



Department
for Environment
Food & Rural Affairs

Consultation on smarter regulation: wine reforms

Summary and Government response

Date: 13 October 2023

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

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



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Foreword

Following the UK's departure from the European Union (EU) in 2020, the UK Government has engaged with a wide range of stakeholders to identify options for reform of Retained EU Law (REUL). Through our engagement, the Government identified the wine sector as an area where they could reform EU rules that are holding back innovation in the wine sector and restricting consumer choice.

Between 23 May 2023 and 21 July 2023, the Government conducted a public consultation in England and Wales to explore options for reforming REUL on wine. This publication provides a summary of responses and sets out the next steps. The analysis is based on responses provided online via Citizen Space, by email and in views expressed in meetings with stakeholders during the consultation period. A total of **96 responses** to the consultation were received (88 responses through the online Citizen Space platform, and 8 email responses).

Overview

Leaving the European Union has presented the unique opportunity to review how the Government makes and shapes Great Britain's (GB's) regulatory framework for food and drink. The current 400-page rulebook for wine is overly complex and bureaucratic. Stakeholders in the wine sector reported that the current rules stifle innovation and sustainable practices in the wine sector, including bans on practices that limit consumer choice and restrictions on measures that could help reduce carbon emissions and production costs.

The proposed changes aim to facilitate international trade and foster domestic innovation and growth. In addition to the UK's status as a global wine trading hub, England and Wales has a thriving and fast-growing domestic wine production industry. The changes aim to improve the regulatory environment and facilitate investment in all areas of the wine sector, from the UK wine trade to our vineyards and wineries. The breadth of wine law and the scope of the proposed reforms encompass a broad range of industry and consumer interests. We therefore encouraged input from a wide range of stakeholders.

This consultation forms part of the Smarter Regulation programme of regulatory reform announcements, with the publication of Smarter Regulation to Grow the Economy. Through this consultation and further regulatory reform updates, the Government will take action to reduce the burdens on business, reduce the cost of living, deliver choice to consumers and drive innovation.

Summary of respondents

All respondents were required to identify the basis on which they were responding to the consultation. This was done to understand if their response represented the views of an individual, a single business in the industry, a group representing multiple business

entities, a public sector body, or another type of organisation. Around half of the responses were from those identifying as 'Industry (single business)'. However, we also received 8 responses from organisations representing more than 250 businesses.

Respondents who answered the question regarding their role in the wine sector primarily identified as a 'domestic producer', 'exporter or re-exporter' and 'importer'.

The size of businesses represented was varied, with 29 respondents identifying as a representative of a 'micro business' (1 to 9 employees), 25 responding as representing a small to medium-sized enterprise (SME) (10 to 249 employees) as well as 6 respondents responding as a representative of a 'large business' (250 employees or more). The scope of responses reflects the diversity of business models within the wine industry.

We received 137 responses indicating where the businesses or organisations of respondents operated. This question allowed participants to select all options that applied. There were 44 responses indicating operation in England, 18 in Wales, 17 in Scotland and 12 in Northern Ireland. A total of 22 respondents stated that they operate in the European Union (EU), and 24 respondents stated that their business or organisation operates in other parts of the world.

Some respondents did not answer all questions, therefore the responses to each question may not sum to 96. Additionally, in some questions respondents could tick multiple answers so the responses to these questions may be greater than 96. The Government did not receive any campaign responses for this consultation.

Closed text responses (meaning where there was a limited range of answers to select from or multiple choice) were analysed by question. To process and summarise all the ideas submitted in the open-text responses, inductive (open) coding was used, whereby themes were developed as they arose directly from the responses. Open coding involved reading each response line-by-line and capturing the points covered.

This summary of responses is not an exhaustive list of all ideas provided by respondents but summarises the most common concerns and opinions. Therefore, a range of qualitative terms are used, such as 'many', 'some', 'most' and 'a few'.

A full breakdown of respondents is in **Annex 1 (Analytical Data)**.

Consultation response summary by policy proposal

Importer labelling

We propose amending current importer labelling requirements to remove a stipulation that imported wine must show the prefix 'importer' or 'imported by' before the address of the business responsible for importing that wine to Great Britain (GB). This requirement is set out in Regulation 1308/2013, Article 119(1)(f) and Regulation 2019/33, Article 46.

The wine trade has asked for wine law to be aligned with general food law so the requirement for the prefix 'importer' or 'imported by' required by Article 46 of retained Regulation 2019/33, can be dropped from labels. By removing this requirement, it will only be necessary to identify the Food Business Operator (FBO) responsible for the food information on the label. This labelling requirement is set out in Regulation 1169/2011 Article 9(1) (h) on the provision of food information to consumers.

The change proposed in the consultation will be deregulatory. The aim is to provide a distinction between an EU 'importer' and a GB 'FBO' address on the label, to enable products to be marketed on the EU, NI and GB markets using the same label.

Analysis

30 respondents indicated they were 'likely' to make use of the proposal and 36 indicated it would have a positive impact. Common themes such as reduction in cost, removing administrative burdens or restrictions and benefits to trade were all raised in responses. 24 said it would have a negative impact, mainly due to it still presenting a burden for smaller importers. Businesses identifying as 'importers', 'exporters or re-exporters' and 'bottlers' were the groups that indicated that they would most likely make use of this change.

Government view

Having considered the positive responses relating to importer labelling, the Government will be revoking the requirement for wine imported into GB to be accompanied by a label stating the 'importer' or 'imported by'. This change will come into effect on 1 January 2024. Once the change comes into effect, the labelling rules for wine will require businesses to indicate an FBO address located in the UK and Crown Dependencies). The Government does not intend making any changes to the general requirement for food and drink products to show a FBO on the label.

Hybrid grape varieties

The Government consulted on a proposal that will permit the registration of Protected Designation of Origin (PDO) wines produced from a grape species other than 'Vitis vinifera', including hybrid grape varieties, by amending Regulation 1308/2013, Article 93. Current rules allow the registration of Protected Geographical Indication (PGI) wines produced from grapes of the species 'Vitis vinifera', other species of 'Vitis' or crosses of species (hybrids). There is no clear policy basis to support PDO wines having different rules from PGI wines, especially as other species of 'Vitis' and hybrid grape varieties are proven to be more climatically resilient and disease resistant than vines from the species 'Vitis vinifera' and have been used in many award-winning wines.

Analysis

36 respondents indicated the changes to vine varieties for PDO wines would have a positive impact on the organisation(s) they represented. Common themes being expressed were those to do with ensuring the GB wine sector was resilient in the face of climate change, disease resistance, future-proofing the sector, supporting innovation, provide more product variety and reducing costs. However, some responses indicated there would be a risk from lower quality wine which could then damage the reputation of domestic wines, there was also concern around consumer confidence. Those who were most likely to make use of this change were domestic producers who mostly consist of micro-businesses (1-9 employees). However, there were some positive responses given from every role in the wine supply chain.

Government view

The Government acknowledges that permitting flexibility to use hybrid varieties helps the domestic wine market to be adaptable and resilient, allowing for innovative blends so producers can continue to produce quality wine. The change will not be mandatory. Producers who expressed concerns that confidence and quality could be impaired would still be able to restrict their PDO specification to permit wines to be produced only using grapes from 'Vitis vinifera' vines.

Piquette

The Government consulted on a proposal to amend retained EU law to remove the ban on commercial production and sale of piquette. Piquette is a lower-alcohol drink produced by rinsing the pomace (which comprises the grape skins, stalks and other materials left over from pressing grapes for wine) with water and fermenting that rinse. Piquette is not a wine product. Under the Harmonised System of Tariffs, it is classed under CN 2206 (other fermented beverages). This classification includes products like cider, perry and mead. Under retained EU law (Regulation 1308/2013, Annex 8), piquette is banned from commercial production and sale. Ending this ban will allow wine producers to monetise what would otherwise be a waste product from the wine production process. The change

will give vineyards and wineries more options to improve profitability, innovate and offer consumers more choice.

Analysis

85 answered the question about whether they anticipated the proposed piquette reforms would have a positive or a negative impact on the organisation they represented. 32 anticipated a negative impact, 18 a positive impact, 15 no impact, 8 said they didn't know and 12 that it was not applicable to them. Whilst most respondents indicated that they were 'unlikely' to make piquette, 10 reported they were 'likely' to, highlighting themes such as improved flexibility, greater choice for consumers, increasing product variety and business sustainability as reasons. Most respondents who indicated that they would likely make use of the change and responded positively were micro-businesses. This indicates that whilst uptake may not be widespread, it is a welcome change for micro-businesses. However, there were concerns about consumer confidence, the quality of the product and how piquette would be marketed and labelled.

Government view

The Government intends to take this change forward and remove the ban by 1 January 2024. We consider the piquette ban an unnecessary restriction in the contemporary domestic market. The current ban dates to the overproduction of wine in the EU in the 1970s and 1980s. Industry market reports indicate that there is a growing market for products at lower alcohol levels, such as piquette. While its production may not appeal to all, removing the restriction offers some producers the opportunity to add value to their core business. The Government does not intend to change the classification of piquette. By retaining the CN2206 classification, piquette will be subject to marketing restrictions that ensure there is no risk of it being confused with wine sector products.

Blending wines

The Government intends to amend retained EU law (Regulation 1308/2018, Annex 8) to remove a ban that prevents an imported wine from being blended in England. Blending (or 'coupage') is commonplace globally, offering scope to tailor wine to boost quality and create innovative products to meet new or emerging consumer demands. Currently, the blending of imported wine is banned. However, when the UK was a member of the EU, we benefitted from rules that allowed different wines of EU origin to be blended. The Government intends to reintroduce and enhance the flexibility around blending wine.

Analysis

A total of 24 respondents stated they were unlikely to adopt blending wine changes, and 20 likely. 45 respondents indicated that the change would have a negative impact on their organisation, including those operating in fine wine and domestic producers, compared to 27 who feel the impact would be positive. Common themes from negative responses

identified the quality of the product and labelling as being a perceived risk to the quality of domestically produced wine products. Concerns were raised that blending would be inconsistent with Annex 15 of the UK/EU Trade and Co-operation Agreement. Themes from those who support the change highlighted improved flexibility to cater to consumer tastes, positive environmental impacts, improved resilience for the wine market, and economic benefits (such as trade) as contributing factors in their response.

Government view

The Government intends to progress with the removal of the ban on blending wines. The Government acknowledges concerns raised by some producers, particularly around ensuring clear labelling for consumers. However, our analysis is that blending wine, a common practice globally, offers scope to improve the quality and marketability of wine. Current labelling rules will continue to provide a clear indication to consumers of the origins of blended wine. However, we will continue to monitor this area to see whether further regulations are needed. We disagree that permitting blending of imported wines in England would be inconsistent with our obligations under the UK-EU Trade and Cooperation Agreement. In relation to wine to which the TCA applies, Annex 15 enables the UK to modify the oenological provisions in retained Regulation 1308/2013. Our proposed changes are trade-facilitative and intended to improve domestic consumer choice and quality without causing any confusion to consumers on the provenance of the wine.

Foil wraps and mushroom stoppers

The Government intends to amend Regulation 2019/33, Article 57, to give producers the choice of whether they want to market certain types of sparkling wine with a mushroom-shaped stopper and a foil sheath. This regulation stipulates that stoppers for certain sparkling wines must be mushroom-shaped and the bottleneck covered in a foil sheath. The original intention of this provision was to support the marketing of sparkling wine products sold as premium products. The sparkling wine market has subsequently evolved and is much broader, with many producers seeking new ways to meet consumer demand to reduce packaging waste. The proposed reforms support evolving market trends and Government policies to reduce packaging waste.

Analysis

Overall, respondents viewed the proposed changes positively, with 46 respondents stated this change would have a positive impact on their organisation. Responses highlighted themes such as greater flexibility and reduced dependence on foil wrap imports. Respondents also stated that the changes were likely to promote innovation in bottle stoppers, which could have further financial and sustainability benefits. There were minimal negative responses to the proposed flexibility.

Government view

The Government will implement the proposed changes and ensure our wine industry has the flexibility to be at the forefront of global market innovation. Our view is that the requirement for a mushroom stopper and foil sheath is outdated and does not reflect changing consumer behaviour. Our reforms will reduce waste and packaging costs for producers. The changes will allow producers to retain the traditional presentation if they wish but offer others the flexibility to innovate.

Removal of the wine certification arrangement

The proposed changes to remove wine certification arrangements will allow a wine without a Protected Designation of Origin (PDO) or a Protected Geographical Indication (PGI) status to show vintage and variety without a certification process. The current certification process dates from the formalisation of Geographical Indication rules. Certification was a compromise designed to appease operators producing established EU 'appellations' wines. These wine-growing regions were concerned about the unregulated use of varietal and vintage labels historically reserved for them. The Government opposed this policy as a Union member and now can remove the arrangements. We take the view that the grape variety and vintage of a wine is not a matter that needs additional regulation. Any information placed on the label of a wine should be accurate, and we have robust enforcement arrangements in place to support this.

Analysis

23 respondents noted there would be a positive impact from this change, whereas 38 said it would be negative. Common positive themes that arose were that this would have a positive impact on farmers and growers, would remove unnecessary restrictions as well as reduce costs and administrative burden. Negative themes that arose were mostly concerns around possible reduced consumer confidence and reduced quality of wine.

Government view

The Government judges that removing this arrangement will remove the burden on businesses without impacting the quality of wine. In practice, certification is an unnecessary burden for producers of non-PDO or non-PGI wines as winery record keeping, and our enforcement of the rules, provides a suitable basis for enforcing the use of varietal information and vintage on labels.

Remove rules on bottle shapes

The Government intends to revoke retained EU law (Regulation 2019/33 Article 56 and Annex 7) to remove rules that reserve the use of certain types of bottles for marketing certain EU wines and prescribe the requirements that such bottles must comply with. For

example, a 'Flute d'Alsace' is a long-necked thin bottle used to market Alsace wines. The proposed change revises our legal framework by removing restrictions that only apply to EU wine production.

Analysis

28 respondents indicated this would have a positive impact on their organisation, 32 noted it would have no impact and 17 indicated it would be negative. The common theme identified was the positive impact the change would have on increasing packaging flexibility. The other theme that was commonly noted was around possible negative impact on consumer confidence.

Government view

The responses indicate that the industry is content with the proposed change. This change will remove what is an inoperable area of law and help our objective to simplify our wine rulebook.

Revoking retained Regulation (EC) 2019/935 setting out methods of analysis and controls on enrichment

The Government considers that the arrangements set out in Regulation (EC) 2019/935 are redundant.

The key aim of this regulation is to set out a specific method of analysis for a practice that we understand is obsolete, having been superseded by newer, cheaper and more effective alternatives. As the International Organisation for Vine and Wine (OIV) did not include this practice in their compendium of methods of analysis the EU was obliged to via regulation. However, as the practice is no longer used, we see no basis to retain the corresponding method of analysis.

In addition, the provisions set out in Article 3 of Regulation 2019/935 relate to provisions contained in Regulation 1308/2013 (Annex 8 Part 1 (A) (3)) enabling an increase in natural alcoholic strength in years when climatic conditions have been exceptionally unfavourable but makes different provision in relation to the authorities that may authorise this. In relation to England, the revocation of Article 3 of Regulation 2019/935 will remove the uncertainty about the arrangements that apply in relation to the authorisation of this increase.

Analysis

There were mixed opinions on the impacts of this change, none of which provided any evidence to support retaining this regulation. 18 respondents indicated the proposal would have a positive impact on the organisation(s) they represent, 22 that it would have no impact and 20 that the impact would be negative.

Government view

The OIV has a compendium of methods of analysis for wines. These are intended to be used by laboratory or suitably qualified personnel to analyse wines for conformity and enforcement purposes. The method of analysis laid down in this regulation is redundant as the oenological practice it relates to is now obsolete.

As regards Article 3 of retained Regulation 2019/935, it makes sense to resolve the uncertainty about authorisation arrangements relating to increases in natural alcoholic strength in years when the climatic conditions have been exceptionally unfavourable by revoking that Article and leaving the provisions in Regulation 1308/2013 (Annex 8 Part 1 (A) (3)) in place.

Given there were no views expressing any valid evidence to maintain this Regulation it is our view this regulation should be revoked.

Ice wine

The Government will introduce rules that govern how products marketed as 'ice wine' must be produced. The ice wine definition will enable the UK to comply with international obligations, including the future accession of the CPTPP (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) agreement.

This change would mean products can only be marketed as ice wine, icewine or a similar variation of these terms if produced from grapes harvested when frozen on the vine.

Analysis

Respondents generally thought the reform would have a positive impact on their organisation(s), with themes including that it enables the UK to join CPTPP which will benefit trade as well as category protection. Some respondents were concerned that the change would negatively impact wine currently produced using artificially frozen grapes.

Government view

The Government will proceed to introduce the restriction on the use of the term 'ice wine' and similar terms to enable the UK to accede to CPTPP in 2024. As none of the wine currently on our market produced using artificially frozen grapes is marketed as ice wine or an equivalent term, we do not judge there to be any negative impact on this sector.

Introducing new oenological practices

The Government intends to amend retained EU law (retained Regulation EC 2019/934 Annexes 1 and 2) to update the legislative list of approved oenological practices, processes and restrictions. REUL sets out details of the oenological practices, processes and restrictions that can be used to produce wine in GB. It also forms the production basis

under which wines can be imported into GB. The OIV adds or removes practices from its recommendations following a 7-step scientific scrutiny process that UK, EU and other world experts feed in to. To be adopted, the resolution must be approved on a consensual basis; any objection results in the practice falling back to a previous stage for further consideration or development.

Analysis

The consultation received overall positive responses from industry as a whole. 46 respondents indicated introducing new oenological practices would be positive for their organisation(s), with just 14 indicating it would be negative. Those who noted that they were most likely to make use of the change were trade bodies representing views of multiple businesses, exporters or re-exporters, bottlers, importers, fine wine trade and large businesses. Respondents noted that the update of oenological practices would have a positive impact for domestic producers, however noted they would like to see practices used on a good manufacturing practice (GMP), avoiding the over-use of processing aids. The common themes that arose in response was that it would have a positive impact on innovation. There was a concern that this would lead to divergence from the EU, but, in general, this is unlikely to be a problem as the EU, aligns winemaking with resolutions adopted by the OIV.

Government view

The Government intends to update the list of oenological practices for English wine producers to have access to the latest technological developments and winemaking practices. We take note of the view that GMP principles should be introduced more widely in oenological standards. This is an issue that we will be considering in future.

Transforming wine sector products in Great Britain

The Government intends to lift restrictions on the transformation of wine sector products in England and Wales as set out in Regulation 1308 Annex VIII (Part II) (B) (5). The ban on transformation restricts what our industry can do with imported wine sector products. For example, it prevents wine from being carbonated and sweetened. This restriction means that all imported sweet and sparkling wine must arrive in bottles. Shipping bottles over long distances adds to the cost and increases carbon emissions. Removing this restriction will allow the sector greater flexibility to transform wine products in England and Wales, giving producers an option to reduce transport costs.

The changes would also allow the production of wine from imported grapes. The practice of importing EU-origin grapes and making wine in the UK was permitted when the UK was an EU member and a small number of businesses started producing bespoke wine in urban locations. This market is something that we want to encourage. The wines in question would be clearly labelled to show both the place of production and the origin of the grapes.

We also consider this will create an opportunity to redefine 'British wine' as 'made wine', addressing an issue where the growth of our domestic wine industry has the potential to confuse consumers. British made wine is not a wine made from fresh grapes. It falls under the Tariff heading CN 2206, as opposed to CN 2204 for wine from fresh grapes and was historically made from grape juice produced outside the EU, and therefore outside the definition for wine. Scope to transform imported grape must in the England and Wales will allow producers to meet the CN 2204 definition and market their product as wine on the basis that the oenological practices and processes were consistent with those set down in wine law. Any wine produced that does not follow these rules can still be marketed, but it would have to be marketed as 'made-wine'.

Analysis

Overall, the response was mixed, with 29 respondents stating that they were not likely to make use of the changes and 18 saying they were likely to make use of them. Of the 29 respondents who were unlikely to make use of the reform, 19 were domestic producers.

'Importers', 'exporters or re-exporters' and large businesses were the categories most likely to make use of the changes.

A common theme was diverging from EU regulation and standards with responses highlighting positive impacts of the reform included innovation, improved product variety, trade benefits, positive impacts on environmental impacts, the market for sparkling wine and low and no products. However, some respondents highlighted concerns around British Wine labelling, the possible increase in poor quality wine. Concerns were also raised over labelling in general for imported wines that had been transformed here, as they considered consumers may become confused over the origin of that wine. Respondents also noted that the changes may result in negative consumer confidence, specifically on low and no and carbonation.

Government view

The Government recognises that these changes represent a fundamental shift from current practices. It is the area of reforms with the maximum potential benefits, including increased consumer choice and inward investment. The UK's vibrant wine market, and our status as a leading wine importer, rests on the fact that we have a competitive industry.

Carbonation of wine

We acknowledge concerns from domestic producers about changes that allow wines to be made from imported grapes or carbonated in GB. We do not anticipate that the changes will significantly impact the well-established premium 'traditional method' domestic sparkling wine market. We intend to develop proposals to permit the transformation of wine sector products in England. We plan to incorporate these changes into a new domestic wine regulation, on which we intend to hold a full consultation in 2024.

Minimum alcohol content of wine

The Government intends to amend the definition of wine to permit wine to be produced and marketed to a minimum of 0% alcohol by volume (alc/vol). This change will allow the production of naturally lower alcohol wines and permit the complete or partial dealcoholisation of wine.

Retained EU law (Regulation 1308/2013 Annex 7, Part 2 point 1) sets out the specification for wine that requires it to have a:

- maximum alcoholic content of generally 15% alc/vol
- minimum alcohol content of 8.5% alc/vol, with wines that have a Protected Designation of Origin (PDO), or a Protected Geographical Indication (PGI) generally permitted a minimum alcohol content of 4.5% alc/vol

Our proposals will reduce the lower level alc/vol to 0% for all wine products. It will also allow these arrangements to be used in PDO and PGI wine where the specification allows for this.

Wine-making methods

Oenological practices and processes developed to remove alcohol from wines are already established in retained laws (Regulation 2019/934). These are currently permitted to only reduce the alcohol content of wine by up to 20% for fault correction purposes, for example where climatic conditions have resulted in excessive alcohol content in a finished wine. We intend to keep the current 20% flexibility but also plan to allow scope for full or partial removal of alcohol content.

New arrangements for recognising and recording oenological practices and processes approved in GB

The Government considered options to amend retained EU law to permit the establishment of an official register of approved oenological practices, processes, and restrictions (OPPR) which can be updated periodically as new practices and processes are agreed. Currently, the OPPRs that are approved to produce wine are specified in retained EU Regulation 2019/934. Because of this, new OPPRs can only be updated by secondary legislation which Government feels is a disproportionate and costly process given the level of technical scrutiny these are subjected to at the International Organisation of Vine and Wine (OIV) of which the UK is a member.

We intend to simplify the OPPR update process by introducing a clear and accessible register of OPPRs held on GOV.UK. We will also develop a new non-legislative mechanism for updating OPPRs. This change will enable the Government to introduce new practices in a fraction of the time it currently takes, enabling our producers and industry scope to use the latest innovative production practices and techniques in a similar timeframe to their competitors.

Analysis

A total of 35 respondents felt the proposal would have a positive impact on their organisation, notably domestic producers, exporters or re-exporters, importers, trade bodies and bottlers. 14 felt it would have a negative impact. We also received comments from industry and global trading partners noting that it would benefit the UK to adopt mutual acceptance of winemaking practices from countries outside of the EU. Specific points included the scope to use permitted additives and processing aids and adopting good manufacturing practice (GMP) principles (as opposed to set limits).

Government view

The Government intends to develop plans to start the simplification process for recording and updating OPPRs. However, we have conducted a closer examination of available legal provisions, we will have to introduce these changes in a staged approach. The first stage will be to introduce the OPPR 'register' on GOV.UK. Placing this online will be easier for producers and industry to access. The register will continue to be updated via legislative means until suitable legal provisions become available. We will then engage with the second phase of our reform that will give Ministers the ability to update the register to align it with the latest OPPRs adopted by the OIV. This process will significantly cut the time it takes for our wine producers to utilise cutting edge wine production techniques and practices, enabling them to remain competitive with other producers from around the world. We will provide more detail on this when we come forward with proposals.

Consolidating domestic wine regulations

The Government intends to consolidate all REUL and domestic wine legislation into a simplified single piece of domestic wine legislation. Currently wine law is spread over eight separate pieces of legislation. One of these pieces of legislation (Regulation 1308/2013) contains rules for various other sectors in addition to wine. This means wine law is not as accessible as it could be which has been a long-standing concern of both the wine sector and Government.

Analysis

Most consultees were clear that they felt consolidating all UK wine regulations would be beneficial to them. Most respondents indicated that they were likely to make use of consolidated wine law, largely because it would be far easier to navigate wine legislation in a single place rather than spread over multiple regulations.

A total of 43 responses expressed this change would have a positive impact on their organisation. The theme of this support was that consolidating our wine laws would result in reduced costs and administrative burden for business.

Government view

Given the positive responses received in relation to this proposal, the UK Government intends to work to consolidate wine law in England by the end of 2024. This consolidation will incorporate several changes to wine law set out in this consultation so it is our intention there will be a full public consultation on our draft consolidated regulation.

Other minor reforms to retained EU law

The Government also consulted on several minor changes to retained EU wine law. These will address areas of our policy that are not relevant to our industry given its operating practices or that will arise as part of our consolidation of wine law which will result in a fundamental overhaul of how wine law is written.

We intend to remove provisions that:

- prevent the over-pressing of grapes and require that a minimum level of alcohol should be left in the marc (the pomace consisting of grape skins and seeds) and lees (deposits of yeast) after pressing and rules concerning their disposal
- prevent the production of other beverages (in addition to alcohol spirit and Piquette) to be made from the fermentation of wine lees or marc
- relating to practices whereby wine is fortified specifically for distillation

Closer examination of wine law, as will be needed during the consolidation of REUL, is likely to identify further options for simplification. We will incorporate those changes into our consolidated regulation.

Analysis

The responses received indicate that the changes will be generally positive for respondent's organisations. 21 respondents indicated that they were likely to make use of these changes (with most saying they will be taken up within one year of them coming into effect). 13 that they would not and 18 did not know.

Government view

These changes are minor but will provide yet another avenue for flexibility whilst also helping to remove restrictions from in domestic law that are unnecessary. We anticipate that other changes may come to light during our consolidation exercise. These changes will be introduced either in proposals coming forward in 2024 where we intend to hold a further public consultation.

Next steps

Subject to Parliamentary approval, the Government is intending to use three Statutory Instruments (SI) to implement our wine reform. As we implement these changes, we will consider relevant World Trade Organization (WTO) and free trade agreement (FTA) obligations.

The first SI will use the REUL Bill powers to revoke the relevant areas of REUL the Government intends to change. This SI will be laid in Parliament in October 2023 and come into force on 1 January 2024 and include the following policy amendments such as:

- importer labelling
- hybrid grape varieties
- piquette
- blending wines
- foil wraps and mushroom stoppers
- removing the wine certification scheme
- removing rules on bottle shapes
- revoking retained Regulation (EC) 2019/935 setting out GB methods of analysis and controls on enrichment
- other simplifications including rules concerning winemaking by-products

The Government will bring forward a second SI that will be laid before Parliament in December 2023 and entering into force on 15 July 2024. This SI will cover:

- ice wine
- updating the list of oenological practices

Finally, the Government intends to launch a further consultation covering both the detailed plans for our consolidated wine legislation which will incorporate detailed arrangements for the outstanding reforms not already included. Subject to the outcome of this consultation the Government intends to bring our consolidated wine reform regulation before Parliament during 2024.

The territorial extent of the proposed changes is limited to England except for the change to hybrid grape varieties which will apply across Great Britain. The Welsh Government is intending to introduce similar reforms in Wales.

Annex 1 (Analytical Data)

Information about the respondents

Table 1. Profile of respondents

Who are you responding as? (Select one option only)	Number of respondents
Individual – you are responding with your personal views, rather than as an official representative of a business or, business association or another organisation	22
Public sector body - in an official capacity as a representative of a local government organisation or, public service provider or, other public sector body in the UK or elsewhere	6
Industry (single business) - in an official capacity representing the views of a single business	51
Industry (multiple businesses) - in an official capacity representing the views of multiple businesses or, trade association or, business association	11
Non-governmental organisation - in an official capacity as the representative of a non-governmental organisation or, non-profit organisation or another organisation	1
Academia - in an official capacity as a representative of an academic institution	1
Other: please specify	0
Total	92

Table 2. Number of businesses per industry

If responding as 'Industry (multiple businesses)', how many businesses are you representing?	Number of businesses
Less than 25	2
Between 25 and 100	1
Between 101 and 250	1
More than 250	8
Prefer not to say	0
Not applicable	0
Total	12

Table 3. Roles in the wine sector supply chain

What is your role in the wine sector supply chain? (If you have multiple roles, select all that apply)	Number of roles
Importer	17
Exporter or re-exporter	21
Fine wine trade	6
Bottler	14
Domestic producer	33
Retail	10
Hospitality	6
Trade body	4
Consumer group	0
Other: please specify	10
Total	121

Table 4. Size of organisations

Please identify if your organisation is one of the following (Select one option only)	Number of organisations per size
Micro business: 1 to 9 employees	29
Small and medium-sized enterprise (SME): 10 to 249 employees	25
Large business: 250 employees or more	6
Other: please specify	0
Not applicable	1
Total	61

Table 5. Location of businesses or organisations

Where does your business or organisation operate? (Select all that apply)	Number per location
England	44
Wales	18
Scotland	17
Northern Ireland	12
EU	22
Rest of the world	24
Total	137

Responses by question

If responding as industry or non-governmental organisation, how likely are you, or the organisation(s) you represent to make use of the following changes?

Table 6. Likelihood of industry or non-governmental organisations to make use of listed changes

	Importer labelling	Hybrid grape varieties	Piquette	Blending wines	Foil wraps and mushroom stoppers	Removing the wine certification arrangement	Removing rules on bottle shapes
Likely	30	27	10	20	33	26	20
Unlikely	13	21	33	24	11	13	20
Don't know	3	5	4	7	10	6	3
Not applicable	11	7	11	8	4	14	16
Total	57	60	58	59	58	59	59

Table 7. Likelihood of industry or non-governmental organisations to make use of listed changes (continued)

	Revoking retained Regulation (EC) 2019/935 setting out GB methods of analysis and controls on enrichment	Ice wine	Introducing new oenological practices	Transforming wine sector products in GB	New arrangements for recognising and recording oenological practices and processes approved in GB	Consolidating all GB wine regulations into one	Other minor reforms to retained EU law
Likely	16	7	29	18	24	35	21
Unlikely	27	25	14	29	17	10	13
Don't know	4	10	11	2	5	8	18
Not applicable	12	15	5	9	12	5	5
Total	59	57	59	58	58	58	57

If likely to make use of any of the following changes, how long do you anticipate it would take you, or the organisation(s) you represent to implement them? (all responses)

Table 8. Anticipated timeframe for individuals or organisations to implement the changes

	Importer labelling	Hybrid grape varieties	Piquette	Blending wines	Foil wraps and mushroom stoppers	Removing the wine certification arrangement	Removing rules on bottle shapes
Less than 1 year	21	16	8	13	25	18	10
1 to 2 years	11	3	5	8	8	5	5
2 to 5 years	2	4	2	3	2	3	4
More than 5 years	0	5	0	1	2	0	1
Don't know	6	7	5	3	7	9	8
Not applicable	15	22	32	25	12	19	26
Total	55	57	52	53	56	54	54

Table 9. Anticipated timeframe for individuals or organisations to implement the changes (continued)

	Revoking retained Regulation (EC) 2019/935 setting out GB methods of analysis and controls on enrichment	Ice wine	Introducing new oenological practices	Transforming wine sector products in GB	New arrangements for recognising and recording oenological practices and processes approved in GB	Consolidating all GB wine regulations into one	Other minor reforms to retained EU law
Less than 1 year	14	2	18	11	21	24	17
1 to 2 years	5	2	9	6	6	5	2
2 to 5 years	1	0	2	1	1	2	1
More than 5 years	0	0	2	1	1	2	3
Don't know	10	7	8	5	12	11	15
Not applicable	23	41	14	28	12	10	14
Total	53	52	53	52	53	54	52

If likely to make use of any of the following changes, how long do you anticipate it would take you, or the organisation(s) you represent to implement them? (responses of those who said they were likely to make use of the relevant reform).

Table 10.

	Importer labelling	Hybrid grape varieties	Piquette	Blending wines	Foil wraps and mushroom stoppers	Removing the wine certification arrangement	Removing rules on bottle shapes
Less than 1 year	18	14	6	12	21	15	8
1 to 2 years	6	3	4	4	7	4	2
2 to 5 years	1	3	0	2	1	1	2
More than 5 years	0	2	0	0	1	0	0
Don't know	2	1	0	1	2	3	5
Not applicable	0	2	0	1	0	2	3
Total	27	25	10	20	32	25	20

	Revoking retained Regulation (EC) 2019/935 setting out GB methods of analysis and controls on enrichment	Ice wine	Introducing new oenological practices	Transforming wine sector products in GB	New arrangements for recognising and recording oenological practices and processes approved in GB	Consolidating all GB wine regulations into one	Other minor reforms to retained EU law
Less than 1 year	9	1	15	9	18	23	14
1 to 2 years	2	2	7	4	4	4	1
2 to 5 years	1	0	1	1	0	1	0
More than 5 years	0	0	1	0	0	0	1
Don't know	3	1	1	1	1	5	4
Not applicable	0	2	3	3	1	1	1
Total	15	6	28	18	24	34	21

Do you anticipate that these reforms will have a positive or negative impact on you or the organisation(s) you represent?

	Importer labelling	Hybrid grape varieties	Piquette	Blending wines	Foil wraps and mushroom stoppers	Removing the wine certification arrangement	Removing rules on bottle shapes
Positive	36	36	18	27	46	23	28
No impact	16	14	15	5	7	16	32
Negative	24	26	32	45	18	38	17
Don't know	5	7	8	5	12	6	2
Not applicable	3	5	12	3	4	4	7
Total	84	88	85	85	87	87	86

	Revoking retained Regulation (EC) 2019/935 setting out GB methods of analysis and controls on enrichment	Ice Wine	Introducing new oenological practices	Transforming wine sector products in GB	New arrangements for recognising and recording oenological practices and processes approved in GB	Consolidating all GB wine regulations into one	Other minor reforms to retained EU law
Positive	18	25	46	26	35	43	20
No impact	22	19	7	6	9	8	11
Negative	20	10	14	38	14	13	18
Don't know	13	11	14	7	16	15	26
Not applicable	12	20	4	8	11	7	9
Total	85	85	85	85	85	86	84