Wine Australia

Regulation

Australian Government

Wine Australia



Licensing and Compliance Guide

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About Wine Australia

Wine Australia empowers the success of the Australian grape and wine sector across three key functions:

- Research, Innovation and Adoption to enhance global competitiveness, helping grape and wine businesses meet the challenges of tomorrow, today.
- Market Development to increase the demand and premium paid for Australian wine across all markets by expanding market and promotion opportunities for Australian wine.
- Regulatory Services to safeguard product integrity and uphold the sector's reputation by maintaining market confidence in the high standards expected of Australian wine.

Wine Australia is funded by the sector, for the sector, through grapegrower, winemaker and exporter levies and user-pays charges, with matching funds from the Australian Government for research and innovation. Working collaboratively with the sector and Government, we amplify insights, connection and capability building to support profitable, resilient and sustainable grape and wine businesses.

Wine Australia is a Commonwealth Government statutory authority established under the *Wine Australia Act 2013* (Cth).



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Glossary

ABN	a unique 11-digit number that identifies your business to the government and community issued through the Australian government's Business Registration Service.
ACCC	Australian Competition and Consumer Commission.
Act	*Wine Australia Act 2013* (Cth).
AGW	Australian Grape & Wine
ART	Administrative Review Tribunal
Australia-EU Wine Agreement	Agreement between Australia and the European Community on Trade in Wine.
Australian Consumer Law	*Competition and Consumer Act 2010* (Cth).
Australia-UK Wine Agreement	Agreement on Trade in Wine between the Government of Australia and the United Kingdom of Great Britain and Northern Ireland.
AWRI	Australian Wine Research Institute
Blend	wine manufactured by blending wines of different vintages, varieties or geographical indications.
CDS	Container Deposit Scheme.
CIF	Cost, Insurance and Freight (Port of Discharge) (Incoterms 2020) • The seller delivers the goods on board the vessel or procures the goods already so delivered. The risk of loss of or damage to the goods passes when the products are on the ship. • The seller must contract for and pay the costs and freight necessary to bring the goods to the named port of destination. • The seller also contracts for insurance cover against the buyer's risk of loss of or damage to the goods during the carriage. • The buyer should note that under CIF the seller is required to obtain insurance only on minimum cover. Should the buyer wish to have more insurance protection, it will need either to agree as much expressly with the seller or to make its own extra insurance arrangements.
Department	Department of Agriculture, Fisheries and Forestry, or any of the subsequent names of this department.
Description and presentation	is a reference to all names (including business names) or other descriptions, references (including addresses), indications, signs, designs and trade marks used to distinguish the wine and appearing: • on the container (including on the device used to seal the container or on a label affixed to the container), on any tag attached to the container or, if the container is a bottle, on the sheathing covering the neck of the bottle, • on protective wrappings (such as papers and straw envelopes of all kinds), cartons and cases used in the packaging of the wine or the transport of the wine, • in documents relating to the transport of the wine or in other commercial documents (e.g. invoices or delivery notes) relating to the sale or transport of the wine, • in advertisements relating to the wine.
EDN	Export Declaration Number.
EU	European Union
ELISS	Export Label Image Search System
Export licence	a licence to export grape products from Australia issued in accordance with section 9(1) of the Regulations.
FAQ	Frequently Asked Question
FOB	Free on Board (Port of Shipment) (Incoterms 2020) • The seller delivers the goods on board the vessel nominated by the buyer at the named port of shipment or procures the goods already so delivered. • The risk of loss of or damage to the goods passes when the products are on board the vessel. The buyer bears all costs from that moment onwards.
Food Standards Code	Australia New Zealand Food Standards Code.

FSANZ	Food Standards Australia New Zealand
GI	in relation to wine goods, means a Geographical Indication that identifies the goods as originating in a country, or in a region or locality in that country, where a given quality, reputation or other characteristic of the goods is essentially attributable to their geographical origin.
GMP	Good Manufacturing Practice.
Grape extract	grape juice, must or concentrate obtained from grapes
Grape product	• wine manufactured in Australia from prescribed goods • brandy distilled in Australia from any such wine • grape spirit manufactured in Australia from prescribed goods and suitable for the fortifying of wine or the manufacture of brandy, or • a product (being prescribed goods or a product derived in whole or in part from prescribed goods) declared by the Regulations to be a grape product for the purposes of the Act.
Label claim	a written claim that is made or implied about the wine goods' vintage, variety or prescribed GI on a label; in a Label Integrity Program record; or in any other commercial document; or in an advertisement.
LIP	Label Integrity Program
MRL	maximum residue limit
NATA	National Association of Testing Authorities
NIP	Nutritional Information Panel
OCG	Organic Goods Certificate
Organic goods	goods that are described as, or described as including ingredients that are, organic, biodynamic, biological, ecological or any other similar description, and includes goods that are described as in-conversion to organic or biodynamic.
Organic Goods Rules	*Export Control (Organic Goods) Rules 2021* (Cth).
Prescribed GI	a GI included in the Register of Protected Geographical Indications and Other Terms in relation to Australia.
Prescribed goods	fresh grapes, dried grapes and grape juice, whether single-strength or concentrated.
Register	Register of Protected Geographical Indications and Other Terms.
Regulations	*Wine Australia Regulations 2018* (Cth).
SWA	Sustainable Winegrowing Australia
UK	United Kingdom
USA	United States of America
WALAS	Wine Australia Licensing and Approval System
Wine	an alcoholic beverage produced by the complete or partial fermentation of fresh grapes or products derived solely from fresh grapes.
Wine goods	• wine, or • grapes, or grape extract, used or intended to be used in manufacturing wine.
Wine product	a food containing no less than 70 per cent wine which has been formulated, processed, modified or mixed with other foods such that it is not wine.
WWTG	World Wine Trade Group

Introduction

Wine Australia is a statutory authority governed in accordance with the *Wine Australia Act 2013* (Cth) (Act). Our powers and responsibilities are set out in the Act.

Wine Australia's regulatory framework includes:

- administration of the export controls on wine exported from Australia in accordance with Part 3 of the *Wine Australia Regulations 2018* (Cth) (Regulations) by issuing licences, export approvals for grape products, and export certificates
- ensuring that grape products exported from Australia comply with the Australia New Zealand Food Standards Code (Food Standards Code)
- ensuring that exported products comply with the laws of the importing country
- maintaining the Register of Protected Geographical Indications and Other Terms (Register) in accordance with the Act, and
- ensuring the truth of claims made on wine labels about vintage, variety and origin through administration of the Label Integrity Program in accordance with Part VIA of the Act.

This guide has been developed by Wine Australia to assist the Australian wine sector to understand the regulatory requirements for the production, sale and export of Australian wine.



Exporting wine

Under the Regulations, all wine shipments over 100 litres require export approval from Wine Australia.

There have been controls on the export of grape products from Australia since 1930 with the underlying intent being to ensure the reputation of Australian wine is preserved globally.

Unless an exemption has been granted by Wine Australia, grape products exported from Australia must comply with the Food Standards Code. The Food Standards Code prescribes permitted additives and processing aids for wine and products containing wine. It also sets out mandatory labelling requirements such as those pertaining to allergens, standard drinks, alcohol content and lot identification.

It is an offence under section 44 of the Act to export a grape product from Australia without the following being issued at Wine Australia's discretion in accordance with the Regulations:

- a licence to export grape products from Australia (which can be refused, cancelled or suspended by Wine Australia)
- approval of grape product for export (which can be refused, suspended or revoked by Wine Australia), and
- an export certificate (more commonly referred to as a 'shipping approval') in relation to individual shipments (which can be refused or revoked by Wine Australia).

The maximum penalty is two years imprisonment for that offence.

In making decisions in relation to licences, approval of grape products and export certificates, Wine Australia must have regard to the relevant criteria set out in the Regulations.

The export approval process encompasses the following steps (collectively the 'export controls'):



Which products are captured by the export controls?

The export controls apply to grape products as defined in the Act and the Regulations and includes:

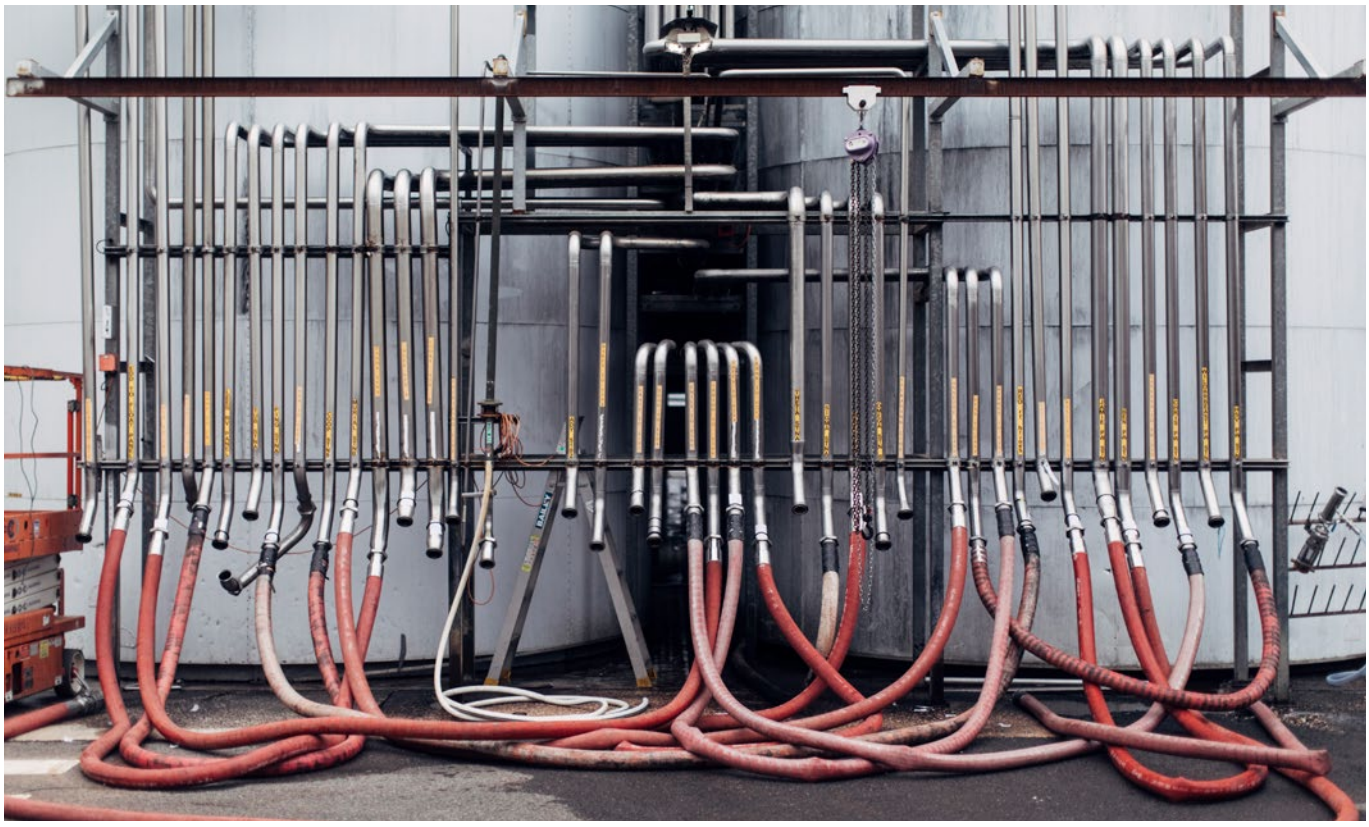
- wine manufactured in Australia from prescribed goods (fresh or dried grapes or grape juice of single strength or concentrated)
- brandy distilled in Australia
- grape spirit manufactured in Australia suitable for the fortifying of wine or the manufacture of brandy, and
- a product that includes wine, is derived in whole or part from prescribed goods (fresh or dried grapes or grape juice of single strength or concentrated) and to which an Australian standard applies (i.e., 'wine products', 'wine-based beverages', low-alcohol wines, alcohol reduced wines).

Wine Australia Licensing and Approval System (WALAS)

Australia's wine export controls are administered through WALAS. WALAS allows users to:

- apply online for a licence to export, register products and apply for shipping approval
- upload labels
- edit shipping details
- apply for export documents
- manage associated exporters
- make payments online, and
- manage account access.

One-off applicants can use the PDF application forms found on the Wine Australia website.



The export controls

Licence to export

The Regulations require exporters of grape products to be licensed where individual shipments exceed 100 litres.

In accordance with the Act and Regulations, the holder of a licence that is in force is subject to the regulatory oversight of Wine Australia regarding the production of wine in Australia and the export of wine from Australia. Pursuant to section 9(1) of the Regulations, a person may apply to Wine Australia for a licence to export grape products from Australia.

In deciding whether to grant the licence, Wine Australia must consider the matters set out in section 9(3) of the Regulations, including:

- any matter that may adversely affect the export trade in grape products
- any other matter relating to the promotion of Australian grape products that relates to the applicant
- whether the applicant, or an associate of the applicant, has had a licence suspended or cancelled, and
- whether the applicant is a fit and proper person.

Wine Australia may also consider any other matter relating to the promotion of the export of grape products.

In deciding whether a person is fit and proper, Wine Australia must have regard to:

- whether the applicant or an associate of the applicant has been convicted of an offence against the Act
- whether a debt is due and payable by the applicant or an associate of the applicant under the Act
- whether wine export charge due and payable by the applicant or an associate of the applicant have been paid
- whether a previous application made by the applicant, or an associate of the applicant, for approval of a grape product for export, or any other approval under the Act, has been refused or revoked.

Licences are not transferable and any change in the licensee's circumstances must be advised to Wine Australia as soon as practicable. Changes in a licensee's business address must be advised within 14 days. Licence application fees are not refundable if the applicant withdraws the application or Wine Australia determines not to grant the application. Licences are issued for 12-month periods.

The Regulations provide for the suspension or cancellation of a licence for breaches of the Act or if Wine Australia considers that the exporter is no longer fit and proper to hold an export licence. For example, licences may be cancelled or suspended in circumstances where:

- an exporter has committed an offence relating to the description and presentation of a grape product (for example, the vintage, variety or origin of a product is incorrectly described)
- an exporter has failed to keep accurate records verifying claims made about the vintage, variety or origin in accordance with the LIP
- an exporter has sold or exported a grape product that does not comply with the Food Standards Code, or
- an exporter has engaged in an activity that might adversely impact the reputation of Australian wine overseas (such as having engaged in the production of copycat brands that are intended to leverage from the reputation of existing brand owners through causing confusion in market).

Applying for a licence to export

You can apply for an export licence through WALAS once you have created an account. Instructions and an overview of the WALAS platform can be found on the Wine Australia website.

The application will ask whether you are a Wine Grapes Levy Payer. If you are not liable to pay the Wine Grapes Levy you should select 'no'.

You may be asked to provide additional information to substantiate your entity type, for example, company director details, and/or copies of partnership agreements or trust deeds.

You can pay the licence fee online through WALAS. You should allow five business days for review and processing of your licence application. If your export licence is granted, you will receive an email notification with a link to a downloadable PDF document. You will also be assigned a Licence ID number which you will need for all interactions with WALAS.

Product registration

Licensed exporters may apply to Wine Australia through WALAS for the approval of grape products for export from Australia.

The product registration application must indicate:

- the vintage, variety and origin composition of the grape product
- the vintage, variety and origin claimed on the label of the grape product (packaged product only)
- the analytical details of the grape product, and
- the destination market of the grape product.

In deciding whether to approve a grape product for export, Wine Australia must consider:

- **whether the grape product complies with the Food Standards Code**
- **whether the grape product is sound and merchantable, and**
- **whether the description and presentation of the grape product is appropriate having regard to the requirements of the Act, other Australian laws, and the laws of other countries.**

Analysis is checked in WALAS to ensure compliance with any limits specified in the Food Standards Code. Label claims are checked against the product composition to ensure the claims meet the blending rules pertaining to vintage, variety and origin. For packaged products, the post-bottling/packaging analysis must be submitted.

The application must also indicate whether the label makes any organic or biodynamic claims as such products must comply with the *Export Control Act 2020* (Cth) administered by the Department (refer to Organic Goods Certificate).

Approved packaged products are issued a PP number and approved bulk products are issued with a PB number.

In circumstances where Wine Australia is not satisfied that the grape product meets the requirements of the Act, other Australian laws, or the laws of other countries, Wine Australia may refuse to approve the grape product for export, or revoke approval of the grape product for export. It is also open to Wine Australia to impose a condition that limits the countries to which the export is approved.

Prior to issuing export approval of a grape product, it is open to Wine Australia to request information from the exporter in accordance with section 16 of the Regulations to satisfy it that the grape product is compliant with the compositional and labelling requirements of Australia and of the importing country.

Associated exporter

An exporter may authorise another exporter to ship their approved products by nominating them as an associated exporter in WALAS.

An exporter can invite another exporter to be their associated exporter by clicking on the 'Invite an associated exporter' button in WALAS. You will need to obtain the exporter ID from the associated exporter before starting this process.

After the invitation has been accepted by the associated exporter you can grant access to specific labels and volumes of wine by clicking on 'Link products to an associated exporter'.

Associations can be ended through WALAS at any time.

Label registration

Exporters are required to upload images of labels (front and back view (if applicable)) into WALAS as a precursor to gaining shipping approval for bottled/packaged products.

You can upload multiple back labels against a singular front label. The image of the wine label must be either JPG, PNG or TIFF format. The image size must be a minimum of 600 pixels × 600 pixels with a minimum resolution of 72 ppi. A photograph of the original artwork on the bottle will be accepted, provided it is in the correct file format.

If labels are to be applied in market, exporters can voluntarily upload labels after they are applied to ensure they appear in ELISS.

In accordance with the Regulations, Wine Australia maintains ELISS which is a publicly accessible library of grape product labels exported from Australia. ELISS allows brand owners to identify potential breaches of intellectual property rights and provides a platform through which consumers can verify whether a label has originated in Australia.

For further information on ELISS, refer to our FAQs on the Wine Australia website.

Shipping approval

To complete the export approval process, licensed exporters must submit a shipping application to Wine Australia via WALAS for each consignment of wine leaving Australia that is in excess of 100 litres.

The application must include the shipping details including the date of export, destination country and consignee, along with a list of product labels identified by their product approval numbers and the volume in litres and FOB values that make up the consignment. If the consignment complies with all requirements, Wine Australia will issue an Export Permit Number (WBC number). The WBC number is required to obtain an Export Declaration Number from Australian Border Force.

The application to Wine Australia must be made at least 5 days before the day on which the grape product is to be exported.

In accordance with section 19 of the Regulations, Wine Australia may ask the licensee to provide it with information demonstrating that a requirement under an Australian law that relates to the description and presentation of the grape product has been met.

Wine Australia will approve a shipment for export if it is satisfied that each of the grape products contained in the consignment has been approved for export, and if any condition imposed by Wine Australia has been met.



Wine Australia must refuse to approve a shipment for export if it reasonably believes that a grape product contained in the consignment cannot lawfully be sold in the country to which it is to be exported.

Shipping exemptions

The Regulations allow for specific exemptions to the general conditions of export under legislated circumstances. Exporters are exempt from the requirement to hold an export licence and register their products when one of the following conditions are met:

1. Shipments of 100 litres or less – defined as a consignment made up of one exporter, or one or more related exporters; on one ship or aircraft; to a single port of discharge; whether or not to one consignee.
2. Grape product that is:
    - contained in the personal luggage of a traveller
    - belonging to an individual who is moving house, for their domestic use
    - for display at a trade fair or comparable event
    - for a scientific or technical purpose
    - for diplomatic or consular establishments as part of the duty-free allowance of the establishment
    - held on board a means of international transport as victualling supplies, or
    - commercial samples for a prospective buyer.

You can apply for shipping exemptions through WALAS. Exporters may need to supply supporting documentation including commercial invoices as part of the application.

Food Standards Code exemptions

Unless an exemption has been granted by Wine Australia, grape products exported from Australia are required to comply with the requirements set out in the Food Standards Code (as outlined in labelling and additives and processing aids). In accordance with section 14(3) of the Regulations, Wine Australia may only provide an exemption if it is satisfied that the way in which the grape product does not comply with the Food Standards Code will not compromise the reputation of Australian grape products.

The table below sets out the broad exemptions to compliance with the Food Standards Code that have been approved by Wine Australia. Note that the exemptions apply to exported products only, they do not apply to products sold domestically.

Exemption	Food Standards Code reference	Details of exemption	Additional notes
English language requirement	Standard 1.2.1—24 specifies that any words required by the Food Standards Code must be in English.	Provided a translation of the relevant label has been provided to Wine Australia and clearly identified against a product registered in WALAS, the following information may be provided in the importing country's language, rather than in English: • name and address of supplier • name of food • allergens statements required under national legislation	
Standard drinks labelling 	Standard 2.7.1—4 requires a statement of the approximate number of standard drinks in foods that are capable of being consumed as a beverage and which contains more than 0.5% alcohol by volume.	The declaration of the standard drinks statement required under Standard 2.7.1—4 is not mandatory for grape products exported from Australia unless the destination market requires such a declaration.	Many markets either do not require standard drinks labelling or require standard drink, serves, or the like to be called out in different formats to that prescribed under the Food Standards Code.
Allergens declaration	Standard 1.2.3—4 requires a mandatory declaration of the presence of certain foods or derivatives of foods listed in the table to Schedule 9—3. For wine, this includes added sulphites in concentrations of 10 mg/kg or more, egg and milk.	The declaration of the presence of egg and milk is not mandatory for grape products exported from Australia unless the destination market requires such a declaration. In markets where other allergens declarations are required, the declaration may be presented in the format specified under the legislation of the importing country. The exemption does not extend to the declaration of added sulphites which must be declared on export labels regardless.	
Pregnancy warning labels	Standard 2.7.1—8 requires that from 31 July 2023 prescribed alcoholic beverages above 1.15% alcohol by volume must display the pregnancy warning mark on the product label and on outer packaging that will be used for retail sale.	Exported grape products do not need to be presented with the pregnancy warning label outlined in Standard 2.7.1—8 unless it is a requirement of the importing country.	The pregnancy warning logo (which forms a component part of the pregnancy warning mark) is mandatory in France. Use of the logo is not acceptable in markets that already prescribe pregnancy or other health warnings such as the United States.
Low and no alcohol descriptors	Standard 2.7.1—5 restricts representations of low alcohol to alcoholic beverages which contain no more than 1.15% alcohol by volume. Standard 2.7.1—7 states that food containing alcohol must not be represented in a form which expressly or by implication suggests that the product is a non-alcoholic beverage.	In circumstances where an importing country's laws apply different definitions for low and no alcohol descriptors, grape products exported from Australia may be represented using those descriptors provided the product meets the definitions under the importing country's laws.	For example, in the UK, drinks from which the alcohol has been extracted and containing no more than 0.05% alcohol by volume may be represented as 'alcohol free' (but not non-alcoholic) and grape products with 1.2% alcohol by volume or less may be represented as 'low alcohol'.
Sulphur dioxide composition	Standard 4.5.1 provides that wine, sparkling wine and fortified wine must contain no more than 250 mg/L in total of sulphur dioxide in the case of products containing less than 35 g/L of sugars, or 300 mg/L in total of sulphur dioxide in the case of other products.	The export of wine that does not comply with the sulphur dioxide limits set out in Standard 4.5.1 may be approved provided the grape product meets the rules of the destination market and is not considered to be a risk to the reputation of Australian wine.	
Nutrition information panel	Standard 1.2.8 requires a NIP for standardised alcoholic beverages when a claim requiring nutrition information has been made on the label. Standard 1.2.8—6(2) states that the NIP must be set out in the prescribed format in Schedule S12—2.	In circumstances where the importing market's laws require an alternative NIP be provided on the label, grape products will be approved for export from Australia if they contain the importing market format of the NIP instead of the format prescribed in the Food Standards Code.	The Food Standards Code only requires a NIP on the label of standardised alcoholic beverages in circumstances where a nutrition claim, such as calorie content, has been made on the label.

Exemption	Food Standards Code reference	Details of exemption	Additional notes
Label alcohol tolerance	Standard 2.7.1 requires Australian fortified wine to be labelled with an alcohol statement within +/-0.5% of the actual alcohol of the wine. In some export markets there is a greater tolerance permitted between label and actual alcohol for fortified wines, for example in the EU where the tolerance is +/-0.8% alcohol.	The label alcohol of fortified wines may be outside of the +/-0.5% tolerance required in Standard 2.7.1 provided it meets the tolerance of the importing market i.e., EU permit +/-0.8% tolerance between label and actual alcohol.	
Labelling of 'Light' wines (lighter in alcohol)	'Light alcohol' claims can be made in relation to wine. Such claims do not trigger the need for a NIP, as these are not considered nutrition content claims. They do, however, under Standard 1.2.7—16 require the inclusion of a reference product and the amount by which the light wine is lower in alcohol than the reference.	'Light' wines, which are lower in alcohol, can omit the reference product comparison, required under Standard 1.2.7—16, provided the comparison is not a requirement of the importing market for such wines.	'Light' wines in this exemption only refers to lighter alcohol. Any other 'light' or 'lighter' claims, in relation to energy or nutrition content, does require a reference product comparison as well as a NIP on the label.
Energy statements	Standard 2.7.1—4A requires energy (kilojoule) content information to be included on the labelling of all alcoholic beverages.	Exported grape products do not need to be presented with the energy statement required by Standards 1.2.1—8(1)(za) and 2.7.1—4A unless it is a requirement of the importing country.	In many export markets, including energy-related information on a wine's label may necessitate the provision of a comprehensive NIP. Separately, some markets require energy information to be communicated in a different format (e.g. the EU). Wine Australia therefore recommends that producers consider not including the Food Standards Code's energy statement on products to be exported (other than to New Zealand).

Export documentation

Some customs authorities or importers require additional certification for wine imports. Wine Australia is authorised to issue VI-1 documents for exports to the EU and Certificates of Origin for most markets. Wine Australia can also issue Certificates of Free Sale.

Wine Australia is an authorised body under the China-Australia Free Trade Agreement to issue certificates of origin for wine. Certificates of Origin for Thailand, the Philippines and Singapore need to be obtained via the Australian Chamber of Commerce and Industry. Certificates of Origin under the Japan and South Korea Free Trade Agreements can be obtained from the Australian Chambers of Commerce and Industry.

Exporters can apply for most export documents online via WALAS.

VI-1 documents for the EU

VI-1 documents are required for imports to the EU, including in relation to products exported from Australia to the UK, and subsequently re-exported to the EU. In these circumstances, the process is that Wine Australia will provide a VI-1 certificate to the exporter, and a second VI-1 will need to be obtained from the Department for Environment, Food & Rural Affairs (DEFRA) in the UK and provided to the EU customs authority.



Exporters must obtain a VI-1 analysis report for each product destined for the EU. The analysis can be obtained from any NATA-accredited laboratory.

VI-1 documents are not required for consignments less than 100 litres or for exports to consular establishments or when held in stores on board ships and airplanes operating in international transport. Wine intended for display at trade fairs is also exempt from requiring a VI-1 document.

Wine Australia issues security encrypted VI-1 documents in WALAS after the date of departure indicated on the shipping application.

The analytes required for the VI-1 document differ for packaged and bulk wine and include the following parameters:

Analytical parameter	Packaged	Bulk
Total alcoholic strength – % v/v		•
Actual alcoholic strength – % v/v	•	•
Total dry extract – g/L		•
Total acidity – g/L	•	•
Volatile acidity – meq/L		•
Citric acidity – g/L		•
Sulphur dioxide – mg/L	•	•

Exemptions to the Requirement to have a VI-1 Document for Exports to the EU

You do not need a VI-1 document for wines exported from Australia to the EU that is:

- labelled containers of not more than five litres fitted with a non-reusable closing device where the total quantity transported, whether or not made up of separate consignments, does not exceed 100 litres
- in quantities not exceeding 30 litres per traveller contained in the personal luggage of travellers
- in quantities of not exceeding 30 litres, sent in consignments from one private individual to another
- forms part of the belongings of private individuals who are moving house
- for trade fairs - provided that the products in question are put up in labelled containers of not more than two litres fitted with a non-reusable closing device
- imported for the purpose of scientific or technical experiments, subject to a maximum of 100 litres
- bound for diplomatic, consular or similar establishments and imported as part of their duty-free allowance, or
- held on board international means of transport as victualling supplies

Organic Goods Certificate (OGC)

The Department administers the export organic program for the organic and biodynamic sector in Australia.

Australia's agricultural export legislation comprises the *Export Control Act 2020* (Cth) and the Organic Goods Rules. Under the Organic Goods Rules, the export from Australia of goods described as 'organic', 'biodynamic' (or indication of similar meaning, including 'biological', 'ecological' and 'in-conversion to organic or biodynamic') in a wine's description and presentation is considered an organic claim. Wines with organic claims require an OGC issued by an approved certifying body prior to export. It is an offence to export a product labelled as organic or biodynamic in the absence of an OGC and significant penalties apply.

Exporters of organic wine must upload an OGC to WALAS prior to gaining shipping approval.

Most markets including China, Japan, South Korea, the USA, Canada, the EU and UK have specific requirements for organic products that must be met to ensure market access.

Wine Australia has published an Organic Wine Export Requirements Guide which can be accessed on the Wine Australia website.

Bulk wine exports

In preparing bulk wine exports (i.e. exports of unpackaged wine in containers such as Flexitanks, ISO tanks, kegs and barrels) it is recommended that exporters comply with the bulk wine loading, unloading and transportation procedure.

Wine Australia may prevent shipments to offshore facilities where the standards expected by the Australian wine community have not been met.

Review of decisions

Most decisions made by Wine Australia in relation to the administration of the export controls are subject to review by the ART.

Applications may be made to the ART for review of the following decisions of Wine Australia:

- a refusal to grant a licence to export or to suspend or cancel a licence to export
- a decision to refuse to approve a grape product for export or to revoke the approval of a grape product for export
- a decision to impose conditions on the approval of a grape product for export (including through variation of the conditions on an existing approval)
- a decision to refuse to issue an export certificate or to revoke an export certificate (here meaning an export permit)
- a decision to specify conditions on the validity of an export certificate (export permit), or
- a decision to give directions about the quantity of grape product that the licensee may export.

The person making an application to the ART for a review of a decision made by Wine Australia is responsible for their own costs, including legal representation if desired.

Export Market Guides

To assist exporters in navigating the maze of regulations in overseas markets, Wine Australia publishes Export Market Guides in relation to over 40 key export markets which include information on duties and taxes, wine standards, labelling regulations and other country-specific import requirements.

The Export Market Guides are available for download free of charge to all licensed exporters and levy payers via the Wine Australia website.

Export fees and levies

Export fees are charged for most transactions in WALAS including licence applications and renewals, label registrations, shipping applications including exemptions, and export documents. Refer to the Wine Australia website for current fees.

The Wine Export Charge is levied on the export of Australian wine as a percentage of the FOB sales value. Information on the Wine Export Charge can be found on the Wine Australia website.



Label Integrity Program (LIP)

The LIP is legislated under Part VIA of the Act.

The object of the LIP is to help to ensure the truth, and the reputation for truthfulness, of statements made on wine labels, or made for commercial purposes, about the vintage, variety or the GI of wine manufactured in Australia.

Vintage, variety and origin claims are not mandatory. However, if a claim is made, an auditable trail of records must be available to substantiate such claims so that the origin of a wine can be traced back to the vineyard.

The LIP imposes obligations on every party in the supply chain to make and keep records verifying vintage, variety and GI label claims made in relation to wine goods. The LIP does not prescribe how records are to be kept, only the information that must be recorded. This gives wine manufacturers flexibility in choosing a system that best suits their needs.

Who needs to keep records?

The LIP applies to:

- wine grape growers
- manufacturers of wine goods, including wineries, packagers and processing facilities
- persons who supply or receive wine goods (including a person who sells the wine goods by wholesale or retail or export), and
- agents who take possession of wine goods.

The LIP applies to wine goods which includes grapes, wine, and grape extract used or intended to be used in manufacturing wine.

What records need to be kept?

To verify label claims, everyone in the wine supply chain must keep an auditable trail of documents indicating the vintage, grape variety and GI of wine and wine goods that they grow, manufacture, supply or receive (regardless of whether they are acting as an agent).

This effectively involves recording 'one step forward' and 'one step back'. Records must be maintained in a form that allows a readily auditable trail to be established.

For growers, for each supply of grapes, a written record must be kept containing:

- **the supplier's (grower's) name and address**
- **the receiver's (or winery's) name and address**
- **the date the grapes are supplied**
- **the quantity of the grapes supplied**
- **the vintage, variety and prescribed GI of the grapes supplied.**

More information can be found in the Grower guide to the Label Integrity Program.

Label claims must be supported by adequate written records. LIP records must be kept for at least seven years.

Supplying wine goods

When you're *supplying* wine goods to another party (such as a grape grower supplying grapes to a winery, or a winery sending wine goods to another winery or a packaging facility), you must provide an accompanying written record on the day of supply, which includes at a minimum:

- who made the record
- the date you're supplying the wine goods
- the type and quantity of wine goods you're supplying
- the vintage, variety and prescribed GI of the wine goods you're supplying, and
- the identity of who received the wine goods (the individual or organisation's name and address).

Records must be kept in accordance with the LIP in relation to the bottling/packaging of wine. This applies whether bottling/packaging is conducted by a winery or third-party contractor. Where a bottler/packager is engaged:

- **bottlers/packagers must ensure written records are kept in relation to their receival of wine goods from suppliers,**
- **bottlers/packagers must ensure written records are kept in relation to processing or modifying wine goods, and**
- **suppliers of wine goods must ensure written records are kept in relation to their supply of wine goods to bottlers/packagers.**

More information can be found in the Packager's guide to the Label Integrity Program.

Receiving wine goods

When you're *receiving* wine goods (such as a packaging facility receiving wine from a winery, or winery receiving grapes during vintage) your own record must be made within three days of receiving the goods and must identify:

- who made the record
- the date you received the wine goods
- the type of wine goods and quantity of wine goods you received
- the vintage, variety and prescribed GI of the wine goods you received, and
- the identity of who you received the wine goods from (the individual or organisation's name and address).

Processing or modifying wine goods

Regardless of where you fit into the wine supply chain, if you process, move, or modify wine goods, you are required to make a written record within three days outlining:

- details of the steps or action taken and the date it occurred
- details of the vessels (e.g. tanks or barrels) that were involved in the processing step or movement (i.e. all vessels must be individually identifiable)
- any changes to volume or quantity that occurred, including both gains and losses (including increases as a result of water being added to high sugar juice or must prior to fermentation), and
- any changes to the composition of the product (vintage, variety or prescribed GI) that resulted through processing activities (such as blending or barrel topping).

What are the penalties?

There are offences under the LIP for:

- failing to keep sufficient records
- knowingly making a false record, and
- failing to verify a vintage, variety or GI claim with sufficient records.

A maximum penalty of two years' jail, or a fine of 120 penalty units instead of, or additional to imprisonment, applies for each offence.

Failing to comply with the LIP could also result in export licence cancellation or suspension, or your products being withdrawn from the market. Wine Australia can prevent the export and sale of grape products if vintage, variety or GI claims cannot be substantiated by records kept under the LIP.

LIP inspections

Under section 39ZA of the Act, Wine Australia appoints inspectors to monitor compliance with the LIP. You may at any time be selected for inspection by a Wine Australia LIP inspector. The inspection may be remote or in person.

Inspectors may collect samples at inspections or request that you post samples to allow Wine Australia to verify compliance with the Food Standards Code (including MRLs) and to monitor potential exposure to market access issues that result from technical barriers to trade.

Inspection principles

The Government's vision is for Wine Australia to be a high performing and responsive corporate Commonwealth entity that implements a principles-based regulatory framework in a way that reduces compliance costs for business whilst protecting the reputation of Australian wine.

Wine Australia acknowledges that the regulatory framework it implements should be fit-for-purpose and implemented in a way that reduces the regulatory burden on individuals, business, community organisations and customers. In this context, the Government has issued a Statement of Expectations for Wine Australia, which outlines the Government's expectations of the role and responsibilities of Wine Australia.

Risk management principles underpin Wine Australia's LIP inspection schedule. These principles involve assessing the magnitude of the risk; and the likelihood and consequence of non-conformance with the LIP.



Requests for information

Request for LIP records

Under section 39ZAA of the Act, Wine Australia may, by written notice, require records kept under the LIP to be provided to it in no less than 14 days. This power is relied on where very targeted records are required. It is an offence under section 39ZAB of the Act not to provide such information within the specified time period.

Request for licence information

Section 12 of the Regulations provides that at any time, Wine Australia may, by written notice, request information from a licensee to assess whether the licensee ought to continue holding an export licence. In accordance with section 13(2) of the Regulations, Wine Australia can suspend an export licence if such information is not provided to it.

Request for records before export

Under section 19 of the Regulations, Wine Australia may, by written notice and at least two days before a product is to be exported, request information from an exporter verifying that a requirement under an Australian law that relates to the description and presentation of a grape product has been met. Wine Australia can refuse approval of a shipment if the information is not provided to it in the specified time frame.

Request for samples

Under section 16 of the Regulations, Wine Australia may, by written notice, request samples and/or records demonstrating compliance with the labelling and record keeping laws, and/or with the Food Standards Code. If the information is not provided within the specified time period, Wine Australia can refuse to approve a product for export and, if the product has already been approved, can suspend the approval until the information is required (section 17(1)).

Samples of wines may be requested at the time of product approval, during an inspection, or at any other time Wine Australia considers it necessary to request samples.

Compliance Analysis Program

The purpose of the Compliance Analysis Program is for the inspection and analysis of samples to confirm compliance with the Food Standards Code. The program is serviced by a contracted NATA laboratory on a financial year basis. The parameters to be examined are established in consultation with the Wine Industry Technical Advisory Committee and reviewed annually.

Wine Australia will randomly select a representative number of samples of wines registered for export and request samples to be provided for inspection and analysis. In the case of packaged wine, two fully labelled samples of the product should be provided. Exporters will have seven days to acknowledge receipt of the request and advise that a sample has been dispatched.

The samples provided must be representative of the product registered for export. Inspectors may ask for samples of product no longer held in commercial quantities. Accordingly, manufacturers and exporters should retain samples for as long as practical.

From time to time Wine Australia may call for the submission of samples outside the framework presented above, in order to assist with enquiries into compliance with label laws or the Food Standards Code.

Culture of compliance

To create a 'culture of compliance' in the sector the following actions are taken on an ongoing basis:

- the inspection program each year includes a mix of states, and old and new regions
- wineries which exhibit regular or potentially serious errors (usually associated with export approval procedures) are subject to more frequent scrutiny
- during inspections, time is spent discussing the current label range of the winery and the various laws which are applicable
- new wineries are identified and provided with a range of regulatory information and an offer to provide a label advisory service
- offers are made to talk to regional associations and tertiary educational bodies when a regional visit for inspection purposes is proposed
- wine compliance brochures are widely distributed to the broader grape and wine community, including relevant students and lecturers, label designers, and manufacturers, and
- compliance awareness and issues are regularly featured in Wine Australia publications.

External corrective actions

Wine Australia's stated objective in relation to export controls is to preserve Australian wine's international reputation for quality and integrity. Wine Australia acknowledges that breaches range from accidental, deliberate or recurring non-compliance, to serious breaches of food law involving health risks to consumers and long-term damage to the international reputation of Australian wine. Wine Australia's regulatory posture acknowledges that its regulatory response should be proportionate to the seriousness and the risks posed by a breach.

Acts or omissions that are likely to invoke a regulatory response by Wine Australia include but are not limited to:

- accidental or deliberate failure to provide accurate and adequate records in accordance with the LIP
- accidental or deliberate non-compliance with labelling or analysis requirements
- sale or export of wine that is unmerchantable
- failure to meet requirements of an importing country, or
- any act or omission that has the potential to compromise the reputation of Australian wine.

Templates and guides

- Grower guide to the Label Integrity Program
- Packager's guide to the Label Integrity Program
- Wine goods supply statement template
- Record keeping templates
- Record keeping instruction tutorial
- Label opinion request form
- Organic wine export requirements

The blending rules

Australia's blending rules are outlined in sections 25, 26 and 27 of the Regulations and prescribe the minimum compositional requirements for making vintage, variety and GI claims. Compliance with the blending rules is monitored through the LIP. There are various offences under the Act that apply to the sale and export of wine that does not comply with the blending rules.

The table below provides a summary of the blending rules. Any claim must be listed in descending order of its proportion in the wine.

	Single claims	Multiple claims	If you claim your wine is made from multiple vintages, varieties or GIs, you need to list each vintage, varietal and GI in descending order.	
 Vintage claims	Minimum 85%	Minimum 100%	⚠ **If you claim multiple vintages, the total amount claimed must add up to 100%.**	So, if your wine is 88% from the 2012 vintage, 2012 can be claimed. If your wine is 83% from 2012, 16% from 2014 and 1% from 2017, and you want to claim vintage, then you have to specify the presence of all vintages, even the 2017.
 Variety claims	Minimum 85%	Minimum 85%	⚠ **If you add juice or concentrate to sweeten, seed or culture your wine, it doesn't count towards varietal composition as long as you don't add more than 5%.** **Also, you can't leave a variety off a label unless you have listed all the varieties that appear in greater proportions on that label.**	So, if your wine is 70% Semillon, 20% Chardonnay and 10% Sauvignon Blanc, you can't label your wine as 'Semillon Sauvignon Blanc'. The wine would either need to be labelled as 'Semillon Chardonnay' or 'Semillon Chardonnay Sauvignon Blanc'. You couldn't label your wine as just 'Semillon', because less than 85% of the blend is Semillon.
 Geographical Indication (GI) claims	Minimum 85%	Minimum 95%	⚠ **You can claim multiple GIs, but only if each of the GIs claimed accounts for more than 5%.** **The maximum number of GIs you can claim is three.**	So, if your wine is made from 85% Barossa Valley fruit, then you can claim 'Barossa Valley'. If your wine is made from 83% Barossa Valley fruit, 13% Heathcote and 4% Pemberton, and you want to claim GI, then it would need to be labelled 'Barossa Valley Heathcote'. You couldn't list Pemberton on the label.

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Vintage

A **vintage** is the year in which the grapes were harvested. In the case of fruit harvested after 1 September in a calendar year and on or before 31 December, the following calendar year is the effective vintage date. Be careful about using other dates on labels to avoid misleading as to the vintage of the wine.

Variety

Only grape **varieties** recognised by one of the following organisations are permitted to be claimed on Australian wine labels:

- **OIV** (International Organisation of Vine and Wine)
- **UPOV** (International Union for the Protection of New Varieties of Plants), or
- **IPGRI** (International Plant Genetic Resources Institute).

Only variety names or their synonyms that appear on one of these lists may be claimed on labels. Made-up names that resemble varieties cannot be misleadingly used.

The OIV list of vine varieties and their synonyms permitted for use by Australia can be downloaded from the Wine Australia website.

For the purpose of determining the proportion of the varieties, the quantity of products used for possible sweetening and cultures of microorganisms, not exceeding a total of 50 mL/L (5 per cent), must be excluded.

Geographical Indication (GI)

A GI is a word or expression used in the description and presentation of a wine that identifies the goods as originating in a country, or in a region or locality in that country, where a given quality, reputation or other characteristic of the wine is essentially attributable to their geographical origin.

GIs protected under Australian law are published in the Register which is maintained by Wine Australia.

Exported 'wine products' are not permitted to include a GI (other than 'Australia') in their description and presentation.

Description and presentation

The Register contains protected Australian and European GIs and other terms including European Traditional Expressions, Australian fortified wine terms and additional terms.

Part VIB of the Act makes it an offence to sell, import or export a wine described or presented with a term on the Register that it is not entitled to. The rules apply even when a protected term is accompanied by expressions such as 'kind', 'type', 'style', 'imitation', 'method', or any such similar expression, and even when a term 'so resembles' a protected term in a way that is likely to mislead. Accordingly, descriptors such as 'Barossa style' or 'Champagne method' are not permitted, regardless of whether they are likely to mislead as to origin.

There are exceptions to the offence provisions for:

- GIs registered for more than one place
- inclusion of the name of an individual who manufactured, sold, exported or imported the wine
- inclusion of the address of a winery at which the wine was manufactured, and
- common English words that are used in good faith and where the label indicates the true origin of the wine.

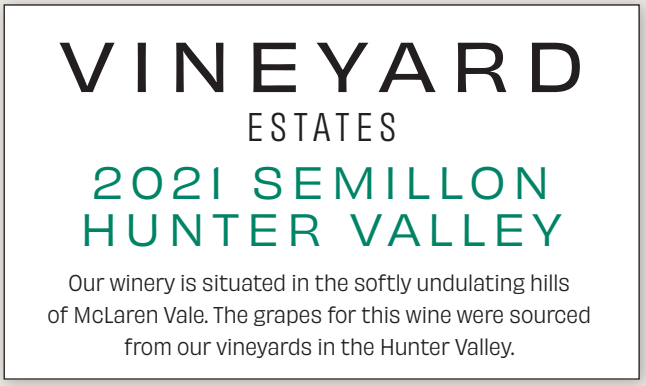
Read more on frequently asked questions about using protected terms on the Wine Australia website. Below are some examples of labels described and presented with GIs in breach of the Act.



The exception for winery addresses with a GI does not apply because Barossa Valley is not a necessary part of the physical address.



This is a false description and presentation because it includes a registered GI and the wine is not from the referenced GI.



This is a false description and presentation because the wine is not from McLaren Vale, even though the statement may be true and even if supplemented by clarifying information.

Labelling

The following section provides detailed information on the labelling requirements that apply to wine labels in Australia. Information on labelling requirements for export markets are outlined in the Export Market Guides published on the Wine Australia website.

Wine labels are governed by a number of different Commonwealth and State legislation including:

- *Wine Australia Act 2013* (Cth)
- *Wine Australia Regulations 2018* (Cth)
- Australia New Zealand Food Standards Code
- *National Measurement Act 1960* (Cth)
- *National Trade Measurement Regulations 2009* (Cth)
- *Competition and Consumer Act 2010* (Cth)
- State Food Acts

Example Australian wine label



BRAND NAME
Optional. Brand names should not mislead as to the origin, age or identity of the wine.

COUNTRY OF ORIGIN
Mandatory for domestic stock. Wording is not defined, for example, 'Wine of Australia' or 'Product of Australia'.

NAME OF FOOD
Mandatory. Must convey the true nature of the food, e.g. 'wine' or 'Riesling'.

ENERGY STATEMENT
Mandatory for all products packaged and labelled on or after 13 August 2028.

PREGNANCY WARNING
Mandatory from 31 July 2023. Approved image must be displayed within a black border on white background with clear space of 3 mm. Size requirements apply.

NAME AND ADDRESS
Mandatory. The name and street address of vendor, manufacturer, packer or importer.

LOT IDENTIFICATION
Mandatory, although the form is not prescribed.

GEOGRAPHICAL INDICATION
Optional. Must be 85% if claimed. Up to three GIs may be claimed and must total 95% (with min 5% from each GI) and be listed in descending order.

VARIETY
Optional. Must be 85% if claimed. Multiple variety claims must total 85% and be listed in descending order.

VINTAGE
Optional. The harvest year. Must be 85% if claimed. Multiple vintage claims must total 100%.

VOLUME
Mandatory. Must be 3.3 mm in height. May be presented on the front or back label.

ALCOHOL CONTENT
Mandatory. Must show percentage of alcohol by volume. Tolerances vary between products.

STANDARD DRINKS
Mandatory. Labels must declare number of standard drinks. 'Contains approximately X.X standard drinks' or logo acceptable.

ALLERGENS
Mandatory. Sulphites above 10 mg/kg, milk and egg must be declared. From 25 Feb 2024, prescribed plain English terminology must be used (sulphites, milk and egg).

Mandatory labelling requirements

Name of food (Standard 1.2.2–2)

The Food Standards Code requires labels to include an appropriate name or description of the food. There are no prescribed names, but the food must convey the true nature of the product. For example, names such as 'wine', 'chardonnay', 'shiraz' or 'sparkling wine' would be sufficient provided that any claimed grape varieties meet the blending rules and that use of any terms defined in the Food Standards Code (i.e. 'wine', 'sparkling wine', 'fortified wine' and 'brandy') meet the conditions as summarised under additives and processing aids.

Wine products are defined as food containing no less than 700 mL/L (70 per cent) of wine as defined in Standard 2.7.4, which has been formulated, processed, modified or mixed with other foods such that it is not wine. 'Wine product' alone, however, may not be sufficient to convey the true nature of the product. Wine Australia advises that wine products with added water, colours, flavours, etc., be labelled as a 'wine-based beverage' with added descriptors as needed. Exported wine products are not permitted to claim a GI (other than 'Australia') on their labels.

Lot identification (Standard 1.2.2–3)

Identifying your 'lot' or batch is mandatory under the Food Standards Code. Lot identifiers are primarily for traceability purposes in the event of a recall or withdrawal. If a product is not lot marked, then all product carrying the same label may be compulsorily recalled by health authorities instead of just the affected production run.

For Australia, there's no prescribed format, but it typically takes the form of an alpha-numeric code. Some wineries use a code that's modelled on a day/month/year format. Some markets (such as the EU) require the lot code to commence with the letter L.

The lot identification may be placed anywhere that will be visible after finished packaging and is often stamped on the bottle at the time of bottling. If you have a single product from a single batch, the label itself could be the lot identifier.

Name and address of supplier (Standard 1.2.2–4)

The name of supplier (being the vendor, manufacturer, packer or importer) must be placed on the label. The Australian business address of the supplier must also be placed on the label. Postal addresses (e.g. PO Box or RSD numbers) cannot be used. The address must be:

- the street address (i.e. showing the street number, road or street name, suburb, town, State/Territory, postcode, as applicable), or
- a description of the location

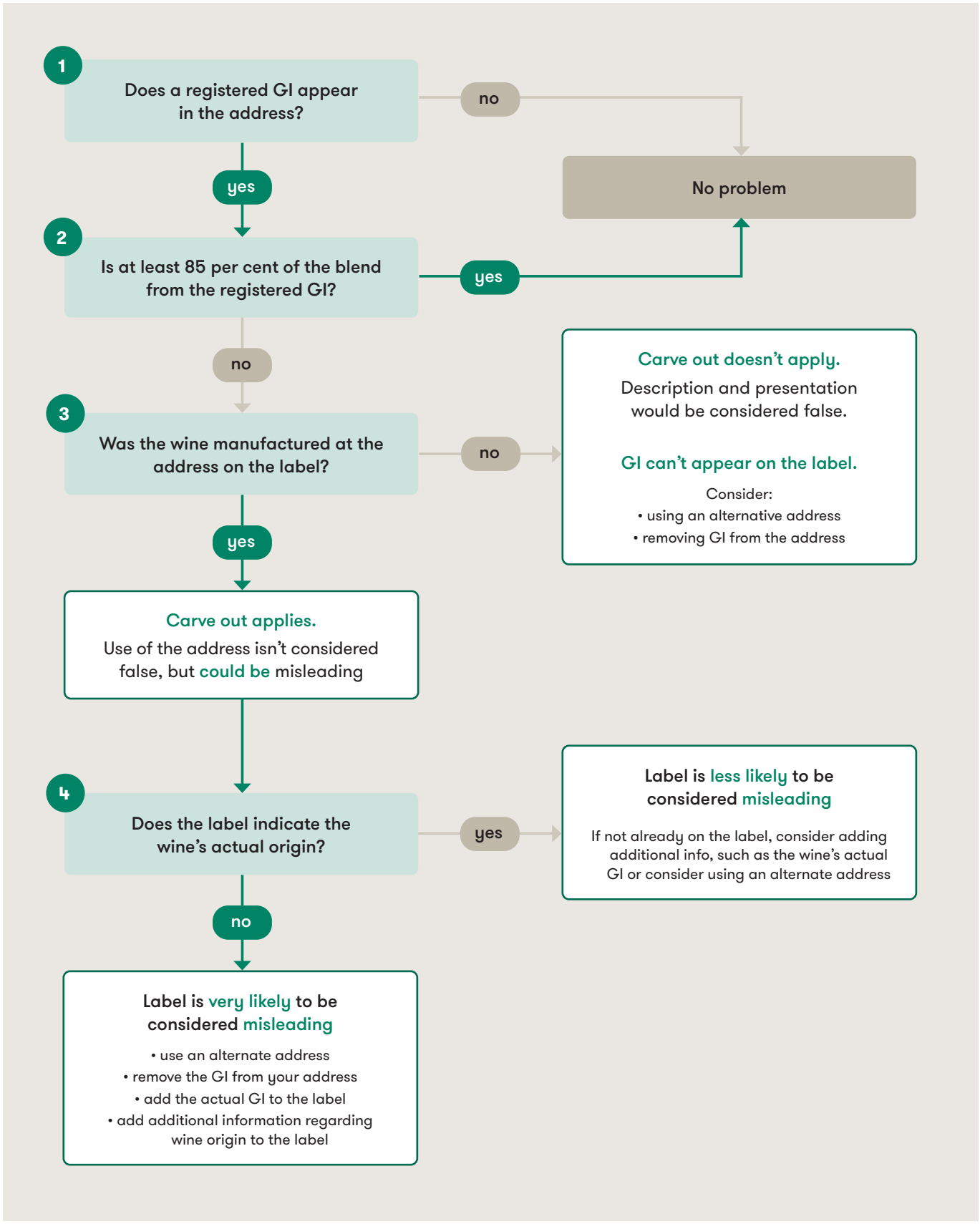
from which the supplier's business is being operated.

The marking of the name and street address is also required under section 4.7 of the *National Trade Measurement Regulations 2009* (Cth).

Registered Geographical Indications in addresses

Using an address that includes a GI could result in a non-compliant label under the false and misleading description and presentation provisions of the Act. An address can contain a registered GI in circumstances where the fruit was not sourced from that GI, but it is required to identify the location of the place in which the wine was manufactured. This doesn't include cellar door or vineyard addresses, and the way in which the address is displayed must not be misleading as to the origin of the grapes.

If your wine isn't sourced from the GI used in the address, this flow chart will help you determine if GI use may be considered either false or misleading.



Mandatory advisory statements (allergens) (Standard 1.2.3–4)

Certain foods and ingredients can cause severe allergic and other adverse reactions in some people. The Food Standards Code requires such substances to be declared on labels when they are present in food/wine.

In 2021, the Food Standards Code was amended to introduce new requirements for the labelling of allergens in food/wine. Those amendments mandate that, from 25 February 2024, certain allergen information must be declared using prescribed, plain English terms. If a food/wine was packaged and labelled before the 25 February 2024, and it does not declare allergens in the new required plain English terms, then it can still be sold for another two years (until 25 February 2026).

As set out in the table below, from 25 February 2024, the required names as applicable to wine and wine products must use the prescribed terms 'sulphites', 'egg' and 'milk' (as applicable). Wine is exempt from the requirement to declare isinglass derived from fish on the mandatory declaration.

Allergen	Required plain English name for allergen	Recommended allergen declaration
Added sulphites in concentrations of 10 mg/kg or more	sulphites	Contains sulphites
Egg	egg	Contains eggs
Milk	milk	Contains milk

Where more than one allergen is present, the declaration must declare all allergens (e.g. 'Contains sulphites, egg and milk').

Allergen declarations should be clear, consistent and in plain English. Unlike other foods, summary statement with a bold font that provides a distinct contrast with any other text is not required for standardised alcoholic beverages (including, e.g., 'wine' and 'wine product'), provided that a statement of ingredients is not also present.

Be aware that some allergenic substances can come from obscure sources. For example, some caramels used in the production of fortified wines are produced from wheat (gluten), and some 'technical' corks may be manufactured using casein-based glues that may leach into the product. Refer to Schedule 9 of the Food Standards Code for advice on the mandatory declarations for other foods.

Wine manufacturers are advised to seek written advice from suppliers as to the source of any additives, processing aids or packaging or other products that potentially could be the source of allergenic substances. Sources of allergenic substances could include failure to adequately clean production machinery, failure to adequately segregate allergenic substances in storage or on the production line, accidental or subversive addition of substances, or the failure of suppliers to identify such substances in their products.

Exporters should take particular note of any allergen labelling requirements in the destination market as some markets specify the format and language. In some export markets allergens labelling for wine is not required. Wine Australia has issued a broad exemption from the requirement to declare the presence of egg and milk in markets where allergens declarations are not mandatory. The exemption does not extend to the declaration of added sulphites which must be declared on export labels regardless. Refer to the Export Market Guides on the Wine Australia website for further assistance.

Sulphite and preservative free wines

Even if no sulphur dioxide has been added, care must be taken in any claim that a wine contains 'zero sulphur' or is 'preservative free'. Yeast can naturally produce sulphites during the fermentation process. 'Preservative free' should only be claimed if there are

no quantifiable levels of sulphur dioxide in the wine. If there is less than 10 mg/kg of naturally occurring sulphur dioxide a claim such as 'no added preservatives' may be acceptable.

Statement of alcohol content (Standard 2.7.1–3)

An alcohol statement is mandatory for foods containing more than 0.5% alcohol by volume. For a food (including an alcoholic beverage) that contains more than 1.15% alcohol by volume, the statement must be expressed as the percentage of alcohol by volume (e.g. '13.5% alc/vol').

For an alcoholic beverage that contains not less than 0.5% and not more than 1.15% alcohol by volume, the alcohol content must be expressed in words to the effect '*contains not more than x% alcohol by volume*'.

An alcoholic beverage which contains more than 1.15% alcohol by volume must not be represented as a 'low alcohol' (or words to a similar effect) beverage.

The alcohol content statement must be accurate to within:

- 1.5% alc/vol for wine, sparkling wine and wine products containing more than 6.5% alc/vol
- 0.5% alc/vol for spirits, brandy and fortified wine, and
- 0.5% alc/vol for all other alcoholic beverages containing more than 1.15% (to less than 6.5% alc/vol).

It is important to note that the above information relates to Australian and New Zealand requirements only and the tolerance for the alcohol statement may differ for export markets. Further information relating to alcohol labelling tolerance for export markets can be found on the Wine Australia website and in the Export Market Guides on the Wine Australia website.





Standard drink statement (Standard 2.7.1–4)

A standard drink is defined as the amount of beverage which contains 10 grams of ethanol, measured at 20°C. The label on a beverage or a food capable of being consumed as a beverage, which contains more than 0.5% alcohol by volume, measured at 20°C, must include a statement of the approximate number of standard drinks in the package:

- in the case of packages containing 10 or less standard drinks, accurate to the first decimal place, or
- in the case of packages containing more than 10 standard drinks, accurate to the nearest whole number of standard drinks.

The formula for the calculation is:

container volume (litres)
× % alcohol/vol (mL/100mL)
× 0.789 (specific gravity of ethanol)
= number of standard drinks.

For example, a 750mL bottle which contains 14% alc/vol would be calculated:

0.75 × 14 × 0.789
= 8.28, rounded to one decimal place
= 8.3 standard drinks.

The statement should be worded 'Contains approximately 8.3 standard drinks'. Alternatively, the approved AGW logo may be used.



Approved standard drinks logo

Note, while the standard drink concept is accepted and well-understood in Australia, this is not necessarily the case in other markets and a standard drinks statement may not be allowed in some export destinations. Wine Australia has issued a broad exemption from the requirement to label standard drinks for exported grape products. Markets that do not permit Australian standard drinks on export labels include the United States and Canada. It is acceptable to label standard drinks on Australian labels in the EU and UK markets due to the Australia–EU and Australia–UK Wine Agreements.

Pregnancy warning labels (Standard 2.7.1–8)

The Food Standards Code was amended on 31 July 2020 to require packaged alcoholic beverages with greater than 1.15% alcohol by volume to display a pregnancy warning mark.

Downloadable labels can be obtained from the FSANZ website.

Stock labelled after 31 July 2023 must include the mark, but stock labelled prior to 31 July 2023 may be sold after this date without adding the mark.

'Pregnancy warning mark' means the following image comprising:

- **the pregnancy warning pictogram (silhouette logo) in black and red**
- **the signal words 'PREGNANCY WARNING' capitalised and in red, bold, sans serif font, and**
- **the statement 'Alcohol can cause lifelong harm to your baby' in black, sans serif sentence case.**



The three components must appear contained within a black border, on a white background. The warning mark must be displayed with clear space of 3 mm surrounding the border.

The size requirements for an individual unit (e.g. a bottle, can or cask) are shown in the table below. 'Size of type' means the measurement from the base to the top of a letter or numeral.

Warning mark requirements for individual units

Individual unit volume	Warning label to be displayed	Size of pictogram	Size of type of signal words	Size of type of the statement
200 mL or less	Pictogram only	At least 8 mm diameter	Not applicable	Not applicable
Between 201 mL and 800 mL	Full pregnancy warning mark	At least 6 mm diameter	At least 2.1 mm	At least 1.6 mm
More than 801 mL	Full pregnancy warning mark	At least 9 mm diameter	At least 2.8 mm	At least 2.1 mm

The outer packaging of prescribed alcoholic beverages that will be used for retail sale (e.g. presentation box, multi-unit wrap or 6-pack/12-pack cartons) also require a pregnancy warning mark. If outer packaging doesn't obscure the individual unit (e.g. a cellophane wrap or similar) then it doesn't require a pregnancy warning mark. Note, this requirement only applies to outer packaging for retail sale to the consumer rather than boxes solely used for transport.

Rather than using the white, red and black pregnancy warning mark, producers may use an alternative pregnancy warning mark (pictured right) for outer packages that include more than one individual unit and are made of corrugated cardboard and have an outside liner made of kraft, recycled or white paper printed on using a post-print (flexographic) printing process.



Alternative outer packaging mark

The size requirements for outer packages are shown in the table below.

Warning mark requirements for outer packaging

Package type	Warning label to be displayed	Size of pictogram	Size of type of signal words	Size of type of the statement
Outer package containing only one inner individual unit, with a volume not more than 200 mL	Pictogram only	At least 8 mm diameter	Not applicable	Not applicable
Outer package containing either: • one individual unit over 200 mL • multiple inner units, more than 200 mL each • multiple inner units, not more than 200 mL each	Full pregnancy warning mark	At least 11 mm diameter	At least 3.5 mm	At least 2.7 mm

Wine Australia has issued a broad exemption from the pregnancy warning label requirement for exported grape products.

Energy statement (Standard 2.7.1—4)

The Food Standards Code was amended on 13 August 2025 to require energy statements for wine (and beverages containing no less than 0.5% alcohol by volume, and other standardised alcoholic beverages).

There is a three-year transition period regarding the need to include an energy statement. Products packaged and labelled on or after **13 August 2028** must include an energy statement on their labels.

ENERGY INFORMATION		
Servings per package: 5		
Serving size: 150 mL (1.5 standard drinks)		
	Average quantity per serving	Average quantity per 100 mL
Energy	430 kJ	287 kJ

Sample energy statement

The energy statement must appear in a prescribed tabular format with borders. The energy statement must also clearly indicate that quantities set out in the statement are average quantities. FSANZ's guidance provides that this could be indicated in the column headings (as shown in the image right):

For further information concerning energy statements, refer to Wine Australia's fact sheet and FSANZ's alcohol energy content calculator.

Country of origin statement (Country of Origin Food Labelling Information Standard)

Country of origin labelling is regulated in accordance with the Country of Origin Food Labelling Information Standard 2016 (Cth), made under the Australian Consumer Law and administered by the ACCC. Alcoholic beverages, including wine, are classified as non-priority foods. Accordingly, wine is exempt from mandatory standard marks but must include a text statement indicating where the product was grown, produced, made, or packed. Imported wines must also carry a country-of-origin statement.

Wine producers should understand the distinctions between 'grown in', 'produced in', 'made in', and 'packed in' when making origin claims. The ACCC website offers detailed definitions and examples for guidance.

Under section 24 of the Regulations, if a wine is made from grapes grown in more than one country, the label must identify the proportion sourced from each. The 85% rule applicable to single-GI claims does not apply to country-of-origin statements. When packaging a multi-origin wine, wording such as "Wine packaged in Australia from X% Australian and Y% [country] produce" satisfies both domestic and export requirements.

For export, it is recommended to keep country of origin labelling separate from any GI claim. For example, avoid statements like "Wine of Western Australia" or "Wine of Margaret River, Australia." Many export markets prescribe the form of origin statements. The EU-style format "Wine of Australia" is broadly accepted internationally.

Volume statement (National Trade Measurement Regulations)

In accordance with the National Trade Measurement Regulations 2009 (Cth), wine in standard size containers (50 mL, 100 mL, 187 mL, 200 mL, 250 mL, 375 mL, 500 mL, 750 mL, 1 litre, 1.5 litres, 2 litres, 3 litres, or a larger quantity of whole litres), is exempt from the general requirement that measurement markings appear on the principal display panel.

Accordingly, Australian wines may indicate the volume on any label, however, exporters should be aware of the 'single field of vision' concept applicable in WWTG member countries and the EU and UK.

The statement of quantity must be:

- of at least the prescribed minimum character height (refer to the table below)
- close to the name or brand of the product
- at least 2 mm from the edges of the package
- at least 2 mm in any direction from any graphics or written copy
- in metric units and in clear English, and
- clear and stamped or printed in distinct colour contrast to the background graphics.

Minimum print sizes depending on the largest dimension of the container are also applicable. In the case of a bottle, this is the bottle height in millimetres. For a cask, it is the measurement of the longest edge. For a standard 750 mL wine bottle, the minimum character height is 3.3 mm.

Largest package dimension	Minimum print height*
< 120 mm	2.0 mm
120 to < 230 mm	2.5 mm
230 to < 360 mm	3.3 mm (standard 750 mL bottle)
> 360 mm	4.8 mm

* Minimum print height applies to the shortest character in the statement

Accepted units for the volume statement are L (litre), dL (decilitre), cL (centilitre) or mL (millilitre).

Container Deposit Schemes (Australian states and territories)

Australian state and territory governments operate CDS. Expansions in certain states and territories now include wine and wine products under CDS coverage. This requires eligible containers to carry mandatory labelling, such as the approved refund mark and, where specified, unique barcodes for refund processing.

Where applicable, containers must display the nationally approved refund marking. Every eligible beverage container must show the words "*10c refund at collection depots/ points in participating state/territory of purchase*" in clear legible characters. This can be included on the product label or printed directly on containers. Stick-on labels can be used to meet compliance requirements.

In some states and territories, container approvals also require a bar code that must be unique to the class of container, either a GTIN barcode or an 8-13-digit bar code that complies with the GS1 Standard. Refer to bar codes.

Please refer to the CDS websites in each jurisdiction:

- Australian Capital Territory: ACT Container Deposit Scheme
- New South Wales: NSW Return & Earn
- Northern Territory: NT Container Deposit Scheme
- Queensland: QLD Containers for Change
- South Australia: SA Container Deposit Scheme
- Tasmania: TAS Recycle Rewards
- Victoria: VIC Container Deposit Scheme
- Western Australia: WA Containers for Change



Example of the refund mark wording.

Additional labelling considerations

Legibility (Standard 1.2.1–24)

There are no print size specifications under the Food Standards Code other than the general legibility requirements which requires any mandatory statement to be in English and be legible and prominent so as to contrast distinctly with the background of the label.

Date marking (Standard 1.2.5)

A best-before-date is mandatory on products with less than two years' shelf life. The Food Standards Code defines the 'best before' date as:

> *the date which signifies the end of the period during which the intact package of food, if stored in accordance with any stated storage instructions, will remain fully marketable and will retain any specific qualities for which express or implied claims have been made.*

In the case of wine and wine product, this normally would only apply where plastic or other non-glass packaging is used and where a limited shelf life (less than two years) is likely. However, if the description and presentation of the wine claims or implies certain qualities (such as freshness, drink whilst young etc.) then a 'best before' date is required unless any such claims would remain valid for at least two years.

The date must appear in the format 'best before [month] [year]' e.g. 'best before Dec 21' or 'best before 12 21' and the label must include a statement of any specific storage conditions required to ensure the food will keep for the specified period.

Nutrition and health claims (Standard 1.2.7—4)

The Food Standards Code prohibits health claims and nutrition content claims for products containing more than 1.15% alcohol by volume, except for energy content claims, sugar or sugars content claims, carbohydrate content claims, and gluten content claims. This prohibition does not apply to the energy statement in the prescribed tabular format (refer to the energy statement section, mandatory from 13 August 2028).

A *health claim* is a claim that states, suggests or implies that a food, or a property of a food, has or may have a health effect. *Nutrition content claims* are about the presence or absence of nutrients or other substances, such as protein, sodium, vitamins, or biologically active substances (for example resveratrol, polyphenols or antioxidants).

Where any of the following nutrition content claims are made:

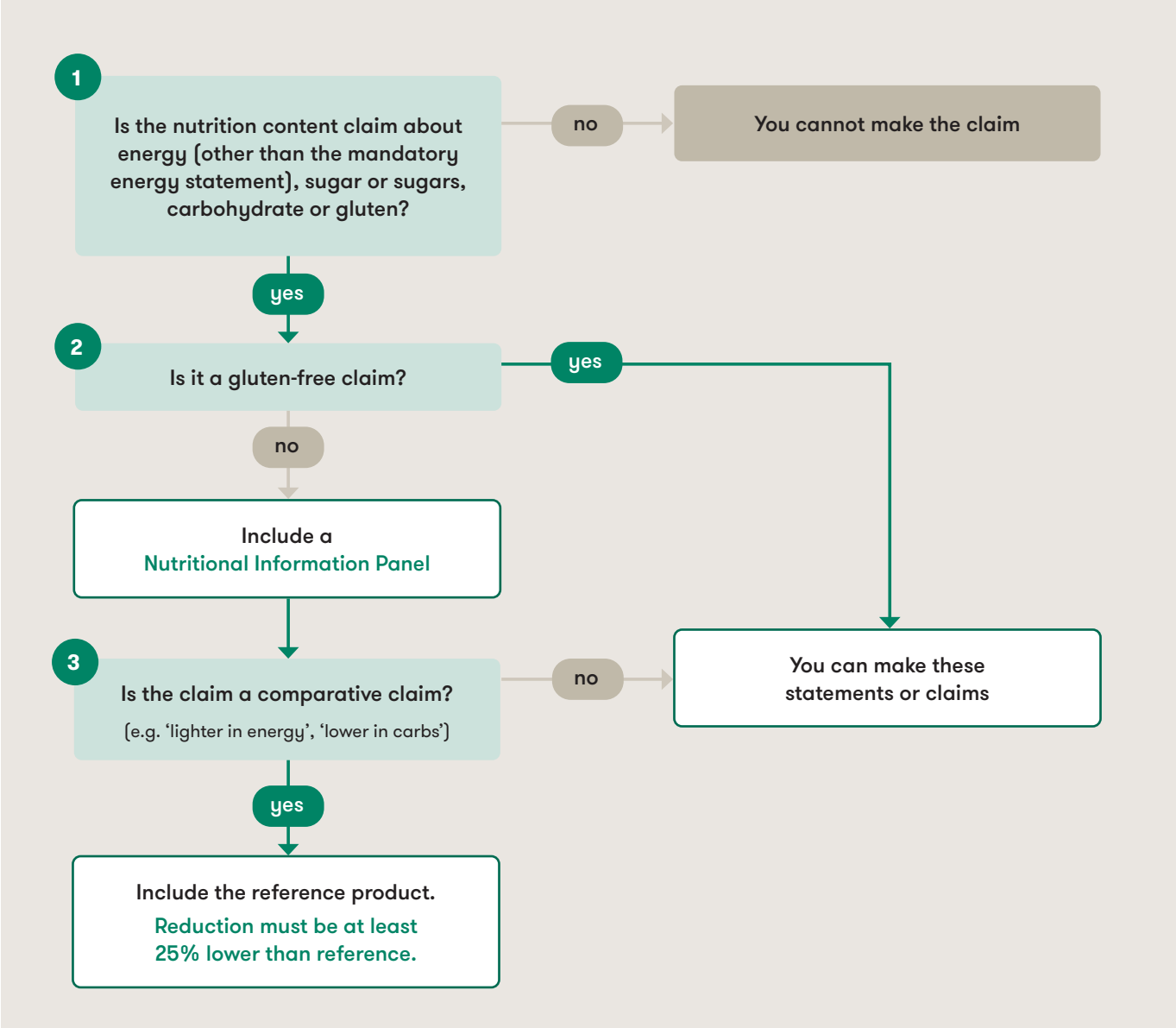
- an energy content claim (as distinct from the mandatory energy statement)
- a sugar or sugars content claim
- a carbohydrate content claim

a full Nutrition Information Panel (NIP) must be included on the label.

Gluten-free claims do not trigger a NIP requirement. Claims about individual sugars, such as fructose, or other specific components of carbohydrate are not permitted.

Comparative nutrition content claims, such as "lighter in energy", must identify a reference product and demonstrate a difference of at least 25%. For example: "Lighter in energy wine – at least 25% less energy compared to [*2025 Brand Shiraz*]".

This flow chart can be used to assess whether nutrition content claims for energy (other than the mandatory energy statement), sugar or sugars, carbohydrate, or gluten comply with the Food Standards Code.



Representations of light, low and no alcohol (Standard 2.7.1)

Any alcoholic beverage containing more than 1.15% alcohol by volume must not be represented as a 'low alcohol' beverage.

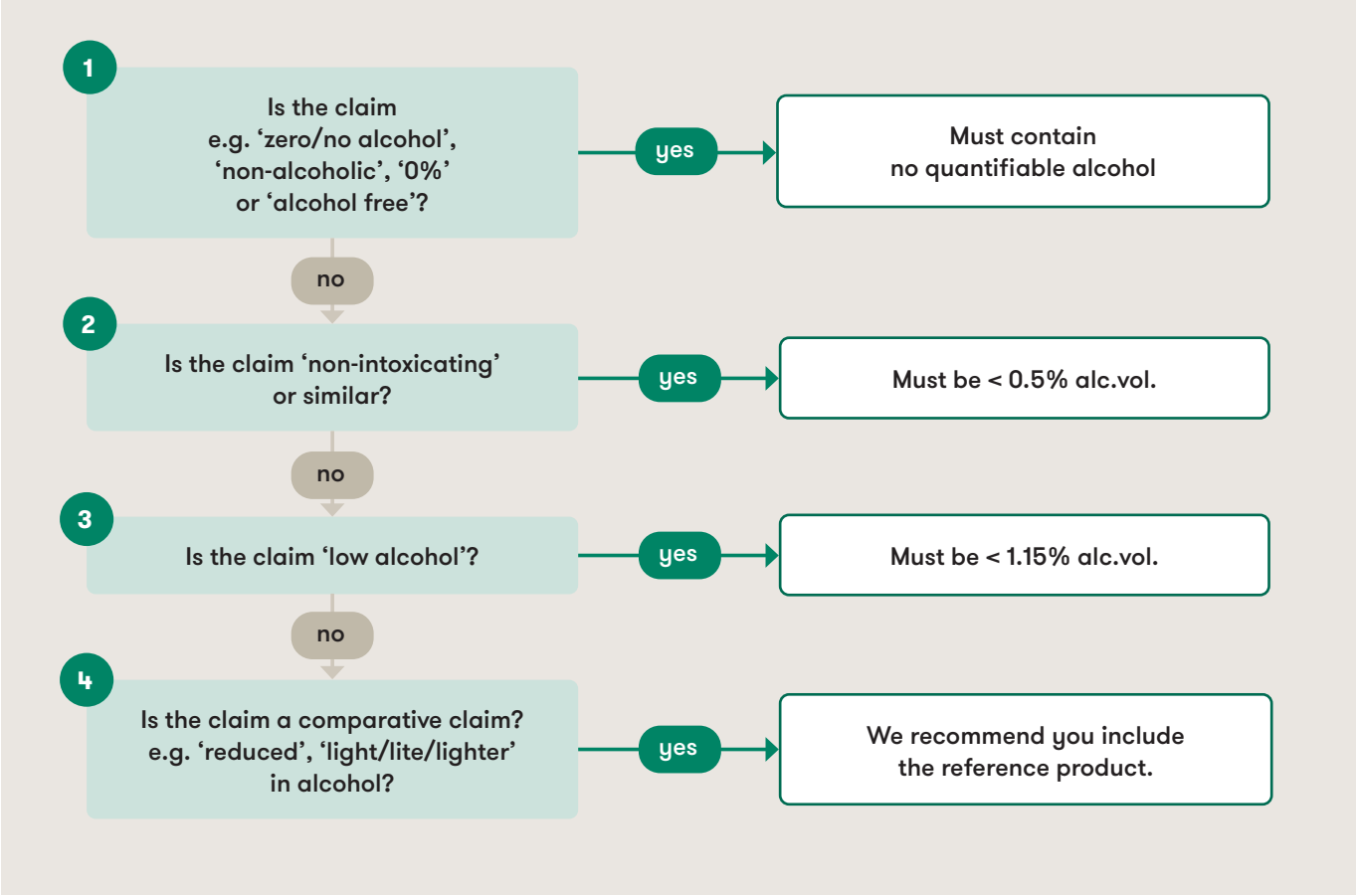
Similarly, the label on a package of a beverage containing more than 0.5% alcohol by volume must not include the words 'non intoxicating' or words of similar meaning.

Food containing alcohol must not be represented in a form which expressly or by implication suggests that the product is a non-alcoholic beverage e.g. 'zero alcohol' or 'no alcohol'. As test reports rarely quote zero you should be able to support a zero/no alcohol claim with a report quoting the alcohol as less than the limit of quantification (LOQ).

It should be highlighted that terms such as 'zero' are not defined. Rather it is the implication or overall impression given on the label that a product contains no alcohol. For example, the word 'zero' used in conjunction with other mitigating information such as 'contains less than 0.5% alcohol' would remove the implication that the product is a non-alcoholic beverage.

The term 'light' is not defined in the Food Standards Code. A claim such as 'light alcohol' is not considered a nutrition content claim, however, would likely be considered a comparative claim. Accordingly, Wine Australia recommends the label indicate the identity of the reference food and the difference between the amount of the claimed food and referenced food e.g. 'Lighter in alcohol wine – at least xx% lighter in alcohol compared to *[2020 brand Shiraz]*.

This flow chart will help determine whether your claim meets the requirements.



Note, grape-based products that contain alcohol require export approval from Wine Australia. Refer to the Wine Australia website for the Low Alcohol Wine Guide.

Australian Consumer Law

Any product sold in Australia is subject to the Australian Consumer Law, which prohibits conduct in trade or commerce which is misleading or deceptive or likely to mislead or deceive. Refer to the ACCC's guidance on making premium claims and environmental claims. In short, any claims must be honest, accurate and able to be substantiated.

Certain wine label claims that would come under these provisions include statements such as 'single vineyard', 'barrel fermented', 'estate bottled', 'established in xxxx' etc.

Refer to the Wine Australia website for further information on additional labelling terms.

Optional information

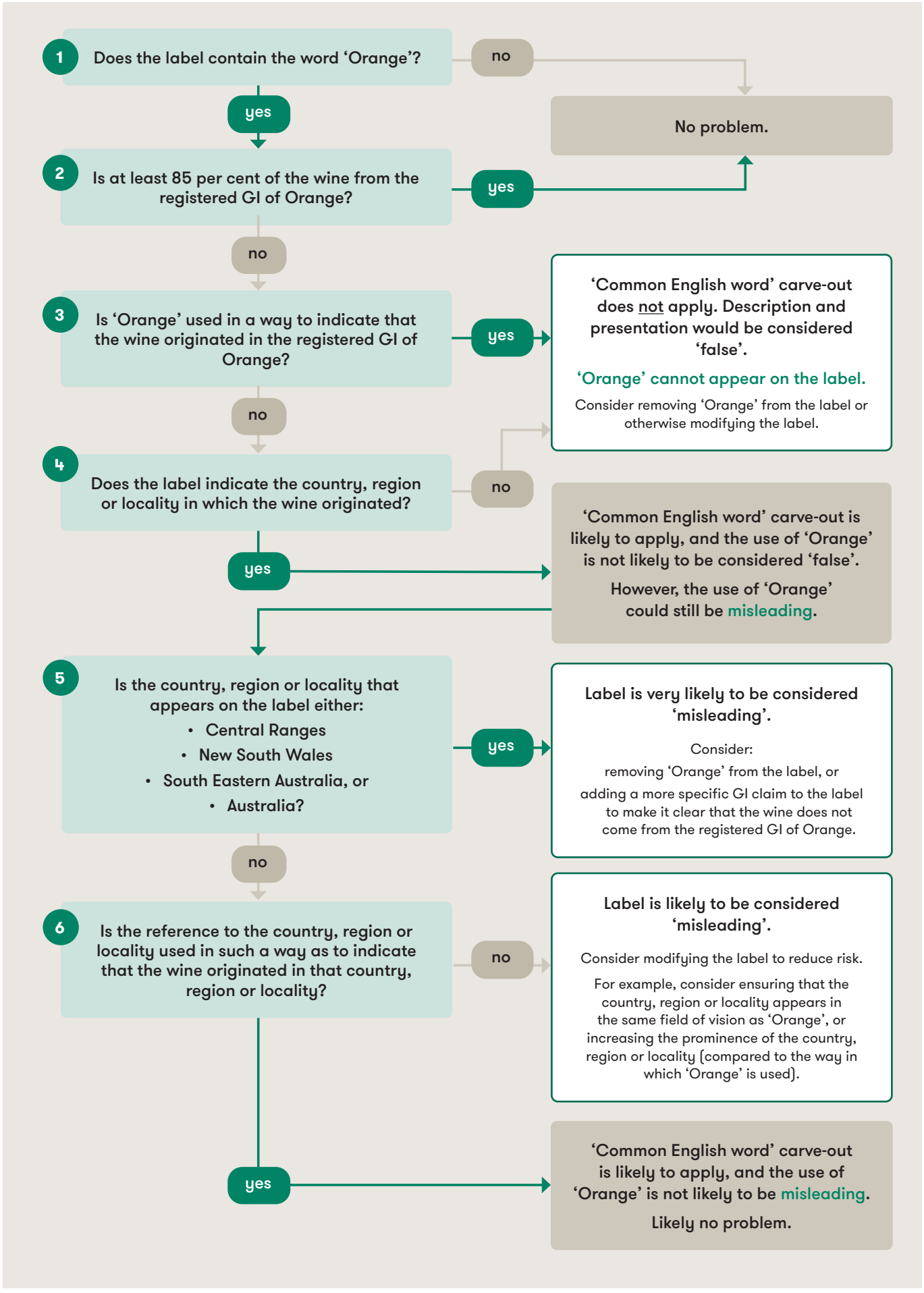
Amber/Skin contact wine

Orange became a registered geographical indication on 31 October 1997, and as such, is afforded the same level of protection as all other registered GIs. Therefore, generally, the term 'orange wine' cannot be used to describe skin contact white wines, unless the fruit has been sourced from the registered GI, Orange.

An exemption from the false and misleading description and presentation provisions exists to allow for the use of a 'common English word', which orange would qualify for. However, it must be used in good faith, and in such a way that is not likely to mislead as to the origin of the wine. To make it abundantly clear to the consumer that orange is being used to describe colour there must be sufficient context to support the claim, i.e. 'Wine with an orange hue' or 'orange in colour'. Alternatively, 'amber' is an acceptable replacement for orange when presenting or describing skin contact white wines, or wines that are amber in colour.

If you want to use the word orange on a wine label, this flow chart will help determine whether your proposed use is compliant.




1
Does the label contain the word 'Orange'?
no
No problem.
yes
2
Is at least 85 per cent of the wine from the registered GI of Orange?
yes
no
3
Is 'Orange' used in a way to indicate that the wine originated in the registered GI of Orange?
yes
'Common English word' carve-out does not apply. Description and presentation would be considered 'false'.
'Orange' cannot appear on the label.
Consider removing 'Orange' from the label or otherwise modifying the label.
no
4
Does the label indicate the country, region or locality in which the wine originated?
no
yes
'Common English word' carve-out is likely to apply, and the use of 'Orange' is not likely to be considered 'false'.
However, the use of 'Orange' could still be misleading.
5
Is the country, region or locality that appears on the label either:
• Central Ranges
• New South Wales
• South Eastern Australia, or
• Australia?
yes
Label is very likely to be considered 'misleading'.
Consider:
removing 'Orange' from the label, or
adding a more specific GI claim to the label to make it clear that the wine does not come from the registered GI of Orange.
no
6
Is the reference to the country, region or locality used in such a way as to indicate that the wine originated in that country, region or locality?
no
Label is likely to be considered 'misleading'.
Consider modifying the label to reduce risk.
For example, consider ensuring that the country, region or locality appears in the same field of vision as 'Orange', or increasing the prominence of the country, region or locality (compared to the way in which 'Orange' is used).
yes
'Common English word' carve-out is likely to apply, and the use of 'Orange' is not likely to be misleading.
Likely no problem.

Apera and Topaque

When the Australia–EU Wine Agreement took effect on 1 September 2010, Australia agreed to discontinue the use of several protected European wine terms, including Sherry and Tokay, in exchange for improved market access. To replace Sherry, which has been protected since 1 September 2011, the Australian wine sector developed the term Apera. The term Tokay was phased out on 1 September 2020 and replaced with Topaque. Both Apera and Topaque are registered certification trade marks owned by Wine Australia and may be used only by approved users. Use of these terms is subject to conditions including, but not limited to, the following:

Apera

- the term may only be used to describe Australian fortified wines
- the fortified wine must comply with the taste, aroma and characteristics of an Apera wine referred to in the Australian Wine Industry Fortified Wine Code of Practice
- the term must appear on the label in the same field of vision as the producer's distinguishing trade mark, and
- the term must always appear with a font size equal to or less than 50 per cent of the size of the distinguishing trade mark.

Topaque

- the term may only be used for Australian fortified wines produced exclusively from grapes harvested in Australia and at least 850ml/L of which must be obtained from vine variety Muscadelle, and
- the fortified wine must comply with the Australian Wine Industry Fortified Wine Code of Practice.

If you wish to use either term on your label, contact Wine Australia. A copy of the current licence agreements can be found for Apera and for Topaque on the Wine Australia website.

Bar codes

Bar codes are not required by the Food Standards Code or regulated as to size or placement. They are, however, increasingly required by wholesalers and retailers in Australia and overseas. The 13-digit EAN (European Article Number) is the most commonly used in Australia and the EU and the only one now accepted in Canada. The USA accepts both EAN and the 12-digit UPC (Universal Product Code). The EAN system can read UPC, but the reverse does not apply. For further information regarding either system contact GS1 Australia.

In certain states and territories, CDS container approvals require a unique barcode. For more information, refer to Container Deposit Schemes.

Brand names

Brand names (or any other name) should not mislead as to the origin, age or identity of the wine. If a brand name (or business name) contains a registered GI it can only be used on the label when the wine has been sourced from the relevant GI.

Regulation 32 of the Regulations allows for the co-existence of Australian GIs and trade marks which were registered by IP Australia prior to the registration of the GI. Refer to description and presentation above.



Cabernets

The term 'Cabernets' was adopted by the Australian wine industry to replace the term 'Bordeaux' which was listed on the Register as a protected GI in 1994. Not to be confused with the varietal claim 'Cabernet', which is a synonym for Cabernet Sauvignon, the term 'Cabernets' may be used in the description and presentation of a wine in place of a varietal claim to indicate one of two types of blends:

- a blend comprising at least 85% Cabernet Sauvignon, Cabernet Franc and/or Ruby Cabernet, or
- a blend comprising at least 85% of traditional 'Bordeaux' varietals (Cabernet Sauvignon, Cabernet Franc, Merlot, Malbec and/or Petit Verdot) provided that at least one of Cabernet Sauvignon or Cabernet Franc contribute to the blend.

The context in which the term 'Cabernets' is being claimed must be clearly indicated on the label.

Carbon neutral and sustainability claims

Wine Australia has developed a guide to help Australian grape and wine businesses convey their sustainability achievements, targets and actions in an authentic manner that builds trust in their products or labels and engages staff and customers. Refer to the Sustainability Communications Guide on the Wine Australia website.

Carbon neutral claims are used to convey a message about the volume of carbon emissions associated with a particular thing, most often a product or an organisation. If a wine or a winery claims to be 'carbon neutral', then the *net* emissions associated with that wine or winery must be zero. Carbon neutral claims must comply with the Australian Consumer Law. This means that they must not be false, misleading or deceptive. Care should be taken when using broad terms that are capable of multiple meanings – for example: 'green', 'carbon friendly', 'carbon compensated' and 'environmentally safe'.

Wine Australia has developed a Carbon Neutral FAQ document which includes details on the Climate Active Carbon Neutral Standards administered by the Department of Environment and Energy and links to the Australian Association of National Advertisers Environmental Claims Code. The FAQs can be viewed on the Wine Australia website.

Carton labelling

The *National Trade Measurement Regulations 2009* (Cth) requires that if a pre-packaged product is packed or sold, the package containing the product must be marked with the name and address of the person who packed the product or on whose behalf it was packed. The carton must indicate either the total volume of the inner packages or the number of packages and the volume of each (e.g. 12 × 750 mL).

If products are offered for sale to consumers in the carton as a consumer unit (e.g. a three-bottle presentation pack) the Food Standards Code requires that all mandatory information for a wine label be reproduced (or the information be visible on the inner packages) on the outer carton.

If the outer packaging, such as a carton, is not used for retail sale and is only used for transportation and distribution purposes, full labelling with mandatory information (including the pregnancy warning logo) is not required. If the carton is intended to be removed prior to retail sale, only the product name, lot identification, supplier details and quantity statement (e.g. quantity in carton × volume of product) are required.

Cleanskins (unlabelled wine)

It is not legal to sell or export wine without all mandatory items appearing on the packaging. Unlabelled bottles cannot be sold at retail to the public, but unbroken cartons of bottles can be sold if the mandatory information appears on the carton in an acceptable form. However, mandatory warning declarations including allergens and the pregnancy warning must still appear on every bottle.

Dates on labels

Care should be taken when using historical dates or additional numeric references in the description and presentation of a wine to avoid misleading as to the vintage of the wine. Other years may be referred to on wine labels, for example, to indicate when the winery was established, when a vineyard was planted, or when the winemaker joined the winery. When such references are made, it's important to make sure that they won't be interpreted as vintage claims.

To ensure references to a year that isn't a vintage year is permissible, you should:

1. give context to the non-vintage year (for example, use words like 'planted in', 'established in' or 'produced since')
2. ensure the actual vintage claim is clearly stated
3. ensure the actual vintage claim appears in the same field of vision as the reference to the other year, and
4. ensure the actual vintage claim is more prominent than the reference to the other year.

Display of awards and medals

The use of medals or awards in the description and presentation of wines is permitted, however care should be taken that they do not clash with any other labelling consideration (such as use of a protected term). The Australian wine sector has developed a *Display of Awards Code of Practice* which outlines how awards should be displayed. This Code of Practice is available from the AGW website.



Fortified wine terms

A number of fortified wine terms are protected on the Register. It is an offence under the Act to include a registered term in the description and presentation of a wine that does not comply with the registered conditions of use applicable to that term. Refer to the Australian Wine Industry Fortified Wine Code of Practice for further information. The protected terms and their conditions of use are outlined in the table below.

Term	Conditions of use
Cream	Describes a style of Australian fortified sweet wine of not less than 5 baumé. The wine will be pale yellow to light amber in colour, rich and sweet to taste and typically with a vinous to fruity aroma. The wine can be blended from more than one vintage and typically does not exhibit age-derived characters. Ageing takes place in a variety of vessels. Fortification must be from Australian grape spirit. In addition, for the export market, the wine will be produced using the solera system, including being aged in oak barrels for at least three years.
Crusted/Crusting	Describes a fortified wine in which deposits may develop in the bottle.
Ruby	Describes a style of Australian fortified wine that receives only a few years of ageing prior to bottling. At bottling the wine retains a deep ruby colour and tends to be robust in character, full bodied and fruity. The wine can be blended from more than one vintage, with a view to sustaining the primary characteristics of colour and aroma. Fortification must be from grape spirit. In addition, for the export market, the ageing of the wine will include, as a minimum, ageing in oak barrels for four months.
Solera	Describes a system of using casks/barrels containing wines of varying ages. The wines from the barrel containing the oldest mix of vintages is taken from the solera. All of the wines in the barrels of the solera then cascade in order of age and the barrel containing the youngest mix of wines refreshed with new wine. The process gives a blended product, ranging from pale straw to a dark amber colour depending on the style being produced. This process is reserved for the production of fortified wines.
Tawny	Describes a style of Australian fortified wine that receives varying years of ageing prior to bottling. At bottling the wine has a red-gold or 'tawny' hue. The wines should reflect the characteristics of careful aging showing 'developed' rather than 'fresh' fruit characters. However, many show the fresh well developed 'fruit' characteristics of younger wine. The wine is usually blended from more than one vintage, may be matured in oak containers and reaches an optimal age before sale. Fortification must be from grape spirit.
Vintage	Describes a style of Australian fortified wine that is produced from a single vintage year. These high quality wines are characterised by relatively long periods of bottle maturation. They are generally deep in colour, full bodied and smooth. They are entitled to bear the designation 'vintage' and the corresponding year. These wines are characterised by the ability to improve with age in bottle and benefit from prolonged cellaring. Such wines are aged for a minimum of twenty months prior to release. Fortification must be from Australian grape spirit. In addition, for the export market, the ageing of the wine will include, as a minimum, ageing in oak barrels for four months.

Icewine

Icewine is protected on the Register. The terms 'icewine', 'ice wine' or 'ice-wine' may only be used in the description and presentation of a wine when the wine is obtained exclusively from grapes naturally frozen on the vine. It is an offence under the Act to include a registered term in the description and presentation of a wine that does not comply with the registered conditions of use applicable to that term.

Maps on labels

Maps appearing on labels, brochures and advertising etc. form part of the description and presentation of the wine. If a GI is named or referred to on a map, and the wine is not sourced from that GI, then it is a false or misleading label claim.

Moscato

Moscato is protected on the Register. The term 'Moscato' may only be used in the description and presentation of a wine when at least 85 per cent of the wine is obtained from a list of defined Muscat varieties (including Muscat a Petits Grains, Muscat of Alexandria, Muscat Gordo, Muscat Hamburg, Gewürztraminer etc). Refer to the Register for the full list of varieties. It is an offence under the Act to include a registered term in the description and presentation of a wine that does not comply with the registered conditions of use applicable to that term.

Read more about use of Moscato on the Wine Australia website.

Organic and biodynamic wine

Organic products intended for the Australian market are not required to be certified in order to be labelled 'organic'. There is a voluntary standard for growers and manufacturers wishing to label products as 'organic' and 'biodynamic' for sale within Australia (AS 6000–2015). As it is a voluntary standard, businesses do not necessarily have to meet the requirements of this standard in order to label and sell their products as 'organic' or 'biodynamic' within Australia.

While organic certification is not legally required for a product supplied in Australia to be described as organic, businesses must be able to substantiate any such claims. Many organic businesses choose to be certified by an organic certification body to underpin truth in labelling requirements and promote consumer confidence. Certification for organic claims can be made by any of the many private organisations that perform this function.

Misleading, false or deceptive organic claims are prohibited under the Australian Consumer Law. The ACCC provides useful guidance on environmental and organic claims made in the domestic market.

For export, organic and biodynamic goods must comply with the *Export Control Act 2020* (Cth) and Organic Goods Rules. Further information is outlined in Export documentation above.

For export, organic certification is mandatory. Any mention of 'organic' or 'biodynamic' (or indication of similar meaning) in a wine's description and presentation is considered an organic claim. Wines with organic claims require organic certification for export approval, and exporting wines presented as organic without certification is an offence under the Organic Goods Rules and can attract significant penalties. For information about organic and biodynamic wine export requirements, refer to the Organic Wine Export Market Guide on the Wine Australia website.



Pinots

The term 'Pinots' may be used to describe a blend of two or more Pinot varieties including Pinot Noir, Pinot Meunier, Pinot Blanc and Pinot Gris, when these varieties comprise at least 85% of the blend.

Prosecco

In Australia, Prosecco is recognised as a grape variety. However, its use as a varietal name may be restricted in some markets because it is legally protected as a GI. If you are unsure about the situation pertaining to Prosecco in a particular import market, you should liaise with Wine Australia and with your distributor/importer.

Responsible drinking

So consumers can make informed choices about their own alcohol consumption, AGW has partnered with DrinkWise to increase consumer understanding about responsible consumption. DrinkWise encourages alcohol producers to apply "*Get the facts DrinkWise.org.au" logo* on products and packaging, providing a pathway for consumers to access important information including moderation tips, alcohol content and support service providers. The logos, which are free for use by all alcohol producers, can be downloaded via the DrinkWise website.

Get the facts DrinkWise.org.au

Example DrinkWise logo

Single vineyard

There isn't a legal definition of 'single vineyard', hence the general requirement to ensure the statement doesn't mislead or deceive the consumer will apply. Wine Australia's view is that the description of a wine as 'single vineyard' has the potential to mislead and/or deceive a consumer if the fruit used to make the wine was not sourced from a single vineyard.

Sparkling wine terms

Sparkling

The Food Standards Code defines a sparkling wine as a wine which has become surcharged with carbon dioxide as a result of complete or partial fermentation of contained sugars. Accordingly, wines which are carbonated by means of the addition of carbon dioxide to achieve effervescence may not be labelled as 'sparkling'.

Methode champenoise

Methode champenoise is protected on the Register. The term 'methode champenoise' may only be used in the description and presentation of wines originating in the place indicated by the GI 'Champagne'. It is an offence under the Act to include a registered term in the description and presentation of a wine that does not comply with the registered conditions of use applicable to that term.

Traditional method

Traditional method is not a regulated term but is understood to indicate a sparkling wine made in the methode champenoise. 'Traditional method' may be used as an alternative descriptor on Australian sparkling wines.

Methode traditionelle

The term methode traditionelle is not a protected term and may be used as an alternative descriptor to 'methode champenoise' on Australian sparkling wines.

Pét-nat

Pét-nat, or Pétillant Naturel, is a term commonly used to describe a type of sparkling wine that is made using lower intervention and natural fermentation processes. Pét-nats are bottled before the fermentation process is fully complete, resulting in carbon dioxide being formed from the natural sugars in the wine. The resulting wine is often cloudy in appearance. The term is not regulated but in order to satisfy the requirements of the Australian Consumer Law you should ensure wines labelled with this term are representative of the type of products that consumers would expect.





Sustainable Winegrowing Australia (SWA)

SWA is Australia's national program for grapegrowers and winemakers to demonstrate and continuously improve their sustainability in the vineyard and winery through the environmental, social and economic aspects of their businesses.

The SWA trust mark can only be used by certified members of SWA in accordance with the SWA Trust Mark Rules of Use. Certified members are required to provide draft artwork to the AWRI for approval.

The SWA trust mark must be used only in accordance with the Rules of Use.

Vegetarian and vegan claims

Wine Australia does not regulate the use of 'vegetarian' or 'vegan' claims in relation to wine labelling.

'Vegan' is not defined, however, most consumers would understand vegan produce as not being made from, or perhaps not even coming into contact with any animal product, animal by-product or derivative of animal product such as gelatin, milk, egg or fish based fining agents used in the manufacture of wine. Other animal products that may be used in manufacturing wine include beeswax to seal bottles and agglomerated corks which use milk-based glues. The Australian Consumer Law prohibits businesses making 'vegan' or 'vegetarian' statements that are incorrect or likely to create a false impression.

The ACCC views label references to vegan as food type assurance claims. 'Food-type assurance claims' means claims referring to specific systems or processes that have been put in place to provide assurance to specific consumer groups or tastes. Claims that give such assurances must have a factual basis. For example, claims may be substantiated through well-documented certification processes and certification performed by authorised persons. Alternatively, you should be able to show reliable documentation to support your claim.

There are a number of vegan and vegetarian societies that have registered certification trade marks that you can apply for and pay to use.



Imported wine

Wine Australia administers the export controls and issues licenses to export grape products from Australia. However, a license is not required to import wine into Australia. Questions concerning the import of wine into Australia should be directed to the Department. Questions about the sale of wine in Australia, and applicable liquor licensing requirements, should be directed to state and territory liquor licensing authorities. Imported wine, other than wine from New Zealand,[1] must comply with the *Imported Food Control Act 1992* (Cth) which specifies that imported food comply with the Food Standards Code.

The labelling requirements set out in Part 1.2 and Part 2.7 of the Food Standards Code, and outlined above, applies to imported wines. Imported wine must also comply with the production limits set out in Part 1.3 and Part 1.4 of the Food Standards Code and the related schedules, particularly Schedules 15, 16, 18, 19 and 20. The wine production requirements set out in Standard 4.5.1 apply only to Australian wines.

If an imported wine refers to a foreign country GI or foreign place name at least 85 per cent of the wine must have been obtained from grapes grown in the country, region or locality indicated by the GI. If the wine is made from grapes grown in more than one country, the description and presentation of the wine must identify the proportion of the wine that originated in each country.

The false and misleading offence provisions of the Act also apply to imported wine if that wine has a description and presentation that includes a registered GI or a registered translation of the indication and the wine did not originate in the country, region or locality indicated, or if the wine includes a registered Traditional Expression or a registered additional term and the wine does not comply with any registered conditions of use.

1 New Zealand wine enters Australia under the Trans Tasman Mutual Recognition Agreement and the Australia New Zealand Closer Economic Relations Trade Agreement. Wine legally sold in New Zealand can be sold in Australia.

Additives and processing aids

Wine composition and labelling compliance under the Food Standards Code is regulated domestically by the State Health Authorities in accordance with the various State Food Acts.

Wine Australia is responsible for ensuring compliance with the Food Standards Code at the point of export. Exporters can apply to Wine Australia for permission to export a product that does not comply with the Food Standards Code in circumstances where the product complies with the importing country's requirements.

This Licensing and Compliance Guide concerns the production and sale of wine, sparkling wine and fortified wine in Australia and lists additives and processing aids approved for that purpose. Certain export markets prohibit the use of some additives and processing aids approved for use in Australia, or classify them differently.

Whether certain additives and processing aids are approved and how they are classified will affect whether a product can be lawfully sold in a particular market, and may affect how a product is described and presented (e.g. in relation to allergen and/or ingredient labelling). To check the requirements of particular export markets, consider the Export Market Guides on the Wine Australia website.

Food Standard 4.5.1

Australian wine production is governed by Standard 4.5.1 of the Food Standards Code. Standard 4.5.1 applies only to the production of wine in Australia.

Definitions

Wine means the product of the complete or partial fermentation of fresh grapes, or a mixture of that product and products derived solely from grapes.

Sparkling wine means the product consisting of wine that by complete or partial fermentation of contained sugars has become surcharged with carbon dioxide. Sparkling wine:

- may contain grape spirit, brandy and sugars provided that their addition does not increase the alcohol content by more than 25 mL/L at 20°C, and
- must contain no less than 5 g/L of carbon dioxide at 20°C.



Fortified wine means the product consisting of wine to which has been added grape spirit, brandy or both. Fortified wine may also contain caramel.

Grape spirit means the spirit obtained from the distillation of wine or the by-products of winemaking or the fermented liquor of a mash of dried grapes and contains methanol in a proportion not exceeding 3 g/L at 20°C of the ethanol content.

Brandy means the spirit obtained by the distillation of wine in such a manner as to ensure that the spirit possesses the taste, aroma and other characteristics generally attributed to brandy, in accordance with the following requirements:

a) must be matured in wooden containers for no less than 2 years

b) must contain no less than 250 mL/L of the spirit distilled at a strength of no more than 830 mL/L at 20°C of ethanol

c) may contain:

   i. water
   ii. caramel
   iii. sugars
   iv. grape juice and grape juice concentrates
   v. wine
   vi. prune juice
   vii. honey, and
   viii. flavourings

d) must not contain methanol in a proportion exceeding 3 g/L at 20°C of the ethanol content thereof.

Wine product means a food containing no less than 700 mL/L (70 per cent) of wine, which has been formulated, processed, modified or mixed with other foods such that it is not wine.

Wine composition

Analytical parameter	Specification	
	Minimum	Maximum
Alcohol by volume @ 20°C		
Still and Sparkling Wine	4.5%	-
Fortified Wine	15%	22%
Methanol (red wine, white wine, fortified wine)		3 g methanol / L of ethanol
Sodium Chloride		1 g/L
Potassium Sulphate		2 g/L
Phosphorus		400 mg/L
Volatile Acidity		1.5 g/L
Cyanides		0.1 mg/L

Additives

A food additive is any substance not normally consumed as a food in itself and not normally used as an ingredient of food, but which is intentionally added to a food to achieve a technological function (e.g. antioxidant, preservative). It or its by-products may remain in the food. Standard 4.5.1 lists the approved additives for the production of wine, sparkling wine and fortified wine.

Additives	Specification maximum
Ascorbic acid	GMP
Carbon dioxide	GMP
Citric acid	GMP
Erythorbic acid	GMP
Grape juice including concentrate grape juice	GMP
Grape skin extract	GMP
Gum Arabic	GMP
Lactic acid	GMP
Malic acid	GMP
Metatartaric acid	GMP
Mistelle[2]	GMP
Potassium polyaspartate	100 mg/L
Potassium sorbate	See sorbic acid
Potassium sulphites	See sulphur dioxide
Sodium carboxymethylcellulose	GMP
Sorbic acid	200 mg/L
Sulphur dioxide:	
< 35 g/L sugars	250 mg/L
> 35 g/L sugars	300 mg/L
Tannins	GMP
Tartaric acid	GMP
Yeast mannoproteins	GMP

GMP = Good Manufacturing Practice as defined in Standard 1.1.2 of the Food Standards Code.

2 Mistelle means grape must or grape juice prepared from fresh grapes to which grape spirit has been added to prevent fermentation and which has an ethanol content between 120 mL/L and 150 mL/L at 20°C.

Processing aids

Processing aids are substances used in the processing of raw materials, foods or ingredients, to fulfil a technological purpose relating to treatment or processing but does not perform a technological function in the final food. The substance is used in the course of manufacture of a food at the lowest level necessary to achieve a function in the processing of that food, irrespective of any maximum permitted level specified.

Clause 4 of Standard 4.5.1 lists the approved processing aids for the production of wine, sparkling wine and fortified wine.

Processing aid	Specification maximum
Activated carbon	GMP
Agar	GMP
Alginates, calcium and potassium salts	GMP
Ammonium bisulphite	GMP
Ammonium phosphates	GMP
Argon	GMP
Bentonite	GMP
Calcium carbonate	GMP
Calcium tartrate	GMP
Carbon dioxide	GMP
Carrageenan	GMP
Cellulose	GMP
Chitin-glucan	GMP
Chitosan sourced from *Aspergillus niger*	GMP
Collagen	GMP
Copper sulphate	GMP
Cultures of micro-organisms[3]	GMP
Cupric citrate	GMP
Diatomaceous earth	GMP
Dimethyl dicarbonate	200 mg/L
Dimethylpolysiloxane	GMP
Egg white	GMP
Enzymes	GMP
Gelatin	GMP

Processing aid	Specification maximum
Hydrogen peroxide	GMP
Ion exchange resins	GMP
Isinglass	GMP
Lysozyme	GMP
Milk and milk products	GMP
Nitrogen	GMP
Oak	GMP
Oxygen	GMP
Pectins	GMP
Perlite	GMP
Phytates	GMP
Plant proteins permitted as processing aids under clause 3(a) to Standard 1.3.3 (which permits the use of foods, including water as processing aids)	GMP
Polyester resins, cross-linked[4]	GMP
Polyvinyl polypyrrolidone (PVPP)	GMP
Polyvinyllimidazole-polyvinylpyrrolidone co-polymers (PVI/PVP)	GMP
Potassium carbonate	GMP
Potassium ferrocyanide[5]	GMP
Potassium hydrogen carbonate	GMP
Potassium hydrogen tartrate	GMP
Silicon dioxide	GMP
Thiamin chloride[6]	GMP
Thiamin hydrochloride[6]	GMP

3 Cultures of microorganisms means yeasts or bacteria (including yeast ghosts) used in wine manufacture with or without the addition of any one or more of thiamine hydrochloride, niacin, pyridoxine, pantothenic acid, biotin and inositol.

4 Polyester resins, cross-linked may only be used in the production of wine, sparkling wine and fortified wine as an adsorbent agent.

5 If potassium ferrocyanide has been used as a processing aid in the manufacture of a wine, sparkling wine or fortified wine, the final product must have residual iron present.

6 Thiamin chloride and thiamin hydrochloride may only be added to wine, sparkling wine and fortified wine to facilitate the growth of microorganisms.



Water additions

Wine, sparkling wine and fortified wine may only contain water that is:

- necessary to incorporate any additive or processing aid specified in Standard 4.5.1 (above), and or
- necessary to facilitate fermentation, or
- incidental to the winemaking process.

Where water is added for the purposes of incorporating processing aids and additives, or where the addition is incidental to the winemaking process, the wine, sparkling wine or fortified wine may not contain more than 70 mL/L water (7 per cent) as a result.

Where water is required to facilitate fermentation, *water may only be added to wine, sparkling wine and fortified wine if the water is added to dilute the high sugar grape must prior to fermentation and does not dilute the must below 13.5 degrees Baumé.*

Wine must not contain more added water than is consistent with GMP.

Note that in some import markets it is not lawful to sell if water has been incorporated throughout the winemaking process to facilitate fermentation.

Website resources

Wine Australia

WALAS

Wine Australia Act 2013

Wine Australia Regulations 2018

Food Standards Code

Export Market Guides

Guide to Organic Export Requirements

Low Alcohol Labelling Guide

Carbon Neutral Frequently Asked Questions

Register of Protected Geographical Indications and Other Terms

Australian Wine Industry Fortified Wine Code of Practice

Wine Industry Display of Awards Code of Practice

Alcohol Beverages Advertising Code

Wine Packaging Guidelines

AWRI Code of Good Manufacturing Practice for the Australian Wine Industry

Contacts

We're here to help

Fundamental to our regulatory approach is our desire to assist the wine community to meet legislated obligations. We are here to help you comply with regulatory requirements, including those relating to wine composition, packaging, export and market access.

You can contact us in several ways. If your enquiry relates to:

wine standards, labelling, blending rules, protected terms, LIP record keeping, market access	labels@wineaustralia.com
the export process, including licensing, product or label registration, the Label Directory, export permits or certificates	exports@wineaustralia.com
something not covered above	enquiries@wineaustralia.com
or phone us on	(08) 8228 2000

About Wine Australia

Wine Australia empowers the success of the Australian wine sector through Research, Innovation and Adoption to enhance global competitiveness and meet the challenges of tomorrow, today; Market Development to increase the demand and premium paid for Australian wine; and Regulatory Services to safeguard Australian wine's integrity and uphold the sector's reputation.

Wine Australia is funded by the sector, for the sector, through grapegrower, winemaker and exporter levies and user-pays charges, with matching funds from the Australian Government for research and innovation. Established under the *Wine Australia Act 2013* (Cth), it is a Commonwealth Government statutory authority.

Notes



Australian Government

Wine Australia

