



Department
for Environment
Food & Rural Affairs

Consultation on proposed changes to UK Wine Legislation

Date: 9 September 2021

We are the Department for Environment, Food and Rural Affairs. We're responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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Foreword

The UK has been a major player in the global wine trade for many years. It is the world's second largest importer of wine by both value and volume. Large volumes of wine are also exported around the world. The smooth trade in wine, both into and out of the UK, is therefore important to the UK economy and jobs in the wine trade industry.

This consultation seeks your views on proposed amendments to several pieces of wine legislation.

Summary

This consultation seeks your views on three issues.

First, on the Government's proposals to remove the requirement for wine imported to Great Britain to be accompanied by a VI-1 certificate.

Second, on proposed changes to the Food (Lot Marking) Regulations 1996 to ensure the UK complies with obligations under the UK-EU Trade and Co-operation Agreement.

Third, on providing a transitional period to allow the EU industry time to adjust to new UK wine labelling rules.

On all three issues, we believe that these measures are either strongly beneficial for the UK or are necessary technical provisions to implement the Trade and Cooperation Agreement with the EU. We are seeking views on these proposals and the mechanisms to implement these changes.

Background and proposals

Removal of VI-1 certificates

VI-1 certificates were originally introduced when the United Kingdom was a member of the European Union (EU). Since the UK inherited its wine import rules from the EU, in principle all wine imports into Great Britain must be accompanied by a VI-1 certificate. In practice, the Government introduced a temporary lifting of this requirement when the Transition Period ended. That grace period is due to end on 31 December 2021. The Government has therefore considered what to do at the end of the grace period.

Providing a certificate requires a sample of imported wine to undergo several analytical tests to assure certain characteristics of the wine.

VI-1 certification has long been cited as problematic by wine importers in Great Britain because it is costly and provides no meaningful assurance about the quality or safety of

the wine. Industry has estimated that VI-1 certificates add about 10p to the cost of a bottle of wine and that its removal could save British wine drinkers up to £130 million a year.¹ There are further undesirable characteristics with VI-1 certificates – they are not the same for all countries. The analysis required about wine from some origins is significantly different from that from others. This means that the cost of importing similar products into GB varies according to the exporting country, creating an unfair advantage for some countries over others.

Having considered this evidence, the Government announced on 25 July 2021 its intention to remove the requirement for VI-1 certificates on imported wine for wine from all countries. This is expected to reduce costs for the British industry, reduce prices for British consumers and increase GB's global competitiveness as a wine hub.

Consultation questions:

What impact do you think the removal of VI-1 certificates will have on the UK wine market? Will the effects fall disproportionately on any particular sector of the market?

Lot Marking

The Government also intends to implement measures to comply with Trade and Co-operation Agreement Annex TBT-5 - *Trade in Wine*. Specifically, the Food (Lot Marking) Regulations 1996 will be amended to ensure that lot marks as specified by the laws of the producing country (including EU countries) will be permitted provided they are easily visible, clearly legible and indelible. Wine which does not comply with these requirements will not be allowed to be placed on the market.

Consultation question:

What impact, if any, will the proposed amendments to lot marking have on the UK wine market or consumers?

Transitional period

The third issue is to ensure that in introducing UK labelling and production requirements EU producers are given sufficient time to adapt to those requirements. For example, they will need time to change labels so that the correct importer address is included on bottled

¹ Wine and Spirit Trade Association (WSTA) Press Release 2019

<https://defra.sharepoint.com/:w:/r/teams/Team1793/Wine/Wine%20policy/VI1%20Consultation/VI-1%20Consultation%20document.docx?d=w746ac58e72884b84b742999e6b95c7c4&csf=1&web=1&e=z2G0ES>

wine. The proposed transitional period is intended to give the UK and EU wine industries the time they need to adapt. Amendments will be made to the Wine Regulations 2011 and the Food Information Regulations 2014.

Consultation question:

How long should this transitional period be? We would be grateful to receive any estimates of the impact of different lengths of transitional period, if available.

Legislative Process

We propose to implement the removal of VI-1 certification through secondary legislation made under section 31 of the Future Relationship Act (2020). This will simultaneously remove wine certification for all trading partners and in doing so fulfil the provisions of the Wine Annex in the UK-EU Trade and Co-operation Agreement. This will enable a swift delivery of the government's commitment to remove all certification.

Timing and duration of this consultation

- The consultation will commence on 9 September 2021 and will be open to responses for a period of three weeks. The consultation period will end at midnight on 29 September 2021. If you have any enquiries or wish to receive hard copies of the consultation documents, please contact us by emailing: Wine.Exports@defra.gov.uk
- We will summarise all responses and place this summary on GOV.UK.
- This summary will include a list of the names of organisations that responded. It will not list personal names, addresses or other contact details (for either organisational or individual responses).
- We will retain a copy of responses so that the public can see them; copies will be made available on request. Also, members of the public may ask for a copy of responses under freedom of information legislation.
- Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes. These are primarily the Environmental Information Regulations 2004 (EIR), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). We have obligations, mainly under the EIR, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

- If you want the information that you provide to be treated as confidential, please be aware that public authorities are bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.
- This consultation is issued in line with the principles of consultation issued by the Cabinet Office. These can be found at:
<https://www.gov.uk/government/publications/consultation-principles-guidance>