

24 October 2007

Mr Luc Berlottier
Commission Européenne
Direction générale de l'Agriculture et du Développement Rural
130, Rue de la Loi
B – 1049 Brussels
Belgium

Dear Mr Berlottier

Thank you for meeting me on my recent visit to Brussels. Our discussions were very helpful and I would like to confirm some matters that were raised at that time.

- 1) Given the scope of the Agreement between the European Union and Australia on trade in wine extends to products classified under 22.04 of the Harmonized System, an Australian product, produced in accordance with the following conditions, could enter the Community and be designated as “wine”;

The product consists of fermented grape juice.

The actual alcohol is greater than 4.5% v/v.

The actual alcohol is less than three fifths of the total alcohol.¹

The product is made in conformity with Australia's laws and, in particular, is produced using only the practices authorized in Annex 1 of our bilateral Agreement.

The product is described by an Australian Geographical Indication.

- 2) If the product described in 1) above also contains carbon dioxide from the fermentation of contained grape sugars it could be classified as “wine”.²
- 3) If the product described in 1) above contained added carbon dioxide it could enter the Community and be designated as either Australian aerated sparkling

¹ If this condition is not fulfilled and the actual alcohol is more than three fifths of the total then the product could still be described as “wine” provided the actual alcohol exceeds 4.5%.

² If this is not the case would any, or all, of the following alternative descriptions be appropriate?

- a. Quality Australian sparkling wine (provided the actual alcohol was at least 6%, the total alcohol at least 10% and the excess pressure at least 3 bar)
- b. Quality Australian aromatic sparkling wine (provided the wine was made from a variety nominated by Australian authorities to be “aromatic” and the conditions under 2a are met)
- c. Quality Australian semi-sparkling wine (provided the actual alcohol is at least 7%, the total alcohol at least 9% and the excess pressure is between 1 and 2.5 bars)

wine or Australian aerated semi sparkling wine, depending on whether the excess pressure is at least 3 bars, or, in the latter case, between 1 and 2.5 bars. Such products could be described by an Australian geographical indication and the description and presentation could refer to the grape varieties from which the wine is made and the year in which the grapes were harvested.

- 4) There is a category of products in Australia, produced from red grape varieties such as Shiraz, which are rosé or pink in colour due to limited contact between juice and skins. It is common practice to describe such products as “white” Shiraz (or “white” Cabernet, “white” Zinfandel etc, as the case may be). Provided the wine is made from the nominated grape variety and the adjective “white” is sufficiently differentiated from “Shiraz” (e.g. through the use of inverted commas, or by being presented on a line immediately above the varietal designation) so as not to suggest the wine is made from a variety distinct from “Shiraz”, such products can also be placed on Community markets.

Once again, thank you for meeting me in Brussels and I look forward to further contact in the future.

Yours sincerely

Steve Guy
General Manager, Compliance and Trade
Australian Wine and Brandy Corporation

cc: Greg Williamson, Australian Mission to the European Union