
Brazil Requirements: Amendment 0

WINE ACT 2003

Wine Omar

Priority: Normal

Distribution Security Level: (4)

Publication Ref: OMAR

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1 Statutory Authority

Pursuant to section 41(1) of the Wine Act 2003, I specify and notify the following requirements in relation to wine intended for export to Brazil.

This notice takes effect from the date of signing.

Dated at Wellington this 7th day of December 2010.

[Signed]

Dr Bill Jolly
Deputy Director (Assurances)
New Zealand Food Safety Authority
(Acting under delegated authority)

2 Definitions

2.1 For the purposes of this document:

Official Assurance (OA) means an agreed/or assumed requirement for the market which may or may not include; certification; consignment specification; memorandum of understanding; listings; product registration; country/disease statements as specified under section 41(a) of the Act and notified or made available under section 41(b).

Overseas Market Access Requirements (OMAR) means an export requirement specific for intended market(s) as specified under section 41(a) of the Act and notified or made available under section 41(b).

Explanatory Note

This document formalises requirements for exporters of New Zealand grape wine to Brazil.

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- <http://www.nzfsa.govt.nz/acvm/legislation/>
- <http://www.nzfsa.govt.nz/dairy/legislation/>
- <http://www.nzfsa.govt.nz/policy-law/legislation/>
- <http://www.nzfsa.govt.nz/animalproducts/publications/omar/>
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- <http://www.nzfsa.govt.nz/wine/all-documents/omars/index.htm>
- <http://www.nzfsa.govt.nz/wine/exporting/page-04.htm#TopOfPage>

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Guidance

<p><i>Statements contained within a border throughout this OMAR, other than tables, are provided for guidance only.</i></p>

Amendment Record

(For use with hard copies only)

It is important that this publication is kept up-to-date by the prompt incorporation of amendments.

To update this publication when you receive an amendment, remove the appropriate outdated pages, destroy them, and replace them with the pages from the new issue. Complete instructions will be given on the covering letter accompanying the amendment. File the covering letter with the publication and sign off and date this page.

If you have any queries, please ask your Verification Agency or Recognised Agency.

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Part 1 Brazil

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1.1 Application

1.1.1 These requirements apply to the export of wine to Brazil.

1.1.2 Statements contained within a border, other than tables, are provided for guidance only. For example:

This statement is for guidance.

1.2 Interpretation

1.2.1 In this notice, unless the context otherwise requires:

ABV is alcohol content by volume, measured in %.

mEq/L is milliequivalents per litre.

1.2.2 Any term or expression that is defined in the Wine Act and used but not defined in this document has the same meaning as in that Act.

1.3 Eligibility

1.3.1 Wine intended for export to Brazil must comply with the New Zealand requirements issued under the Wine Act 2003 and the requirements of this notice.

1.3.2 Wine exported to Brazil must be accompanied by a certificate of origin and analysis (refer to section 1.9).

1.3.3 Where a geographical indication is included on the product label, the wine does not need to comply with the criteria stipulated in sections 1.9.5 to 1.9.9 (i.e. the Brazilian identification and quality standards), provided the geographical indication is also included on the certificate of origin and analysis.

A geographical indication can be included in the product name box of the certificate of origin and analysis as long as the geographical indication is also shown on the label of the wine.

1.4 Categories of Grapevine Products

1.4.1 The following categories of wine are recognised by Brazilian authorities:

- a. Table wine (including effervescent table wine)
- b. Natural sparkling wine
- c. Carbonated sparkling wine
- d. Liqueur wine
- e. Fortified wine

1.4.2 Wine is further categorised based on total sugar content:

- a. Table wine
 - i. Dry – maximum of 5.0 g/L glucose
 - ii. Medium dry – between 5.1 and 20.0 g/L glucose
 - iii. Sweet/Mild – minimum of 20.1 g/L glucose
- b. Sparkling wine (Champagne)
 - i. Gross (Brut) – maximum of 15 g/L glucose
 - ii. Extra dry/Dry – between 15.1 and 20.0 g/L glucose
 - iii. Medium dry/Medium sweet – between 20.1 and 60.0 g/L glucose
 - iv. Sweet – minimum of 60.1 g/L glucose
- c. Carbonated sparkling wine
 - i. Dry – maximum of 20 g/L glucose
 - ii. Medium sweet/Medium dry – between 20.1 and 60.0 g/L glucose
 - iii. Sweet – minimum of 60.1 g/L glucose
- d. Liqueur wine
 - i. Dry – maximum of 20.0 g/L glucose

- ii. Sweet – Minimum of 20.1 g/L glucose
- e. Fortified wine
 - i. Dry – maximum of 40.0 g/L glucose
 - ii. Medium sweet – between 40.1 and 80.0 g/L glucose
 - iii. Sweet – minimum of 80.1 g/L glucose

1.4.3 Fine table wine is classified as wine made from *Vitis vinifera* grapes.

1.5 Oenological Practices

1.5.1 Wine exported to Brazil must not be produced with unapproved oenological practices. Approved oenological practices are those authorised by the Brazil Ministry of Agriculture, Livestock and Supply (MAPA) or recommended and published by the International Organisation of Vine and Wine (OIV).

For further information on approved oenological methods refer to the Brazilian (in Portuguese) Portaria No. 229 dated 17 June 2010, which is available from the following website: http://members.wto.org/crattachments/2010/sps/BRA/10_2734_00_x.pdf Exporters should liaise with their importer to ensure they only use oenological methods approved by Brazilian authorities when producing wine intend to be exported to Brazil.

1.6 Geographical Indication

1.6.1 The following definition applies to the products described in clause 1.4.1:

Geographical indication means an indication identifying a wine as originating in the territory of New Zealand or a region or locality in that territory where a given quality, reputation or other characteristic is essentially attributable to its geographical origin.

1.6.2 Geographical indications must not be used to describe wines exported to Brazil unless the geographical indications are included in Part 2 of this notice and the winemaker has records confirming compliance with the conditions applied to the relevant geographical indication.

1.7 Labelling

1.7.1 Labels on grapevine products must be truthful and not misleading including any label in a foreign language and any information about geographic indication. The

interpretation of any statement with English and foreign language versions must be consistent in each language.

- 1.7.2 Wine with labels that have been determined as being false or misleading must not be exported. Operators must detain the wine until these labels are removed or otherwise rectified.

This clause outlines specific requirements for labels. In addition, MAPA has general label requirements for wine. The issuing of a NZFSA certificate of origin and analysis is not dependent on compliance with the general label requirements. It is the responsibility of the operator, in conjunction with the importer, to determine and comply with the general requirements for labels. Despite this, labels applied by the operator are subject to the truth of labelling and translation requirements of this clause.

MAPA's general requirements for labels can be found in the Brazil wine identification and quality standard (in Portuguese) Portaria No. 229 dated 25 October 1988 from the following website: <http://extranet.agricultura.gov.br/sislegis-consulta/servlet/VisualizarAnexo?id=3602>

Failure to comply with these general requirements may lead to refusal of the consignment at the Brazil border.

1.8 Sampling and Testing

- 1.8.1 Laboratories carrying out the analysis must be recognised by NZFSA and be listed by MAPA. Refer to <http://www.nzfsa.govt.nz/wine/registers-lists/recognised-laboratories/> for recognised laboratory details.

1.9 Export Certificates

- 1.9.1 Consignments of wine must be accompanied by a certificate of origin and analysis. The export certificate is in two parts, the first certifying that production of the wine has taken place in New Zealand and that the product complies with national identity and quality standards (i.e. complies with the Wine Act 2003); and the second certifying the analytical status of the wine in respect of the parameters set out in sections 1.9.4.
- 1.9.2 Certificates of origin and analysis are to be originals issued by New Zealand Food Safety Authority (NZFSA), which is listed by MAPA as the only agency authorised to issue such certificates.
- 1.9.3 Wine that does not comply with the criteria stipulated in sections 1.9.5 - 1.9.9 can be exported to Brazil provided the geographical indication is shown on the product label and is also included in the product name box of the certificate of origin and analysis.

1.9.4 Wine exported to Brazil must be accompanied by a certificate of origin and analysis which includes the analytical status for the follow compositional parameters:

- a. Colour (red, white, rosé)
- b. Clarity (normal/abnormal)
- c. Density at 20°C
- d. Alcohol content at 20°C
- e. Total dry extract (g/L)
- f. Total sugars (g/L)
- g. Total sulphur dioxide (mg/L)
- h. pH
- i. Total acidity (mEq/L)
- j. Volatile acidity (mEq/L)
- k. Malvidin diglucoside analysis (not present)
- l. Carbon dioxide pressure (sparkling wines only)

Clarity is not assessed via an analytical test, but via a visual check. For the purposes of this assurance "normal" means clear, and "abnormal" means cloudy.

Malvidin diglucoside analysis does not need to be performed as long as the applicant for the certificate of origin and analysis provides a declaration that only grapes from *Vitis vinifera* were used in the manufacture of the wine. A generic statement of 'not present' for malvidin diglucoside analysis will automatically be included on all export certificates to Brazil. This generic statement is based on New Zealand regulatory requirements that enable the composition of wine to be verified and statutory declarations that prevent wine made from grapes other than *Vitis vinifera* being exported to Brazil.

1.9.5 The Brazilian identification and quality standards set the following criteria with regard to table wine. Table wine must have:

- a. an alcohol strength not less than 10% ABV and not exceeding 13% ABV;
- b. a maximum volatile acidity (adjusted) of 20mEq/L;
- c. a total acidity content of not less than 55mEq/L and not exceeding 130mEq/L;

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- d. if an effervescent wine, have a carbonation pressure not less than 0.5 atmospheres and not more than 1.5 atmospheres at 10°C, and a maximum alcohol content of 12.5% ABV;
 - e. a maximum total sulphur dioxide of 350mg/L.

1.9.6 The Brazilian identification and quality standards set the following criteria with regard to natural sparkling wine. Natural sparkling wine must have:

- a. an alcohol strength not less than 10% ABV and not exceeding 13% ABV (for Champagne), and not less than 7% ABV and not exceeding 10% ABV (for Muscatel sparkling wine (Asti Process) or Muscat sparkling wine);
- b. a maximum volatile acidity (adjusted) of 20mEq/L;
- c. a total acidity content of not less than 55mEq/L and not exceeding 130mEq/L;
- d. have a carbonation pressure not less than 3 atmospheres at 10°C (for Champagne), and not less than 2 atmospheres at 10°C (for Muscatel sparkling wine (Asti Process) or Muscat sparkling wine);
- e. a maximum total sulphur dioxide of 350mg/L.

1.9.7 The Brazilian identification and quality standards set the following criteria with regard to carbonated sparkling wine. Carbonated sparkling wine must have:

- a. an alcohol strength not less than 10% ABV and not exceeding 12.5% ABV;
- b. a maximum volatile acidity (adjusted) of 20mEq/L;
- c. a total acidity content of not less than 55mEq/L and not exceeding 130mEq/L;
- d. have a carbonation pressure not less than 3 atmospheres at 10°C;
- e. a maximum total sulphur dioxide of 350mg/L.

1.9.8 The Brazilian identification and quality standards set the following criteria with regard to liqueur wine. Liqueur wine must have:

- a. an alcohol strength not less than 14% ABV and not exceeding 18% ABV;
- b. a maximum volatile acidity (adjusted) of 20mEq/L;
- c. a total acidity content of not less than 50mEq/L and not exceeding 120mEq/L;
- d. a maximum total sulphur dioxide of 350mg/L.

1.9.9 The Brazilian identification and quality standards set the following criteria with regard to fortified wine. Fortified wine must have:

- a. an alcohol strength not less than 15% ABV and not exceeding 20% ABV;
- b. a maximum volatile acidity (adjusted) of 20mEq/L;
- c. a total acidity content of not less than 50mEq/L (for red), and not less than 40mEq/L (for white and pink);
- d. a maximum total sulphur dioxide of 350mg/L.

Further compositional requirements are stipulated in the Brazilian Wine Identification and Quality Standards (refer to Portaria No. 229 dated 25 October 1988), which is available in Portuguese from the following website: <http://extranet.agricultura.gov.br/sislegis-consulta/servlet/VisualizarAnexo?id=3602> Exporters should liaise with their importer to ensure that their wine complies with these Standards.

1.10 Trade Samples

1.10.1 A certificate of origin and analysis is not required for non-commercial trade samples (i.e. samples for exhibitions, tasting or promotional events, and for research) that exceed the volume limits of the Brazil Customs exemption, provided the products are accompanied by an application to import for non-commercial purposes (refer to the application form in annex VIII of Normative Instruction 54, 2009 which is available from the following website: <http://extranet.agricultura.gov.br/sislegis-consulta/servlet/VisualizarAnexo?id=15908>)

1.11 Official Supervision

All requirements in this notice other than those applying to NZFSA activities are subject to random verification by a recognised verifier.

Part 2 Geographical Indications

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2.1 New Zealand geographical Indications

2.1.1 For the purposes of clause 1.6.2 the geographical indications approved in New Zealand are specified in Table 2A:

Table 2A New Zealand Geographical Indications

Geographical Indication	Defined Area
NEW ZEALAND	The country of New Zealand.
EAST COAST	Northland Region, Auckland Region, Bay of Plenty Region, Coromandel District, Hauraki District, Gisborne Region, Hawkes Bay Region, Masterton District, Carterton District, South Wairarapa District, Marlborough District, Canterbury Region.
NORTH ISLAND	The North Island of New Zealand.
Northland	Northland Region
Auckland	Auckland Region
Clevedon	Winegrowing area in Auckland Region
Western Auckland (comprising Henderson, Huapai, Kumeu, Waimauku)¹	Winegrowing area in Auckland Region
Matakana	Winegrowing area in Auckland Region
Waiheke Island	Waiheke Island
Waikato	Waikato Region
Coromandel Peninsula	Thames-Coromandel District
Lake Taupo	Taupo District
Te Kauwhata	Winegrowing area in Waikato Region
Bay of Plenty	Bay of Plenty Region

¹ Each of these names may be used individually instead of "Western Auckland" where appropriate.

Gisborne	Gisborne Region
Hawke's Bay Region	Hawke's Bay
Central Hawke's Bay	Central Hawke's Bay District
Wairarapa	Carterton, Masterton and South Wairarapa Districts
Gladstone	Winegrowing area in Carterton District
Martinborough	Winegrowing area in Martinborough Ward
Wellington	Greater Wellington Region
SOUTH ISLAND	The South Island of New Zealand
Marlborough	Marlborough and Kaikoura Districts
Nelson	Nelson and Tasman Districts
Canterbury	Canterbury Region
North Canterbury	Waimakariri and Hurunui Districts
Waipara	Valley Winegrowing area in Hurunui District ²
Waitaki	Valley Winegrowing area in Waitaki and Waimate Districts
Central Otago	Central Otago and Queenstown Lakes Districts

- 2.1.2 For wines bearing a geographical indication, at least 85% of the grapes from which the wine is produced must be derived from the stated geographical indication. The remaining 15% must be of New Zealand origin. Such wines must display the quality, reputation or other characteristics attributable to their origin.

² "Waipara" may be used as an alternative to "Waipara Valley".