

**Consultation to Amend
Retained EU Law (REUL)
to Introduce Rules That
Will Govern How Products
Marketed As “Ice Wine”
Must Be Produced And
Make Changes to Permitted
Oenological Methods**

Consultation to Amend Retained EU Law (REUL) to Introduce Rules That Will Govern How Products Marketed As "Ice Wine" Must Be Produced And Make Changes to Permitted Oenological Methods

Introduction

This consultation was on proposals regarding a definition for ice wine and changes to permitted oenological methods.

The first proposal is to amend retained EU law (REUL) relating to the marketing of wine to introduce rules that will regulate how products marketed as "ice wine" must be produced, which will include a definition of ice wine.

The second proposal is to amend REUL to update the lists of approved oenological processes, practices and restrictions that can be used to produce wine in GB.

Ice wine production

Ice wine is produced in certain colder regions of the world e.g. Canada, Germany etc. where grapes are allowed to freeze naturally on the vine. It is a niche product that is only produced in very small quantities. There is no ice wine production in Scotland or the UK.

In line with UK Government proposals for England and Wales, the Scottish Government consulted on a proposal to amend REUL to introduce rules that will govern how products marketed as 'ice wine' must be produced. The proposed new regulations will mean products could only be marketed as 'ice wine' if they have been produced from grapes harvested when frozen on the vine. Such a definition will ensure consumers can identify ice wine products that are made according to specified criteria that apply to its production.

The proposals will enable compliance with international obligations, including the future accession of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) agreement.

We propose the following specification for ice wine: 'Wine may be labelled as icewine, ice wine, ice-wine, or a similar variation of these terms, only if such wine is made exclusively from grapes harvested while naturally frozen on the vine.'

New approved oenological practices

REUL sets out details of the oenological practices, processes and restrictions that can be used to produce wine in GB. In 2021, GB joined the International Organisation of Vine and Wine (OIV). Its recommendations form the basis of domestic, EU and many third countries' wine production rules. Compliance with this in turn forms the basis of the quality standards required of wine imported into Great Britain.

The OIV adds or removes practices from its recommendations following a 7-step scientific scrutiny process into which GB, EU and other world experts feed. In order

to be adopted, the resolution must be approved on a consensual basis; any objection results in the practice falling back to a previous stage for further consideration or development.

The proposed oenological changes are to amend Regulation (EU) 2019/934 to update the lists in the Annexes of approved oenological processes, practices and restrictions that can be used to produce wine in GB. This is to reflect updates to the OIV's list of approved methods. This will ensure that our wine producers have access to the latest technological developments and winemaking practices. UK Government are intending to make the same changes for England and Wales.

Rationale for legislating

Ice wine

Since the UK is not involved in ice wine production, domestic interests lie with imports and ensuring products placed on the UK market, and claiming to be ice wine, meet the exacting production requirements for ice wines.

REUL does not provide a definition for ice wine and as such Ministers are not able to regulate its use on wine, meaning any product using frozen grapes could argue that it is ice wine even if those grapes have been picked and subsequently frozen.

To support consumer understanding and to allow the UK to ratify the CPTPP agreement, we need to be able to enforce a definition for ice wine that requires it to be produced from grapes that are frozen naturally on the vine.

New approved oenological practices

Compliance with the OIV forms the basis of the quality standards required of wine imported into Great Britain. In order to ensure that standards in Scotland are maintained, it is important for us to update the list of approved oenological practices set out in Regulation (EU) 2019/934. This will ensure that our wine producers have access to the latest technological developments and winemaking practices. This will also protect the standard of product available to consumers.

This legislation will ensure a consistency of approach with the EU and across the UK.

Proposed legislation

To legislate on both ice wine and changes to oenological practices, we propose to make regulations amending retained Regulations (EU) 2019/33 and 2019/934 and to bring those into force in July 2024.

Consultation questions

We asked

1) will the proposed changes on ice wine have a positive or negative impact on your business:

2) will the proposed changes on oenological practices have a positive or negative impact on your business:

Respondents who answered the question regarding their role in the wine sector primarily identified as an 'individual' so no responses were received from organisations. 3 respondents gave permission for their responses to be published so these have been published on Citizens Space.

Ice wine

For the first question there were 5 responses, 4 replying there would be no impact and 1 saying a positive impact.

Scottish Government will introduce rules that govern how products marketed as 'ice wine' must be produced. The ice wine definition will enable the UK to comply with international obligations, including the future accession of the CPTPP (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) agreement. This change would mean products can only be marketed as ice wine, icewine or a similar variation of these terms if produced from grapes harvested when frozen on the vine.

Analysis

Respondents generally thought the reform would have either no impact or a positive impact. When asked to explain response, the comments received were 'I am not involved in the UK wine trade other than as a consumer and wine enthusiast' and 'there are none in Scotland'.

Government view

Scottish Government will proceed to introduce the restriction on the use of the term 'ice wine' and similar terms to enable the UK to accede to CPTPP in 2024.

New approved oenological practices

Scottish Government intends to amend retained EU law (retained Regulation EC 2019/934 Annexes 1 and 2) to update the legislative list of approved oenological practices, processes and restrictions. REUL sets out details of the oenological practices, processes and restrictions that can be used to produce wine in GB.

Analysis

For this question there were 4 responses, 3 replying there would be no impact and 1 saying a positive impact. When asked to explain response Comment received was 'I support government legislation that controls wine classification and will outlaw misleading labelling and marketing of wine and wine products in the UK' and 'there are none in Scotland'.

Government view

Scottish Government intends to update the list of oenological practices for wine producers to have access to the latest technological developments and winemaking practices.



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