WINE LAW

INFORMATION

11 February 2009
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ALLERGEN LABELLING ENFORCEMENT IN THE UK

In our previous newsletter we confirmed the EU's decision not to extend the deadline for the indication of the "new" allergens (milk and egg products). To recap: These ingredients must be indicated as from 31 May 2009, but products without these ingredients placed on the market or labelled before 31 May 2009, may be marketed until stocks are exhausted.

We have now come across a communication from the UK's Wine and Spirit Trade Association (WSTA) regarding the enforcement of above-mentioned in the UK, which might be of help to you. This communication is set out below.

We are also aware of attempts on a political level by several countries to persuade the EU to extend the 31 May 2009 deadline, but can not, unfortunately, risk an opinion on whether these attempts will be successful or not.

The communication from WSTA reads as follow:

WSTA reaches agreement on allergen labelling enforcement

15 DECEMBER 2008

The WSTA has reached an agreement which ensures Southern Hemisphere wine producers won't be put at a disadvantage when allergen labelling arrangements come into force next year. The deal could save producers thousands of pounds.

European Union allergen labelling rules, requiring label reference to egg and milk content, are due to come into force in the UK at the end of May 2009.

The WSTA has argued with regulators that Southern Hemisphere producers harvesting in early 2009 and bottling at the time of the deadline could face conflicting labelling requirements for the same batch of wine.

A further complication is that the EU Commission may yet extend the UK enforcement date beyond May next year, which could mean that some Southern Hemisphere producers would have to change labels twice.

In any event, changing labels during the bottling process would cost producers thousands of pounds.

Now the coordinating body for local authorities (LACORS) has agreed UK food law enforcement officers should be pragmatic and give Southern Hemisphere producers a bit of latitude about compliance.

Jeremy Beadles, Chief Executive of the WSTA, said: "We're pleased the

regulators are adopting a flexible approach. What may seem like a small step to some actually has huge cost implications for Southern Hemisphere wine producers – they shouldn't pay a penalty because their production timetable happens to coincide with the current enforcement date for allergen labelling."

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