



**Asia-Pacific  
Economic Cooperation**

# **APEC Wine Regulatory Forum Report**

**APEC Sub Committee on Standards and Conformance  
APEC Committee on Trade and Investment**

**September 2011**

APEC Project CTI 40/2010T

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**Asia-Pacific  
Economic Cooperation**

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## **APEC Wine Regulatory Forum Report**

CTI: SCSC 40/2010T

Purpose: Information

Submitted by: United States

**Sub-Committee on Standards and  
Conformance Meeting  
United States  
September 2011**



## Seminar on Key Issues in Wine Regulation

September 18-19, 2011 • San Francisco, California • Wine Regulatory Forum

### **APEC Subcommittee on Standards and Conformance APEC Wine Regulatory Forum Report**

#### **Background**

At the SOM I meeting held in Lima, Peru in 2008, the APEC Sub-Committee on Standards and Conformance (SCSC) endorsed the establishment of a Wine Regulatory Forum (WRF)<sup>1</sup>. This report summarizes the discussions and outcomes of the APEC Wine Regulatory Forum Seminar held in San Francisco, California on September 18-19, 2011<sup>2</sup>.

The WRF Seminar marked the first-ever meeting of wine regulators and industry from both wine producing and consuming economies. The seminar was sponsored by the United States, and cosponsored by Australia, Chile, New Zealand, and Peru. Eighteen of the 21 member economies participated and twelve served as speakers<sup>3</sup>. The event included a facilitator-led Regulators Breakfast, and tours of the Concannon Vineyard Winery in Livermore Valley and the U.S. Alcohol and Tobacco Tax and Trade Bureau's Compliance Laboratory in Walnut Creek, California. The WRF seminar produced two reference documents: "The Compendium of Wine Import Certificate Requirements of APEC Economies" and the "APEC Wine Regulatory Forum Contact List".

#### **Overview of APEC Wine Trade**<sup>4</sup>

APEC region trade in rice, grape and other fruit wine has grown dramatically in importance for both exporting and importing economies.

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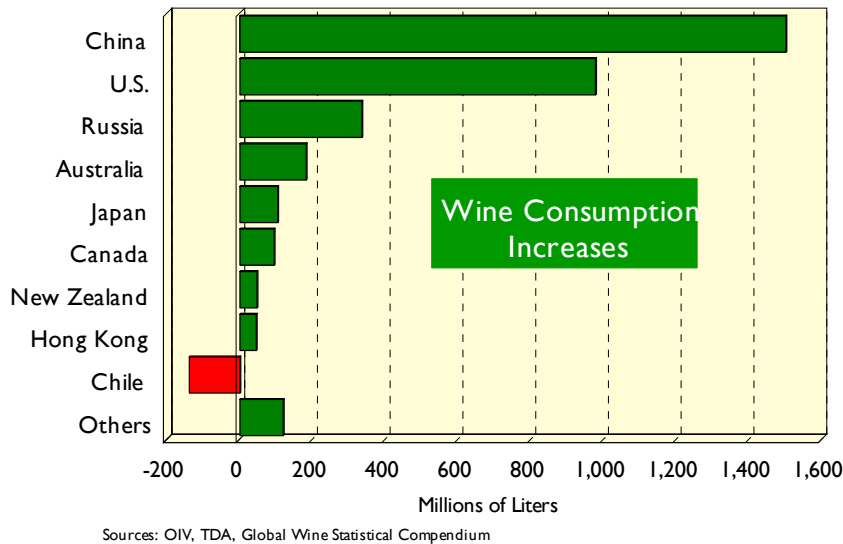
<sup>1</sup> 2008/SOM3/SCSC/003

<sup>2</sup> Presentations from the APEC Wine Regulatory Forum are posted on the APEC Meeting Document Database and the Wine Institute website: <http://www.wineinstitute.org/APEC>

<sup>3</sup> In agenda order: United States, New Zealand, Australia, Chile, China, Japan, Korea, Mexico, Peru, Chinese Taipei, Thailand, and Canada.

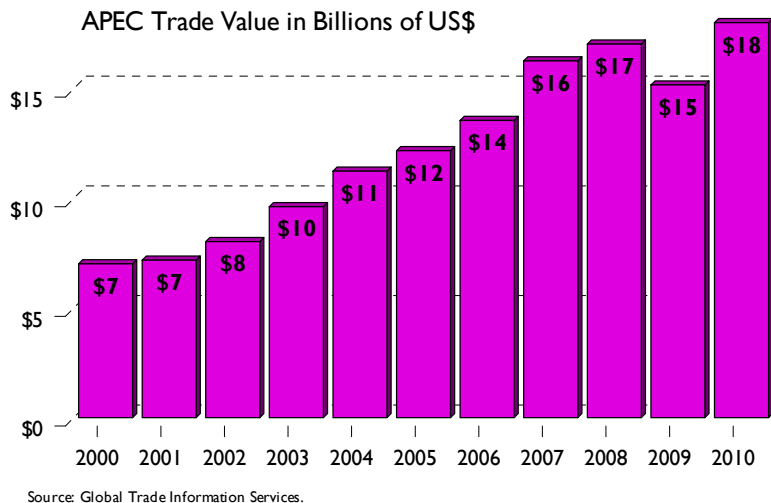
<sup>4</sup> Wine data was taken from Mr. Jon A. FREDRIKSON's presentation "Overview of APEC Wine Trade".

## Change in Wine Consumption by Economy Since 1990 Consumption Has Grown Considerably in Most APEC Economies



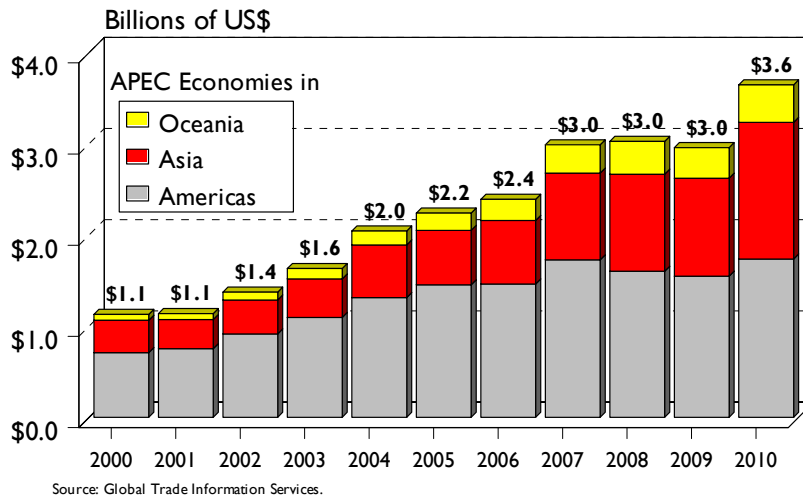
As wine consumption increased, trade in wine among APEC economies and other world nations increased tremendously. In 2010, the value of the APEC economies' global wine trade climbed to US \$18 billion.

## The Value of Total Wine Trade in APEC Economies Rose to US\$18 Billion in 2010 from US\$7 Billion in 2000



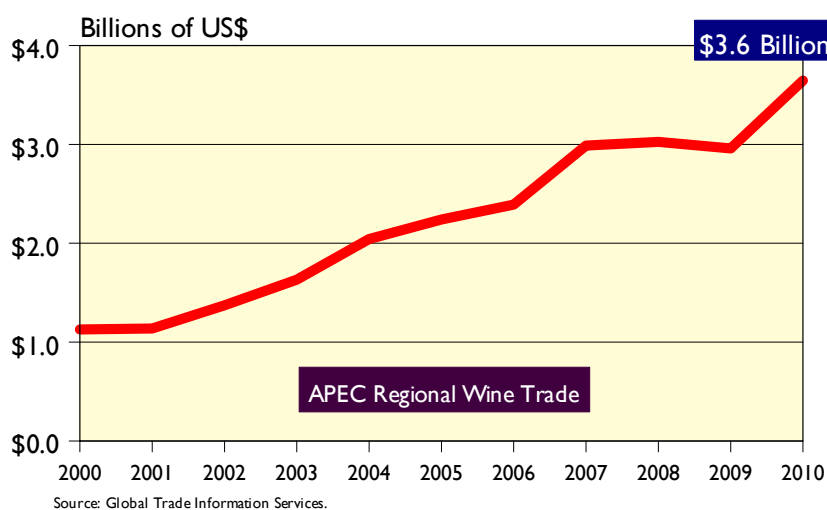
Over the past decade, there has been an enormous growth in wine exports from Asian APEC economies. The value of these exports climbed nearly fourfold to approximately US\$ 665 million, with high rates of growth to APEC economies in both the Americas and Oceania.

### APEC Regional Trade, Wine Imports by Region *Trade in All Regions Expanded Rapidly Since 2000*



There have also been increases in the value of wine exports from APEC economies in the Americas and in Oceania. In total, the value of wine trade among APEC economies soared from US\$ 1.1 billion in 2000 to US\$ 3.6 billion in 2010, an increase of 223%.

### APEC Regional Wine Trade, 2000 to 2010 *Trade Value More than Tripled to US \$3.6 Billion*



## **Targeted Outcomes of CTI: SCSC 40/2010T (as envisioned in the project proposal)**

The WRF met the project goals as listed in the project proposal. Participants have:

- Identified key principles for regulations that could be considered when regulating rice, grape and other fruit wine with a view to promoting regulatory alignment in the region and removing costly, unnecessary and unduly burdensome regulatory choke points with respect to oenological practices, definition and/or description of products and labeling requirements and methods for analyzing, assessing, or certifying wine products;
- Gained better knowledge and understanding of recommendations issued by relevant International fora, including inter alia, the Codex Alimentarius Commission, World Trade Organization (WTO), International Organization of Wine and the Vine (OIV), and the World Wine Trade Group (WWTG) and will be able to apply these when implementing new laws or regulations; and
- Established stronger linkages with government departments of other APEC economies and relevant non-government entities (such as laboratories) to enable regular consultation and timely exchange of information. This will assist with the prompt resolution of questions and disputes concerning labeling, Maximum Residue Limits (MRLs), compositional or certification requirements, counterfeiting and smuggling of wine products, geographical indications and food safety and health concerns.

## **Seminar Outcomes and Next Steps**

Participants wish to suggest the following principles and next steps. Economies, in coordination with industry and other stakeholders, should seek to:

**Build on established networks:** Economies should build on established networks and processes, particularly to strengthen their abilities to share information in international bodies, including the Codex Alimentarius Commission and the World Wine Trade Group. Economy regulators should also use the *APEC Wine Regulatory Forum Contact List (2011/SOM3/SCSC/054 )* to enable regular consultation and timely exchange of information among members.

**Reduce barriers to wine trade:** Economies should review and compare the policies outlined in the *Compendium of Certification Requirements (2011/SOM3/SCSC/SEM/27)*, with an eye towards eliminating unnecessary barriers to trade. Economies should also consider participating in the work of the Food Safety Cooperation Forum and refer to the CODEX guidance on export certificates when deciding on what to incorporate into required documentation. Economies are encouraged to participate in the November APEC Export Certificate Workshop in DC.

**Develop a forward-looking work plan:**

Economies should use a broad range of economy, industry, and academic stakeholders to build upon the ideas discussed in this Seminar. Interested parties should meet to discuss mutual priorities, including:

- Increasing information exchange on regulatory developments and labeling issues in order to increase confidence among economies
- Eliminating or reducing the need for export certificates, possibly by achieving mutual acceptance of oenological practices under appropriate conditions
- Accepting an electronic means for the submission of export certificates or by consolidating the information on various certifications into one
- Identifying opportunities to reconvene at a future date to continue the dialogue on the issues raised at the Seminar including to identify capacity building needs and activities.

**Summary of the Wine Regulatory Forum Seminar<sup>5</sup>**

Ms. Julia Doherty, Chair of the APEC Sub-Committee on Standards and Conformance (USA) opened the event by welcoming participants to the third SOM of the U.S. host year. Mr. Robert P. Koch, President and Chief Executive Officer of the Wine Institute, gave the private sector welcome and stated that the Wine Institute is fully committed to the APEC goals to reduce trade barriers and expand trade. Mr. James Finkle, President, of FIVS; and representing Constellation Brands, Inc, introduced the Honorable Michael Moore, New Zealand Ambassador to the United States.

**Keynote Address: Honorable Michael Moore, New Zealand Ambassador to the United States:** The Honorable Michael Moore is New Zealand's Ambassador to the United States, a past Director-General of the World Trade Organization (WTO), and former Labour Prime Minister of New Zealand. He made several key points in his remarks about the work being undertaken by the WRF. He noted that regional trade in wine is quickly growing in significance, but it is burdened by major costs due to different and sometimes conflicting regulatory requirements. Estimates suggest that the cost to APEC economies and businesses is approximately \$1 billion USD per year. New Zealand's experience suggests that an open market and a streamlined regulatory environment is a necessary pre-condition for the development of domestic wine production and trade. APEC has an important role to play in promoting processes that support regulatory coherence to address real business concerns and shape practical solutions.

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<sup>5</sup> Key points from each presentation are summarized here. For more information, refer to the complete presentations available on the APEC Document Database website and the Wine Institute website at: <http://www.wineinstitute.org/APEC>



**APEC Wine Trade and Regulatory Coherence Panel.** Moderator: Ms. Sirma Karapeeva, New Zealand Ministry of Economic Development

- *Mr. Tony Battaglione, General Manager, Strategy & International Affairs, Winemakers Federation of Australia*

Wine production and trade are influenced by a large number of external organizations and agreements that impact on domestic policy and regulation. National standards, international trade agreements, bilateral wine trade agreements, and government regulation can impose huge burdens on wine producers. Economies should consider five principles of better regulation when crafting new wine regulations. New measures should be proportionate, accountable, consistent, transparent, and targeted. Regulations should not be made in isolation; good regulatory practice requires collaboration between regulators and industry.

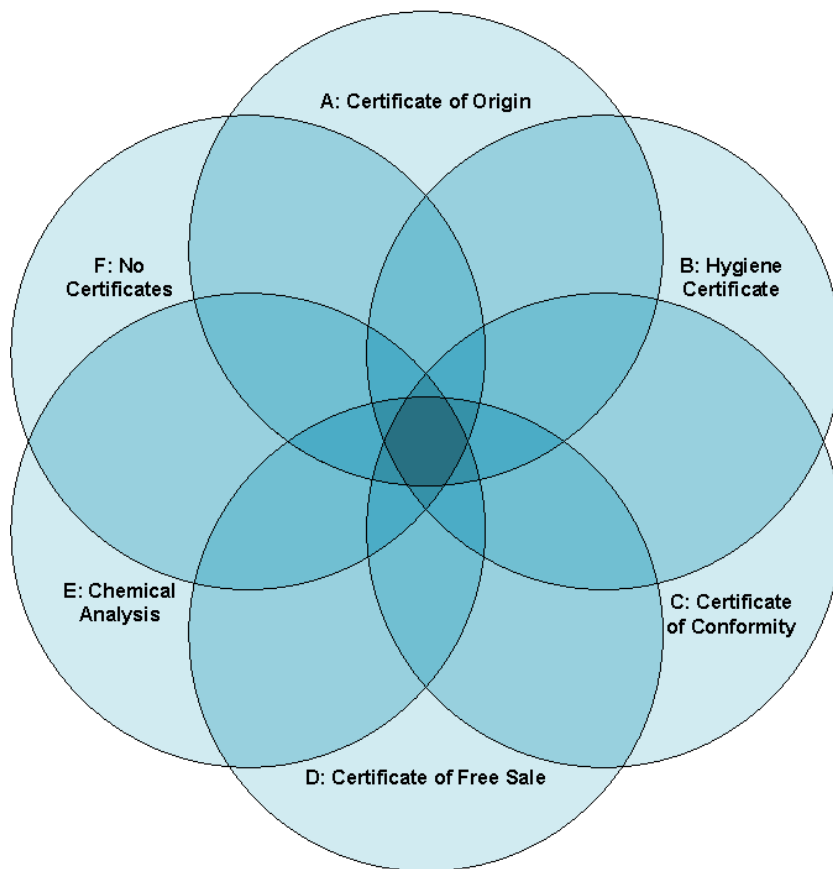
- *Dr. John Barker, General Counsel, New Zealand Winegrowers*

The World Wine Trade Group (WWTG) provides an example of regulatory coherence in practice. The WWTG has established a highly effective process to address non-tariff trade barriers and model regulatory best practice between key wine producing and consuming economies. Relationship-building around shared objectives, a flexible structure, stakeholder involvement, and a facilitative approach have been the key elements in the success of the WWTG. This is an approach that may have wider applicability for APEC. APEC economies are encouraged to participate in the WWTG as observers.

- *Ms. Gail Davis, Director, U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) International Trade Division*

The APEC *Compendium of Certification Requirements* for Imported Wine in APEC Economies (2011/SOM3/SCSC/ SEM/27) outlines the five different types of certification requirements used in APEC. The current certification requirements are diverse and difficult to understand, especially given the lack of common definitions. TTB issued 2,500 certificates in 2010, fifty percent of which went to China. Seventy-seven percent of all certificates are issued to APEC economies. Regulators need tools to help ensure the safety of wine imported into their economies, however, the current use of multiple certifications in APEC causes barriers to trade in wine. Regulators should review their use of multiple certificates and consider streamlining the process.

## Diagram of the Certification Requirements in APEC



<b>Australia:</b>	F
<b>Brunei:</b>	No importation of alcohol beverages
<b>Canada:</b>	A (The individual provinces require business and/or agent registration paperwork)
<b>Chile:</b>	E (Only for bulk shipments (density, alcohol content, TA, VA, RS, total dry extract, sulfites, chlorides))
<b>China:</b>	A
<b>Chinese Taipei:</b>	A (Not required, but encouraged (sulfur dioxide, methanol, lead))
<b>Hong Kong:</b>	B (not required, but encouraged), F
<b>Indonesia:</b>	C, D, E (Either Certificate of Conformity or Certificate of Free Sale, but not both)
<b>Japan:</b>	B, E
<b>Malaysia:</b>	A
<b>Mexico:</b>	A, B, D, and sometimes E
<b>New Zealand:</b>	F
<b>Papua New Guinea:</b>	F
<b>Peru:</b>	A, D, E
<b>Philippines:</b>	B, D, E
<b>Republic of Korea:</b>	F
<b>Russia:</b>	A (not required, but recommended), B, C, D and E (Required to get Certification of State Registration; Hygiene Certificate replaced by Certification of State Registration; Certificate of Conformity replaced by Declaration of Conformity)
<b>Singapore:</b>	A, B, E, F (Not required, but encouraged)
<b>Thailand:</b>	A
<b>USA:</b>	C, E (None required for EU and WWTO grape wines)
<b>Vietnam:</b>	E

Source: Workshop presentation "Review of Certification Compendium", Ms. Gail DAVIS, Director, U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) International Trade Division (USA)

### **Economy Presentations Panel. Moderator:** Ms. Gail Davis, Director, U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) International Trade Division

APEC economy presentations touched on certification, oenological practices, approved additives, processing aids, and labeling of wine. Detailed information about the organizations that oversee wine regulation, domestic production and consumption were outlined. Among most economies, the most common problem in wine importation was improper labeling among. Export certificate requirements were discussed.

Economies were represented by the following officials:

- *Chile: Mr. Joaquín Almarza Agriculture and Livestock Service*
- *China: Mr. Han Yi, Deputy Director, Division of Industrial Food, Import and Export Food Safety Bureau, AQSIQ*

- *Japan: Dr. Nami Goto-Yamamoto, Director, Fundamental Research Division, National Research Institute of Brewing*
- *Korea: Mr. Jongsoo Kim, Deputy Director, Liquor Safety Management Taskforce, Food Safety Bureau, Korea Food & Drug Administration*
- *Mexico: Mrs. Alejandra Vargas Arrache, Director for International Trade Rules, Ministry of the Economy*
- *Peru: Mr. Alfredo San Martin, President, Peru Technical Standardization Committee on Alcoholic Wine Beverages*
- *Chinese Taipei: Mr. Minghui Tang, Deputy Director-General, National Treasury Agency, Ministry of Finance*
- *Thailand: Ms. Prem Malhorta, Director, International Affairs Bureau, Thai Industrial Standards Institute*

**The Importance of International Organizations and Standards.** Moderator: Mr. James B. Clawson, President, JBC International

- *Mr. Tony Battaglione, General Manager, Strategy & International Affairs, Winemakers Federation of Australia*

The international organizations that affect the wine industry include the: World Trade Organization (WTO), World Wine Trade Group (WWTG); International Organisation of Vine and Wine (OIV), CODEX Alimentarius (CODEX), International Organization of Legal Metrology (OIML), FIVS the worldwide federation for beer, wine, and spirits, World Health Organization (WHO). Many APEC economies also participate in regional and bilateral free trade agreements where negotiations occur on wine issues.

- *Dr. Dennis Keefe, Office of Food Additive Safety, U.S. Food and Drug Administration*

The standards adopted by Codex Alimentarius are the benchmark for food safety under the World Trade Organization, and under its classification wine is included as food. The central role and development of the Codex General Standard Food Additives was outlined and economies were encouraged to participate in the elaboration of the Codex standard.

- *Ms. Lori Tortora, International Trade Specialist, Processed Products & Technical Regulations Div., USDA Foreign Agricultural Service/OASA*

The Codex Alimentarius Commission undertook the development of guidance documents on food import and export inspection and certification systems in 1991. The

Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) provides guidance on the need for and appropriate use of export certificates. APEC wine regulators were encouraged to use a standard format for certification requirements and to refer to the basic APEC model for guidance.

- *Ms. Julia Doherty, Chair, APEC Sub-Committee on Standards and Conformance*

The WTO Technical Barriers to Trade and Sanitary and Phytosanitary (SPS) provisions were introduced. The role of these provisions in helping economies to reduce costs and delays attributable to unnecessary, duplicative, and unclear testing regimes was discussed. Economies were encouraged to use APEC to resolve bilateral trading issues in order to avoid elevating issues to the WTO TBT. Wine issues currently discussed in the WTO TBT Committee were reviewed.

**Best Practices in Wine Regulation Panel. Moderator:** Mr. Wade Armstrong, Principal Adviser Trade Policy, New Zealand Ministry of Foreign Affairs & Trade

- *Mr. Robert Kalik, World Wine Trade Group*

The two WWTG<sup>6</sup> international treaties were detailed: the Mutual Acceptance Agreement on Oenological Practices (MAA)<sup>7</sup>, and the Agreement on the Requirements for Wine Labeling<sup>8</sup>. Signatory economies to the MAA accept the winemaking regulations and practices of the exporting economy, thus eliminating the need for testing of imported wines; however, health and safety issues remain in the purview of the economy. Signatory economies to the Labeling Agreement agree to the placement of four items country of origin, product name, net contents, and alcohol content in a single field of vision. Importing authorities are allowed to require additional labeling information. The agreement was signed by all WWTG members on January 23, 2007 in Australia. APEC economies can participate in the WWTG as observers.

- *Mr. Federico Mekis, International Legal Advisor, Wines of Chile*

The use of pesticides and their regulation in wine were discussed. Economies should note that the SCSC Initiative in the Food Safety Cooperation Forum has undertaken work in the area of MRLs in an effort to facilitate trade and protect public health.

- *Mr. Dan Paszkowski, President and Chief Executive Officer, Canadian Vintners Association*

Bilateral trade agreements were reviewed with a focus on the Canadian wine experience through the Canada-US Free Trade Agreement and the Canada-EU Wine and Spirits Agreement. The benefits of bilateral trade agreements and how they

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<sup>6</sup> WWTG members are USA, Argentina, Australia, Chile, Canada, Georgia, New Zealand and South Africa

<sup>7</sup> The MAA was signed in 2001; all 8 are signators.

<sup>8</sup> The Labeling Agreement went into force in 2010; all 6 of 8 are signators.

support best regulatory practices, collaboration and a harmonized environment for free trade in wine were outlined.

**Regulator-to-Regulator Session: Sharing of Current Practices and Recent Developments.** Opening Statement by Mr. William Foster, Assistant Administrator, Headquarters Operations, TTB. Session Facilitated by Dr. Gina L. Myers

The key themes from day one of the APEC WRF were reviewed:

- need for conformity in wine labeling
- need for better regulations at lower costs
- commercial vs. government requirements
- need for intergovernmental organizations to cooperate
- importance of sharing economy points of contact for the wine sector
- use of Codex standards as a model for certifications
- trust among regulators is needed to move away from certifications towards mutual recognition
- need for technical assistance regarding standards and test methods
- need to consider the use of electronic certificates among APEC economies
- need for a clear understanding of why multiple certificates are needed

Regulators were asked to identify the number one issue concerning the regulation of wine in their economy:

- outdated wine regulations that need to be reviewed and updated
- inadequate staff dedicated to food and wine regulations
- inability to offer documents in English
- lack of confidence that exporting economies' controls are secure
- need to move away from a model of 100% inspection to a risk-managed approach
- developing economies lack lab capacity and are reliant on exporting economies' controls
- need for assistance in addressing public health concerns regarding the abuse of wine and other alcoholic beverages
- need to ensure that imported and exported products comply with applicable requirements

Regulators were asked what they need to address the key regulatory issues in their economies:

- increased information sharing among economies
- capacity building for risk management systems and support in developing new regulations
- increased participation in the OIV and WWTG in consultation with industry
- guidance on how to test for pesticides in wine
- movement toward standardization of wine testing among economies

Regulators suggested the following next steps:

- continue the dialogue either through electronic meetings or in person
- matrix of analytical methodologies be compiled
- matrix of labeling and enological practices be compiled

**The Role of Laboratory Testing in Wine Regulation and Trade Panel.** Moderator: Dr. Greg Hodson, Chief Technical Regulatory Liaison, E&J Gallo Winery

- *Mr. Warren Stone, Director of Science Policy, Compliance & Inspection, Grocery Manufacturers Association*

The efficacy of product testing effectiveness as both a control and verification tool was discussed. Statistical realities surrounding product testing and examples of protocols and general approaches that serve to make testing plans effective, useful and flexible were detailed. Testing, in itself, is not a control measure. Economies were discouraged from using testing as a measure to control product safety.

- *Dr. Abdul Mabud, Director Scientific Services Division, TTB*

The role of the U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) and its dual missions to collect all revenue on alcohol and tobacco products, and protect the public by preventing consumer deception, ensuring compliance of federal commodity, safety and distribution laws was outlined. Major TTB programs were discussed including the Alcohol Beverage Sampling Program, the Pesticide Monitoring Program and the Product Integrity Program. TTB operates four state of the art labs in the United States: three in Maryland and one in Walnut Creek, Ca.

- *Mr. Gordon Burns, ETS Laboratories*

Laboratory accreditation provides a flexible alternative to legislation, facilitates world trade, and can be used as an efficient monitoring tool for governments and regulators. For businesses, accreditation provides greater acceptance of products opening up market access, minimizes product failures and recalls, and avoids costs associated with multiple testing. Consumers can also benefit from products tested in accredited labs through increased public confidence in product quality. Accreditation provides assurance that laboratory results are: accurate, traceable, reproducible, uniform, and defensible.

- *Dr. George Soleas, Senior VP, Logistics and Quality Assurance, Liquor Control Board of Ontario*

An overview of the testing and certification of alcoholic beverages by the Liquor Control Board of Canada was discussed. Products are organoleptically evaluated, chemically tested and certified by the LCBO's ISO-accredited Quality Assurance Department.

Approximately 500,000 individual tests are performed on more than 23,000 products annually.

- *Mr. Steve Guy, General Manager, Compliance and Trade, Wine Australia*

The laws and systems that Australia has adopted in order to ensure the quality of Australian wine was outlined. It emphasizes the benefits of assuring quality at the source, rather than through inspection at the destination, and advocates that, in those cases where analytical testing proves necessary, test reports from facilities accredited to international standards provide the highest degree of confidence. It was noted that most micro-organisms and all pathogenic micro-organisms cannot live in wine due to the ethanol content, making wine a relatively low risk consumer product.

### **Regulator Tour of the TTB Compliance Laboratory**

Approximately 40 APEC wine regulators visited the TTB Compliance Laboratory in Walnut Creek on September 19, 2011. The Compliance Laboratory provides support to TTB through product integrity testing and by monitoring regulatory compliance of both beverage and non-beverage alcohol products.

TTB provided an overview of the role the Compliance Laboratory plays in regulating wine, including compliance monitoring of beverage and non-beverage products submitted as the result of product integrity inspections, the Alcohol Beverage Sampling Program to check products in the retail market for regulatory compliance, sulfur dioxide waiver requests for wines, special testing for the evaluation of new wine making processes, mycotoxin contamination in wine and malt beverages, and on-site technical assistance to the regulated industries and to TTB investigators.

Regulators from the APEC economies participated in a question-and-answer session with TTB chemists on their work in regulating the US wine market.

### **Acknowledgements**

Special thanks to Tom LaFaille (Wine Institute), Julia Doherty (USTR), Gail Davis, (TTB), Mari Kirrane (TTB), Jennifer Stradtman (USDOC/ITA), and Jamie Ferman (USDOC/ITA) for their significant contributions to this project.

This report was written by Jamie Ferman, Project Overseer, U.S. Department of Commerce, Jamie.Ferman@trade.gov. 10-5-2011

## **Annexes**

- Compendium of Certification Requirements
- Agenda and selected workshop presentations





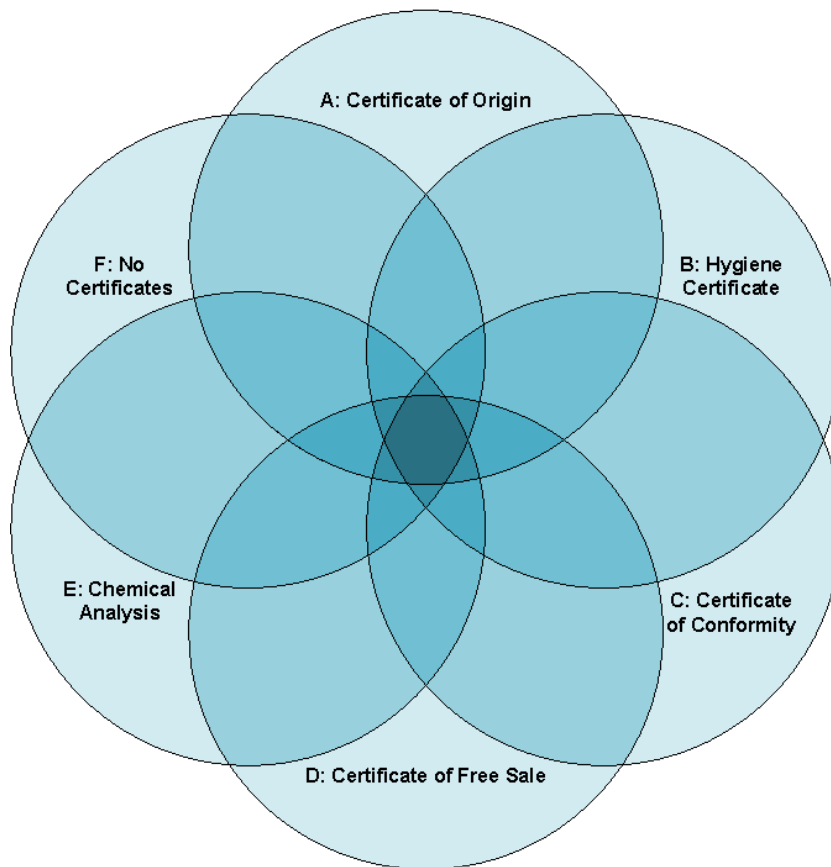
## **Compendium of APEC Economies' Certificate Requirements for Wine Importation**

The purpose of the compendium is to provide a starting point for discussions at the APEC Wine Regulatory' Forum on September 18-19, 2011, on certificate requirements for wine importation.

The Compendium provides information on the diversity of requirements, with a vision of eliminating or minimizing the number of different certificates that need to be issued in order to export wine into APEC economies.

The information was collected through the WTO SPS/TBT contact points and supplemented by the U.S. Department of Agriculture Foreign Agricultures Service.

## Diagram of the Compendium



- Australia:** F
- Brunei:** No importation of alcohol beverages
- Canada:** A (The individual provinces require business and/or agent registration paperwork)
- Chile:** E (Only for bulk shipments (density, alcohol content, TA, VA, RS, total dry extract, sulfites, chlorides))
- China:** A
- Chinese Taipei:** A (Not required, but encouraged (sulfur dioxide, methanol, lead))
- Hong Kong:** B (not required, but encouraged), F
- Indonesia:** C, D, E (Either Certificate of Conformity or Certificate of Free Sale, but not both)
- Japan:** B, E
- Malaysia:** A
- Mexico:** A, B, D, and sometimes E
- New Zealand:** F
- Papua New Guinea:** F
- Peru:** A, D, E
- Philippines:** B, D, E
- Republic of Korea:** F
- Russia:** A (not required, but recommended), B, C, D and E (Required to get Certification of State Registration; Hygiene Certificate replaced by Certification of State Registration; Certificate of Conformity replaced by Declaration of Conformity)
- Singapore:** A, B, E, F (Not required, but encouraged)
- Thailand:** A
- USA:** C, E (None required for EU and WWTO grape wines)
- Vietnam:** E

## Chart of the Compendium

Economy	Cert. of Origin	Hygiene Cert.	Cert. of Conformity	Cert. of Free Sale	Chemical Analysis	No Certs.
Australia						x
Brunei						
Canada						
Chile					x	
China	x					
Chinese Taipei						
Hong Kong, China		x				x
Indonesia			x	x	x	
Japan		x			x	
Malaysia	x					
Mexico	x	x		x	sometimes req.	
New Zealand						x
Papua New Guinea						x
Peru	x			x	x	
Philippines		x		x	x	
Republic of Korea						x
Russia	x	x	x	x	x	
Singapore	x	x			x	x
Chinese Taipei	x					
Thailand	x					
USA			x		x	
Vietnam					x	

## **Annexes**

- Compendium of Certification Requirements
- Agenda and selected workshop presentations



## AGENDA

***Hyatt Regency San Francisco, Bayview Room A & B***

### **Sunday, September 18, 2011**

**8:45am – 9:00am      Check-in / Distribution of Seminar Materials**

**9:00am – 9:10am      Welcome Remarks / Seminar Goals**

Ms. Julia DOHERTY, Chair, APEC Sub-Committee on Standards and Conformance (USA)

Mr. Robert P. KOCH, President and CEO, Wine Institute (USA)

**9:10am – 9:25am      Keynote Address**

**Introduction:** Mr. James FINKLE, President, FIVS; Constellation Brands, Inc. (USA)

Honorable Michael MOORE, New Zealand Ambassador to the U.S. (NZL)

**9:25am – 10:25am      Session One, Part A  
**APEC Wine Trade and Regulatory Coherence****

This panel will discuss overarching APEC themes and principles related to regulation, including Good Regulatory Practices, mechanisms to advance greater regulatory coherence and how regulatory cooperation can advance shared objectives, such as food safety.

**Moderator:** Ms. Sirma KARAPEEVA, New Zealand Ministry of Economic Development (NZL)

### **Speakers**

Mr. Jon FREDRIKSON, Gomberg, Fredrikson & Associates (USA)  
“Overview of APEC Region Wine Trade”

Mr. Tony BATTAGLENE, General Manager, Strategy & International Affairs, Winemakers Federation of Australia (AUS)  
“APEC Wine Trade and Regulatory Coherence”



## Seminar on Key Issues in Wine Regulation

September 18-19, 2011 • San Francisco, California • Wine Regulatory Forum

Dr. John BARKER, General Counsel, New Zealand Winegrowers (NZL)  
“Regulatory Coherence in Wine Regulation and Trade”

Ms. Gail DAVIS, Director, U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) International Trade Division (USA)  
“Review of Certification Compendium”

**10:25am – 10:40am Tea / Coffee Break**

**10:40am – 12:30pm Session One, Part B  
Economy Presentations**

APEC economy presentations will focus on current practices and regulation of certification, oenological practices, food additives/processing aids and labeling of wine.

**Moderator:** Ms. Gail DAVIS, Director, U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) International Trade Division (USA)

**Speakers:** (Broken into groups of four) Questions may follow after each presentation.

Mr. Joaquin ALMARZA Agriculture and Livestock Service (CHL)  
“Regulation of Wine in Chile”

Mr. HAN Yi, Deputy Director, Division of Industrial Food, Import and Export Food Safety Bureau, AQSIQ (CHN)  
“Regulation of Chinese Wine Imports”

Dr. Nami GOTO-YAMAMOTO, Director, Fundamental Research Division, National Research Institute of Brewing (JPN)  
“The Japanese Wine Regulatory System”

Mr. Jongsoo KIM, Deputy Director, Liquor Safety Management Taskforce, Food Safety Bureau, Korea Food & Drug Administration (KOR)  
“Regulation of Wine in Korea”

Mrs. Alejandra Vargas ARRACHE, Director for International Trade Rules, Ministry of the Economy (MEX)  
“Regulation of Wine in Mexico”

Mr. Alfredo San MARTIN, President, Peru Technical Standardization Committee on Alcoholic Wine Beverages (PER)  
“Past, Present and Future of the Wine Industry in Peru”

Mr. Minghui TANG, Deputy Director-General, National Treasury Agency, Ministry of Finance (CT)  
“The Health, Safety, and Related Regulations of Wine in Chinese Taipei”



## Seminar on Key Issues in Wine Regulation

September 18-19, 2011 • San Francisco, California • Wine Regulatory Forum

Ms. Prem MALHOTRA, Director, International Affairs Bureau, Thai Industrial Standards Institute (THA)  
“Thai Regulations on Alcoholic Beverages”

**12:30pm – 2:00pm Lunch**

**2:00pm – 3:15pm Session Two, Part A**

### **The Importance of International Organizations and Standards**

This panel will provide an overview of international trade agreements, the roles played by Codex Alimentarius & JECFA and opportunities for cooperation and information exchange in these fora.

**Moderator:** Mr. James CLAWSON, President, JBClawson International (USA)

### **Speakers**

Mr. Tony BATTAGLENE, General Manager, Strategy & International Affairs, Winemakers Federation of Australia (AUS)  
“Overview of the International Framework of Organizations and Agreements”

Dr. Dennis KEEFE, Office of Food Additive Safety, U.S. Food and Drug Administration (USA)  
“Case Study of the CODEX Committee of Food Additives Related to Wine Trade”

Ms. Lori TORTORA, International Trade Specialist, Processed Products & Technical Regulations Div., USDA Foreign Agricultural Service (USA)  
“Would you like an Export Certificate with your Wine?”

Ms. Julia DOHERTY, Chair, APEC Sub-Committee on Standards and Conformance (USA)  
“Technical Requirements, WTO Rules and Wine Trade”

**3:15pm – 3:30pm Tea / Coffee Break**

**3:30pm – 5:15pm Session Two, Part B**

### **Best Practices in Wine Regulation**

This panel will review models for collaboration specific to trade in wine including the World Wine Trade Group’s (WWTG) Mutual Acceptance and Labeling Agreements; Certification MOU; Wine Regulators Forum; and Regulation Matrix. Key themes include transparency and confidence building.

**Moderator:** Mr. Wade ARMSTRONG, Principal Adviser Trade Policy, New Zealand Ministry of Foreign Affairs & Trade (NZL)



## Seminar on Key Issues in Wine Regulation

September 18-19, 2011 • San Francisco, California • Wine Regulatory Forum

### Speakers

Mr. Robert KALIK, World Wine Trade Group (USA)  
“WWTG Mutual Acceptance/Labeling Agreements”

Mr. Federico MEKIS, International Legal Advisor, Wines of Chile (CHL)  
“Wine Regulators Forum Pesticide MRL Matrix”

Mr. Dan PASZKOWSKI, President/CEO, Canadian Vintners Association (CAN)  
“Bilateral Agreements”

**5:15pm – 5:30pm**    **Day One Wrap-Up:** Mr. Philip GREGAN, President/CEO, New Zealand Winegrowers (NZL)

**6:00pm – 8:00pm**    **Wine Reception** held at the Historic Ferry Building overlooking San Francisco Bay  
Coblentz Patch Duffy & Bass, 1 Ferry Building, Suite 200, San Francisco  
Wines provided by the Napa Valley Vintners

### Monday, September 19, 2011

**8:00am – 9:15am**    **Session Three**  
**Regulator-to-Regulator Session: Sharing of Current Practices and Recent Developments (Continental breakfast to be served)**  
This regulator-only, facilitator-led discussion will focus on identifying regulatory concerns and objectives of government officials, particularly those from the non-producing and emerging economies with a view to identifying and opportunities for future engagement and collaboration to advance shared objectives. Topics may include innovative grape-based products, low alcohol and flavored wine products.

#### **Opening Remarks:**

Mr. William FOSTER, Assistant Administrator, Headquarters Operations, TTB (USA)

#### **Facilitator:**

Dr. Gina L. Myers (USA)

**9:30am**                **Buses depart hotel for Livermore**





## Seminar on Key Issues in Wine Regulation

September 18-19, 2011 • San Francisco, California • Wine Regulatory Forum

**10:30am**

**Arrive at Concannon Vineyard**, 4590 Tesla Road, Livermore

**Welcome Remarks:** Mr. Brian VOS, Concannon Vineyard / The Wine Group (USA)

**10:45am – 12:00pm** **Session Four**

### **The Role of Laboratory Testing in Wine Regulation and Trade**

Quality and safety systems and protocols are integral elements in the business models and regulatory approaches taken in the wine sector. This panel will discuss how laboratory testing and methods support these quality and safety systems, how these systems relate to the overarching regional and international standards and conformance infrastructure. The session will focus on how these systems facilitate trade in wine while providing safety and quality assurance.

**Moderator:** Dr. Greg HODSON, Chief Technical Regulatory Liaison, E&J Gallo Winery (USA)

### **Speakers**

Mr. Gordon BURNS, ETS Laboratories (USA)  
“ISO Accreditation and Certification Requirements in the 21<sup>st</sup> Century”

Dr. Abdul MABUD, Director Scientific Services Division, TTB (USA)  
“TTB’s Laboratory Certification Process, and Wine Sampling and Testing Programs”

Mr. Warren STONE, Director of Science Policy, Compliance & Inspection, Grocery Manufacturers Association (USA)  
“Testing to Verify Product Safety Systems”

Mr. Steve GUY, General Manager, Compliance and Trade, Wine Australia (AUS)  
“The Australian System, Certification and the Advantages to Consumers and Producers”

Dr. George SOLEAS, Senior VP, Logistics and Quality Assurance, Liquor Control Board of Ontario (CAN)  
“Quality Assurance Program at the Liquor Control Board of Ontario: Why test? Who benefits?”

**12:00pm**

**Lunch**

**12:15pm – 2:00pm Lunch Continues**

**Session Five**

**Next Steps: Opportunities for Improving Regulatory Coherence**

A facilitator-led discussion on the conference goals, themes, outcomes and possibilities for future work. Moderators will summarize the themes from their panels.

**Facilitator:**

Dr. Gina L. Myers (USA)

- Outcomes Statement
- Investigate opportunities, including in international venues such as Codex, for future engagement to continue the dialogue among WRF participants, with the goal of promoting greater regulatory coherence through cooperation.
- Future Wine Regulators Forum meeting on the margins of Vinexpo Asia-Pacific (Hong Kong, 29-31 May, 2012) or CODEX.

**2:00pm – 2:15pm Concluding Remarks and Outcomes Statement**

Ms. Julia DOHERTY, Chair, APEC SCSC (USA)

**2:15pm - 3:15pm Concannon Vineyards Tour and Tasting**

**3:15pm Bus #1 takes two regulators from each economy to TTB Lab**

**4:15pm Tour of TTB Compliance Laboratory**

490 N. Wiget Lane Walnut Creek, California

**(Bus #1 will arrive back in San Francisco at approximately 6:30pm, depending on traffic)**

**3:15pm Bus #2 takes non-regulators to San Francisco (Bus #2 will arrive in San Francisco at approximately 4:15pm)**



## **Speaker and Moderator Biographies**

### ***Mr. Tom LaFaille, Co-Project Overseer (USA)***

As Director of International Trade Policy at the Wine Institute, Tom LaFaille works with U.S. government and international industry representatives to reduce wine trade barriers and open new overseas markets. Based in Washington, D.C., he serves on the U.S. Department of Agriculture's Agriculture Technical Advisory Committee for Trade, represents the U.S. wine industry at the World Wine Trade Group and FIVS, directs the Wine Institute's International Public Policy Committee and is a member of the Wine Institute's Technical Advisory Committee. A former aide to Congressman Mike Thompson (D-Napa Valley), Mr. LaFaille directed winery-related legislation and regulatory issues in the U.S. House of Representatives. He previously served as a California State Senate Fellow and as Legislative Counsel in the California State Senate and helped develop the Senate Select Committee on California's Wine Industry and the Congressional Wine Caucus into effective forums on behalf of California wine. A California native and attorney, Mr. LaFaille is a graduate of San Francisco State University and the University of California's Hastings College of the Law.

### ***Ms. Julia DOHERTY, Chair, APEC Sub-Committee on Standards and Conformance (USA)***

Julia Doherty is Senior Director in the Office of WTO and Multilateral Affairs of the United States Trade Representative (USTR). Ms. Doherty is responsible for developing, coordinating, and implementing U.S. trade policy positions on international standards, conformity assessment procedures, technical regulations, and other non-tariff matters. She represents the United States on the trade aspects of standards and conformance matters in the World Trade Organization (WTO), the Asia-Pacific Economic Cooperation (APEC) and other international organizations. In 2010, Ms. Doherty received the ANSI Chairman's Award for her work leading the APEC Toy Safety Initiative. In 2011, Ms. Doherty serves as the Chairman of the APEC Subcommittee on Standards and Conformance. Prior to working on standards and conformance issues, Ms. Doherty coordinated U.S. trade policy on the negotiations on the Doha Development Agenda of the World Trade Organization, including the WTO Ministerial meetings at Cancun and Hong Kong, China. She holds a Masters of Arts in Economics from the University of Maryland.

### ***Mr. Robert P. KOCH, President and Chief Executive Officer, Wine Institute (USA)***

Robert P. (Bobby) Koch is President and Chief Executive Officer of Wine Institute, the public policy advocacy association representing 1,000 California wineries and affiliated businesses. His primary responsibility is promoting and protecting the interests of the California wine industry and directing the industry's legal, governmental, regulatory and trade barrier activities within the United States and overseas. He joined Wine Institute in 1992 as Vice President, Federal Government Relations in Washington, D.C. and became Senior Vice President in 1996. He previously served in senior leadership positions for House Majority Leader Richard A. Gephardt (1989-1992) and House Majority Whip Tony

Coelho (1987-1989); and as Special Assistant to the Chairman of the Democratic Congressional Campaign Committee (1983-1986). Mr. Koch received his B.A. in Government and Politics from the University of Maryland in 1983. He is a member of the U.S. Department of Agriculture's Agricultural Policy Advisory Committee for Trade (APAC), the U.S. Chamber's Committee of 100, and a Board member of the California Sustainable Winegrowing Alliance.

***Mr. James FINKLE, President, FIVS; Constellation Brands, Inc. (USA)***

James P. Finkle currently serves as the President of FIVS. Founded in 1951 and headquartered in Paris, France, FIVS is a trade association representing 50 members from 25 economies from all sectors of the alcoholic beverage industry, including producers, distributors, importers, exporters, and trade associations. Mr. Finkle is also the Chairman of the Board of Managers of FIVS-Abridge, a comprehensive interactive online database of regulations and international agreements for the wine industry. Mr. Finkle is Senior Vice President, External Affairs for Constellation Brands, Inc. (formerly Canandaigua Brands, Inc., parent company of Canandaigua Wine Company, Inc.). He serves on the Executive Committee of the Distilled Spirits Council of the United States and as a member of the Board of Directors of the Wine Institute, Wine America, and the Associated New York State Food Processors. Mr. Finkle serves on the US Department of Agriculture's Technical Advisory Committee for Trade. He received his Bachelor of Science Degree from Cornell University in 1971 and his Master of Science Degree also from Cornell University in 1980, both degrees in Viticulture and Agricultural Economics.

***Honorable Michael MOORE, New Zealand Ambassador to the United States (NZL)***

Honorable Michael Moore is New Zealand's Ambassador to the United States. Mr. Moore is a past Director-General of the World Trade Organisation (WTO) and oversaw the launch of the Doha Development Round. His period in office saw the successful accession to the WTO of China and Chinese Taipei along with Estonia, Jordan, Georgia, Albania, Oman, Croatia, Lithuania, and Moldova. Mr. Moore is also a former Labour Prime Minister of New Zealand. He held portfolios in a wide range of areas and served in a number of senior political positions including Trade Minister, Foreign Minister, Minister of Tourism, and Minister for the America's Cup and Deputy Minister of Finance. Mr. Moore has also held numerous appointments and board memberships with global policy and commercial organisations. These included Membership of the United Nations Commission on the Legal Empowerment of the Poor; Commissioner for the UN Global Commission on International Migration; and a number of private sector boards. Mr. Moore is the recipient of numerous honors from governments in Africa, Europe and South America. He was awarded New Zealand's highest honour, the Order of New Zealand. Mr. Moore also holds honorary doctorates in commerce from Lincoln University, New Zealand; in economics from the People's University of China, Beijing; in commerce from Auckland University of Technology and Canterbury University, and law from La Trobe University in Australia.

***Ms. Sirma KARAPEEVA, New Zealand Ministry of Economic Development (NZL)***

Sirma Karapeeva is a Senior Analyst with the Trade Environment Team of the New Zealand Ministry of Economic Development and leads the team's international technical barriers to trade agenda. Ms. Karapeeva has led the negotiation and implementation of Technical Barriers to Trade chapters of several New Zealand free trade agreements, including with Malaysia, Hong Kong China, China, P4 and currently the Trans-Pacific Partnership (TPP). She also has significant experience with government to government arrangements such as mutual recognition arrangement and regulatory cooperation arrangements. Ms. Karapeeva has been representing New Zealand at the APEC Sub-Committee on Standards and

Conformance (SCSC) since 2004. She also represents the Ministry in the WTO TBT Committee, where New Zealand is actively working on the implementation of some of the recommendations of the Fifth Triennial Review of the WTO TBT Agreement.

***Mr. Jon A. FREDRIKSON, Gomberg, Fredrikson & Associates (USA)***

Jon Fredrikson is President of Gomberg, Fredrikson & Associates, a wine industry consulting firm, and has over four decades of diversified experience in the global wine industry. Before acquiring Louis R. Gomberg & Associates in 1983, Mr. Fredrikson was with the wine division of Joseph E. Seagram & Sons for thirteen years. A former Naval Officer, he was a Fulbright Scholar and received his MBA from Columbia University and B.A. in economics from Colby College. Mr. Fredrikson works on a broad range of professional consulting projects in wine industry economics, market planning and winery acquisitions and divestitures. He publishes The Gomberg-Fredrikson Report, a monthly publication covering wine industry marketing trends. A recognized authority, Mr. Fredrikson is one of the most quoted sources in stories about the U.S. wine business. The Economist magazine called him “the leading authority on industry trends.” He has served on the Board of Directors or Advisors of six California wine companies.

***Mr. Tony BATTAGLENE, General Manager, Strategy & International Affairs, Winemakers Federation of Australia (AUS)***

Tony Battaglene is the General Manager, Strategy and International Affairs for the Winemakers’ Federation of Australia (WFA), the national Association for the Australian wine industry. This is a key strategic role within the organisation, reporting to the Chief Executive and responsible for development and execution of strategy. The Federation focuses on protecting and developing the interests of the Australian wine industry linked to regulatory, sustainability and R&D issues. Mr. Battaglene represents the Australia wine industry in the government to government bilateral negotiations between Australia and the European Union on wine, and leads the Australian industry delegation in a number of international fora including the World Wine Trade Group - a key multilateral organisation with the aim of liberalising the international trade in wine and the International Organisation of Wine and the Vine (OIV). He is also President of the OIV Expert Group on Statistical and Economic Analysis and Co-chairs the FIVS Codex Alimentarius Commission Committee. Mr. Battaglene graduated with a Bachelor of Science (Zoology) degree from the University of Queensland in 1984.

***Dr. John BARKER, General Counsel, New Zealand Winegrowers (NZL)***

John Barker is General Counsel for New Zealand Winegrowers, the national organization representing the interests of New Zealand’s grape and wine sector. He is Executive Officer for the New Zealand Grape Growers Council and the Wine Institute of New Zealand; the parent organizations of New Zealand Winegrowers. Dr. Barker is President of the Law and Economy Commission of the International Vine and Wine Organization (OIV), the international inter-governmental scientific and technical reference body for the grape and wine sectors. He also represents the New Zealand wine sector in other international organizations such as the World Wine Trade Group and is Co-Chair of the Wine Category Committee for FIVS (the global beverage alcohol trade body). Dr. Barker has practiced as a lawyer in the fields of banking, intellectual property and wine law. He has worked for the New Zealand Food Safety Authority as Wine Program Manager and has been a visiting lecturer in Wine Law at the University of Auckland. He holds a PhD in Law and Geography from the University of Auckland on the subject of wine regulation.

***Ms. Gail DAVIS, Director, U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) International Trade Division (USA)***

Gail Davis is the Director, International Trade Division, for the Alcohol and Tobacco Tax and Trade Bureau (TTB). In this capacity, Ms. Davis provides technical assistance on the administration of U.S. alcohol and tobacco tax and trade law to the Office of the United States Trade Representative and other government, foreign, and private entities. Before joining TTB, Ms. Davis served a 15-year tenure at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) where she was the Chief, Public Safety Branch, with responsibility for the administration of Federal Explosives Law as it relates to the safe and secure distribution and storage of explosive materials in the United States. Ms. Davis' career with ATF also included practical experience in the development of alcohol and tobacco regulations as a specialist in the Distilled Spirits and Tobacco Branch. Ms. Davis is a 1987 graduate of the University of Michigan where she received a Bachelor of Arts degree in Spanish and a 2010 graduate of Walden University where she received a Master of Science degree in Public Health.

***Mr. Joaquín ALMARZA Agriculture and Livestock Service (CHL)***

Joaquín Almarza is a Chemical and Agronomist Engineer Oenologist in the Agricultural and Livestock Service of the Ministry of Agriculture of Chile, in the Sub Department of Vines and Wines, performing as Head of Certification of Origin in wine and alcoholic beverage related products, for the international and domestic markets. His primary responsibility is to authorize certification documents and analysis reports, for economies that demand official certification. He joined the Agricultural and Livestock Service in 2006 and previously worked as head of analytical wine laboratory in Concha y Toro, and chemistry professor in the Universities Andres Bello y Santo Tomás (2003-2005). In 2008-2010, he was expert counselor for the Wine's Cluster of the Ministry of Agriculture. Since 2008 he has been the official delegate for the World Wine Trade Group (WWTG) as a Government technical counterpart; in oenological practices, additives aids, and certification requirements.

***Mr. HAN Yi, Deputy Director, Division of Industrial Food, Import and Export Food Safety Bureau, AQSIQ (CHN)***

Han Yi is Deputy Director of Division 3 of the Import and Export Food Safety Bureau, AQSIQ. His division is responsible for regulating the import and export of most processed foods in China. He personally is in charge of alcoholic beverages, functional foods, and labeling issues. He began his civil service career in 1995, working for the National Health and Quarantine Bureau as the Supervisor of Travel's Health??. From 2001 to 2006, he was with the Chinese Mission to the European Community and responsible for SPS and food safety issues. He then returned to AQSIQ and took his current position in 2007. Mr. Han graduated from Beijing Medical University, majoring in Public Health.

***Dr. Nami GOTO-YAMAMOTO, Director, Fundamental Research Division, National Research Institute of Brewing (JPN)***

Nami Goto-Yamamoto is Director of the Fundamental Research Division, National Research Institute of Brewing (NRIB), Japan. NRIB conducts surveys and research concerning sake, beer, wine and other alcoholic beverages in cooperation with National Tax Agency, which is responsible for the regulation and administration of alcohol beverages, as well as liquor tax in Japan. After receiving a Ph. D in Agriculture from the University of Tokyo at 1991, Dr. Goto-Yamamoto has been mainly engaged in research on wine and grapes, as well as in microbiology and related research on sake in NRIB. She is also responsible for short-term training courses for winery employees at NRIB and has taught at Hiroshima University as an



invited professor since 2006. She is a member of the jury of the Japan Wine Competition, and a Secretary of the Japan Chapter of the American Society of Enology and Viticulture.

***Mr. Jongsoo KIM, Deputy Director, Liquor Safety Management Taskforce, Food Safety Bureau, Korea Food & Drug Administration (KOR)***

Jong-soo Kim is the Deputy Director of the Liquor Safety Management Taskforce, in the Food Safety Bureau of the Korea Food and Drug Administration (KFDA). His primary responsibility is ensuring the public health and safety of food, including alcoholic beverages. He joined KFDA in 1996 as an Assistant Director, Taejeon regional office of Food and Drug Safety in Ministry of Health and Welfare (MOHW). He previously served as the Deputy Director for food borne diseases prevention and surveillance division in KFDA (2007-2011); and in assistant director for health/functional foods control division in KFDA (2003-2007); and for pharmaceutical and food policy division in MOHW (1997-2003); and in senior researcher for Ottogi's R&D center (1989-1996). Mr. Kim received his PhD diploma in Food Science and Technology from Korea University in 1996 and, M.S and B.A in Food Science and Technology from Dongguk University in 1989 and 1987, respectively.

***Mrs. Alejandra Vargas ARRACHE, Director for International Trade Rules, Ministry of the Economy (MEX)***

Alejandra Vargas Arrache is a Lawyer from the Universidad Iberoamericana in Mexico City with a Masters in International Law and International Affairs from the Universidad Complutense de Madrid in Spain. She works in the Ministry of Economy as the Director for International Trade Rules where her primary responsibilities are to participate in the Committee on Technical Barriers to Trade of the World Trade Organization, in the negotiations of technical barriers to trade in Mexico's Free Trade Agreements, and in many international forums related to standardization, technical regulations and conformity assessment procedures. She has 12 years of experience in technical regulations, standards and conformity assessment.

***Mr. Alfredo San MARTIN, President, Peru Technical Standardization Committee on Alcoholic Wine Beverages (PER)***

Alfredo San Martin is an agricultural engineer and a graduate from the Universidad Nacional Agraria La Molina, with more than 40 years of varied experience in project development and implementation, teaching, management in private companies, and industry related to agriculture. He has participated in specialized courses both nationally and internationally related to the development and evaluation of agricultural projects, market research, marketing, accounting, finance, and human resources among others. Since 2002, he has been the Chairman of the Technical Committee of Standardization of Grapevine Alcoholic Beverages, Consultant to Wine Industry Committee of the Sociedad Nacional de Industrias, and Director of the Center for Technological Innovation of the Vine (CITEVID).

***Mr. Minghui TANG, Deputy Director-General, National Treasury Agency, Ministry of Finance (CT)***

Ming Hui Tang is Deputy Director General of the National Treasury Agent, the authority in charge of tobacco and liquor regulation under Ministry of Finance. One of his primary responsibilities is to formulate legal systems for liquor and tobacco regulations and promoting and protecting the interests of Chinese Taipei's liquor and tobacco industry so as to provide safe and healthy products to consumers. Before he took this position, he worked in the customs service for 15 years (1994-2009) and then in Tariff and Taxation Committee for two years (2009-2011). Mr. Tang received his B.A. in Economics from



the Chinese Culture University in 1977. He also earned his Master Degree in Economics from Cheng Chih University in 1978. In 1986, Mr. Tang studied in West Illinois University for his MBA.

***Ms. Prem MALHOTRA, Director, International Affairs Bureau, Thai Industrial Standards Institute (THA)***

Prem Malhotra is Director of the International Affairs Bureau of the Thai Industrial Standards Institute (TISI), within the Ministry of Industry of Thailand. Joining TISI in 1982, she became head of the bureau's WTO Technical Barriers to Trade (TBT) division in 1997, responsible for coordinating the implementation of the WTO TBT of the economy, the operation of both the TBT notification authority and enquiry point, and economy representation in the TBT Committee. Ms Malhotra became Director of the Bureau in 2011, and has the current responsibilities of coordinating the institute's participation as the national standards body in all relevant international and regional organizations and fora, including the ISO, IEC, WTO TBT, APEC SCSC, PASC and ASEAN ACCSQ.

***Mr. James B. CLAWSON, President, JBC International (USA)***

Jim Clawson, CEO of JBC International, is an international consultant engaged in providing strategic trade and investment advice to US businesses. Jim served as Staff Assistant to the President at the White House and in the Treasury Department as Deputy Assistant Secretary under President Nixon. At the Department of Treasury, he was responsible for management and policy oversight of several Treasury agencies including Alcohol, Tobacco and Firearms. During those years he began the first bilateral talks with the European Community on wine issues. In 1977, Mr. Clawson was appointed as Assistant Secretary General of the World Customs Organization in Brussels. Since 1981, he has been in private practice, representing the interests of major international corporations, especially in Asia and Europe. He has lead efforts to eliminate barriers, open markets, and protect US wine company trademarks and geographic indications for more than 28 years. He is one of the founding participants of the World Wine Trade Group, a public private partnership that negotiated Mutual Acceptance and Labeling Agreements. He is active in international trade associations, is a member of the Industry Trade Advisory Committees for both Customs and Trade Facilitation and for Consumer Goods, reporting to the US Trade Representative and Secretary of Commerce, the Bretton Woods Committee and lectures around the world on business and trade issues.

***Dr. Dennis KEEFE, Office of Food Additive Safety, U.S. Food and Drug Administration (USA)***

Dr. Keefe joined FDA in 1991. He currently serves as the acting Deputy Director of the Office of Food Additive Safety, Center for Food Safety and Applied Nutrition at the U.S. Food and Drug Administration. Since 1995, Dr. Keefe's responsibilities have focused on the international activities of the Office, especially the Codex Alimentarius. He currently serves as the U.S. Delegate to the Codex Committee on Food Additives (CCFA). In this capacity he has chaired the CCFA's *ad hoc* Working Group on the General Standard for Food Additives since 2001. Based on his experience, Dr. Keefe is a recognized leader in harmonization of international standards for food ingredients.

***Ms. Lori TORTORA, International Trade Specialist, Processed Products & Technical Regulations Div., USDA Foreign Agricultural Service/OASA (USA)***

Lori Tortora is an International Trade Specialist with the United States Department of Agriculture's (USDA) Foreign Agricultural Service (FAS). FAS's mission is to link U.S. agriculture to the world by engaging with foreign governments and international organizations to establish international standards and rules to improve accountability and predictability for agricultural trade. Her primary responsibility is



identifying and addressing technical barriers to trade for U.S. agricultural products related to certification and registration. Ms. Tortora is the FAS representative on the U.S. delegation to the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS). In conjunction with her CCFICS work, she organized the APEC Export Certificate Roundtable in 2010 and is in the process of organizing a follow up APEC Export Certificate Workshop for September 2011.

***Mr. Wade ARMSTRONG, Principal Adviser Trade Policy, New Zealand Ministry of Foreign Affairs & Trade (NZL)***

Wade Armstrong brings extensive experience to his role as Principal Adviser of Trade Policy, with a Ministry career spanning more than three decades. He has had eight overseas postings, including serving as Ambassador to the WTO, where inter alia he chaired the TRIPS council and Dispute Settlements Body, High Commissioner to Canada and concurrently to several Caribbean economies; and Ambassador to the European Union in Brussels. He is part of the MFAT Trade and Economic Team which is responsible for New Zealand's trade negotiating effort at the World Trade Organization; for bilateral free trade agreements, including the current Trans-Pacific Partnership, Korea, and India negotiations and others which are ongoing; and for dealing with other market access issues. He has been involved with the World Wine Trade Group since its inception.

***Mr. Robert KALIK, World Wine Trade Group (USA)***

Bob Kalik has been a partner in the Washington, D.C. law firm Kalik Lewin for the past 15 years. An international commercial and trade lawyer, Mr. Kalik represents beverage alcohol producers, importers, and distributors facing commercial and regulatory issues domestically and internationally. He has been the principal international trade counsel to the U.S. wine industry since 1998, acting as lead industry counsel in the E.U.-U.S. wine trade negotiations. He was an original organizer of the World Wine Trade Group and was actively involved in the negotiations and drafting of the WWTG's agreements related to Mutual Acceptance of Winemaking Practices and Labeling. Mr. Kalik has a J.D. from Benjamin Cardozo School of Law and a B.A. with honors from Syracuse University.

***Mr. Federico MEKIS, International Legal Advisor, Wines of Chile (CHL)***

Federico Mekis is an attorney and has a law office in Santiago, Chile. He is the advisor to Vinos de Chile A.G. in international relations and as a General Counselor. Vinos de Chile A.G. currently represents the interests of Chilean wineries responsible for more than 95% of wine exports and domestic consumption. In his advisory position, Mr. Mekis has been actively involved in the wine negotiations of Chile with the EU, the United States, Japan, China and 20 other economies, in the framework of Chile's FTA's with those nations. He also represents the Chilean industry in other wine-related forums, including the World Wine Trade Group, FIVS and others involving other products and services. He has participated in several forums on intellectual property rights, including geographical indications. He was member of the Chilean Parliament representing the copper mining and agricultural zone of Rancagua. As such, Mr. Mekis was member of the Laws and Constitution Committee; the Foreign Affairs Committee and the Mining Committee. He worked 10 years with Cruzat, Ortuzar y Mackenna (Baker & Mackenzie) Law firm serving there with clients involved in fishing, meat, wines, salmon, seafood and mining. Mr. Mekis graduated from the Universidad de Chile 1977; having been admitted to the Bar in 1979; later developed studies in Political Science in the Pontificia Universidad Católica de Chile 1988-89. He was also Executive Education fellow at Woodrow Wilson School for Public and International Affairs at Princeton University (1994-95) where he specialized in international trade agreements.

***Mr. Dan PASZKOWSKI, President and Chief Executive Officer, Canadian Vintners Association (CAN)***

Dan Paszkowski is President and Chief Executive Officer of the Canadian Vintners Association, the national association of the Canadian wine industry representing wineries across Canada responsible for more than 90% of annual wine production. The primary responsibility of the CVA is to protect and advance the interests of the Canadian wine industry value chain in domestic and international markets. Prior to joining the CVA, Dan held the position of Vice President, Economic Affairs at the Mining Association of Canada for nine years from 1997 to 2006. He previously served as Senior Advisor to the Federal Minister of Natural Resources Canada (1993-1997) and Senior Natural Resources Advisor in the National Liberal Caucus Research Bureau. Mr. Paszkowski is a graduate of Carleton University with a B.A (Honours Economics) and a Master's Degree in Natural Resource Economics from the University of Ottawa in 1988. He is a Board Member of FIVS, an industry representative on the World Wine Trade Group, and a member of Canada's National Alcohol Strategy Working Group, the Canadian Association of Liquor Jurisdictions Social Responsibility and National Quality Assurance Committees, and a founding member of Canada's National Advisory Council on Energy Efficiency.

***Mr. Philip GREGAN, President/CEO, New Zealand Winegrowers (NZL)***

Philip Gregan is Chief Executive Officer of New Zealand Winegrowers, the national organization representing the interests of New Zealand's 1,500 grape growers and winemakers. New Zealand Winegrowers performs a number of key industry functions including strategic leadership, advocacy, research, generic marketing, and information provision. Mr. Gregan joined the Wine Institute of New Zealand in 1983 after completing a Master of Arts in Geography at the University of Auckland. Mr. Gregan was appointed CEO of the Wine Institute in 1991, and when the Wine Institute merged with sister organisation the New Zealand Grape Growers Council in 2002, he was appointed CEO of the combined body, New Zealand Winegrowers.

***Mr. William FOSTER, Assistant Administrator, Headquarters Operations, TTB (USA)***

William H. Foster has served as TTB's Assistant Administrator, Headquarters Operations, since 2005. In this capacity, Mr. Foster oversees the functions of five organizations: the Advertising, Labeling and Formulation Division; the Regulations and Rulings Division; the International Trade Division; the Scientific Services Division; and the Knowledge Management Staff. Mr. Foster entered Government service in Miami, Florida, in 1975, as an inspector for the Bureau of Alcohol, Tobacco, and Firearms (ATF). In 1979, ATF relocated him to the Rulings Branch, in Bureau Headquarters, where he worked on regulatory issues, including alcohol for fuel use. Mr. Foster moved to the compliance operations staff and then to Chicago in 1984, assuming the position of Midwest Region Chief Analyst. He returned to headquarters in 1987, and served in a variety of positions in staff, information systems, compliance operations, training and professional development, and the ATF Office of Alcohol and Tobacco. He was the Beer Program Manager when, in 2001, ATF selected him as Deputy Chief, Regulations Division. In 2003, Mr. Foster was appointed Chief of the Regulations and Procedures Division of the Alcohol and Tobacco Tax and Trade Bureau where he served until he was selected as Assistant Administrator in 2005.

***Mr. Brian VOS, President, Underdog Wine Merchants***

In 2002, Brian Vos joined The Wine Group (the world's 3<sup>rd</sup> largest wine company) as Vice President of Supply Chain and was named Executive Vice President in 2004 and Chief Operating Officer in 2006. Prior

to joining The Wine Group, he was a Partner and Chief Financial Officer at a privately held logistics company. Mr. Vos also worked at Gallo Winery for 12 years where, in addition to various roles in finance, he served as Vice President of Information Services and Vice President of Supply Chain. He completed his MBA at the Krannert School of Business at Purdue University.

***Dr. Greg HODSON, Chief Technical Regulatory Liaison, E&J Gallo Winery (USA)***

Dr. Hodson has a bachelor's degree in biochemistry and a doctorate in food chemistry. After working as an analytical chemist in the dairy industry, he spent 12 years working with the UK government on technical aspects of food legislation. During this time, he conducted negotiations for the UK in the European Union, Codex Alimentarius, the United Nations and the OIV. Mr. Hodson moved to California in 1997 and has held a wide variety of positions in winery research management, regulatory affairs, and compliance. He has held his current position since November 2005, and is responsible for technical regulatory affairs issues in connection with trade in wine, domestically and internationally. He is Chair of Wine Institute's Technical Advisory Committee, Co-Chairs the OIV monitoring committee of the international trade association FIVS, and is a member of the US industry delegation to the World Wine Trade Group.

***Mr. Gordon BURNS, ETS Laboratories (USA)***

Gordon Burns is President and Technical Director of ETS Laboratories, a group of five independent laboratories serving the wine industry in the United States and internationally. Gordon founded ETS in 1978 in Saint Helena California. Gordon has served on American Society of Enology and Viticulture Technical Projects Committee, Wine Institute's Technical Advisory Committee, and Section President of the Association of Official Analytical Chemists.

***Dr. Abdul MABUD, Director Scientific Services Division, TTB (USA)***

Abdul Mabud is the Director of the Scientific Services Division (SSD) of the Alcohol and Tobacco Tax and Trade Bureau (TTB). As Director, he implements the Division's mission of providing comprehensive technical support to all TTB programs in line with the Bureau's goals of consumer protection and revenue collection. He oversees the operations of four laboratories under SSD: the Beverage Alcohol Laboratory, the Nonbeverage Products Laboratory, the Tobacco Laboratory (Beltsville, Maryland), and the Compliance Laboratory (Walnut Creek, CA). His responsibilities include developing new capabilities through analytical research, and identifying and acquiring new technologies to enhance the technical capabilities of TTB's laboratories. Dr. Mabud began his Federal career with the Bureau of Alcohol, Tobacco, and Firearms (ATF) in November 1998, as a senior chemist at their National Laboratory Center, and was promoted to the position of Chief, Beverage Alcohol Section, in January 2000. In 2003, he joined TTB as the Chief of the Beverage Alcohol Laboratory (BAL) and was promoted to the current position in December 2005. Prior to joining ATF, he served in the private sector for 11 years. In 1987, he joined the Washington Research Center of W.R. Grace, a multinational chemical company, as a research analytical chemist, and left W.R. Grace in 1998 as a senior scientist. He obtained a B.S. degree in chemistry from the University of Chittagong, Bangladesh in 1976, and earned a Masters in chemistry from South Dakota State University in 1981. In 1987, he received his Ph.D. in analytical chemistry from Purdue University. He has over 60 publications and presentations to his credit, as well as many awards.

**Mr. Warren STONE, Director of Science Policy, Compliance & Inspection, Grocery Manufacturers Association (USA)**

Warren Stone is Director of Science Policy, Compliance & Inspection in GMA's Science Policy division based in Northern California. In this position, he works with a broad audience including member and potential member companies, GMA scientific and technical staff, regulatory agents and universities. Mr. Stone provides GMA members with training, technical guidance, advice and assistance in areas of food safety, food microbiology, HACCP, allergen control, regulatory compliance, food defense, GMPs, quality programs and sanitation systems. He is an instructor for GMA's various HACCP course offerings and Better Process Control School and serves as staff liaison for GMA's Food Defense Committee, Microbiological Safety Committee and Sanitary Design Working Group. Mr. Stone's background includes 30 years of in-plant experience in both manufacturing and quality assurance in a variety of operations, including low-acid canned foods, frozen foods, meat and poultry, seafood, juice, dairy items, fresh produce, salsas, dips and spreads. He holds both a Master's degree from Canisius College of Buffalo, NY and a Bachelor of Science from the University of California at Davis.

**Mr. Steve GUY, General Manager, Compliance and Trade, Wine Australia (AUS)**

After graduating from South Australia's Roseworthy Agricultural College with an oenology degree in 1984, Steve worked for several of Australia's largest wine companies. In particular, he worked for the organization that evolved into Beringer Blass in various roles, including Chemist, Quality Manager and Regional Winemaker, from 1986 to 2000. Mr. Guy was appointed to the newly created position of Compliance Manager with the Australian Wine and Brandy Corporation (now "Wine Australia") in September 2000. Wine Australia is the Australian Government statutory authority responsible for ensuring wine producers, traders and exporters comply with relevant legislation. Mr. Guy's responsibilities were extended in 2005 to encompass not only matters relating to regulatory compliance, but also Wine Australia's contribution to Australia's market access initiatives. Steve also holds a degree in pure mathematics and an MBA. He has participated in many Australian wine sector committees and working groups, and is the current chair of the Technical Advisory Committee for FIVS-ABRIDGE, an authoritative source of regulatory information of interest to the international wine community.

**Dr. George SOLEAS, Senior VP, Logistics and Quality Assurance, Liquor Control Board of Ontario (CAN)**

George Soleas is the Senior Vice President of Logistics & Quality Assurance of the Liquor Control Board of Ontario, Canada. He received his B.Sc. from McMaster University and M.Sc. and Ph.D. from the University of Toronto. He spent eleven years with the Canadian Wine industry, as a Director of Research and Quality Assurance for a major winery and chaired the Technical and Scientific Committee of the Canadian Wine Institute for nine of those years. He is currently serving as Chair of the National Quality Assurance Committee of the Canadian Association of Liquor Jurisdictions and is representing the LCBO on the "Expert Committee" of the World Wide Trade Group (WWTG), the Inter-Agency Council on Food Safety, the Advisory Board of the Cool Climate Oenology and Viticulture Institute (Brock University) for which is also a Professional affiliate. He has a Masters Certificate in Supply Chain & Logistics Management from York University and he is a member of the Board of Directors of the McMaster Institute for Transportation & Logistics and a member of the Supply Chain and Logistics Management Institute. His oenological and biochemical research has led to eight book chapters, 49 peer reviewed publications and several National and International industry and scientific presentations devoted to alcohol beverage.



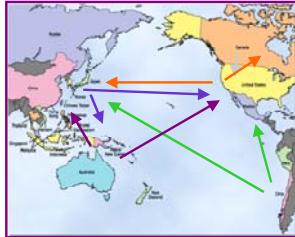
***Dr. Gina L. Myer, APEC Wine Regulator Seminar Facilitator (USA)***

For over 30 years, Dr. Myers has successfully executed major organizational change and workforce development initiatives. She has served at the U.S. Action Agency, the Department of the Navy, the Equal Employment and Opportunity Commission, the Department of the Treasury's Financial Management Service, and the Treasury Executive Institute developing and implementing leadership development programs, managerial training, culture change, and labor-management partnership initiatives. As a Director since 2002, Dr. Myers developed a curriculum and successfully executed federal agency training programs nation-wide to improve the collection of delinquent debt, debt management, and delinquent debt reporting. In 2009, as the Director of Operations at the Treasury Executive Institute, she was charged with developing and implementing Treasury-wide executive leadership development programs and learning activities. In 2005, Dr. Myers received a doctorate of Education (Ed.D) in Executive Leadership and Adult Learning. In 2010, she received the Financial Management Service's Martin Luther King Award for public service and community contributions.

## Overview of APEC Region Wine Trade

Jon A. Fredrikson  
Gomberg, Fredrikson  
& Associates

September 18, 2011



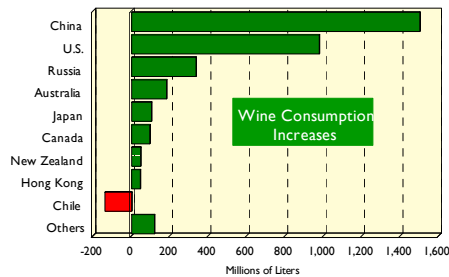
## APEC Region Wine Trade

- APEC region trade in rice, grape and other fruit wine has grown dramatically in importance for both exporting and importing member economies.
- Wine consumption is rising steadily in most APEC economies and the outlook is promising for continued wine consumption growth.
- APEC economies have become significant factors both in the global wine trade and within the APEC Region.



## Change in Wine Consumption by Economy Since 1990

Consumption Has Grown Considerably in Most APEC Economies

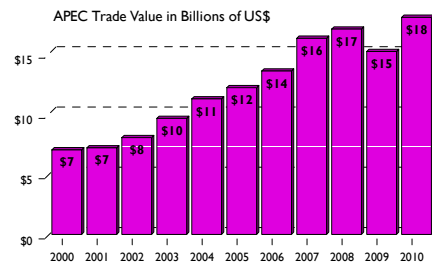


Sources: OIV, TDA, Global Wine Statistical Compendium



## The Value of Total Wine Trade in APEC Economies

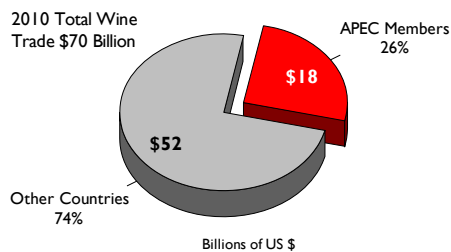
Rose to US\$18 Billion in 2010 from US\$7 Billion in 2000



Source: Global Trade Information Services.



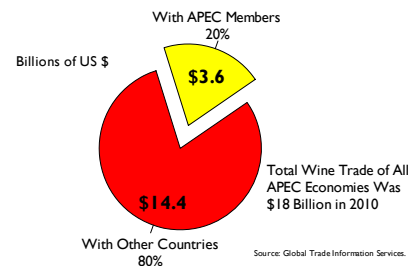
## APEC Economies Made Up More than One-Quarter of All Global Wine Trade in 2010, Up from 21.8% in 2000



Source: Global Trade Information Services.



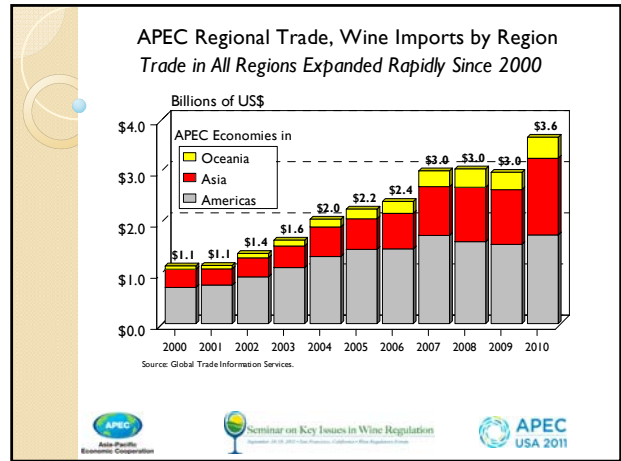
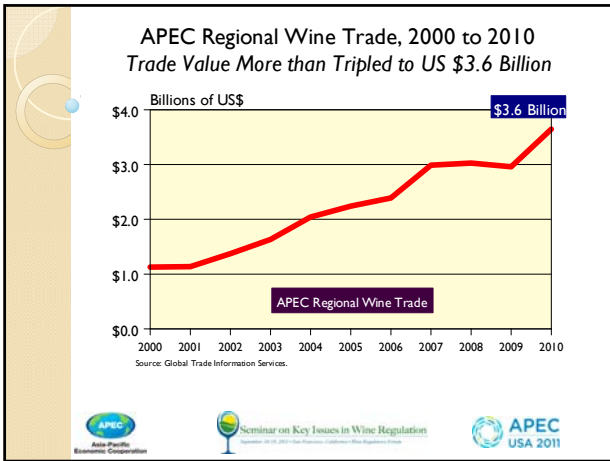
## About One-Fifth of APEC Members' Global Wine Trade Is Carried Out Within the APEC Member Economies



Source: Global Trade Information Services.





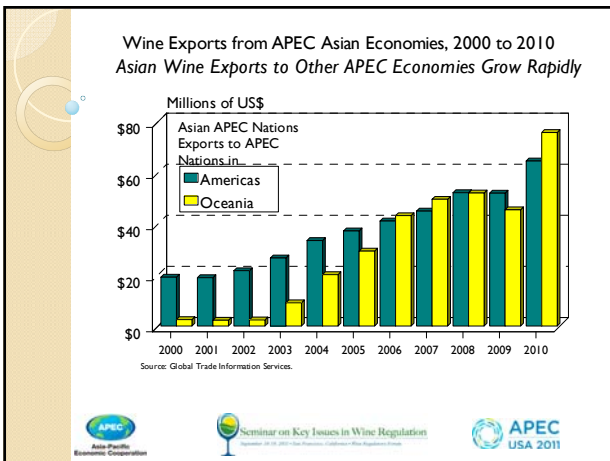
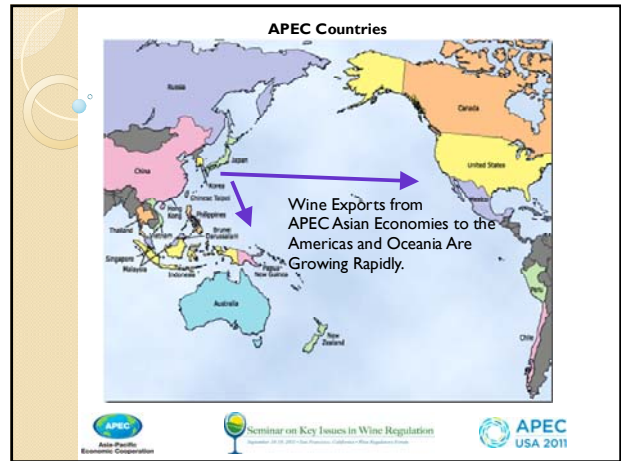


### Value of Wine Exports from APEC Economies in All Regions

In Millions of US \$

Exported To	2000	2010	% Change
Americas	\$ 709.0	\$1,736.6	145%
Asia	\$ 355.8	\$1,498.8	321%
Oceania	\$ 63.3	\$ 410.1	548%
Total	\$1,128.1	\$3,645.5	223%

Source: Global Trade Information Services



### Value of Wine Exports from APEC Economies in Asia

In Millions of US \$

Exported To	2000	2010	% Change
Americas	\$ 19.1	\$ 64.6	237%
Asia	\$ 146.7	\$ 523.4	257%
Oceania	\$ 2.6	\$ 75.8	++%
Total	\$ 168.4	\$ 663.8	294%

Source: Global Trade Information Services

### Value of Wine Exports from APEC Economies in Americas In Millions of US \$

Exported To	2000	2010	% Change
Americas	\$ 376.7	\$ 719.7	91%
Asia	\$ 141.5	\$ 578.1	309%
Oceania	\$ 3.9	\$ 4.7	19%
Total	\$ 522.1	\$1,302.5	149%

Source: Global Trade Information Services



### Value of Wine Exports from APEC Economies in Oceania In Millions of US \$

Exported To	2000	2010	% Change
Americas	\$ 313.2	\$ 952.3	204%
Asia	\$ 67.6	\$ 397.4	488%
Oceania	\$ 56.8	\$ 329.6	480%
Total	\$ 437.6	\$1,679.3	284%

Source: Global Trade Information Services



## Outlook & Conclusions

- The outlook for continued wine trade growth among the APEC economies is promising.
- However, future trade expansion will be obstructed by a wide variety of costly Non-Tariff Barriers (NTBs) affecting APEC member economies and private industry.
- Eliminating these burdensome NTBs will reduce the costs of cross-border wine trade, stimulate demand, and increase sales.
- More coherent regulations throughout the region will assist small and midsize enterprises by saving them the time and expense of dealing with differing compliance regulations throughout the region.





## APEC Wine Trade and Regulatory Coherence

**Good Regulatory Practice Mechanisms to advance greater regulatory coherence and advanced shared objectives, such as food safety, consumer protection and reduced impediments to trade**

Tony Battaglione  
General Manager, Strategy & International Affairs  
Winemakers' Federation of Australia



## INTRODUCTION

- Wine sector is diverse and internationally there are significant variations in the regulation of winemaking and labelling which produce impediments to trade.
- Many approaches to wine regulation are deeply entrenched in the culture of the sector and the country. Others may be part of a wider set of regulations directed at consumer information or health and safety

## INTRODUCTION

- Significant progress has been made in addressing regulatory differences through a number of international agreements such as:
  - WTO agreements
  - EU's Common Market Organisation for Wine
  - Bi-lateral agreements between EU and non-EU economies
  - World Wine Trade Group agreements
  - Regional free trade agreements – e.g. NAFTA, Mercosur, TTMRA

## COMPONENTS OF THE REGULATORY FRAMEWORK

- In the wine sector, national regulations, the international network of trade agreements, treaties, inter-governmental organisations and industry organisations all contribute to the regulatory framework affecting wine.

## INTERGOVERNMENTAL STANDARDS

- Before the WTO formation, international agreements adopted by bodies such as Codex Alimentarius serve as a catalyst & reference point for the formation of regional and national regulations, and often help solve trade disputes between member economies.
- Allergen and food labelling is an example of Codex stimulating member economies to include such provisions in regulations.

## BI-LATERAL & MULTI-LATERAL AGREEMENTS

- Free Trade Agreements
- Commodity specific agreements – e.g. WWTG Mutual Acceptance Agreement on Oenological Practices
- Bilateral wine trade agreements – negotiated between EU and principal trading partners.
- All play significant role in global regulatory framework of wine.

## GOVERNMENT REGULATION

- Can impose huge burdens on producers without commensurate benefits – acknowledged in proposed EU Wine Reform Package
- Led to 'Better regulation' concepts in Europe containing principles of general application:
  - Regulate as a last resort and not as a first resort
  - Regulate only after all other options have been excluded.
  - Be clear about the cost of regulatory proposals.
  - Regulate only when the overall benefit outweighs the burden and cost to individuals and businesses.

## 5 PRINCIPLES OF BETTER REGULATION

- 1) Proportionate – The remedy must match the risk
- 2) Accountable- To all stakeholders
- 3) Consistent – With other regulations and risks
- 4) Transparent – Keep it simple, clear and open
- 5) Targeted – Focus on the problem

## INDUSTRY SELF-REGULATION

- Always a place for well constructed and targeted guidance documents e.g. Codes of Practice.
- Advantages include that they can be in greater detail and be prepared and revised easier and more rapidly than formal regulations
- Several FIVS Documents:
  - Guiding Principles for Advertising and Marketing Practices for Alcoholic Beverages
  - Good Fining Practice Guidelines
  - Global Wine Sector Environmental Sustainability Principles

## RETAILER 'REGULATION'

- Retailers have begun to impose their own standards on suppliers as they extend distribution across national boundaries.
- The requirements are in areas such as Quality Management and Sustainable Practices but may also include Labelling to supply customers with additional data e.g. nutritional and health information

## ISSUES

- Regulations continue to be developed and focused on individual national jurisdictions despite growing world economy.
- Potential issues include
  - Loss of consumer confidence in regulator's ability to act efficiently in global economy.
  - Risk of increased consumer harm due to poorly thought regulators' actions and inaction.
  - Regulators lack the capacity to compete with similar regulations in other economy.

## ISSUES (continued)

- Poor crafted regulation creates trade & investment barriers, increased costs and lower consumer benefits and fails to support development of open & competitive markets.
- Manufacturers, service providers, retailers, SME's and farmers are often ignored by arbitrary, duplicative and opaque regulatory processes.
- Existing regulations often become familiar and politicised and thus become difficult for regulators to remove or amend outdated and unnecessary regulations.
- Conformance assessment requirements can be duplicative, unduly burdensome, and potentially protectionist.

## REGULATORY COHERENCE

- Main goal is to facilitate movements of goods between APC member economies and stimulate growth using transparent, effective, enforceable and mutually coherent systems that are risk and science based and promote international best practices and APEC collaboration.
- To ensure regulatory coherence, regulators must:
  - See their actions in the context of other international regulatory frameworks.
  - Understand their actions may have significant unforeseen consequences if undertaken in absence of knowledge.
  - Recognise that cooperation can enhance their enforcement mandate, whilst eliminating trade and investment barriers.

## RESPONSE TO DIFFERENT REGULATORY FRAMEWORKS

- Producers claim that differing standards between markets force them to create multiple versions of their products which require duplicative testing leading to increased costs and inefficiencies.
- Overarching framework for communication is key to overcoming these barriers to trade. 3 mechanisms heavily promoted by industry groups:
  - 1) Harmonisation
  - 2) Equivalence
  - 3) Mutual recognition

## HARMONISATION

- Involves the adjustment of two or more standards or procedures until they are the same.
- 3 ways to achieve harmonisation:
  - 1) **Upward harmonisation** – economies with lower standards strengthens it to a higher level, or together draft a new standard at a higher level.
  - 2) **Downward harmonisation** – economies with higher standards weakens it to a lower level, or together draft a new standard at a lower level.
  - 3) **Compromise harmonisation** – negotiating a new standard at an intermediate level
- Harmonisation may be done via bilateral or multilateral agreements or by international standard setting organisations, e.g. International Organization for Standardization (ISO)

## EQUIVALENCE

- Does not necessarily involve the adjustment of any standards.
- Simply a recognition that two standards address similar regulatory objectives despite not being identical.
- Standard of closeness can be either articulated as being 'sufficiently comparable', whereas in other cases the standard must be articulated in a list of criteria against which a system or procedure can be assessed.

## MUTUAL RECOGNITION

- Regulatory cooperation based on harmonisation, equivalence or external criteria such as importing party's standards and international standards.
- Two parties will agree to recognize and accept each other's conformity assessment results, test reports, certificates, product standards, regulations, markings, quality assurance systems because they are harmonized or judged as equivalent or meet some external criteria.
- True harmonization is difficult to achieve, so MRA's to date are often based on equivalence or external criteria.

## WINE SECTOR SPECIFIC REGULATORY ISSUES

- Labelling
- Composition (oenological practices)
- Maximum residue limits of agrichemicals
- Certification procedures
- Changes to regulations surrounding these issues are made to be consistent with international standards, meet policy objectives (e.g. consumer protection or public health), or a suite of broader regulation change.

## MAXIMUM RESIDUE LIMITS FOR AGRICHEMICALS

- MRLs are used by governments to regulate the use of agrichemicals in various crops (commodities) and are set when they have passed a 3 tier thorough review.
- Includes examination of scientific data of the chemicals and residue trials, OH&S aspects of usage and results of exposure assesment studies.
- Usually expressed in a 'mg/kg' concentration.
- Does not automatically indicate amount of chemical in a product, simply the highest legally allowable limit, and is often much lower than any level that may pose a threat to customer safety.

## COMPOSITION

- International agreements concerning Oenological practices often favour mutual recognition as parties are generally unwilling to cede control over their domestic production practices or future oenological practices.
- Mutual recognition recognises the legitimacy of different approaches to making and regulating wine, while retaining their own regulatory structures.
- Potential downside is that imported wine will be produced to different specifications, but must be viewed in context of overall benefits/detriments in the agreement.

## LABELLING

- Labelling Issues that create barriers to trade:
  - Type of information that must appear on a label
  - The level of control over that information (mandatory, controlled, voluntary)
  - The placement of that information (front or back)
  - The presentation or content of that information.
- Approaches to labelling vary depending on what issue is being dealt with.

## CONCLUSION

- Labelling, composition, sustainability, health labelling and food safety criteria are areas where harmonisation, equivalence and mutual recognition are especially valuable.
- Better regulatory coherence within APEC region will lead to significant benefits for producers and consumers alike.
- Consumers will have a higher degree in confidence that there are appropriate safeguards
- Regulators are better able to fulfil enforcement mandates.

## CONCLUSION

- Regulators will have better access to information and best trade practices.
- Establishment of networks will help facilitate information flow if regulatory problems arise.
- Engaging with National and International Industry Associations, we will be able to identify regulatory frameworks that work well.
- As wine trade changes, innovative approaches that promote cooperation will be most important.

## Regulatory coherence in wine regulation and trade: *the example of the World Wine Trade Group*

Dr. John Barker  
General Counsel  
New Zealand Winegrowers



## What does regulatory coherence look like in the wine trade?

### The World Wine Trade Group

- Formed in 1998 in response to changing industry dynamics.
- Recognises that cooperation to improve regulatory coherence benefits producers and consumers.
- Unique & flexible Government/Industry structure.

### Membership

- Argentina, Australia, Canada, Chile, Georgia, New Zealand, South Africa, USA are core members.
- Brazil, Mexico, Peru, Uruguay, PR China have also participated.

### Structure

- Three “arms”
  - Government Section
  - Regulators’ Forum
  - Industry Section
- Chair rotates on an annual basis
- No permanent secretariat

### Meetings

- 1 full meeting in Member Economy
- 1 inter-session meeting
- Govt & industry meet together and separately
- Guests invited to address topics of interest or concern



## Activities

- Information sharing
- Coordination on common issues in international fora
- Negotiating international agreements to promote regulatory coherence

## WWTG agreements

- “The art of the possible”
- Harmonisation & equivalence not always achievable in this forum
- Mutual acceptance preferred
- Full transparency is essential
- TBTs only – not tariffs, health

## Agreement on mutual acceptance of oenological practices

**Wine made in one member according to its own rules will be accepted by all other members.**

- WTO consistency
- Health & safety protected
- No additional certification
- New practices subject to notification

## Agreement on requirements for labelling

**A single “market” label for all destinations**

- Common mandatory information aligned
- Other mandatory information flexible
- Other descriptive information permitted
- Nothing misleading or deceptive

## Ongoing programme

- Certification MoU
- Mutual acceptance for sustainability & carbon labelling
- MRLs
- New members

## Why it works

### #1. Trust and goodwill

- Initial caution → long-term relationships
- Govt to Govt
- Industry to Govt

### #2. Agreed baselines & goals

- Trade facilitation
- WTO principles
- Health & safety / consumer protection

## Why it works

### #3. Stakeholder involvement

- Industry can contribute proposals
- Focus on fine details of trade

### #4. Low-cost, flexible structure

- Not dominated by process
- Low barriers to participation

### #5. Facilitation not negotiation

- Not tied to a single mode of operating
- All about “the art of the possible”

## The results

- **Safe and sanitary products**
- **Fewer trade barriers**
- **Problems resolved quickly**
- **An approach that is applicable to the APEC WRF**

**Thank you!**

## Compendium of Wine Import Certificate Requirements of APEC Economies

Gail Davis  
U.S. Alcohol and Tobacco Tax and Trade Bureau  
International Trade Division



## Certification Requirements

- No certificates required
- Required certificates
- Required analyses
- Recommended certificates/analyses

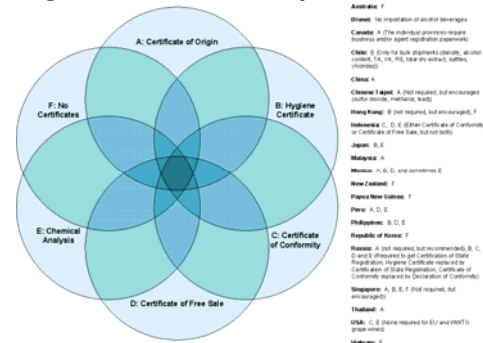


## Chart of the Compendium

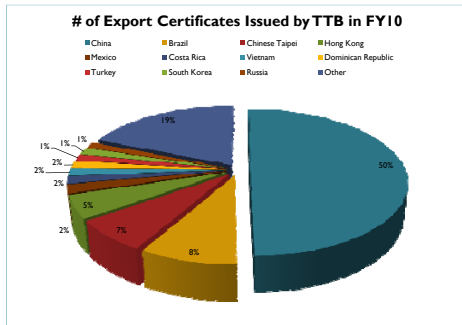
Economy	Cert. of Origin	Hygiene Cert.	Cert. of Conformity	Cert. of Free Sale	Chemical Analysis	No Certs.
Australia						x
Brunei						
Canada						
Chile					x	
China	x					
Chinese Taipei						
Hong Kong		x				x
Indonesia			x	x	x	
Japan						
Malaysia	x	x				
Mexico	x			x	sometimes req.	
New Zealand						x
Papua New Guinea				x	x	x
Peru	x					
Philippines		x		x	x	
Republic of Korea						x
Russia	x	x	x	x	x	
Singapore	x	x				x
Chinese Taipei	x					
Thailand	x					
USA			x			
Vietnam					x	



## Diagram of the Compendium



## Certification Data



## Certification Data

Average number of certificates TTB issues per year: 1,346

Average number of certificates to APEC economies TTB issues per year: 944

Can we get all the necessary info on one certificate?





# CHILEAN WINE REGULATION

Joaquín D. Almarza  
 Agricultural Engineer Oenologist  
 Subdepartment Vines & Wines  
 Agricultural and Livestock Service  
 Ministry Of Agriculture  
 joaquin.almarza@sag.gob.cl



## Chilean Viticultural Situation 2011

Cultivated Area: 124.000 Has



**Main red varieties:**  
 Cabernet Sauvignon  
 Merlot  
 Carmenere  
 Syrah



**Main white varieties:**  
 Chardonnay  
 Sauvignon Blanc  
 Semillon  
 Viogner

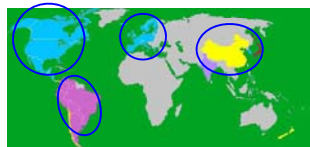


## Chilean Vitivinicultural Situation 2011

- Wine Production: 1.046 millions of liters  
 8<sup>th</sup> economy in the world
- Wine Export: 671 millions of liters  
 5<sup>th</sup> economy in the world

### Main markets

1. European Union
2. North America
3. Asia
4. South America



• Wine consumption: 18.9 liters



## Chilean Wine Legislation



- Law N° 18,455 of 1985 lays down rules for production, processing and trade of ethyl alcohol, alcoholic beverages and vinegars.
- Decree N° 78 of 1986, which regulates Law No. 18,455
- The Agriculture Decree N° 464 of 1994 lays down viticultural zoning and provides detailed rules for their use.
- The Decree N° 521 of 1999, lays down detailed rules for the designation of origin pisco.

**The control and supervision of compliance with laws and regulations, depend on the Agricultural and Livestock Service.**

- Agricultural & Livestock Service responsibility is to ensure the authenticity and safety of wines and alcoholic beverages to be apt for human consumption that are produced, traded and be imported into the country, through the compliance of the regulatory requirements and controls of these products to prevent fraud or risk health to consumers.
- The Agricultural & Livestock Service set out the regulation and controls to the protection of appellation of origin for wines, and certifies this condition in export products according to the requirements of the destination markets.



## Chilean Wine definition

WINE can only be obtained from the alcoholic fermentation of fresh grape must from species *Vitis vinifera*.



In the process of winemaking and wine production is forbidden the use of alcohol, sucrose or sugar of any kind, including artificial sweeteners, only can be used sugar from the grapes

The wine bottled, to be sold and destined for direct consumption should have a minimum alcohol strength/content of 11.5 % alc/ vol

### Wine Labeling

- The Law N°18.455 set out the provisions with labelling rules for trading of wine.
- Mandatory requirements for labelling are:

### Wine Labeling

- Wines with Appellation of Origin also can indicate:

### Oenological Practices & Additives

- The Decree N° 78 Lays down authorised oenological practices and processes which may only be used for the purposes of ensuring proper vinification, proper preservation or a proper refinement of the product.
- Lays down the limits content for heavy metals, mycotoxins and additives allowed in wine.

Each new oenological practice to be used in wine production, must be included into the Decree N°78 list. To do that, it must be submitted to the Advisory Commission of the Directorate National in Vitiviniculatural Matters of the Agricultural & Livestock Service, which are made up of industry representatives, academics from universities and government experts who evaluate and decided the incorporation and use of each new oenological practice, technical or additive for wine production.

### Oenological Practices & Additives

- Acidity correction with:**
  - L(+), tartaric acid, and lactic acid
  - D,L malic acid and citric acid.
- Deacidification with:**
  - Calcium tartrate.
  - Neutral potassium tartrate.
  - Calcium carbonate.
  - Potassium bicarbonate.
  - Tartaric acid and calcium carbonate.
- To encourage the growth of yeasts:**
  - Yeast ghosts.
  - Diammonium phosphate or ammonium sulphate.
  - Ammonium sulphite or ammonium bisulphate.
  - Thiamin hydrochloride.
- Clarification with:**
  - Edible gelatine.
  - Isinglass.
  - Casein and lactalbumin.
  - Egg albumin.
  - Milk or evaporated milk.
  - Bentonite.
  - Silicon dioxide.
  - Kaolin.
  - Tannin.
  - Pectolytic enzymes.
  - Betaglucanase.
  - Vegetable protein material.
- Must Concentration.**
  - Heat and thermal treatment.
  - Centrifugation, filtration and flotation.
  - Aeration or addition of oxygen.
  - Carbon dioxide, argon and nitrogen.
  - Electrodialysis.
  - Reverse osmosis.
  - Spinning cone column for dealcoholization.
  - Copper sulphate.
  - Copper citrate
  - Lysozyme
  - Urease.
  - Gum Arabic.
  - Charcoal for oenological use.
  - Wood.
  - Carbon dioxide.
  - Sorbic acid or potassium sorbate.
  - Ascorbic acid or erythorbic acid.
  - Metatartaric acid.
  - Polyvinylpyrrolidone.
  - Dimethyl dicarbonate.
  - Carboxymethylcellulose.
  - D, L tartaric acid or racemic acid.
  - Potassium bitartrate.
  - Calcium Phytate.
  - Sulfur dioxide, potassium bisulphite or potassium metabisulphite.
  - yeast for wine production.
  - Preparations of yeast cell wall.

### Control & Supervision of Wine

The Agricultural & Livestock Service has 3 ways of control and supervision of wine through sampling, made by inspectors field at:

- retail market. (random check)
- wineries. (random check)
- import products. (systematically)

Every wine to be traded in the Chilean market, first must be registered in the Agricultural and Livestock Service.

The samples taken shall be submitted to analytical testing, by the Official Laboratory of the Agricultural & Livestock Service, to check compliance with the product regulation referred in Decree N°78. From each analytical testing will be issue an analytical report which qualify the product as Apt for Human consumption / import or Not Apt for human consumption / import.

### Analytical Testing to Import Products

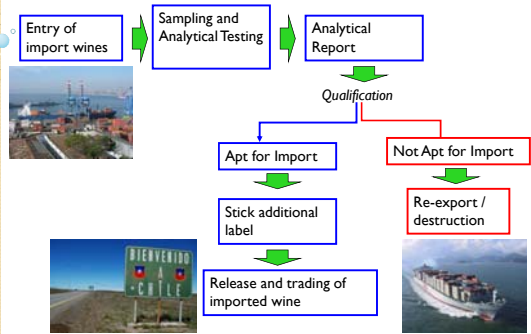
- All the import products are sampling and shall be submitted to analytical testing, to prove that the product tested complies at least, with all the requirements for similar domestic products.
- While the result of the testing is not issued by the official laboratory, the product can't be traded nor be removed from their storage place, must be waiting for the notification of the analytical report.
- The analytical report of the product can be qualified as APT FOR IMPORT, which is released and able to be traded.
- Any product failing to meet the conditions set out in the regulation is qualified as NOT APT FOR IMPORT, in this case the product must be re-exported or destroyed.

Limits levels of physical / chemical component in wine to be qualified as "Apt to human consumption"/ "Apt for import"



ANALYSIS REPORT	
Physical and Chemical Analysis	
Density	
<b>Alcoholic Strength</b>	<b>11.5</b> % Vol.
Total Dry Extract	g/l
Reduced Dry Extract	g/l
Reducing Sugars (expressed as dextrose)	g/l
Sucrose	Negative
Ash	g/l
Alkalinity of the Ash (expressed as K <sub>2</sub> CO <sub>3</sub> )	g/l
Potassium (expressed as CaH <sub>2</sub> O <sub>6</sub> K)	g/l
Total Acidity (expressed as H <sub>2</sub> SO <sub>4</sub> )	g/l
<b>Volatile Acidity (expressed as C<sub>2</sub>H<sub>3</sub>O<sub>6</sub>)</b>	<b>1.5</b> g/l
Fixed Acidity (expressed as H <sub>2</sub> SO <sub>4</sub> )	g/l
Total Acidity (expressed as C <sub>2</sub> H <sub>3</sub> O <sub>6</sub> )	g/l
pH	
Tartaric Acidity (expressed as CaH <sub>2</sub> O <sub>6</sub> K)	g/l
Lactic Acid	g/l
<b>Citric Acid</b>	<b>1.6</b> g/l
Sulphates (expressed as K <sub>2</sub> SO <sub>4</sub> )	g/l
Chlorides (expressed as NaCl)	g/l
Free Sulphur Dioxide	<b>0.25</b> (0.4 Sweet wine) <b>0.075</b> g/l
Total Sulphur Dioxide	g/l
Foreign Colouring Matter	Negative
Hybrids	Negative
Potassium Ferrocyanide	Negative
Alcohol-Extract Ratio	
<b>Alcohol-Acid Sum</b>	<b>over 13.5</b>
Sorbic Acid	200 mg/l
<b>Benzoate Sodium</b>	<b>Negative</b>
Total Alcohol Content (% vol at 20°C)	
Methanol	<b>400 Red wine/ 250 White wine</b> mg/l
Copper	1.0 mg/l
Arsenic	0.2 mg/l
Cadmium	0.01 mg/l
Lead	0.15 mg/l
Fluor	1.0 mg/l
Dehydroin A	2.0 µg/l
Ascorbic Acid	150 mg/l

### Import Procedures



Thank you for your attention



# Regulation of Chinese Wine Imports

Import-Export Food Safety Bureau  
AQSIQ



1

# Regulation of Chinese Wine Imports

- 1. Chinese Wine Imports
- 2. About AQSIQ
- 3. Laws, Regulations & Standards on Wine Imports
- 4. Inspection Procedure of Imported Wine
- 5. Problems Found
- 6. Future



2

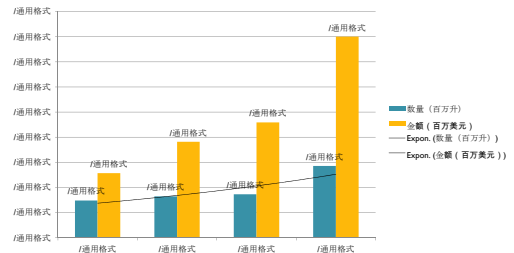
# Chinese Wine imports

- Rapid Growth  
see next slide
- Open Market  
Wine comes from more than 60 countries & regions



3

# Chinese Wine Imports



4

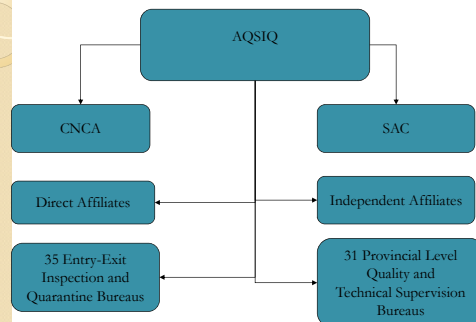
# About AQSIQ

- Under State Council
- Ministerial Level
- Agency Responsible for Product Quality Management
- 19 Departments, 15 Direct Affiliates, 10 Business Associations or Federations, WTO/SPS/TBT Enquiry Point
- Certification and Accreditation Administration of P.R.C (CNCA)
- Standardization Administration of P.R.C (SAC)



5

# Organizational Chart of AQSIQ



10-10

## CIQ

- 35 Entry-Exit Inspection and Quarantine Bureaus (CIQ) in 31 provinces.
- About 300 branches and more than 200 local offices
- Total working staff is over 30,000.
- Around 6,000 dedicated to food inspection
- Laboratories: 163, advanced technology, fully equipped, strong testing capabilities



7

## Laws, Regulations and Standards on Wine

- Food Safety Law of P.R.C
- Implementing Rules of Food Safety Law
- Standard on Wine
- Standard on Fermented Alcoholic Beverage
- Standard on the Hygienic Use of Food Additives
- Standard on Labeling of Prepackaged Food
- Standard on Prepackaged Alcoholic Beverage



8

## Inspection Procedure on Imported Wine

- Declaration.  
Documents required: Contract, Invoice, Bill of Loading, etc., Certificate of Origin, Label Specimen in Chinese for Prepackage wine
- Inspection: On-site hygienic inspection, Labeling inspection, Organoleptic inspection and Laboratory tests
- Issuing health certificate
- Treatment of failed wine: Corrective action, Destruction, Return



9

## Problems Found

Most Common: Labeling, >95%

No Chinese Label, Food Additive Not Indicated, No Production Date, Wrong Categorization. Corrective Action Required.

Other Problems: Food Additives, Heavy Metal, Micro-organism. Destruction or Return



## Future

- Domestic production in 2010  
1080000 ton
- Average Consumption < 1 L
- Estimation: 3L by 2020
- Big potential



10

# THANKS



12



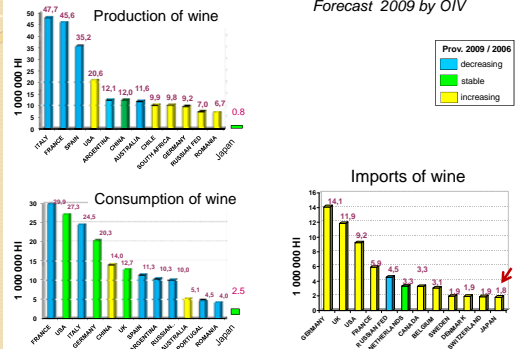
# The Japanese Wine Regulatory System

National Research Institute of Brewing, Japan  
Nami Goto-Yamamoto



## Production and Consumption of Wine in the World and Japan

Forecast 2009 by OIV



## Definition of Wine by Liquor Tax Act

- The category of "Wine" includes grape wine and other fruit wines.
  - Fermented from fruits or fruits and water, Alc.<20%(v/v)
  - with addition of sugars(sucrose, glucose or fructose, up to the sugar content in fruit), Alc.<15%
  - Fermented after addition of sugars to a. or b. (sparkling wine)
  - Added with brandy or spirits (up to 10% of total alc.), sugars, or flavoring (juice)

## Definition of Sweet/Fortified Wine

- Wine produced with sugars and/or alcohol over the volume authorized in "Wine", or with colorant.
  - Wine with extraction of plant materials, or addition of medicinal substances.
- Oak chip is not authorized for wine making in Japan.

## Usage of Food Additives and Processing Aids during Vinification

- Acids:** malic acid, tartaric acid
- Antioxidants:** SO<sub>2</sub>, potassium metabisulfite
- Deacidification agent:** CaCO<sub>3</sub>
- Fermentation aids:** inactivated yeast, yeast ext., yeast cell walls, (NH<sub>4</sub>)<sub>2</sub>HPO<sub>4</sub>, MgSO<sub>4</sub>, thiamine-HCl, folate, Ca-pantothenate, niacin, biotin
- O<sub>2</sub>, CO<sub>2</sub>
- Enzyme:** pectinase

(main substances only)

## Usage of Food Additives and Processing Aids after Vinification (I)

- Acid:** tartaric acid
- Antioxidants:** SO<sub>2</sub>, potassium metabisulfite, L-ascorbate, Na-L-ascorbate, erythorbic acid, Na-erythorbate
- Preservatives:** sorbic acid, K-sorbate
- Enzymes (to clarify):** pectinase, hemicellulase, β-glucanase
- Deacidification:** CaCO<sub>3</sub>, K<sub>2</sub>CO<sub>3</sub>, NaHCO<sub>3</sub>, Na<sub>2</sub>CO<sub>3</sub>

## Usage of Food Additives and Processing Aids after Vinification (2)

- **Fining agents:** Na-alginate, bentonite, SiO<sub>2</sub>, PVPP, casein, Na-casein, gum arabic, egg white, gelatin, collagen, tannin
- KH-L-tartrate, KH-DL-tartrate
- Activated carbon
- Ion exchange resins
- Urease
- N<sub>2</sub>
- **Filtering aids**

(main substances only)

7

## Geographical Indications (GIs)

- No GI for domestic wine
- Some local governments have their own AOC-like regulations.
- Foreign GIs of wine are protected. (TRIPS agreement)

### Organic

- Use of the term "Organic" must comply with the labeling standard based on Codex Alimentarius.

8

## Label Information (mandatory, in Japanese)

- Type of liquor (Wine)
- Alcohol content (%(v/v))
- Volume (mL or L)
- Name of food additives
  - ex. SO<sub>2</sub>, sorbate, ascorbate
- Name and address of manufacturer or importer
- Economy of origin (for imported wine)
- Warning sign of underage drinking  
*To a taxation office/customhouse*

9

## Label Information (self regulation, etc.)

- Raw materials, domestic/imported, grape/juice
- Vintage (>75%)
- Origin of grape (100%)
- Cultivar (>75%), etc.
- Sur lie, cryo-extraction, noble rot, etc.
- Caution for alcohol consumption during pregnancy and breastfeeding

10

## Regulation System for Domestic Wine

- Manufacturers need **license**
- Manufacturers must **notify**
  - Methods of production
  - Production, Sale, Returned, Inventory etc.  
*to a taxation office*
- Manufacturers must **record**
  - Vinification process
  - Volume of products in each tank etc.

11

## Regulation System for Imported Wine

- Importers need **license**.
- For a **quarantine station**
  - Table of raw materials
  - Table of manufacturing process
  - Certificate of wine ingredient (optional)
- For a **customhouse**
  - Labels
  - A custom duty and taxes

12

### To Authorize a New Food Additive

- Authorization by Food Sanitation Act is a prerequisite.
- Request by manufacturer, importer, etc. to National Tax Agency (NTA)
- NTA will consider whether its application is based on appropriate reason and will not change the nature of the wine.

13



# Regulation of Wine in Korea

September 18, 2011

Jong-soo Kim, Deputy Director  
Liquor Safety Management TF  
Food Safety Bureau  
Korea Food and Drug Administration



## Outline

- Korea Food and Drug Administration
- Brief overview regarding current practice
  - classification, fruit wine making practice, food additives, standards, labeling
  - conformity assessment procedures
- Consumption, Local production, Importation



## Korea Food & Drug Administration

- Established in 1998
- Headquarter, 6 Regional Offices, 1 Affiliated Institute
- An agency within Ministry of Health and Welfare
- Protecting the public health by assuring the safety and effectiveness of our nation's food supply, drug, cosmetics, and medical device.
- KFDA signed MOU with National Tax Service last year. Under MOU, KFDA is working together to ensure for domestic and imported alcohol beverages safe.



## Organization of KFDA HQ



## Relocated to the Osong Health Technology Administration Complex



## Legal regulatory framework

- Korea is well equipped with a modern legal system that is based on a fixed hierarchy.
- An Act or law, legislated by the National Assembly, gives the legal basis for government regulations.
- Under each Act, a Decree and Rule are drawn by the responsible ministry to implement the law.
- The competent ministry or agency also promulgates notice and guidelines in order to provide more detailed guidance



## Liquor Tax Act

- Liquor tax shall be imposed on alcoholic beverages pursuant to **Liquor Tax Act** administered by Korea Nation Tax Service(NTS).
- The Act also contains several provisions related to **classification, alcoholic beverage making practices, allowable optional ingredients, business license for manufacture or sale, labeling requirements, recordkeeping duties,** and notification of manufacturing products .



## Classification

- According to liquor tax act article 4, alcoholic beverage can be classified as follow:

- Brewed alcoholic beverages:
  - Makkoli (cloud type rice wine),
  - Yakju (clear type rice wine),
  - Cheongju (sake type rice wine), (d) Beer, (e) Fruit wine



- Distilled spirits:
  - Soju, (b) Whisky, (c) Brandy, (e) liqueur, (f) other distilled spirits



- Other alcoholic beverages.



## Fruit wine making practice

- Use of fruit, fruit juice, dried fruit for wine production
- Addition of sugars
- Addition of acids
- Addition of flavor agents
- Addition of alcoholic beverages
- Addition of colorants
- Addition of sulfur dioxide



## Food additives/processing aids

According to Liquor Tax Act, there are following substances permitted.

Item	Components
Sugars	Sugar, Glucose, Fructose, Malt Syrup, Oligo-saccharide or Honey
Acids	Lactic acid, Succinic acid, Acetic acid, Fumaric acid, Tartaric acid, Malic acid or Tannic acid
Flavor enhancers	Amino acids, Glycerine, Dextrin, Hope, Minerals, Substances determined by Korea Tax Service Administer
Flavor agents	Fusel oil, Esters, Aldehydes, Substances determined by Korea Tax Service Administer
Colorants	Substances permitted by Food Sanitation Act
Sweetening agents	Aspartame, Sterviol glycoside, Sorbitol, Sucralose, Acesulfame potassium, erythritol, xylitol



## Food Sanitation Act

- The Ministry of Health and Welfare(MHW) has responsibility for implementing the Food Sanitation Act.
- The Act is the legal basis for the food safety-related work conducted by MHW and KFDA.
- KFDA is responsible for setting and enforcing standards and specifications for domestic and imported foods, food additives, food packaging, containers and utensils.



## Key KFDA regulations (1)

- Food code** stipulates standards and specifications for manufacturing, processing, usage, cooking, storage of foods and utensils, containers and packaging for food products.
- It specifies the standards for maximum residue levels of agricultural chemicals, antibiotics, hormones, radioactive ray standards, testing methods, etc.
- The Food Code contains general standards and specifications governing food products and individual standards and specifications.



## Alcohol beverage standards

items	Beer	Whisky	Fruit wine
Methanol (mg/ml)	Less than 0.5	Less than 0.5	Less than 1.0
Adelhyde (mg/100ml)	-	Less than 70.0	-
Ochratoxin A (ug/kg)	-	-	Less than 2 (Grape wine only)
Lead (mg/kg)	-	-	Less than 0.2 (Grape wine only)
Preservatives (g/kg) Sorbic acid Calcium sorbate Potassium sorbate	-	-	Less than 0.2



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## Key KFDA regulations (2)

- **Food additive code** defines standard specifications for individual food additives and usage standards
- As of December 2010, Korea had a positive list of 609 approved food additives and mixture of approved additives.
- Most additives are approved and tolerance levels are established on a product-by-product basis.
- **Labeling Standards for Food** provides guidance on how to meet Korean language labeling requirements for imported food products including imported alcoholic beverage.



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## Labeling requirements (1)

- Korean law requires a Korean language label on imported alcoholic beverages.
- Stickers may be used instead of manufacturer-printed Korean language labels for imported food products.
- The sticker should not be easily removable and should not cover the original labeling.



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## Labeling requirements (2)

- According to Liquor tax act article 44-2, Food sanitation Act article 10 and KFDA labeling standard, the label shall contain the following information.
  - Type and Name of the product, Country of origin, importer's name, address and phone number, Date of bottling, Alcohol percentage and volume, Name of ingredients, Name of food additive used,
  - Government health warning clause,
  - Government warning clause against liquor sale to minors,
  - Bottles destined for retail channel distribution must be labeled.



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## Label

Name : OOOO                      Country of origin: OO  
 Type: OO ( alcohol O%),    Contents : OO ml  
 Manufacturing company : OOOOOO  
 Ingredients : OOOOO  
 Importer's name : OOOO, address, phone number  
 Date of bottling : (Year-Month-Day or Julian Code or Lot no.)  
 Warning Statements  
 Statement of Sale Prohibition for minors  
 Recycling Logo  
 "Sell for household , " Sell of Supermarket Store"



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## Labeling requirements (3)

- The use of fruit images is not allowed on the packaging of food and beverage products, including alcoholic beverages, by law unless the product contains ingredients obtained from the fruit in question.
- Artificially flavored beverages may not use the image of fruit unless they contain that fruit.



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## Conformity assessment for imported alcoholic beverages

- Imported foods and beverages are subject to KFDA food quarantine inspection.
- There are kinds of inspections:
  - **Detailed inspection**(chemical analysis test) for new-to-market products
  - **Visual inspection**(sensory/document inspection) for existing products



## Sensory/document inspection

- Sensory / document inspection provides that the product of subsequent shipments is identical to the product in the first shipment with respect to label, product name, alcohol percentage, ingredients and net volume.
- However, subsequent shipments of identical products can be subject to random detailed chemical inspections.



## Imported Food Inspection Procedures

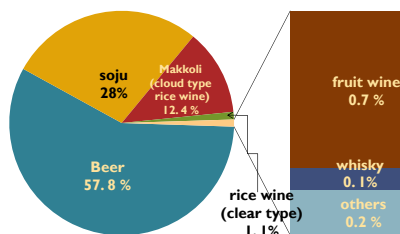


## Formulation procedure of new or amend regulations

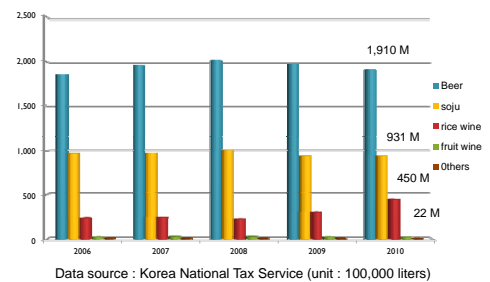
- Proposed draft new or amend regulations made by competent government agency
- Collecting Public comments through intra-government or non government organizations
- WTO/SPS/TBT notification
- Elaboration with National Regulation Reform Committee
- Elaboration with Food Advisory Committee
- Enforcement



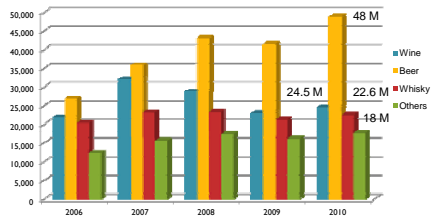
## Consumption



## Local production 2006-2010



## Importation 2006-2010



\* Others include vermouth, Sake, cognac, fruit brandy, Rum, Gin, Vodka, Liqueur, Koaliang Liquor, Tequila etc.

Data source : Korea wines & spirits importer association (<http://www.kwsia.or.kr>) (unit : 1000 liters)



Thank you for your Attention!

<http://www.kfda.go.kr>  
e-mail: [jongsookim@korea.kr](mailto:jongsookim@korea.kr)



## Regulation of Wine in Mexico

Alejandra Vargas ARRACHE,  
Director for International Trade Rules, Ministry of  
Economy (MEX)



- **General Health Law (Ley General de Salud)**
- **Implementing Regulations of the Federal Health Law for safety control of products and services (Reglamento de control sanitario de productos y servicios)**

Establish the sanitary control of all alcoholic beverages.

- **Technical Regulation**

NOM-142-SSA1-1995

Goods and services - alcoholic beverages - Safety specifications. Safety and commercial labeling, (published in the Official Gazette of Mexico on July 9, 1997).



## Oenological practices, food additives/processing aids in Mexico.

The technical regulation NOM-142 establish the food additives and the processing aids allowed by the Ministry of Health.

In oenological practices, the industry follow the resolutions and recommendations of the International Organization of Vine and Wine (even now that Mexico is not a Member of the OIV).



## LABELING REQUIREMENTS

Labeling requirements for beverage alcohol products (beverages with an alcohol content between 2% and 55% by volume)

Labels must include the following information, in Spanish:

**Name/brand name** of the product

**Type** of product (e.g. wine, malt beverage, etc.)

**Net content** (in metric units)

**Country of origin**

**Name/company name and address** of the importer

**Alcohol content** (followed by "% alc.vol.")

**Lot number** (identification number)

**Warnings** (Abuse of this product is hazardous to your health), as per Article 218 of the General Health Law

**Beverages that contain aspartame** must include the following statement: "contains phenylalanine".



**Specialty products and cocktails** must include a list of ingredients, which must be listed in a decreasing order of their percentage of the product's total composition

Please note that the **name, type, and content** of the product must be on the principal label of the product. All other information may be placed on any other label.

Specifically for wine coolers and other similar products:

**Name and address** of the importer or Federal tax registry number.

Imported products must comply with labeling NOMs. The product label can either be inspected during the import process or labeled in an authorized or private warehouse by Inspection Accredited and Authorized Verification Units (Unidades de Verificación Autorizadas (UVAs)).



## REQUIRED DOCUMENTS FOR IMPORT

The following is a list of the documents that must be presented in order for the imported product to be released from the Mexican Customs houses.

**Importation Declaration** (*Pedimento de Importación*)

**Commercial invoice** -- must include issue date and place, name and address of the consignee, detailed listing of goods (including quantities, types, identification numbers, unit value, etc.), and name and address of supplier

**Bill of lading** or Airway Bill of lading

**Certificate of origin** (as applicable), in order to obtain tariff benefits.

**Certificate of Free Sale** of the country of origin.

A sanitary import notice (*aviso de importación*) is not required for wines.



## MEXICAN STANDARDS OR NMX (VOLUNTARY)

NMX-V-012-NORMEX-2005	Alcoholic Beverages - Wine specifications.
NMX-V-005-NORMEX-2005	Alcoholic Beverages - Determination of esters, aldehydes, methanol and higher alcohols (fuel oils) - Test methods, published in the Official Gazette of Mexico on June 23, 2005.
NMX-V-006-NORMEX-2005	Alcoholic beverages - determination of direct reducing sugars and total sugars - Test methods, published in the Official Gazette of Mexico on June 23, 2005.
NMX-V-013-NORMEX-2005	Alcoholic beverages - Determination of alcohol content (percentage of alcohol by volume at 20°C) (% alc. vol.) - Test methods, published in the Official Gazette of Mexico on June 23, 2005.
NMX-V-017-NORMEX-1995	Alcoholic beverages - Determination of dry extract and ash - Test methods, published in the Official Gazette of Mexico on June 23, 2005.



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## Conformity Assessment Procedures

No mandatory certification process is required for wine. The test methods are contained in the NOM-142 (Percent of alcohol by volume determination, sugar determination, etc.) and in the standards (NMX).

The test methods are carried out by testing laboratories accredited and approved.

The accreditation process is performed by the authorized accreditation entity (Entidad Mexicana de Acreditación) while the approval is granted by the relevant regulatory agency.



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## STANDARDIZATION PROCESS

NMX's are voluntary standards and are intended to improve the quality of goods and services. They are issued by National Standardization Bodies and are also subject to public discussion before being published in the DOF. National Standardization Bodies are private entities that have received a "registration" by the government to draft and issue NMX's.

Principles:

- Consensus
- Representation of all sectors involved
- Public consultation
- Review every 5 years



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## How to develop new wine regulations, or amend existing ones?

### Technical regulations

Regulatory agencies - draft NOMs,  
Regulatory impact assessment (MIR),  
Approved by the advisory committee on standardization, in which all interested parties from the public and private sectors may take part.  
Published in the Official Journal of the Federation for public consultation for a period of 60 days and is notified to the WTO.  
The replies to comments received as well as any amendments to the draft are published in the same way.  
A period of no less than 60 days is allowed for the entry in force of the NOM after it has been published.  
Same process for amend existing regulations.

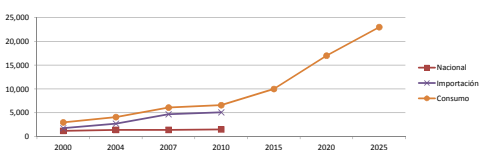


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CONSUMO NACIONAL DE VINOS DE MESA (miles de cajas *)							
AÑO	2000	2004	2007	2010	2015	2020	2025
Nacional	1,206	1,400	1,400	1,500			
Importación	1,111	2,700	4,100	5,100			
Consumo	2,983	4,100	6,100	6,600	10,000	17,000	23,000

Cajas de 22 botellas de 375 ml. - 9 litros cada una / Precio Medio = \$2,000/66.666/Producto



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# PAST, PRESENT AND FUTURE OF WINE IN PERU

San Francisco, Sept 2011

**Ing. Alfredo San Martín Novelli**

President of Technical Standardization Committee on Grapevine Alcoholic Beverages

## CONTENT

- The history of the wine industry in Peru
- Figures of APEC economies compared to Peru
- Wine regulations and standards
- Conclusions

# THE HISTORY OF THE WINE INDUSTRY IN PERU

**1500 B.C.** First production of chicha

**1545** Francisco de Carabanas imported some plants from the Canary Islands (Spain) and planted them in Cuzco

**1570** First vineyards

**1614-1629** Prohibitions of Spain

**1667** Mandate of kings Felipe II and Felipe III forbade Atlantic ships to transport wine to Europe, Panama and Guatemalas.

**1767** Expulsion of the Jesuits

**1788** Filices

**1890** Height of the sugar and cotton

**1908** Both were desired by the European markets (England). Many grapevine producers change their parcels.

**1960** Agrarian Reform

**Peru's largest producer of wines and spirits (PISCO) of America**

**Behind Argentina, Chile, the United States and Brazil. This production was of 9.8 million liters**

**The wineries were deprived of vineyards**

Source: Book "Desarrollo de la Viticultura en el Perú" - Ministry of Agriculture, "La vid y el vino en América del Sur" - Pablo Laconca, (diverse information of interest)

## VINEYARDS 1570

35,000 HAS  
||  
(86,000 ACRES)

Source: "Cronología de la producción de vinos y piscos en el Perú 1548-2008" - Lorenzo Huertas Vallejos

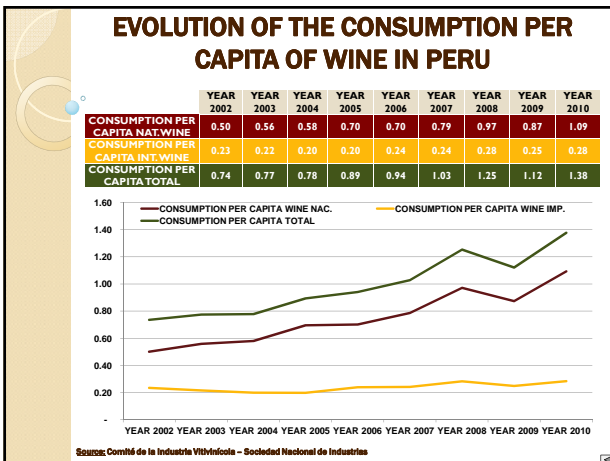
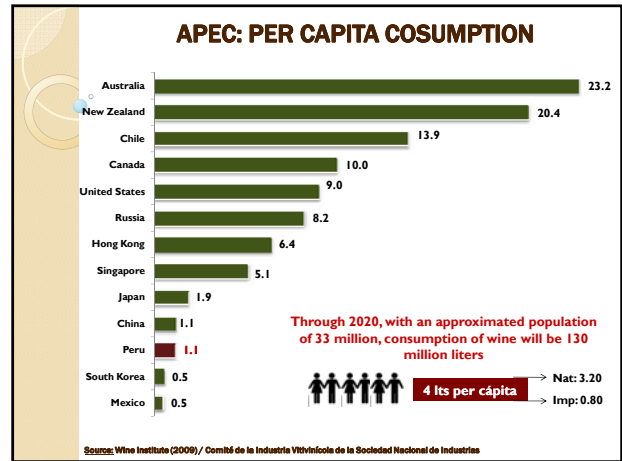
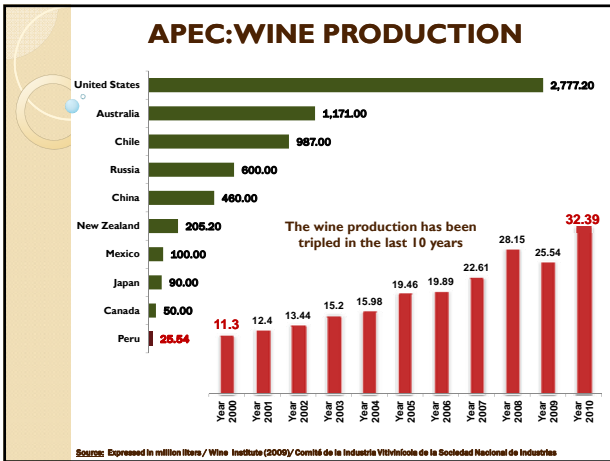
## EVOLUTION OF TECHNIQUES

	Obtaining of must	Fermentation and preservation	Distillation	Bottling and labeling
<b>HANDMADE</b>				
<b>SEMI-TARTISANAL</b>				
<b>INDUSTRIAL PRODUCTO</b>				

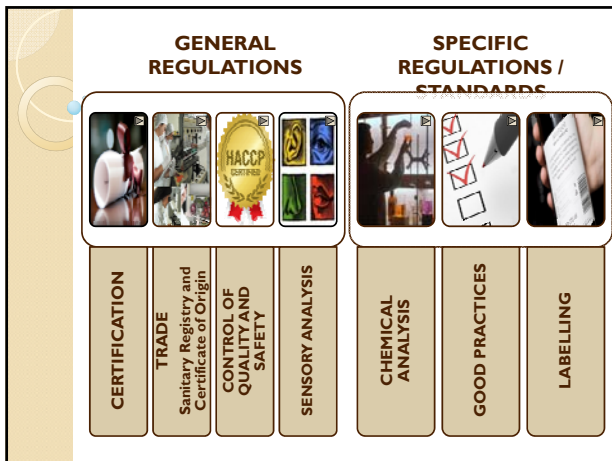




## FIGURES OF APEC ECONOMIES COMPARED TO PERU



## WINE REGULATIONS AND STANDARDS

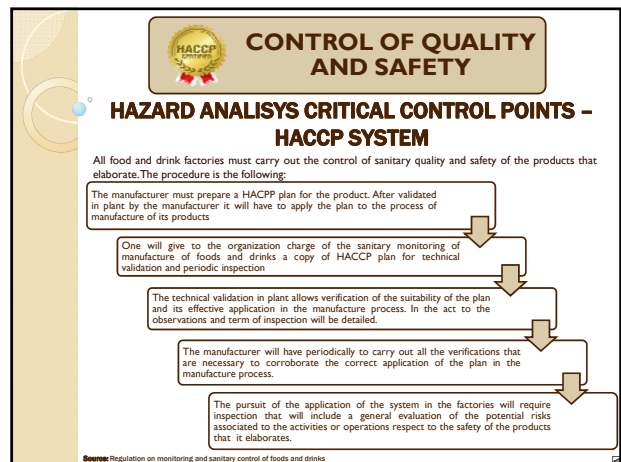
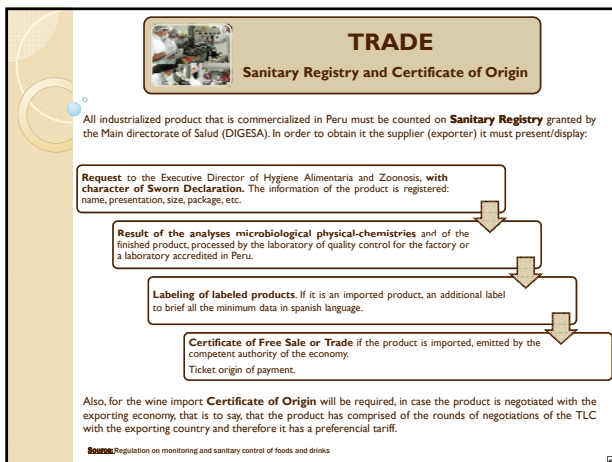


### CERTIFICATION

#### GENERAL GUIDES APPLICABLE FOR CONFORMITY ASSESSMENT

NUMBER	NAME
GP ISO/IEC 58:1993	Calibration and testing laboratory accreditation systems - General requirements for operation and recognition
GP ISO/IEC 28:2006	Conformity assessment. Guidance on a third-party certification system for products
GP ISO/IEC 53:2006	Conformity assessment. Guidance on the use of an organization's quality management system in product certification
GP ISO/IEC 67:2006	Conformity Assessment. Fundamentals of product certification
GP ISO 27:2007	Guidelines for corrective action to be taken by certification body in the event of misuse of its mark of conformity
GP ISO/IEC 65:2008	General requirements for bodies operating product certification systems

Source: INDECOPI



### SENSORY ANALYSIS

#### PERUVIAN TECHNICAL STANDARDS OF SENSORY ANALYSIS

NUMBER	NAME
NTP ISO 4120	Methodology. Triangle test
NTP ISO 4121	Guidelines for the use of quantitative response scales
NTP ISO 5492	Vocabulary
NTP ISO 5495	Methodology. Paired comparison test
NTP ISO 6564	Methodology. Flavor profile methods
NTP ISO 6658	Methodology. General guidance
NTP ISO 8586-1 y 8586-2	General guidance for the selection, training and monitoring of assessors. Part. 1: Selected assessors- Part 2. Experts
NTP ISO 8587	Methodology. Ranking
NTP ISO 8589	General guidance for the design of test rooms
NTP ISO 10399	Methodology. Duo-trio test
NTP ISO 11035	Identification and selection of descriptors for establishing a sensory profile by a multidimensional approach.
NTP ISO 11036	Methodology. Texture profile
NTP ISO 13300-1 y 13300-2	General guidance for the staff of a sensory evaluation. Part 1: Staff responsibilities- Part 2. Recruitment and training of panel leaders
NTP ISO 13301	Methodology. General guidance for measuring odour, flavor and taste detection thresholds by a three-alternative forced-choice (3-AFC) procedure
NTP ISO 16820	Methodology. Sequential analysis
NTP ISO 3591	Apparatus. Wine tasting glass

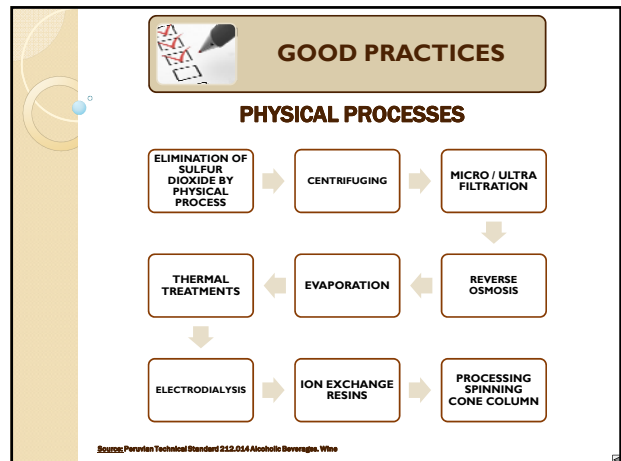
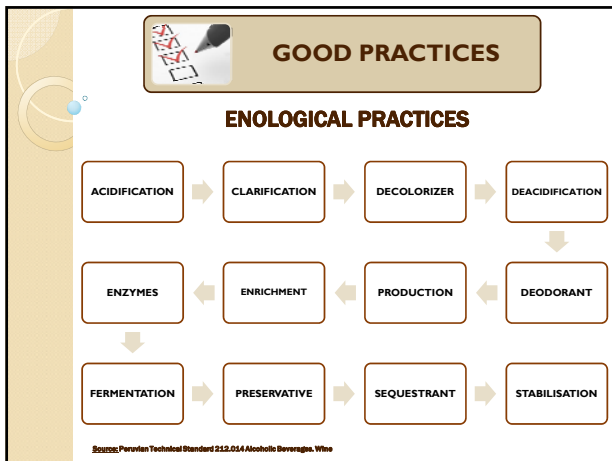
Source: INDECOPI

### CHEMICAL ANALYSIS

#### PERUVIAN TECHNICAL STANDARDS OF CHEMICAL ANALYSIS

NUMBER	NAME
NTP 212.006	Wines. Determination of sulfates <sup>1</sup>
NTP 212.008	Wines. Determination of chlorides <sup>2</sup>
NTP 212.015	Wines. Determination of the sulphurous free and total anhydride <sup>1</sup>
NTP 212.030	Wines. Determination of alcoholic grade <sup>1</sup>
NTP 212.031	Wines. Determination of total volatile acidity <sup>1</sup>
NTP 212.032	Wines. Determination of methanol <sup>1</sup>
NTP 212.036	Wines. Determination of total dry matter <sup>2</sup>
NTP 212.037	Wines. Determination of citric acidity <sup>1</sup>
NTP 212.038	Wines. Determination the content of sweeten reducers <sup>1</sup>
NTP 212.039	Wines. Determination of malvidin diglucoside <sup>1</sup>
NTP 212.041	Wines. Determination of saccharose <sup>3</sup>
NTP 212.047	Wines. Determination of total acidity <sup>1</sup>
NTP CODEX CAC/RCP 63	Wines. Code of practice for the prevention and reduction of ochratoxin A contamination in wine

Notes: (1) OIV, (2) OIV/AOAC, (3) Regulation OEE 1289/2005 (passed OIV)  
Source: INDECOPI



## LABELLING

### WINE LABEL

**Identification of the product\* (mandatory)**

**Name of the variety of the grapevine (optional)**  
If the wine has been elaborated with at least 75% of the grapes of this variety or if the totality of the wine comes from the mixture of 3 varieties and whenever the minority cepage takes part in not less of 15%.

**Year of harvest (optional)**  
It will be possible to be indicated if the wine has been elaborated with grapes in non inferior proportion to 75% of the declared year.

**Net capacity\* (mandatory)**  
The minimum altitude of numbers and letters for a content > 200 milliter and until 1L is 4mm.

**Alcoholic grade (mandatory)**

**Name, legal address of the manufacturer, packer, distributor (mandatory)**  
When the product is made by the person named on the label shall be accompanied by the phrase: "Made by to," "Packaging for... for" or "Distributed by... for" If the product is imported, indicate the words "Imported by" and the data may be entered in optional label.

**This phrase should be given in an area not less than 10% of the label (inc. back label) of the container and packaging (mandatory, law 29681)**

**Sanitary Registry RUC (mandatory)**

**Lot (mandatory)** or insert day, month and year of production directly or coded

**Origin (mandatory)**  
Put the phrase "Product of Peru", "Made in Peru" or "Peruvian Industry"

Source: Peruvian Technical Standard 212.054 Alcoholic Beverages, Wine \* This information must appear on the main part of the presentation

## CONCLUSIONS


- The quality of the Peruvian wine is being recognized and it continues to work to improve its competitiveness.
- Peru continues in gastronomy and Peruvian wine is part of this.
- The existing regulations have resulted in a substantial improvement of the quality of the wine which will further add to its competitiveness in the national and international markets and therefore to generate the development of the sector
- The informality and adulteration in alcoholic beverages have diminished from 53% in 2003 to 34% in 2009. Recently sign law 29632 to eradicate the production and trade of spirits that are informal, adulterated or not fit for human consumption will improve this number.
- The wine industry in Peru will return to importance because of its conditions and/or potential. It has tripled in the last 10 years.

## THANK YOU

# The Health, Safety and Related Regulations of Wine in Chinese Taipei


APEC Seminar on Key Issues in Wine Regulation  
San Francisco, USA, 18-19 September, 2011

Presentation by the Ministry of Finance  
Chinese Taipei



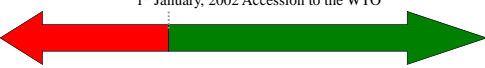
## Table of Contents

1. Market Scope of the Alcohol Industry
2. Historical Development and Prospects of the Alcohol Industry
3. Regulations Concerning Health and Safety
4. Other Regulations and Issues
5. Conclusions




## 1. Market Scope of the Alcohol Industry

- The Framework for Alcohol Administration
  - 1<sup>st</sup> January, 2002 Accession to the WTO



- The Tobacco and Alcohol Administration Act
  - 9 categories of alcohol products: beer, fruit wine, beverages brewed from grains, other brewed alcoholic beverages, distilled spirits, reprocessed alcoholic beverages, cooking alcohols, ethyl alcohol and other alcoholic beverages
  - No specific regulation governing wine



## 1. Market Scope of the Alcohol Industry


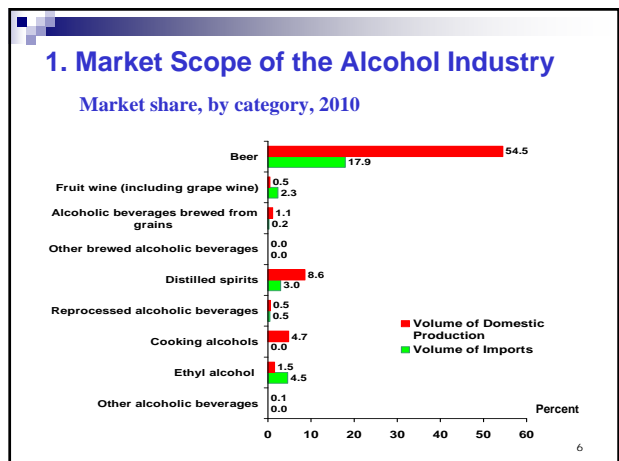
- Practices and Regulation of Certification
  - (1) Alcohol production and importation under license, issued by the MOF
  - (2) Document required for application for license:

Document required for application for license	Production license	Import license
Photocopies of the company licence/business registration	✓	✓
I.D. of the responsible person	✓	✓
Factory registration certificate	✓	—
Certification of conformity with environmental protection	✓	—
Certification of land ownership or contract of lease	✓	—
Production and operation plan	✓	—



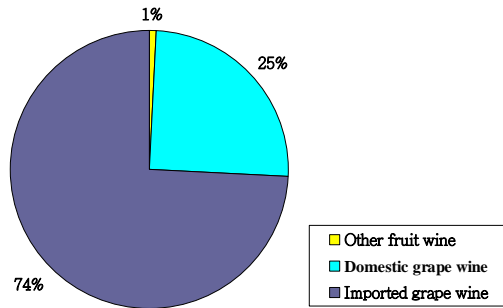
## 1. Market Scope of the Alcohol Industry

- Oenological Practice
  - General requirement of oenological practice-- upon application for production license
    - To specify the raw materials, period of fermentation, period of storage, production equipment, facilities for quality control and hygiene inspection
    - To comply with the Hygiene Standards for Alcohol Product Containers and Hygiene Standards for Alcohol Products

## 1. Market Scope of the Alcohol Industry

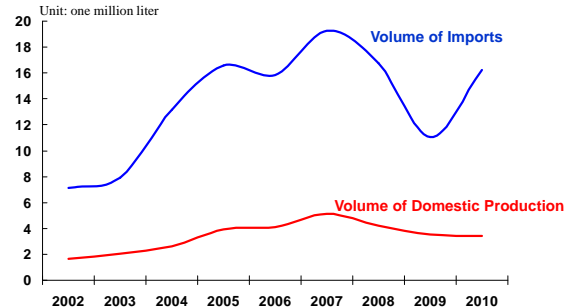
Market Share of Grape Wine in the Category of Fruit Wine



7

## 1. Market Scope of the Alcohol Industry

Volume of Wine, Domestic Production and Imports, 2002-2010



8

## 1. Market Scope of the Alcohol Industry

Volume of Domestic Production and Imports in 2010 Unit: 100 L

	Domestic	Import	Total
Beer	3,909,232	1,282,493	5,191,725
Fruit wine (including grape wine)	35,038	163,093	198,131
Alcoholic beverages brewed from grains	78,641	14,177	92,817
Other brewed alcoholic beverages	428	26	453
Distilled spirits	617,383	213,183	830,566
Reprocessed alcoholic beverages	36,943	33,767	70,710
Cooking alcohols	339,603	1,281	340,885
Ethyl alcohol	108,839	324,083	432,922
Other alcoholic beverages	8,222	850	9,072
Total	5,134,329	2,032,953	7,167,282

Source of figures: Ministry of Finance (<http://www.nta.gov.tw>)

9

## 2. Historical Development and Prospects of the Alcohol Industry

### Historical development

- 人生得意須盡歡，莫使金樽空對月。(將進酒李白 唐朝)

Enjoy drinking at every wonderful moment in your life, don't let the golden cup be empty beneath the moonlight. (Li Bai, 701-762 AD)

- Most alcohol products in Chinese Taipei were brewed and distilled from grain, e.g., brewed: Shaoxing, distilled: rice spirits, sorghum spirits
- Under the monopoly system, 1895 to 2001, private production of tobacco and alcohol was banned

10

## 2. Historical Development and Prospects of the Alcohol Industry

### Historical development

- 1987-- Ban on the import of alcohol products lifted
- 2002-- Monopoly system abolished. Production and import of alcohol allowed based on prior licensing
- 31<sup>st</sup> July, 2011-- 2693 license permits for tobacco and alcohol importers issued

418 license permits for tobacco and alcohol manufacturers issued

11

## 2. Historical Development and Prospects of the Alcohol Industry

### Prospects

- Opportunity for grape wine to increase market share

- To ensure consumer safety—  
2003-- Promotion of **The Certification System of Alcohol Products**



- ◇ The alcohol product produced by a specific manufacturer whose manufacturing process passes the examination criterion set by the MOF can be authorized use the label bearing the logo of "The Certification System of Alcohol Products" on the bottle of the product

12

## 2. Historical Development and Prospects of the Alcohol Industry

### Prospects

- The Certification System of Alcohol Products promoted
  - ◇ Categories of alcohol products certificated up to 2011:
    1. grape wine
    2. fruit wine
    3. rice spirits and cooking alcoholic beverages
    4. grain spirits ( except rice spirits and sorghum spirits)
    5. sorghum spirits
    6. fruit reprocessed alcoholic beverages



13

## 3. Regulations Concerning Health and Safety

- The Tobacco and Alcohol Administration Act--
  - ◇ Hygiene of alcohol products shall comply with the hygiene standards and relevant regulations
  - ◇ Import of foreign alcohol products may be permitted after having been inspected for their conformity to the hygiene requirements
- Hygiene Standards for Alcohol Product Containers
- Hygiene Standards for Alcohol Production
- The Hygiene Standards for Alcohol Products



14

## The Hygiene Standards for Alcohol Products

Hygiene items	Category of Alcohol Product	Limitation
Methyl alcohol	Alcoholic beverages	1,000-4,000 mg/L (100% ethyl alcohol)
Lead	Alcoholic beverages	0.3 mg/L
Sulphur dioxide	Alcoholic beverages brewed from fermented fruits	0-0.4 g/L
Sorbic acid	Alcoholic beverages brewed from fermented fruits	0.2 g/L
Benzoic acid	Alcoholic beverages with an alcohol content of 15% or less	0.4 g/L
Lutein	Alcoholic beverages	10 mg/L
Other additives	Alcoholic beverages	Shall not have the following: 1. Toxic or any other substances/ matter harmful to human health. 2. Never been used on food/beverages and have not yet been proven to be harmless to human health.

15

## The Hygiene Standards for *Grape Wine*

Hygiene items	Limitation
Methyl alcohol	2,000 mg/L (100% ethyl alcohol)
Lead	0.3 mg/L
Sulphur dioxide	0.4 g/L
Sorbic acid	0.2 g/L
Benzoic acid	0.4 g/L (For alcoholic beverages with an alcohol content of 15% or less )
Lutein	10 mg/L
Other additives	Shall not have the following: 1. Toxic or any other substances/matter harmful to human health. 2. Never been used on food/beverages and have not yet been proven to be harmless to human health.

16

## 4. Other Regulations and Issues

- Regulations Governing the Labeling of the Alcohol Products
  - ◇ The labeling of alcohol shall be clear, legible, and easily distinguishable and shall not be false or misleading about the characteristics of the alcohol products.
  - ◇ **Mandatory requirements for labeling**
    1. Brand name
    2. Product type
    3. Alcohol content
    4. Origin of product
    5. Name and address of producer
    6. Name and address of importer (for imports)
    7. Volume
    8. For alcohol products with an alcohol content of 7% or less, the expiration date
    9. Health warnings
    10. Other labeling required to be included by the MOF



17

## 4. Other Regulations and Issues

- Regulations Governing the Labeling of Alcohol Products
  - ◇ Labels shall be firmly affixed to the containers and not easily destroyed or damaged.
- **Types of Conformity-Assessment Procedures**  
Lot-to-lot inspection, lot-sampling inspection, documentary examination, spot check
- **Process to Formulate New Regulation or Amend Existing Ones**  
Information collection → drafting/ amending regulation → public hearing → legislative process



18

## 5. Conclusions

- The alcohol industry in Chinese Taipei is still a booming one.
- Continuous improvement in alcohol administration.



19



# Thai Regulations on Alcoholic Beverages

Prem Malhotra  
 Director, International Affairs Bureau  
 Thai Industrial Standards Institute  
 September 18, 2011



## Authorities relevant to wine

- Ministry of Industry
- Ministry of Finance
- Ministry of Public Health



### DDC Proposal Draft Notification on Alcoholic Beverages Control (Re: Criteria, Procedures and Requirements for Alcohol Beverage Packages or Pictorial Labels/Warning Statements on Local or Imported Alcohol Beverages)

Date proposed: 25 March 2009  
 Entry into effect: -  
 Current status: Draft proposal, currently under studies, reviews, public hearing

(Notified to WTO: 21 January 2010)



### Content

- Specifies package sizes for alcoholic beverages;
- Prohibits use of label that may mislead consumers to believe that the content can improve health or has lower toxic level than other brands;
- Requires inclusion in the label of the statement: **“The sale of alcoholic beverages to persons under 20 years of age is prohibited and subject to the penalties of one-year imprisonment or 20,000 baht fine”;**
- Specifies 6 types of pictorial labels with warning statement for display on packages: all 6 types are required to be used and rotated at 1,000 package intervals.
- **Exempts** locally made or imported alcoholic beverages which are destined for:
  - distribution out of the territory of Thailand;
  - specific purposes as samples for testing, analysis, or research;
  - non-commercial benefits in the territory.



### 6 types of pictorial labels/warning statements



**Type 1** “Drinking can cause liver cirrhosis”



**Type 2** “Drink driving can cause disabilities and death”







**Type 3** "Drinking can lead to loss of consciousness and even life"



Seminar on Key Issues in Wine Regulation



7



**Type 4** "Drinking has deleterious effect on sexual performance"



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8



**Type 5** "Drinking can lead to abusive and destructive behaviour towards one's self and family"



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9



**Type 6** "Drinking has bad influence on children and minors"



Seminar on Key Issues in Wine Regulation



10

**Technical Report:**  
**Why Thailand should have the pictorial warning label on alcoholic beverage packages?**

- Alcohol is a Non-ordinary Commodity
- Effectiveness of pictorial warning messages
- Technical evidence for warning messages



Seminar on Key Issues in Wine Regulation

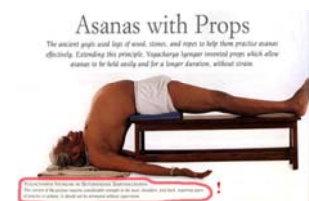


11

**Conclusion: Why pictorial warnings?**

They tell much faster than words, and much better.  
**SO, WHY NOT?**

- EXAMPLE:**
- Yoga is good for health (though it may take years of practice and control, aches and pain).



12



## THE IMPORTANCE OF INTERNATIONAL ORGANISATIONS AND AGREEMENTS

Tony Battaglione

General Manager, Strategy & International Affairs  
Winemakers' Federation of Australia



## INTRODUCTION

- Wine trade is growing in APEC region
- Critical need for better regulatory coherence
- Non-tariff barriers cost > \$1 billion APEC Member Economies and businesses
- Confusing network of international trade agreements, treaties, intergovernmental organisations and industry organisations

## WORLD TRADE ORGANISATION (WTO)

- Establishes a number of agreements that govern world trading to prevent measures designed to impede trade
- 3 important agreements governing regulatory practices are:
  - 1) Agreement on Technical Barriers to Trade (TBT)
  - 2) Trade-Related Aspects of Intellectual Property Rights (TRIPS)
  - 3) Sanitary and Phyto-Sanitary Agreement (SPS)

## WORLD WINE TRADE GROUP (WWTG)

- Formed in 1998 as an informal plurilateral group with the objective of facilitating trade
- Includes Australia, New Zealand, Canada, South Africa, Chile, Argentina, Georgia and the United States
- Has become a successful forum for industry and regulators to jointly discuss issues concerning global wine trade (e.g. composition regulations, sustainability and health labelling)

## WORLD WINE TRADE GROUP (WWTG)

- WWTG has negotiated two formal treaties:
  - 1) Mutual Acceptance Agreement on Oenological Practices (December 2001)
    - signatories accept that wine made in other signatory economies in compliance with domestic requirements should be allowed to be sold in its market, despite differences in oenological practices
    - importing country reserves the right to take appropriate measures to protect human health & safety, consistent with WTO obligations

## WORLD WINE TRADE GROUP (WWTG)

- 2) Agreement on Requirements for Wine Labelling (January 2007)
  - Wine exporters are able to sell wine into WWTG markets without the need to redesign labels for individual markets
  - WWTG participants agreed to 4 common mandatory items as compliance with domestic requirements if they are presented (product name, volume, alcohol content and country of origin)

## INTERNATIONAL ORGANISATION OF WINE AND THE VINE (OIV)

- OIV is an intergovernmental organisation of a scientific and technical nature concerning vines, wine, wine-based beverages, table grapes, raisins and other vine based products.
- 45 member economies – account for 85% of world wine production, also includes consumer economies.
- OIV is a good reference point for members when drafting regulations regarding oenological practices. Members are not obliged to adopt standards, but some, such as EU voluntarily do.

## CODEX ALIMENTARIUS COMMISSION

- Founded in 1962 to protect health, improve consumer protection and facilitate fair trade
- Establishes int'l food standards, guidelines and recommendations
- Codex is required to base its standards on sound scientific analysis and evidence
- Codex's health, food safety and commodity standards serve as references under WTO SPS and TBT Agreements and ensures Codex's credibility and suitability for Australian conditions

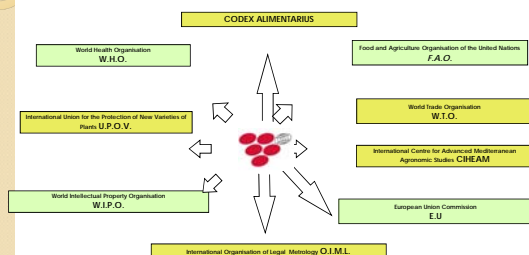
## INTERNATIONAL ORGANISATION OF LEGAL METROLOGY

- OIML – an intergovernmental treaty organisation est. in 1995 to promote global harmonisation of legal metrology procedures.
- While OIML recommendations are not binding, decisions made in OIML will impact on APEC trade.
- International consensus is achieved through technical committees and subcommittees.
- TC6 – Pre Packaged Products is of most relevance to APEC wine sector and is poorly represented by APEC Member economies.

## FIVS

- Worldwide federation for beer, wine and spirits whose objective is to promote an industry free from all trade-distorting factors and encourage exchange of information by members in forums.
- FIVS is primed for achieving ABAC priorities given APEC's emphasis on business.
- ABAC 2011 prosperity based on 2010 APEC Growth strategy – balances, inclusive, sustainable, secure and innovative.
- 2011 work includes regional economic integration; SSME, entrepreneurship and job creation; sustainable growth with focus on energy security and food security.

## Inter-Governmental Organisations Cooperation



## APEC RELATED FREE TRADE AGREEMENTS

- Large number of FTAs negotiated between APEC economies.
- Considerable benefit in seeking regulatory coherence across agreements to facilitate trade.
- Current Australian FTA's: ASEAN Aust-NZ FTA, Singapore FTA, Thailand FTA (TAFTA), United States FTA, Australia-NZ Closer Economic Relations, Chile FTA
- Actively negotiating FTA's with China, Indonesia, Japan, South Korea, Malaysia, Pacific Islands Forum
- Trans Pacific Partnership (TPP) Agreement – Australia, Brunei, Chile, NZ, Singapore, Peru, US, Vietnam and Malaysia.
- NZ has FTA's with China, Singapore, Thailand, Brunei, Chile, Malaysia and Hong Kong

## EUROPEAN UNION

- Regulatory developments in Europe have impacts worldwide due to dominance in volume of wine production.
- Strong export of still and sparkling wine to foreign markets (US, Japan, Canada) and high market share.
- Direct engagement with European Commission on wine issues is undertaken bilaterally or through invitation by the WWTG.

## CONCLUSION

- Many international organisations influence regulatory framework for wine within APEC region.
- Difficult for bodies without direct interest to maintain understanding of issues and developments or to put in regulation that meets WTO objectives.
- APEC economies should maintain transparent, effective, enforceable and mutually coherent regulatory systems that are science-based, adhere to international best practices & promote high levels of collaboration.

## CONCLUSION

- APEC Wine Regulatory Forum provides ideal opportunities for exchange of information, capacity building and improving regulation to facilitate trade and enhance customer safety.
- View towards greater harmonisation with international standards across APEC members.
- Specific activities: monitoring trade issues/barriers; negotiating market access improvement and import streamlining; collaborative engagement with international bodies; building relationships and comprehensive understanding of regulatory requirements in key export economies; providing assistance to governments to meet trade policy objectives.

## Case Study of the Codex Committee on Food Additives Related to Wine Trade

Dennis Keefe, Ph.D.  
Office of Food Additive Safety  
U.S. Food and Drug Administration



## Codex Committee on Food Additives (CCFA)

Terms of Reference

- Establish or endorse acceptable maximum use levels for individual food additives
- Prepare a priority list of food additives for risk assessment by JECFA
- Assign functional classes to individual food additives
- Recommend specifications of identity and purity for food additives for adoption by the Commission
- Consider methods of analysis for the determination of food additives in food
- Elaborate standards for related subjects such as the labeling of food additives when sold as such

## Codex & Food Ingredients

Important Texts

- General Standard For Food Additives (GSFA)
- GSFA Online
- Class Names and the International Numbering System for Food Additives
- List of Advisory Specifications for Food Additives
- Guidelines for the Use of Flavourings
- Labelling of Prepackaged Foods

## CCFA and Wine

- GSFA and Wine
  - Current Status
  - How APEC members can participate
- Codex and Processing Aids

## Codex Definitions

**Food** means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drink, chewing gum and any substance which has been used in the manufacture, preparation or treatment of “food” but does not include cosmetics or tobacco or substances used only as drugs.

## Codex Definitions

**Food Additive** means any substance not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value, the intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food results, or may be reasonably expected to result, (directly or indirectly) in it or its by-products becoming a component of or otherwise affecting the characteristics of such foods. The term does not include “contaminants” or substances added to food for maintaining or improving nutritional qualities.



## Codex Definitions

**Processing Aid** means any substance or material, not including apparatus or utensils, and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final product.

## GSFA

Components

### Preamble

**Annex A** (Guidelines for the estimation of appropriate levels of use of food additives)

**Annex B** (Food categorization system for the GSFA)

**Annex C** (Cross reference of CX standards and FCS)

### Food Additive Tables

**Table 1** Alphabetically by Food Additives

**Table 2** By Food Category

**Table 3** Foods Generally

**Annex** (Food categories excluded from the general conditions of Table 3) (14.2.3 Grape wines are included in this annex)

## GSFA

### Food Category System

14.2 Alcoholic beverages, including alcohol-free and low-alcoholic counterparts (0/3)

14.2.1 Beer and malt beverages

14.2.2 Cider and perry

14.2.3 Grape wines (3/42)

14.2.3.1 Still grape wine (0/3)

14.2.3.2 Sparkling and semi-sparkling grape wines (0/9)

14.2.3.3 Fortified grape wine, grape liquor wine, and sweet grape wine (2/7)

14.2.4 Wines (other than grape) (4/20)

14.2.5 Mead

14.2.6 Distilled spirituous beverages containing more than 15% alcohol

14.2.7 Aromatized alcoholic beverages (e.g., beer, wine and spirituous cooler-type beverages, low-alcoholic refreshers) (28/19)

## Processing Aids

No Official Codex Text

CCFA Database

Prototype under development for the  
CCFA by the People's Republic of China

## CCFA

### How to Participate

Submit Written Comments

Electronic Working Groups (Inter-Session)

- GSFA (USA) (Table 3 acidity regulators, emulsifiers, stabilizers & thickeners)
- Aluminium-containing Additives (Brazil)
- Integration of Commodity Standards (Australia)
- International Numbering System (Iran)
- Use of Note 161 (South Africa)
- JECFA Priorities (Canada)

Physical Workings (Prior to Plenary)

- GSFA (USA)
- INS (Iran)
- JECFA Priorities (Canada)

Attend the CCFA meeting (Beijing, March 12-16, 2012)

## Would you like an Export Certificate with your Wine?

Best Practices in Export Certification

Lori Tortora  
Foreign Agricultural Service  
USDA



## Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS)

- A substantial part of the worldwide trade in food depends on the use of inspection and certification systems
- In 1991, Codex undertook the development of guidance documents on food import and export inspection and certification systems

## Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS)

- Official inspection and certification systems are a fundamentally important means of food control
- However, they can also significantly impede international trade in foodstuffs

## PRINCIPLES FOR FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION CAC/GL 20 1995

“In the choice of inspection and certification systems, there should be regard to costs to consumers and to the costs in money and time to the affected food industry and government consulting with interested bodies as appropriate. Such systems should be no more restrictive of trade than is necessary in order to achieve the required level of protection.”

## GUIDELINES FOR DESIGN, PRODUCTION, ISSUANCE AND USE OFFICIAL CERTIFICATES CAC/GL 38-2001

These guidelines are not intended to encourage the use of official certificates for trade in food or to diminish the role of commercial certificates, including third party certificates, that are not issued by, or with the authority of, the government of the exporting economy.

COCOA BEANS Page 11 of 17

LOGO/LETTERHEAD  
GENERIC MODEL OFFICIAL CERTIFICATE

COUNTRY		CERTIFICATE TYPE	
1. Country of origin	2. Certificate number	3. Certificate category	4. Certificate type
5. Country of origin	6. Country of origin	7. Country of destination	8. Place of loading
9. Name of consignor	10. Technical point of entry	11. Conditions for transport/storage	12. Total quantity
13. Identification of consignor's lot/number(s)		14. Total number of packages	
15. Identification of food products as described below (multiple lines may be used for multiple products)			
No.	Name of the food commodity (with HS code) where appropriate	Species*	Intended purpose
No.	Product identification	Approved number of establishments*	Regime in transportation of origin
No.	Name of the producer	Lot identifier*	Type of package
			Number of packages
			Net weight
16. Signatures			
17. Certifying officer			
Name:		Official position:	
Date:		Signature:	
Official stamp:			

The Generic Model Official Certificate should be used in conjunction with the explanatory notes.  
\* If required



## Guidelines for Food Import Control Systems *CAC/GL 47 2003*

- A regional economic grouping may rely on import controls implemented by another economy
- In such cases, the functions, responsibilities and operating procedures undertaken by the economy which conducts the imported food control should be clearly defined and accessible to authorities in the economy or countries of final destination

## APEC Export Certificate Roundtable, February 2010

### Participants reached the following conclusions:

- Certificates are only one of several tools to provide assurances to the importing country regarding the effectiveness of the system of the exporting economy

- Where a certificate is required the certificate should simplify and expedite border clearance
- Keep certificates simple avoid redundancy in certificates
- Refer to guidance provided in principles A and B of Codex Guidelines for Design, Production, Issuance and Use of Generic Official Certificates (CAC/GL 38-2001)

- Official certificates should be required only where attestations and essential information is necessary to ensure food safety or fair practices in food trade
- Exporting economies may provide assurances through means other than consignment-by-consignment certificates as appropriate
- Export certificate requirements should be grounded on risk-based decisions
- Attestations should be appropriate for the product for which the certificate is required

- APEC Member Economies should, where possible, use experience, knowledge and confidence to reduce the need for certificates
- APEC Member Economies should employ standard formats whenever possible-use, e.g. utilizing Codex guidance
- There is great value in enhancing the use of electronic certification in the region

## Next Steps from the Roundtable

- Greater utilization of the Generic Model Official Certificate Annex to the Codex Guidelines for Design, Production, Issuance and Use of Generic Official Certificates (CAC/GL 38-2001) among APEC Member Economies

- Encourage the use of electronic certification in the APEC region
- A review by APEC economies of their certification requirements for food
- 
- Propose CCFICS consider new work on attestations in the generic model certificate guidance

- Enhance relationships between the exporting and importing economies to better understand our mutual needs assurances and how they can best be met
- Potential for technical assistance

### APEC Export Certificate Workshop, Washington, DC, November 2011

- Follow up to the 2010 Roundtable
- Focus on the Next Steps
- Wine Regulators are invited

### CCFICS Texts

- CAC/GL 19 1995
- CAC/GL 20 1995
- CAC/GL 25 1997
- CAC/GL 26 1997
- CAC/GL 34 1999
- CAC/GL 38 2001
- CAC/GL 47 2003
- CAC/GL 52 2003
- CAC/GL 60 2006

Thank You



## Technical Requirements, WTO Rules and Trade

Ms. Julia Doherty  
Chair, APEC Subcommittee on Standards and Conformance



- Standards-related measures and trade
- Relevant WTO rules
- Specific trade concerns on wine



## Standards-related Measures\* and Trade

Meet regulatory, procurement and policy objectives (safety, health, the environment)

Manage the flow of product-related information through complex global supply chains

Organize production processes around replicable routines for greater quality assurance

Ensure the connectivity, interoperability and compatibility of inputs sourced in global markets

\*SRMs is shorthand for technical regulations, voluntary standards and conformity assessment procedures



## However

Outdated, burdensome or discriminatory SRMs can reduce competition, stifle innovation and create unnecessary obstacles to trade

Firms can face significant challenges in accessing information on, and complying with, diverse and evolving requirements in export markets

Costs and delays attributable to unnecessary, duplicative and unclear testing and certification requirements are a key concern for exporters



## Building understanding is critical

Standards-related measures are often highly technical and complex

Processes for development and implementation of standards-related measures vary considerably across APEC members

Engagement often strengthens the implementation and effectiveness of trade obligations

➤ *Need ongoing dialogue among technical experts, regulators, industry and trade officials*



## WTO Rules

- Agreement on Technical Barriers to Trade
- Agreement on Sanitary and Phyto-Sanitary Measures
  - ✓ Transparency - Notice & Comment on Proposed Measures; Inquiry Point



## SPS Agreement

- Allows economies to set own health standards.
- Must be based on science.
- Applied only to the extent necessary to protect human, animal and plant health; and
- Cannot be arbitrary or used to unjustifiably discriminate in favor of domestics (“national treatment”) or between trading partners.
- Measures cannot be more trade-restrictive than necessary to achieve appropriate level of protection.



## Science is fundamental

- SPS Agreement obligates members to use international standards (OIE, IPPC and **CODEX**);
- Members can apply measures that result in higher or lower level of protection than set out in an international standard;
- Higher level allowed with scientific justification, and consistent application.



## TBT Agreement

Objective: improve efficiency of production and facilitate trade by

- ensuring that regulations and standards do not create unnecessary obstacles to trade, and
  - encouraging the development of international standards and conformity assessment systems
- *Members have the right to regulate at levels they deem appropriate to achieve legitimate objectives, provided that they do not discriminate in an arbitrary or unjustified manner*



## Measures covered by the TBT Agreement

- **Technical regulation (TR)**: a document setting out product characteristics or their related processes and production methods with which compliance is mandatory (includes labeling, packaging, symbols, etc.)
- **Standard**: a document approved by a recognized body that provides for common and repeated use, rules, guidelines, or characteristics for products or related processes and production methods, with which compliance is voluntary.
- **Conformity assessment procedure (CAPs)**: a procedure used to determine that requirements in TRs and standards are fulfilled

Coverage: all products (industrial/agricultural) except SPS and GPA

## Conformity Assessment Procedures

- sampling
  - testing
  - inspection
  - certification
  - evaluation
  - registration
  - verification
  - accreditation
  - etc.
- ... and combinations thereof



Some examples of obligations on conformity assessment ...:

- Promptness (5.2.1)
- Fair order of treatment (5.2.1)
- Publish processing period (5.2.2)
- Explain delays (5.2.2)
- Limit information requirements (5.2.3)
- Respect confidentiality (5.2.4)
- Equitable fees (5.2.5)
- Avoid inconvenient siting of facilities (5.2.6)
- Procedure for review (5.2.8)



### Some TBT concerns on Wine raised in the WTO

DS263	European Communities - Measures Affecting Imports of Wine	Argentina	On 4 September 2002, Argentina requested consultations with the European Communities regarding several EC regulations and other mandatory provisions on oenological practices and on trade in wine (WT/DS263/1).	TBT Art 2 and 12
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<b>87. China - Wines</b>	
Raised by	European Union
Minutes	G/TBT/M/49, paras. 163-164 G/TBT/M/44-48
First raised	20 March 2008
Relevant document(s)	G/TBT/N/CHN/197

<b>64. European Union - Regulation on Certain Wine Sector Products</b>	
Raised by	Argentina, Australia, Bolivia, Brazil, Canada, Chile, Mexico, New Zealand, Peru, Paraguay, South Africa, United States, Uruguay
Minutes	G/TBT/M/49, paras. 79-86 G/TBT/M/17-18, 25-36, 38-39, 45-48
First raised	1 October 1999
Relevant document(s)	G/TBT/N/EEC/15 and Corr 1-2; G/TBT/N/EEC/57; G/TBT/N/EEC/252 and Add.1; G/TBT/N/EEC/264 and Add.1; G/TBT/W/119 (USA); G/TBT/W/209 (ARG)

## The Challenge

Promote policies to maximize the positive contribution of standards-related measures to regional economic integration and growth

Address practices that result in protectionist, discriminatory or unnecessarily burdensome measures that restrict trade



Thank you



## Best Practices in Wine

### Regulation

#### Introduction to the World Wine Trade Group

Robert G. Kalik  
World Wine Trade Group, USA



## What is the World Wine Trade Group?

- The World Wine Trade Group (WWTG) was formed in early 1999, consisting of like-minded wine producing economies working together with a mutual interest in facilitating worldwide trade in wine. Present members include Argentina, Chile, Canada, Australia, New Zealand, South Africa, United States and Georgia.
- The WWTG is a unique plurilateral body that is structured by the participating members as an informal group which brings together *industry, trade negotiators and government regulators* with its principal focus to negotiate agreements and to coordinate government activities to reduce unwarranted trade and regulatory barriers to international wine trade.



## WWTG Trade Priorities:

- **Recognize** the role of the WTO and its agreements including TRIPS, TBT and SPS.
- **Establish** clarity that there is a fundamental difference between the necessity of governments to regulate wine in order to protect the health and safety of consumers and regulatory requirements over non-health related production methods of how wine is made.
- **Strive** to have all wine producing and consuming economies accept that differences in wine-making practices should not be used as a barrier to trade.
- **Monitor**, by exchanging information, regulatory developments in non WWTG economies thereby helping to establish where these pose unnecessary costs or WTO inconsistent barriers.

## Understanding Regulatory Structures for Domestic Wine Production and in International Trade

- A primary focus of the WWTG is to understand the different regulatory structures of its Members and its Members trading partners:
  - How does each local wine producing industry and regulatory structure compare with other participant economies;
  - How the members regulatory systems compare with other wine producing systems such as the European Union;
  - How non-wine producing economies regulate the importation of wine.

## WWTG Accomplishments

- Successfully negotiated trade treaties on winemaking practices and wine labeling that reaffirm the importance of health and safety protections related to wine but reduce unnecessary testing and labeling restrictions for the wine trade.
- Developed a cross-cutting framework for regulatory coherence that has proven to dramatically increase wine exports while protecting health and safety concerns, preventing consumer deception and advancing the goals of the WTO.
- Resides as an example to APEC and TPP
- Through success of WWTG, the wine industry has struck a balance between reducing technical barriers to trade and maintaining health, safety and intellectual property protection.

## The Mutual Acceptance Agreement on Oenological Practices (MAA)

*Entered into force December 1, 2002*

- The MAA marks the first plurilateral equivalence agreement, in any sector, fully compliant with the TBT Agreement section 2.7;
  - All signatory economies to the MAA accept the winemaking regulations/practices of the exporting signatory, thus eliminating the need for testing of imported wines.*
- Consumer health and safety protections are outside of the Agreement. These are governed by each signatory's domestic regulations.
- To summarize the agreement in a single sentence: If a wine sold in the domestic market meets health and safety/good manufacturing requirements of that market, when exported, the importing authorities do not need additional detail and testing as to how the wine was produced.



## Notable Provisions

### Mutual Acceptance

Permit the importation of wine produced in the territory of another Party in conformity with the exporting Party's requirements relating to oenological practices and the mechanisms to regulate them.

### Multilateral Obligations

Nothing in the Agreement shall limit the rights or obligations of the Parties under the WTO Agreement.

### Labeling

Regulations related to labeling shall be transparent, non-discriminatory and issued in accordance with the WTO, SPS and TBT measures.

### Council of the Parties

A Council in which each Party has equal representation is established.

### Committee of Experts

The Parties shall establish a list of four experts in the field of oenological practices.

## Notable Provisions cont.

### Dispute Settlements

If a Party considers a measure by another Party to be inconsistent with this Agreement, the Complainant may request, in writing, consultations with the Respondent. The Parties to the dispute shall, within 20 days of receipt of the request, consult one another with a view to resolving the issue. If not resolved, the Committee of Experts from non-disputing members are available to resolve the dispute.

### Transparency

The laws, regulations and requirements relating to oenological practices for each Party shall be incorporated in a Schedule.

### Amendment

Any Party may propose amendments to the Agreement or Annex, the text shall be submitted to the depositary, which shall promptly communicate it to all Parties prior to consideration by the Council.

### Withdrawal

A Party may withdraw from this Agreement by written notification to the depositary.

## Agreement on the Requirements for Wine Labeling

*Signed January 23, 2007 Canberra*

### Agreement Goal:

To enable wine exporters to sell wine into WWTG markets without having to redesign their principal label for each individual market, thus significantly reducing costs for the exporter.

### Notable General provision:

Allows placement of the principle four items of mandatory regulatory information, generally required by governments, anywhere on a wine bottle label provided they are presented in a single field of vision:

*country of origin, product name, net contents and alcohol content*

Still allows for the importing authorities to require local mandatory information and in local language or multiple languages on the container.

## WWTG Ongoing Work

### *MOU limiting certification requirements*

### *Phase II Labeling Negotiations*

**Exploratory Work on Sustainability Labeling:** Rely on notification and trust among members to verify particular sustainability standards are achieved.

**WWTG Regulators Forum:** Regulatory representatives from member economies meet concurrently with WWTG's biannual meetings to share updates and exchange views on developments in wine trade regulations.

**APEC Subcommittee on Standards and Conformance (SCSC):** WWTG remains an active participant where it has established a Wine Regulators Forum to address non-tariff barriers in the wine trade.



## PESTICIDES AND REGULATION

Federico Mekis

### **General Objectives:**

- Provide the wine industry with specific highlights on issues at stake on pesticides and wine.
- Determine the tasks that must be done before getting to agreements.
- Recommendations on management of pesticides, to satisfy the market rules in relation to residues in wine.
- Explore possible agreements.

### Application of chemical products in viticulture Where are we?

- It is a matter of food safety but also sustainability.
- Consumers, industries and governments are each day more concerned about the effects on food safety and more interested in a sustainable world.
- The requirements -privately and governmentally established- are more specific and pungent, day by day.

### Application of pesticides, wines and consumers, What do we want?

- We all want safety; and we are all conscious about the need of having a sustainable wine industry.
- These are no "trendy" issues. Food safety and sustainability got here to stay.
- The requirements will be increasing and consumers, industries and governments have different responsibilities.

### Application of chemical products What is the situation for the Wine Industry?

- We have different regulations on food safety; MLR's are specific for each economy.
- We don't have homologation of laboratory methods. Methods to examine wine differ from economy to economy. Examining the same wine may get to different results depending on the lab method.
- We don't have scientific studies specific to wine and grape vines on MRL's though Grape fruit has been studied but studies differ.

### Application of chemical products Which are the implications?

- Access barriers.
- Higher costs: laboratories and certification, samples.
- Partial Information which is not science based; problems for decisions in viticulture.
- Information coming from the Chemical industry not necessarily true for all grape viticultural realities.
- Different methodology of laboratories to measure the same element in equal wines.



Application of chemical products  
What each actor can do?

- More R&D+i a goal for industries together with governments and can be done in a cooperative basis.
- More homologation or mutual recognition in regulations: a task for governments.
- More sustainable practices in the broad sense: environmental, social and economic convergence, a task for industries.

Application of chemical products  
A basic proposal for R&D+i

The Chilean wine industry has been trying to develop together with the universities a project for studying the degradation curves to the vine and wine to avoid this blindness in which we are of not knowing how much of those chemicals applied in viticulture, could remain in wine.

Specific Objectives of the Project

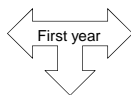
1. Determine the presence and levels of residues of the main pesticides used in the production of wine grapes at harvest time and wine production, to establish which are the most dangerous pesticides and define the sampling frequency in trials to develop.
2. Determine degradation curves of the main pesticides used in the production of the main wine grapes varieties grown in Chile for two different Valleys in terms of climate.

Specific Objectives of the Project

3. Establish waste transfer rates of major pesticides from the fruit harvested to the wine
4. Let consolidated skills and human resources in the area pesticides for the production of wine in the research and development to give permanence to the research and future development in this area, considering the permanent changes in regulations on pesticides.
5. Sharing and transfer of results and recommendations of investigations made in the field of consortium partners.

Project stages

Determine the residue levels in grapes and wine to make a preliminary diagnosis through a multi-residue analysis.



Determine the degradation curve monitored applications in vineyards by indicating the appropriate period and amplitude sampling for 1 variety.

Second to fifth year

Set Degradation curves for selected pesticides and residue levels in microvinification, considering the analysis of information obtained during the first year of the project.

Third to fifth years

Determine the additive effects of a second application made under pesticide manufacturer's recommendations regarding the maximum number of applications on the residue levels in grapes and wine.

Wineries commitments

- Plants district to test pesticides
- Wine grapes
- Machines and people for the application
- People for the technical committee
- Founds

### Proposed pesticides- 19

	NAME	TYPE	MANUFACTURER	PRODUCT NAME	Mas usado
1	Cyprodinil	Fungicida	EYNGENTA	Switch 62.5 WG, Switch Premium, Switch	
2	Fludioxonil	Fungicida	EYNGENTA	Switch 62.5 WG, Switch Premium, Switch Dry	
3	Pyrimethanil	Fungicida	ANASAC	Bortis	
4	Pyrimethanil	Fungicida	BAYER	Scala 400 SC - Twist duo 480 SC	
5	Trifloxystrobin	Fungicida	BAYER	Flint 50% WG - Conisist full 70% WG - Twist duo 480 SC	
6	Pyraclostrobin	Fungicida	BASF	Bellis	
7	Boscalid	Fungicida	BASF	Bellis, Carrus	
8	Fenhexamid	Fungicida	BAYER	Teldor 50% WP - Teldort 500 SC - Teldor Wine - Teldor Dust - Tiebreak 416.7 SC	
9	Tebuconazol	Fungicida	BAYER	Horizon 25% WP - Conisist full 75% WG - Tiebreak 416.7 SC	
10	Asoxystrobin	Fungicida	ANASAC	TACORA 25EW-TACORA 25WP-TACORA MAS	x
11	Acetamiprid	Fungicida	EYNGENTA	Quadris, Amistar Top, AMISTAR 50WG	
12	Acetamiprid	Fungicida	ANASAC	MURBICANE 70 WP	x
13	Imidacloprid	Fungicida	ANASAC	Kplaud 25 WP	x
14	Clorpyrifos	Insecticida	DOW		
15	Methiofenozide	Insecticida	DOW	Intrepid+240SC	
16	Spinosad	Insecticida	DOW	Success+48	
17	Imidacloprid	Insecticida	BAYER	Confidor 350 SC - Confidor Forte 200 SL	x
18	Imidacloprid	Insecticida	DUPONT	Imaxpro 350 SC	
19	Fluazinam	Fungicida	ANASAC	PLUNTO 70WP	
20	Fluazinam	Fungicida	EYNGENTA	Shiran	
21	Imidacloprid	Insecticida	DUPONT	Avant	x

### Objective for year one

Determine the presence and levels of residues of the main pesticides used in the production of wine grapes at harvest time and wine, to establish the most dangerous pesticides and define the sampling frequency in trials to develop.

- 18 Pesticides
- 1 Grape variety
- 2 Valleys in Santiago and 2 in Talca (Casablanca and Maipo; Colchagua and Maule)
- Test in Grape and Wine
- 4 monoresidue tests
- 1 multiresidue test
- 20 microvinifications

### Objectives for years two to five

- Determine degradation curves of the main pesticides used in the production of wine grapes in two different climates Valleys for the main varieties grown in Chile.

- 6 pesticides per year
- 1 valley per climate zone (Casablanca y Maule)
- 2 kinds of grape Chardonnay and Cabernet Sauvignon
- 3 Repetitions
- 5 sample points

### Conclusions:

Define list of chemicals used in viticulture among producing economies.

Examine in different areas the degradation curves for each one of them.

Incorporate Chemical industry to collaborate. Make government interested and aware of these needs.

Get governments to agree on international treaties that avoid barriers, to trade rooted most of the times, in ignorance of the scientific truth involved in Chemicals and wine.

Examine governmental laboratories methods and those of the private sector laboratories, to determine differences in those methodologies and opportunities to harmonize procedures in wine examination.

THANK YOU

## Bilateral Efforts to Liberalize Trade: A Canadian Perspective

Best Practices in Wine Regulation Session  
September 18, 2011

Dan Paszkowski, President & CEO  
Canadian Vintners Association



## Overview

- Background to Canadian Trade: A Focus on Wine
- Bilateral Agreements
  - Canada-US Free Trade Agreement
  - Canada-EU Wine and Spirits Agreement
- Benefits
- Conclusion

## Canadian Wine Trade

- Wine is the number one finished agricultural retail value product in Canada
- Total annual wine sales of 457 million litres valued at \$5.8 billion (2010)
- Total domestic annual wine sales (2010)
  - Imported 68% (311 million litres)
  - Domestic 32% (146 million litres)
- Top 5 sources of wine imports to Canada (France, Italy, US, Australia, Argentina) represent 73% of total imports
- Canada exported 15 million litres of wine (2010) valued at ~\$28 million – Icewine (\$12 million)
- Canadian wine export volumes have increased 782% over the period 2000-2010, although exports remain minor on a global scale
- Top 5 wine export markets (US, China, Hong Kong, South Korea, Singapore) representing 85% of export sales value

## Emerging Markets for Canadian Wine

- United States remains Canada's largest export market representing 94% of export volume and 35% of export value
- Wine exports to Asia increased strongly in 2010, up 60% in volume sales
- Asia represents only 5% of Canada's total wine exports but 55% of export value (largely due to Icewine)
- China up 26% by volume and 83% by value
- Hong Kong, China up 464% by volume and 243% by value

## Free Trade Agreements

- The facilitation of trade and avoidance of obstacles to trade provide an opportunity for economies to share mutual strengths and overcome mutual weaknesses through combined efforts
- Geographical distance is no longer a barrier to trade, ideas, concerns etc.
- While there remains a focus on multilateral WTO negotiations, many economies are reaching out to the world through various bilateral and regional free trade agreements
- Signing bilateral free trade agreements are not only creating the condition for closer relations among nations but can also provide a common platform to act in a united fashion in other multilateral forums, such as the World Trade Organization (WTO), APEC, WHO, WCO, etc.

## Bilateral Wine Trade

- Bilateral agreements such as the *Canada-US Free Trade Agreement* and the *Canada-EU Wine and Spirits Agreement* provide an important alternative avenue for improving market access
  - Faster outcomes
  - Increased cooperation and relationship building
  - Tariff reduction
  - Opportunities to remove or limit non-tariff barriers

## Canada-US Free Trade Agreement (CUFTA)

- The Agreement came into effect on January 1, 1989
- CUFTA was incorporated into the North American Free Trade Agreement (NAFTA), on January 1, 1994, expanding the free trade area to include Mexico
- CUFTA general agricultural provisions include:
  - Prohibition of export subsidies on bilateral trade
  - Phased elimination of all tariffs over a period of ten years
  - Maintenance of WTO rights and obligations

## CUFTA and Wine

- Provides for the reduction of barriers to trade in wine which arise from measures related to their internal (domestic) sale and distribution
- Specific measures covered include listing, pricing and distribution practices
- The main objective was to provide equal treatment for Canadian and US wine across both markets

## Canada-EU Wine and Spirits Agreement (CEWSA)

- Negotiations began in November 2001 and the Government of Canada and the European Union (EU) signed CEWSA on September 16, 2003
- The Agreement came into force on June 1, 2004
- The main goals of CEWSA were to:
  - Maintain stability in Canada's domestic marketing and distribution practices
  - Assure an open market for wine products
  - Specify and protect Canadian and European geographical indications
  - Mutually agree on oenological practices

## CEWSA: Oenological Practices and Approved Terms

- Elimination of the costs and frustrations of barriers to trade based on mutual recognition of oenological practices, processes and product specifications in support of assured access to markets
- Recognition for protected geographical indications:
  - Fraser Valley, Lake Erie North Shore, Niagara Peninsula, Okanagan Valley, Pelee Island, Vancouver Island
- Transitional period to end the Canadian use of customary terms:
  - Entry into force of the agreement (Bordeaux, Chianti, Claret, Madeira, Malaga, Marsala, Medoc, Médoc, Mosel, Moselle)
  - December 31, 2008 (Bourgogne, Burgundy, Rhin, Rhine, Sauterne, Sauternes)
  - December 31, 2013 (Chablis, Champagne, Port, Porto, Sherry)
- The term 'Icewine', 'Vin de glace' or 'Eiswein', were defined using specific production and compositional standards which can only be used to describe wine produced from **grapes naturally frozen on the vine**

## CEWSA: Certification and Management Provisions

- Simplified certification provisions under EU rules for wine produced under the supervision and control of an approved competent body (VQA Ontario or the BC Wine Authority)
- Ensured that wines would not face a more restrictive system of certification, analysis or testing
- Established a bilateral Canada-EU Wine and Spirits Management Committee to regularly (annually) review and address outstanding issues and concerns

## CUFTA AND CEWSA: Wine Listing, Pricing and Distribution

- **Listing**
  - Transparency in product listings and treatment of both Canadian and US/EU products in the same way based on normal commercial considerations
- **Pricing**
  - CUFTA required that actual cost-of-service differentials between Canadian and US wines be reduced over a 7-year period
    - January 1, 1989 (could not exceed 75% of the base differential)
    - January 1, 1995 (could not exceed 0% of the base differential)
  - CEWSA required that the cost-of-service differential be no greater than the additional costs associated with the marketing of imported products, taking into account additional costs resulting from delivery methods and frequency
  - CEWSA also required that the cost-of-service differential be justified in line with standard accounting procedures by independent auditors
- **Distribution**
  - Measures were maintained which allow wineries to sell wines produced at the winery property
  - Ontario and British Columbia were permitted to maintain private wine outlets existing on October 4, 1987, which sell their own wine
  - Quebec was allowed to grandfather provisions relating to mandatory in-province bottling of wine for sale in grocery/convenience stores

## Benefits of Bilateral Agreements

- Improves certainty of access
- Reduces trade protection/distortions (tariffs, subsidies, non-tariff barriers)
- Promotes greater trade and harmonization among the parties
- Facilitates resource sharing -- creates relationships across industry and government to regularly address regulatory and technical challenges
- Provides opportunities for a unique voice in government and industry forums
- Helps resolve past irritants and address existing or new concerns
- Facilitates technology transfer and ideas
- Establishes opportunities for a simplified certification process for exports
- Supports enhanced transparency

## The Canadian Wine Experience

Canada's bilateral experiences have had significant implications:

1. Facilitated a long term vision for the Canadian wine industry and new approaches
2. Resulted in significant innovations:
  - Increased wine and grape production with a rapid trend to higher grape and wine quality
  - Increased investment in wine and grape research
  - Creation of VQA standards and appellation wines
  - Investment and development of wine tourism
  - Globally positioned Canada as a leader in Icewine production
3. Renewal of Canada's grape and wine industry stimulated significant ongoing winery investment and a large contribution regional and national economy
4. Elimination/reduction of liquor board cost-of-service differentials which increased foreign competition for Canadian producers
5. Removed long-standing bilateral irritants and created forums to regularly address issues and concerns

## Conclusion

- Bilateral agreements have played an important and positive role in the Canadian wine industry, notwithstanding some transitional issues
- Trade forums such as the World Wine Trade Group (WWTG) and APEC continue to provide unique opportunities to:
  - rejuvenate international thinking on international wine trade
  - collaborate on a variety of international issues
  - support a harmonized environment for free trade in wine
- The APEC Regulators Forum, through its knowledge of best practices, can be a powerful mechanism to advance greater regulatory coherence and cooperation in areas of oenological practices, labelling, regulatory limits, counterfeiting, etc.
- FIVS ABRIDGE, a comprehensive and interactive database of regulations and international agreements for the wine industry, can be an invaluable tool for both industry and regulators to advance opportunities for improving wine trade and regulatory coherence

## ISO Accreditation and Certification Requirements In the 21st Century

The New Imperative:  
**“Laboratory Accreditation Is Now Required for World Trade”**

Gordon Burns  
ETS Laboratories



## What Is Laboratory Accreditation?

- Recognition of Laboratory Competency
  - Getting the correct results
- Third Party Laboratory Assessment
  - Objective and done by competent assessor
- Provides Assurance of Laboratory Data
  - Accepted everywhere in the world
- Endorsed by APEC
  - Asia Pacific Laboratory Accreditation Cooperation is APEC Specialized Regional Body

## Laboratory Competence

- Qualification and experience of staff
- Suitable testing facilities
- Appropriate testing methods
- Calibrated and maintained equipment
- Traceability of results to national standards
- Proper sample handling practices
- Quality control procedures
- ... **all to get the “correct results”**

## Third Party Assessments

- Independent evaluation of Laboratories
  - By ILAC recognized Accreditation Bodies
  - Using ISO/IEC 17025:2005 Standard
  - Done by technically competent assessors
  - On-going monitoring of laboratory data
  - Re-assessment every 2 years

## The Benefits for Laboratories

- Evidence of correct results
- Defensible data
- Credibility to customers & regulators
- Increasing market share
- Continual system improvement

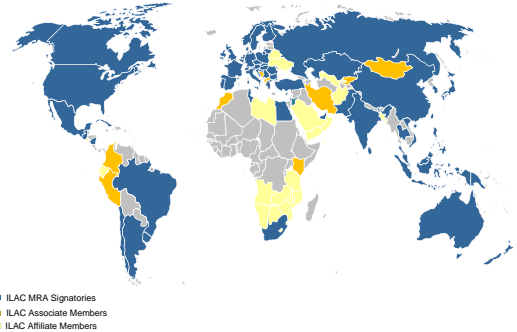
## Realities of World Trade

- Textiles, petroleum products, wine, and other commodities are now traded entirely on the basis of technical specs
- As are consumer products (e.g. electronic goods and packaged foods)
- International demand is increasing for test data and other technical information in the interests of community health
- Barriers: Not having reliable data!

## ILAC MRA Network

- 40 bodies from 93 different economies
- 72 signatories representing 59 economies
- Represents 95% of Global GDP
- Almost 40,000 accredited laboratories
- 77% of regulators accept results from accredited laboratories

## ILAC MRA Assures Data Acceptance



## The Benefits for World Trade

- For Government and Regulators:
  - Flexible alternative to Legislation
  - Facilitator of world trade
  - Efficient monitoring tool
- For Business:
  - Greater acceptance of products opening up market access
  - Avoid costs associated with multiple testing
- For Consumers:
  - Public confidence in goods despite global marketplace
  - Minimizes product failures and recalls

## Bottom Line From Accreditation

- Assurance that laboratory results are:
  - Accurate
  - Traceable
  - Reproducible
  - Uniform
  - Defensible
- Critical in decision-making
- Results from Accredited Laboratories are accepted throughout the world!



## TTB's Laboratory Certification Program, and Wine Sampling and Testing Programs

**Abdul Mabud**  
Director, Scientific Services Division  
Alcohol and Tobacco Tax and Trade Bureau  
(TTB), USA



## TTB Mission

### ■ Collect Revenue

Collect all revenue that is rightfully due, eliminate or prevent tax evasion and other criminal conduct, and provide high quality service while imposing the least regulatory burden

### ■ Protect the Public

Prevent consumer deception, ensure that regulated alcohol and tobacco products comply with Federal commodity, safety and distribution requirements

## TTB Laboratories

### National Laboratory Center, Maryland

- Beverage Alcohol Laboratory
- Nonbeverage Products Laboratory
- Tobacco Laboratory

### Walnut Creek, California

- Compliance Laboratory

## Capabilities

### ■ ISO 17025 Accreditation

- Beverage Alcohol Laboratory
- Compliance Laboratory, and
- Tobacco Laboratory

### ■ Methods Used: Consensus Methods

- Use official methods of the Association of Official Analytical Chemists (AOAC)
- Develop methods, and validate

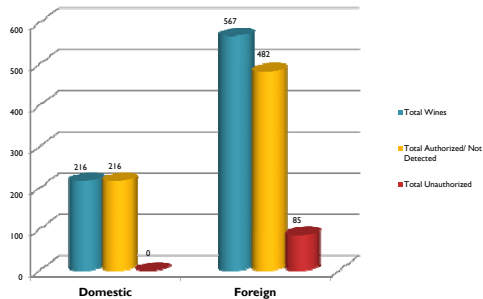
## Alcohol Beverage Sampling Program

- Marketed Products
- Statistically valid random sampling
  - Collected from retail shops
  - Domestic and imported
- Laboratory analyses to ensure
  - Products conform to TTB regulations (class and type, label information accurately described)
  - Product safety
    - Limited / prohibited ingredients (TTB and FDA laws and regulations)
    - Sulfites, methanol, toxic metals, pesticides, mycotoxins, ingredients of herbs and botanicals, flavors, additives, etc.

## Pesticide Monitoring Program

- Yearly Program
  - Currently about 100 wines per year analyzed
  - Sampling: subset of ABSP samples
  - Domestic and imported
- Pesticides approved by EPA for application in grape vines have MRLs in grapes
- Analysis of wines
  - Unauthorized pesticides
  - Authorized pesticides that exceed the MRL established for grapes

## Wines Survey: Pesticide Monitoring (2003 to Present)



## Ochratoxin-A (OTA)

- Ochratoxin A - a naturally occurring mycotoxin on grapes produced by mold
- International Agency for Research on Cancer (IARC) has classified OTA as a possible carcinogen to humans
- EU has established 2 ppb ochratoxin A maximum level in wine (from 2005 vintage)
- TTB monitors OTA levels in wines sold in US

## Ochratoxin-A Monitoring in Wines Vintage (1999 – 2010)

Wine Type (No)	Range (ppb)
White (93)	0.01 – 0.08
Rosé (15)	ND – 0.05
Red (133)	0.01 – 0.81
Dessert (4)	0.01 – 0.04
Sparkling wine (8)	ND – 0.04
Fruit Wine (3)	ND
<b>Total 256 wines</b>	All OTA levels are below the 2 ppb EU regulatory limit

## Product Integrity Investigation

- Mostly domestic products (wineries, breweries, distilleries)
  - Investigations and audits
- Imported Products (importers, distributors)
  - investigations
- Products are analyzed to ensure regulatory compliance

## Chemist Certification Program

- Importing economies require analysis by a US certified laboratory
- TTB offers a program to certify chemists at qualified private laboratories
  - Wines, distilled spirits, and/or beers
  - Offered twice a year (Spring and Fall)
  - Applicants must meet TTB requirements
    - Educational
    - Have necessary equipment to perform the tests
    - Pass testing of TTB provided samples
    - ISO 17025 Labs

## Test Samples



- All applicants analyze the same samples provided by TTB (from single lot/batch)
- TTB consensus values are determined
- All applicants need to meet the criteria

## Wine Analytes

Analysis	Reported to the nearest:
Alcohol by Volume	0.1% by volume
Total Extract	0.01 g/100mL
Total Acidity as Tartaric Acid	0.01 g/100mL
Volatile Acidity	0.001 g/100mL
Citric Acid	0.1 g/L
Total Sulfur Dioxide	1 mg/L
Residual Sugars (expressed as glucose + fructose)	0.1 g/100mL
Sorbic Acid	1 mg/L
Methanol	0.01 % v/v (or mg/L)

## Program Statistics (Wine , DS, and Beer)

	Total Applicants	New Applicants	Education Failures	Data Failures
2010	52	18	7	5
Spring 2011	41	8	0	2

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 Representing the Makers of the World's Favorite Food, Beverage and Consumer Products

## Testing to Verify Product Safety Systems

Warren Stone, MBA  
 Director of Science Policy,  
 Compliance & Inspection  
 Grocery Manufacturers Association

[www.gmaonline.org](http://www.gmaonline.org)

## Agenda

1. Food protection challenges
2. Considerations in verification testing
3. Questions

## Quality & Food Safety Challenges

- Diversifying **Portfolio**
- **Business** growing globally
- **Demographics** rapidly changing
- **Food Safety Systems** evolving
- **Environmental** landscape changing
- **Food recalls** eroding consumer confidence
- **Regulations** rapidly changing
- **Media reporting** of perceived risks increasing
- **Competition** increasing and improving

## Eroding Consumer Confidence


- 83% of North American consumers can name a product recalled due to safety concerns in the last two years
- 76% of consumers report they are more concerned today than five years ago about the food they eat
- 57% of consumers have stopped eating a particular product because it was recalled
- 60% of today's consumers are concerned about the safety of the food they eat, but less than 20% trust food companies to produce and sell safe foods

(Source: Deloitte, IBM 2009)

## Crisis Management

The most critical time in a crisis situation is the first day or even the first few hours.

Especially in today's rapid fire, multi-media, digital world



## Verification Testing

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## Verification

Those activities, other than monitoring, that determine the **validity of the HACCP plan** and that the **HACCP system is operating according to the plan**.

(NACMCF)

## Limitations of Attribute Testing for “Control” of Product Safety

- Attempting to “**control**” your product safety testing is limited by the logistics of sampling and analysis time
- Often large sample sizes are required to achieve any type of meaningful results

## For Example

- To evaluate a group of 40,000 containers
- Actual defect rate = 0.10%
- Sample size = 125 units
- Accept zero defects, reject on one
- Probability of **accepting** the lot =

**90%** (Mil Std 105 E)

## Verification Strategies

- Use testing to verify controls, but not in lieu of controls
  - Testing, in itself, is not a control measure
- Design to detect target organism/analyte and sources
  - “seek and destroy” strategy
- Is flexible and dynamic in response to findings

## Considerations in Verification

- Sampling strategies
- Target analyte
  - Microbes (yeast, bacteria, molds, fungi)
  - Chemicals (allergens, phenols, aldehydes)
  - Physical contaminants (glass)
- Validated or official methods
- Data review to enable corrective actions and track trends

## Desired Outcomes

- Provides assessment and verifies effectiveness of control measures (receiving programs, supplier management, blending protocols, in-process controls, sanitation, etc.)
- Provides data for use to correct problem areas before they post a risk for finished product

## Develop Written Program (SOP) for Verification Plans

- Sample sites
- Sample types
- Sampling frequency
- Sampling procedures
- Test methods

13

## Finished Product Testing as part of Verification

- Finished product (FP) testing based on risk evaluation
  - May be part of verification program
  - May be part of an event investigation
  - May be part of product release procedure
- Customer requirements
  - May require COA

14

## Considerations for in process and FP testing

- Develop a policy
  - Whether and when to test
  - Impact of a positive result (finding a problem) on finished product
  - Impact of a lot-positive on adjacent/associated lots
- Use validated or official methods
- Tested lot
  - Should be put on hold and isolated pending results
  - Retesting should not be done to negate the initial test result
  - Retesting can be done for investigational purposes, e.g., to determine contamination level

15

## Reasons to modify verification testing

- Industry events
  - Recalls, outbreaks, other regulatory activities
- Operational abnormalities
  - Roof leaks
  - Natural disasters – floods, earthquakes, etc
- Increase in adverse consumer comments
- Operational monitoring data indicates loss of control
- Verification testing reveals cause for concern
- Verification of corrective actions
- First time production
- Start up after extended down time
- Construction



¿Preguntas?

## • QUESTIONS???



## GMA Food Safety Courses

Workshop	Descriptions
<b>HACCP Online course*</b>	This online workshop provides flexible, affordable and effective training for food safety personnel who need to learn and apply the principles of HACCP in plan development and implementation.
<b>GMA Online HACCP Follow-up Workshop</b>	This course complements the online HACCP training by providing hands-on experience with the development of a "mock" HACCP plan to facilitate understanding of the online material. Completion of the online course is prerequisite to this 1-day certificate workshop. The online course plus this 1-day follow-up workshop meet the educational requirements cited in the FDA & USDA HACCP regulations.
<b>Advanced HACCP, Verification &amp; Validation</b>	This workshop, accredited by the International HACCP Alliance, concentrates on verification activities included in the sixth principle of HACCP. It explores activities in-depth and how to implement them in a successful HACCP system.
<b>HACCP Train the trainer</b>	The HACCP Train the Trainer workshop is designed to prepare and qualify candidates as International HACCP Alliance Lead Instructors. In addition to providing a greater understanding of the 7 HACCP principles, the workshop covers adult learning styles and delivery techniques to more effectively present HACCP course material. Hands-on working group exercises facilitate the learning process.
<b>Basic HACCP (Meat, Poultry, Juice, Seafood and Other Products as needed)</b>	This introductory workshop, accredited by the International HACCP Alliance, is composed of lectures and group exercises. Each of the seven HACCP principles is discussed. The workshop focuses on strategies for HACCP plan development and implementation. GMA instructors can accommodate and provide lectures for specific areas of interest based upon the participants' needs.

\*[http://www.gmatraining.com/HACCP\\_Purchase\\_Info.html](http://www.gmatraining.com/HACCP_Purchase_Info.html)  
All others: Contact Audrey Rubio, [arubio@gmaonline.org](mailto:arubio@gmaonline.org)

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[www.gmaonline.org](http://www.gmaonline.org)

## GMA Food Safety Resources

### HACCP Materials:

- HACCP: A Systematic Approach to Food Safety - English [http://www.fpa-food.org/store\\_product.asp?inve\\_id=221](http://www.fpa-food.org/store_product.asp?inve_id=221)
- HACCP: A Systematic Approach to Food Safety - Spanish [http://www.fpa-food.org/store\\_product.asp?inve\\_id=66](http://www.fpa-food.org/store_product.asp?inve_id=66)
- PowerPoint slide sets to accompany the above HACCP manuals:
  - English: [http://www.fpa-food.org/store\\_product.asp?inve\\_id=64](http://www.fpa-food.org/store_product.asp?inve_id=64)
  - Spanish: [http://www.fpa-food.org/store\\_product.asp?inve\\_id=196](http://www.fpa-food.org/store_product.asp?inve_id=196)
- HACCP Verification and Validation: An Advanced HACCP Workshop
  - English: [http://www.fpa-food.org/store\\_product.asp?inve\\_id=118](http://www.fpa-food.org/store_product.asp?inve_id=118)
  - Spanish: [http://www.fpa-food.org/store\\_product.asp?inve\\_id=69](http://www.fpa-food.org/store_product.asp?inve_id=69)



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## Other Courses Offered by GMA

- **Thermal Process Development**
- **Thermal Process Deviations**
- **Better Process Control School**
- **Aseptic Better Process Control School**
- **Food Labeling**

• Contact Audrey Rubio at: [arubio@gmaonline.org](mailto:arubio@gmaonline.org)



## The Australian System

Certification and the Advantages to Producers and Consumers

APEC Wine Regulatory Forum  
September 2011  
Steve Guy – Wine Australia

## Consumer Concerns

### Quality

- Safety
- Integrity (truthful and accurate labelling and advertising)

## Safety

- Microbiological
- Chemical
- Physical

## Microbiological Testing

- “Wine is the most healthful and hygienic of beverages”..  
(Louis Pasteur)



- Sugita-Konishi et al,  
Japanese Society for Bioscience, Biotechnology  
and Biochemistry, 65(4) 954-957 2001



## Food Standards Code

([www.foodstandards.gov.au](http://www.foodstandards.gov.au))

- Food Composition
- Food Labelling
- Additives
- Contaminants
- Food Hygiene
- Production Standards



## Australian Wine Production

Standard 4.5.1 Additives allowed in Australian wine

Additive
Ascorbic acid
Carbon dioxide
Citric acid
Dimethyl dicarbonate
Erythorbic acid
Grape juice including concentrated grape juice
Grape skin extract
Gum Arabic
Lactic acid
Malic acid
Metatartaric acid
Miselle
Sorbic acid
/Potassium sorbate
Sulphur dioxide
/Potassium sulphites
Tannins
Tartaric acid
Yeast mannoprotein

## Chemical Testing

- Preservatives
- Allergens
- Contaminants



## Import Controls

- Imported wine must comply with the Food Standards Code.
- Risk based inspection at border – Wine low risk, therefore only **5%** of consignments are inspected (the lowest legislated rate).
- Microbiological: **None**
- Physical: **Label inspection** (mandatory items- standard drinks, importer details, country of origin etc)
- Chemical: Sulphur dioxide tested **if not declared on label**

## Physical Contamination

- Isolated examples
- HACCP (Hazard Analysis by Critical Control Points)



## Food Standards Code

- Hazard Analysis by Critical Control Point
- Summary of Hazards Required to be Controlled

Material	Hazard	Control
SO2	Respiratory problem in susceptible consumers	Accurate measurement of additions, and final concentration
DMDC	Methanol	Control dosage
Allergenic protein	Affect on susceptible individuals	Warning labels
Glass pieces	Ingestion by consumers	Bottling procedures
Agri-Chemical Residues	Exceeds MRL	Spray diaries

## Confidence in Lab Testing

- ISO 17025
- National Association of Testing Authorities (NATA)



## Wine Scandals



## Typical Wine Label



## Wine Australia Corporation Act Export Controls

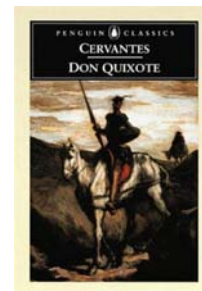
- Food Standards Code (alcohol and sulphur dioxide)
- Tasting
- Label Review



## Summary

- Limited Laboratory Testing
- ISO 17025
- Open Transparent
- Effective
- Enforced

“And the person who waters wine or changes the label should lose his life.” Miguel de Cervantes





## QA Program at the LCBO: Why test? Who benefits?

**George J. Soleas, Ph.D.**  
**SVP-Logistics/Quality Assurance**



## LCBO QA Mandate

Ensure products offered for sale are:

- Of Sound Quality
- Authentic and Safe to consume
- Compliant with applicable Regulations



## LCBO QA Quality Management System



## Monitor Emerging Global Issues in the Alcohol Beverage Industry.



Data on Benzene in Soft Drinks and Other Beverages

Canadian Food Inspection Agency / Agence canadienne d'inspection des aliments  
Precautionary Labelling for Allergens in Pre-packaged Foods



WHO Pesticides Evaluation Scheme: "WHOPES"



Collection Of Ethyl Carbamate Occurrence in Beverage Alcohol

## Role of LCBO QA

**Consumer Protection**

**Corporate Liability**

**Consultant/Expert Opinion**

## Role of LCBO QA

**Consumer Protection:**

- Safe and Authentic

## Authentic Products



"Fake Bottles of Australia's Best-Selling Jacob's Creek Wine Have Flooded the UK Market"

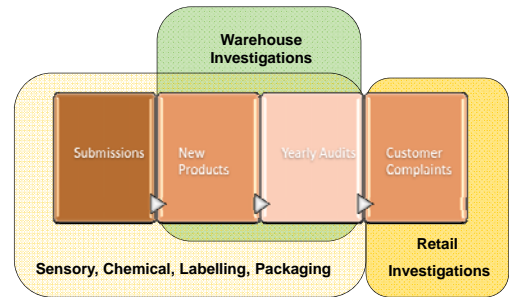
The New York Times

"Feds in New York City Probe Counterfeit Wine"



"LCBO Recalls Suspected Counterfeit Wine"

## Quality Monitoring Programs

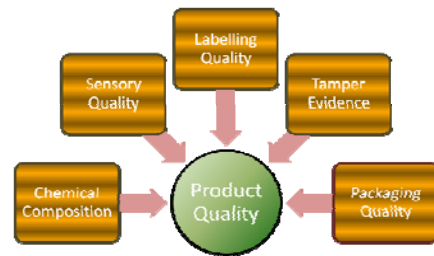


## Role of LCBO QA

### Consumer Protection:

- Safe and Authentic
- Sound Quality

## Sound Quality



## Role of LCBO QA

### Consumer Protection:

- Safe and Authentic
- Sound Quality
- Social responsibility

## Social Responsibility

### • Labelling design



### • Accuracy of declarations



## Role of LCBO QA

### Consumer Protection:

- Safe and Authentic
- Sound Quality
- Social responsibility

### Corporate Liability

- Regulatory compliance

## Regulatory Compliance

- Food & Drugs Act & Reg's
- Consumer Packaging and Labeling Act & Reg's
- Ontario Liquor License & Liquor Control Acts
- Ontario Wine Content & Labeling Act & Reg's

## Role of LCBO QA

### Consumer Protection:

- Safe and Authentic
- Sound Quality
- Social responsibility

### Corporate Liability

- Regulatory compliance
- Product recall

## Product Recalls

- Public recall
  - Health risk
  - Fraudulent products
  - Poor manufacturing practices
- Remove from sale
  - Triggered by LCBO quality programs, customer complaints
  - Requested by suppliers

## Role of LCBO QA

### Consumer Protection:

- Safe and Authentic
- Sound Quality
- Social responsibility

### Corporate Liability:

- Regulatory compliance
- Product recall

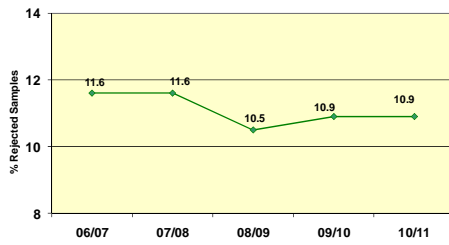
### Consultant/Expert Opinion:

- Health Canada
- Industry
- Legal Agencies

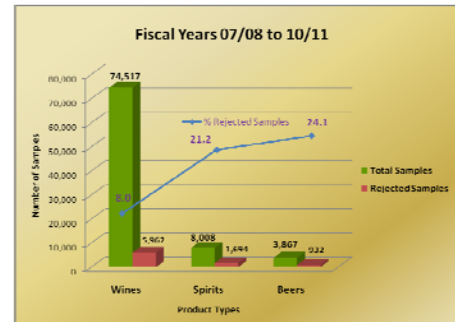
## Consulting with Regulatory Agencies

- Provide survey data and comments to Health Canada/Canadian Food Inspection Agency to assist in establishing Maximum Allowable Limits (MALs) for contaminants, additives, etc.
- Work with Health Canada on emerging contaminants, e.g. OTA, new pesticides

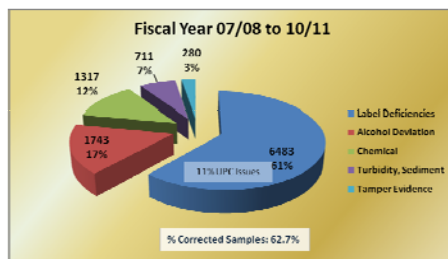
## Percentage of Rejected Products



## Distribution of Rejected Samples



## Reasons for Rejection



## “Make Quality Assurance part of the LCBO Brand”

**LCBO: A BRAND YOU CAN TRUST**







# Seminar on Key Issues in Wine Regulation

September 18-19, 2011 • San Francisco, California • Wine Regulatory Forum

Updated 10-19-2011

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Chile *please cc Ms. Ramirez on any communications with Chilean wine regulators.	Ms. Carolina Ramirez JOIGNANT	Head of TBT Sub-Department	Ministry of Foreign Affairs, Market Access Department, General Directorate of International Economic Affairs		56-2-8275523/5447	caramirez@direcon.cl
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Indonesia	Mr. Soadun L Tobing	Head of Sub-directorate for	Directorate of Export and Import Facilitation, Directorate General of Foreign Trade, Ministry of Trade	Building II, 1 <sup>st</sup> Fl. Jl. M.I. Ridwan Rais No. 5, Jakarta 10110	62-21 385-8171 ext. 1199; 345-0071	sl_tobing@yahoo.com; int@bsn.go.id
Indonesia	Ms. Siti Elyani	Section Head of Functional Food Assessment	Directorate of Food Safety Assessment, The National Agency of Drug and Food Control (NADEP)	Bumi Citra Kencana Blok G-4 No. 2, Kencana Bogor, West Java	6281288175419	selyani@yahoo.com
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