item 3, at the end of the first column, there shall be inserted the words “as amended by Regulation 1427/96: Article 1”.

7. In Part II (quality wines produced in specified regions) of Schedule 2, in both items 13 and 14, in each case at the end of the first column, there shall be inserted the words “and by Regulation 1426/96”.

8. In Part III (description and presentation) of Schedule 2—

- (a) in item 1, at the end of the first column, there shall be inserted the words “and by Regulation 1427/96: Article 1 (corrigendum at OJ No. L233, 14.9.96, p.28)” and, at the end of the second column, there shall be inserted the words “and by Regulation 692/96: Article 1 and by Regulation 1056/96: Article 1”;
- (b) in item 2, at the end of the first column, there shall be inserted the words “as amended by Regulation 1429/96: Article 1” and, at the end of the second column, there shall be inserted the words “as amended by Regulation 1915/96: Article 1”.

9. In Part IV (production and control of planting) of Schedule 2—

- (a) in item 1, for the entry in the second column there shall be substituted the following entry—
“Regulation 1294/96, as corrected by Regulation 2050/96”;
- (b) in item 2, at the end of the first column, there shall be inserted the words “and by Regulation 1592/96: Article 1”.

10. In Part V (oenological processes and conditions for release to the market) of Schedule 2—

- (a) in item 9, at the end of the first column, there shall be inserted the words “as amended by Regulation 1592/96”;
- (b) in both items 10 and 11, in each case at the end of the first column, there shall be inserted the words “and Regulation 1592/96”;

- (c) in item 19, at the end of the first column, there shall be inserted the words “and by Regulation 1428/96: Article 1”.
11. In Schedule 3 (list of vine varieties for producing table wine)—
- (a) the variety “GM 6494/5” shall be deleted, and
 - (b) after the variety “Riesling” there shall be inserted the variety “Rondo (GM 6494/5)”.
12. After Schedule 3, there shall be inserted the following Schedule—

“SCHEDULE 3A

Regulation 5A

RULES GOVERNING USE OF THE TERM “REGIONAL WINE” IN THE
DESCRIPTION OF A TABLE WINE ORIGINATING IN THE UNITED KINGDOM

PART I

RULES

1. The term “regional wine” shall only be used in the description of a table wine originating in the United Kingdom where—
- (a) it occurs as part of one of the following longer descriptions—
 - (i) “English Counties regional wine”, or
 - (ii) “Welsh Counties regional wine”; and
 - (b) the table wine to which it is applied—
 - (i) was produced only from the grapes of one or more of the varieties listed in Schedule 3, excluding Kanzler, Madeleine Royale, Mariensteiner and Perle;
 - (ii) was produced only from grapes from vines the total yield from which, in the calendar year in which those grapes were harvested, did not exceed 100 hectolitres of wine or grape juice per hectare of vine cultivation;
 - (iii) has a minimum natural alcoholic strength by volume of 6.0%;
 - (iv) has been subjected to an analytical test in relation to each factor specified and found to meet each of the standards required to be met as also specified in Part II of this Schedule; and
 - (v) has the organoleptic qualities, in relation to its colour, clarity, smell, and taste, that are characteristic in such wine.

2.—(1) The description “English Counties regional wine” shall only be used in the description of a table wine which fulfils the conditions contained in paragraph 1(b) above where the grapes used in the production of such wine were grown only in England.

(2) The description “Welsh Counties regional wine” shall only be used in the description of a table wine which fulfils the conditions contained in paragraph 1(b) above where the grapes used in the production of such wine were grown only in Wales.

PART II

ANALYTICAL TEST FOR REGIONAL WINES

The analytical test to establish whether any table wine is eligible to be described as a regional wine shall (subject to numbered paragraph 6 below) comprise measurement of each factor specified in

the heading to a numbered paragraph of this Part, and the standard (if any) required to be met in relation to that factor in order for the table wine to be so eligible is that specified in the remainder of that paragraph.

Actual Alcoholic Strength

1. A minimum of 8.5% actual alcoholic strength.

Total Dry Extract

2. A minimum of 15 g/l.

Reducing Sugars

3. No standard required to be met.

pH

4. No standard required to be met.

Total Acidity

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

Volatile Acidity

6. 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).

Total Sulphur Dioxide

7. A maximum as defined in Council Regulation (EEC) No. 822/87.

Free Sulphur Dioxide

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

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.

Copper

9. A maximum of 0.5 mg/l.

Iron

10. A maximum of 8 mg/l.

Sterility

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

Protein Stability

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

13. For Part I of Schedule 4 (specified regions producing quality wines psr—English vineyards) there shall be substituted the following Part—

“PART I

(SPECIFIED REGIONS OF ENGLISH VINEYARDS)

The counties of—

Bath and North East Somerset
Bedfordshire
Berkshire
Bournemouth
Brighton and Hove
City of Bristol
Buckinghamshire
Cambridgeshire
Cheshire
Cornwall
Darlington
Derby
Derbyshire
Devon
Dorset
Durham
East Riding of Yorkshire
East Sussex
Essex
Gloucestershire
Greater London
Hampshire
Hereford and Worcester
Hertfordshire
Isle of Wight
Kent
City of Kingston upon Hull
Leicester
Leicestershire
Lincolnshire

Luton
Milton Keynes
Norfolk
Northamptonshire
North East Lincolnshire
North Lincolnshire
North West Somerset
Nottinghamshire
Oxfordshire
Poole
Portsmouth
Rutland
Shropshire
Somerset
Southampton
South Gloucestershire
South Yorkshire
Staffordshire
Stoke on Trent
Suffolk
Surrey
Thamesdown
Warwickshire
West Midlands
West Sussex
West Yorkshire
Wiltshire”.

14. In paragraph 7 (total sulphur dioxide) of Schedule 6 (analytical test for quality wines psr), the words “point 7 of Annex 1 to” shall be deleted.

26th February 1997

Tony Baldry
Minister of State, Ministry of Agriculture,
Fisheries and Food

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

Signed by authority of the Secretary of State for Wales

28th February 1997

Jonathan Evans
Parliamentary Under Secretary of State, Welsh
Office

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 1997, amend the Common Agricultural Policy (Wine) Regulations 1996 (S.I.1996/696) (“the principal Regulations”) which provide for the enforcement of EC Regulations concerned with the production and marketing of wine and related products.

The principal amendment made by these Regulations is to introduce (as required by Council Regulation (EEC) No. 2392/89 (OJ No. L232, 9.8.89, p.13), as amended by Council Regulation (EC) No. 1427/96 (OJ No. L184, 24.7.96, p.3; corrigendum at OJ No. L233, 14.9.96, p.28)) the rules to be observed before a table wine originating in the United Kingdom may be described as “regional wine” (new regulation 5A of, and Schedule 3A to, the principal Regulations, introduced by regulations 4 and 12 of these Regulations).

These Regulations also—

- (a) revise and bring up to date Schedules 1 and 2 to the principal Regulations so as to include references to any relevant EC Regulations which have been adopted since the coming into force of the principal Regulations, and to delete references to those which have been repealed or superseded or which have become redundant (regulations 5 to 10);
- (b) revise the list of specified regions of English vineyards to take account of recent changes in the identity of certain counties (regulations 3 and 13); and
- (c) make minor changes to the list of vine varieties for producing table wines and the analytical test for quality wines psr (regulations 11 and 14).

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