1987 No. 1843

AGRICULTURE

The Common Agricultural Policy (Wine) Regulations 1987

Made - - - -	*18th October 1987*
Laid before Parliament	*30th October 1987*
Coming into force	*20th November 1987*

The Minister of Agriculture, Fisheries and Food and the Secretary of State, being Ministers designated(**a**) for the purposes of section 2(2) of the European Communities Act 1972(**b**) in relation to the common agricultural policy of the European Economic Community, acting jointly in exercise of the powers conferred upon them by the said section and of all other powers enabling them in that behalf, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Common Agricultural Policy (Wine) Regulations 1987 and shall come into force on 20th November 1987.

Interpretation and revocation

2.—(1) In these Regulations, unless the context otherwise requires–

"the Commissioners" means the Commissioners of Customs and Excise;

"Community provision" means any provision of any regulation of the European Communities which is referred to in Schedule 1 to these Regulations, or of the treaties relating to the accession to the European Communities, respectively, of the Hellenic Republic signed at Athens on 28th May 1979(**c**) and of the Kingdom of Spain and the Portuguese Republic signed, respectively, at Madrid and Lisbon on 12th June 1985(**d**);

"manufacturing" means using wine, for the purpose of a trade or business (other than a catering business), in the composition, manufacture or preparation of any product;

"the Minister" means, in relation to England, the Minister of Agriculture, Fisheries and Food and, in relation to Scotland, Northern Ireland or Wales, the Secretary of State;

(**a**) S.I. 1972/1811.

(**b**) 1972 c.68; section 2 is subject to Schedule 2 to that Act and is to be read, as regards England and Wales, in relation to offences triable only summarily, with sections 37, 40 and 46 of the Criminal Justice Act 1982 (c.48), in relation to offences triable on indictment or summarily, with section 32 of the Magistrates' Courts Act 1980 (c.43), and in each case, with S.I. 1984/447; as regards Scotland, in relation to offences triable only summarily with sections 289F and 289G of the Criminal Procedure (Scotland) Act 1975 (c.21), as inserted by section 54 of the Criminal Justice Act 1982, in relation to offences triable on indictment or summarily, with section 289B of the Criminal Procedure (Scotland) Act 1975, as inserted by paragraph 5 of Schedule 11 to the Criminal Law Act 1977 (c.45) and amended by section 55 of the Criminal Justice Act 1982, and, in each case, with S.I. 1984/526; and, as regards Northern Ireland, with S.I. 1984/703 (N.I. 3), S.R. (N.I.) 1984 No. 253.

(**c**) OJ No. L291, 19.11.79, p.17.

(**d**) OJ No. L302, 15.11.85, p.23.

"relevant Community provision" means any Community provision referred to in Column 1 or Column 2 of Schedule 2 to these Regulations, the subject matter of which is described in Column 3 thereof;

"retail sale" means any sale to a person buying otherwise than for the purpose of resale but does not include a sale to a caterer in the course of his catering business or to a manufacturer in the course of his manufacturing business;

(2) The Common Agricultural Policy (Wine) Regulations 1982(**a**) and the Common Agricultural Policy (Wine) (Amendment) Regulations 1983(**b**) are hereby revoked.

Enforcement

3.—(1) Subject to the provisions of this regulation, local authorities, the Minister, the Commissioners and the Wine Standards Board are hereby designated competent authorities or agencies for the purpose of Community provisions.

(2) Each local authority shall secure the enforcement and execution of the relevant Community provisions in so far as they relate to the retail sale of wine within its area.

(3) The Minister, the Commissioners and the Wine Standards Board shall secure the enforcement and execution of the relevant Community provisions in so far as they relate to the importation and exportation of wine to or from the United Kingdom.

(4) The Minister and the Wine Standards Board shall secure the enforcement and execution of the relevant Community provisions in so far as they relate to any matter not mentioned in paragraphs (2) or (3) of this regulation.

(5) Nothing in this regulation shall be taken as authorising in the United Kingdom the Wine Standards Board or the Commissioners, or in relation to Scotland only, the Minister or a local authority, to institute proceedings for an offence.

(6) In this regulation–

(a) "local authority" means–

(i) as respects England and Wales, a food and drugs authority for the purposes of the Food Act 1984(**c**);

(ii) as respects Scotland, an islands or district council which is the enforcement authority for the purposes of the Food and Drugs (Scotland) Act 1956(**d**);

(iii) as respects Northern Ireland, a district council for the purposes of section 29 of the Food and Drugs Act (Northern Ireland) 1958(**e**);

(b) "the Wine Standards Board" means the Wine Standards Board of The Vintners' Company.

(7) The provisions of this regulation are without prejudice to the duties of such local authorities under the provisions of the respective Acts referred to in paragraph (6) of this regulation.

Exemptions

4. The relevant Community provisions relating to the information required on labels of the products mentioned in Article 1 of Council Regulation (EEC) No. 355/79(**f**) shall not apply to–

(a) unlabelled products which are transported between two or more establishments or between vineyards and wine making plants, in either case belonging to the same undertaking and situated in the same local authority area;

(b) unlabelled quantities of grape musts and wines not exceeding 15 litres per batch and not intended for sale;

(c) unlabelled quantities of grape musts and wines intended for the domestic consumption of the producer and his employees.

(**a**) S.I. 1982/578. (**b**) S.I. 1983/1042. (**c**) 1984 c.30.
(**d**) 1956 c.30. (**e**) 1958 c.27 (N.I.). (**f**) OJ No. L54, 5.3.79, p.99.

5. The provisions of Article 13(1) of Council Regulation (EEC) No. 347/79(a) relating to the prohibition of the planting, field grafting and double-grafting of vine varieties not listed in the classification referred to in Article 1 of that Regulation shall not apply where the purpose of the planting is one of the purposes set out in the first subparagraph of Article 13(2) thereof.

Offences and penalties

6.—(1) If any person contravenes or fails to comply with any of the relevant Community provisions referred to in Columns 1 or 2 of Parts I, II, III or V of Schedule 2 to these Regulations, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £2,000, or on conviction on indictment to a fine.

(2) If any person–

(a) contravenes or fails to comply with any of the relevant Community provisions referred to in Columns 1 or 2 of Parts IV, VI or VII of Schedule 2 to these Regulations, or

(b) discloses to any other person any information obtained by him in pursuance of his duties under these Regulations, unless the disclosure is made in, or for the purposes of, the performance by him or any other person of any functions under these Regulations, or in pursuance of a Community obligation,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

(3) In any proceedings against any person for an offence under these Regulations, it shall be a defence for that person to prove that he took all reasonable precautions and exercised all due diligence to avoid committing the offence.

(4) Where an offence under these Regulations which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or a similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th October 1987.

L.S.

John MacGregor
Minister of Agriculture, Fisheries and Food

Sanderson of Bowden
Minister of State, Scottish Office

12th October 1987

(a) OJ No. L54, 5.3.79, p.75.

SCHEDULE 1

Regulation 2(1)

COMMUNITY PROVISIONS

Measures containing Community provisions	*Official Journal of the European Communities: Reference*
1. Commission Regulation (EEC) No. 1594/70 on the notification, carrying out and control of the processes of enriching, acidifying and deacidifying wine, as amended by Commission Regulation (EEC) No. 2531/77 (OJ No. L294, 18.11.77, p.10) and by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Commission Regulation (EEC) No. 632/80 (OJ No. L69, 15.3.80, p.33), and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8)	OJ No. L173, 6.8.70, p.23 (OJ/SE 1970 (II) p.558)
2. Commission Regulation (EEC) No. 1618/70 on measures for controlling the sweetening of table wines and of quality wines produced in specified regions	OJ No. L175, 8.8.70, p.17 (OJ/SE 1970 (II) p.562)
3. Commission Regulation (EEC) No. 2314/72 on certain measures for examining the suitability of certain vine varieties for cultivation, as amended by Commission Regulation (EEC) No. 3296/80 (OJ No. L344, 19.12.80, p.13)	OJ No. L248, 1.11.72, p.53 (OJ/SE 1972 (November) p.11)
4. Commission Regulation (EEC) No. 2247/73 on the control of quality wines produced in specified regions, as amended by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p. 17), and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8)	OJ No. L230, 18.8.73, p.12
5. Commission Regulation (EEC) No. 2805/73 laying down certain transitional provisions relating to the percentage of sulphur dioxide in wines produced before 1 October 1973, as amended by Commission Regulation (EEC) No. 3548/73 (OJ No. L361, 29.12.73, p.35), and by Commission Regulation (EEC) No. 2160/75 (OJ No. L220, 20.8.75, p.7), and by Commission Regulation (EEC) No. 1455/76 (OJ No. L163, 24.6.76, p.12), and by Commission Regulation (EEC) No. 966/77 (OJ No. L115, 6.5.77, p.7)	OJ No. L289, 16.10.73, p.21
6. Commission Regulation (EEC) No. 1153/75 prescribing the form of accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers, as amended by Commission Regulation (EEC) No. 2617/77 (OJ No. L304, 29.11.77, p.33), and by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Commission Regulation (EEC) No. 3203/80 (OJ No. L333, 11.12.80, p.18), and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8)	OJ No. L113, 1.5.75, p.1
7. Commission Regulation (EEC) No. 2152/75 on detailed rules for the application of Council Regulations (EEC) Nos. 358/79 and 823/87 in respect of sparkling wines **(a)**	OJ No. L219, 19.8.75, p.7

(a) The title of this Regulation as published in the edition of the Official Journal referred to is Commission Regulation (EEC) No. 2152/75 on detailed rules for the application of Council Regulations (EEC) Nos. 2893/74 and 2894/74 in respect of sparkling wines. Regulations (EEC) Nos. 2893/74 and 2894/74 have been superseded by Council Regulations (EEC) Nos. 358/79 and 823/87 respectively.

Measures containing Community provisions	*Official Journal of the European Communities: Reference*
8. Commission Regulation (EEC) No. 643/77 laying down rules for coupage and wine making in free zones on the geographical territory of the Community in respect of wine products originating in third countries, as amended by Commission Regulation (EEC) No. 3203/80 (OJ No. L333, 11.12.80, p.18), and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8)	OJ No. L81, 30.3.77, p.7
9. Commission Regulation (EEC) No. 1972/78 laying down detailed rules on oenological practices, as amended by Commission Regulation (EEC) No. 45/80 (OJ No. L7, 11.1.80, p.12)	OJ No. L226, 17.8.78, p.11
10. Council Regulation (EEC) No. 347/79 on general rules for the classification of vine varieties, as amended by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Council Regulation (EEC) No. 3805/85 (OJ No. L367, 31.12.85, p.39)	OJ No. L54, 5.3.79, p.75
11. Council Regulation (EEC) No. 351/79 concerning the addition of alcohol to products in the wine sector, as amended by Council Regulation (EEC) No. 2817/79 (OJ No. L320, 15.12.79, p.7), and by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Council Regulation (EEC) No. 3196/80 (OJ No. L333, 11.12.80, p.6), and by Council Regulation (EEC) No. 3658/81 (OJ No. L366, 22.12.81, p.1), and by Council Regulation (EEC) No. 3267/82 (OJ No. L347, 7.12.82, p.1), and by Council Regulation (EEC) No. 3518/83 (OJ No. L352, 15.12.83, p.1), and by Council Regulation (EEC) No. 3689/84 (OJ No. L341, 29.12.84, p.7), and by Council Regulation (EEC) No. 3581/85 (OJ No. L343, 20.12.85, p.6), and by Council Regulation (EEC) No. 255/87 (OJ No. L26, 29.1.87, p.2)	OJ No. L54, 5.3.79, p.90
12. Council Regulation (EEC) No. 353/79 laying down the conditions for coupage and wine making in the free zones on Community territory for wine products originating in third countries	OJ No. L54, 5.3.79, p.94
13. Council Regulation (EEC) No. 354/79 laying down general rules for the import of wines, grape juice and grape musts, as amended by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Council Regulation (EEC) No. 2633/85 (OJ No. L251, 20.9.85, p.3), and by Council Regulation (EEC) No. 3805/85 (OJ No. L367, 31.12.85, p.39)	OJ No. L54, 5.3.79, p.97
14. Council Regulation (EEC) No. 355/79 laying down general rules for the description and presentation of wines and grape musts, as amended by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Council Regulation (EEC) No. 461/80 (OJ No. L57, 29.2.80, p.36), and by Council Regulation (EEC) No. 1016/81 (OJ No. L103, 15.4.81, p.7), and by Council Regulation (EEC) No. 3685/81 (OJ No. L369, 24.12.81, p.1), and by Council Regulation (EEC) No. 2056/84 (OJ No. L191, 19.7.84, p.3), and by Council Regulation (EEC) No. 3490/84 (OJ No. L327, 14.12.84, p.2), and by Council Regulation (EEC) No. 1898/85 (OJ No. L179, 11.7.85, p.1), and by Council Regulation (EEC) No. 3805/85 (OJ No. L367, 31.12.85, p.39), and by Council Regulation (EEC) No. 1625/86 (OJ No. L144, 29.5.86, p.1), and by Council Regulation (EEC) No. 537/87 (OJ No. L55, 25.2.87, p.3)	OJ No. L54, 5.3.79, p.99

Measures containing Community provisions	*Official Journal of the European Communities: Reference*
15. Council Regulation (EEC) No. 357/79 on statistical areas under vines, as amended by Council Regulation (EEC) No. 1992/80 (OJ No. L195, 29.7.80, p.10), and by Council Regulation (EEC) No. 3719/81 (OJ No. L373, 29.12.81, p.5), and by Council Regulation (EEC) No. 3768/85 (OJ No. L362, 31.12.85, p.8), and by Council Regulation (EEC) No. 490/86 (OJ No. L54, 1.3.86, p.22)	OJ No. L54, 5.3.79, p.124
16. Council Regulation (EEC) No. 358/79 on sparkling wines produced in the Community and defined in item 15 of Annex I to Council Regulation (EEC) No. 822/87, as amended by Council Regulation (EEC) No. 2383/79 (OJ No. L274, 31.10.79, p.8), and by the Act of Accession of the Hellenic Republic (OJ No. L291, 19.11.79, p.17), and by Council Regulation (EEC) No. 3456/80 (OJ No. L360, 31.12.80, p.18), and by Council Regulation (EEC) No. 3686/84 (OJ No. L341, 29.12.84, p.3), and by Council Regulation (EEC) No. 3310/85 (OJ No. L320, 29.11.85, p.19), and by Council Regulation (EEC) No. 3805/85 (OJ No. L367, 31.12.85, p.39) **(a)**	OJ No. L54, 5.3.79, p.130
17. Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties amending various Regulations concerning wine, as a result of the accession of Greece, signed on 28th May 1979	OJ No. L291, 19.11.79, p.17
18. Council Regulation (EEC) No. 2585/79 authorising, in the Gigondas registered designated area, the additional acidification of certain products from the 1979 wine harvest	OJ No. L296, 23.11.79, p.19
19. Council Regulation (EEC) No. 2903/79 on the downgrading of quality wines produced in specified regions, as amended by Council Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8)	OJ No. L326, 22.12.79, p.14
20. Council Regulation (EEC) No. 2931/80 on certain quality wines originating in the Republic of Austria	OJ No. L305, 14.11.80, p.2
21. Commission Regulation (EEC) No. 997/81 laying down detailed rules for the description and presentation of wines and grape musts, as amended by Commission Regulation (EEC) No. 2628/81 (OJ No. L258, 11.9.81, p.10), and by Commission Regulation (EEC) No. 1224/83 (OJ No. L134, 21.5.83, p.1), and by Commission Regulation (EEC) No. 1011/84 (OJ No. L101, 13.4.84, p.17), and by Commission Regulation (EEC) No. 2337/84 (OJ No. L215, 11.8.84, p.9), and by Commission Regulation (EEC) No. 2397/84 (OJ No. L224, 21.8.84, p.19), and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8), and by Commission Regulation (EEC) No. 63/87 (OJ No. L8, 10.1.87, p.38), and by Commission Regulation (EEC) No. 689/87 (OJ No. L66, 11.3.87, p.5)	OJ No. L106, 16.4.81, p.1

(a) The title of this Regulation as published in the edition of the Official Journal referred to is Council Regulation (EEC) No. 358/79 on sparkling wines produced in the Community and defined in item 13 of Annex II to Council Regulation (EEC) No. 337/79. Regulation (EEC) No. 337/79 has been superseded by Council Regulation (EEC) No. 822/87.

Measures containing Community provisions	*Official Journal of the European Communities: Reference*
22. Commission Regulation (EEC) No. 3800/81 determining the classification of vine varieties, as amended by Commission Regulation (EEC) No. 1469/82 (OJ No. L159, 10.6.82, p.21), and by Commission Regulation (EEC) No. 2060/83 (OJ No. L202, 26.7.83, p.15), and by Commission Regulation (EEC) No. 3582/83 (OJ No. L356, 20.12.83, p.18), and by Commission Regulation (EEC) No. 1871/85 (OJ No. L175, 5.7.85, p.9), and by Commission Regulation (EEC) No. 2599/85 (OJ No. L248, 17.9.85, p.5), and by Commission Regulation (EEC) No. 418/86 (OJ No. L48, 26.2.86, p.8), and by Commission Regulation (EEC) No. 416/87 (OJ No. L42, 12.2.87, p.18), and by Commission Regulation (EEC) No. 1467/87 (OJ No. L138, 28.5.87, p.44)	OJ No. L381, 31.12.81, p.1
23. Council Regulation (EEC) No. 3826/81 on the conclusion of the Agreement between the European Economic Community and the Republic of Austria on the control and reciprocal protection of quality wines and certain wines bearing a geographical ascription	OJ No. L389, 31.12.81, p.1
24. Council Regulation (EEC) No. 1873/84 authorising the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Council Regulation (EEC) No. 822/87 **(a)**	OJ No. L176, 3.7.84, p.6
25. Commission Regulation (EEC) No. 2102/84 on harvest, production and stock declarations relating to wine sector products, as amended by Commission Regulation (EEC) No. 2459/84 (OJ No. L231, 29.8.84, p.5), and by Commission Regulation (EEC) No. 2391/85 (OJ No. L225, 23.8.85, p.13), and by Commission Regulation (EEC) No. 2467/86 (OJ No. L211, 1.8.86, p.17), and by Commission Regulation (EEC) No. 2528/87 (OJ No. L240, 22.8.87, p.11)	OJ No. L194, 24.7.84, p.1
26. Commission Regulation (EEC) No. 2394/84 laying down conditions of use of ion exchange resins and detailed implementing rules for the preparation of rectified concentrated grape must, as amended by Commission Regulation (EEC) No. 888/85 (OJ No. L96, 3.4.85, p.14), and by Commission Regulation (EEC) No. 2751/86 (OJ No. L253, 5.9.86, p.11)	OJ No. L224, 21.8.84, p.8
27. Commission Regulation (EEC) No. 1907/85 on the list of vine varieties and regions providing imported wine for the making of sparkling wines in the Community	OJ No. L179, 11.7.85, p.21
28. Commission Regulation (EEC) No. 3190/85 authorising, in the Châteauneuf-du-Pape and Gigondas registered designation areas, the additional acidification of certain products from the 1985 wine harvest	OJ No. L301, 15.11.85, p.29
29. Act concerning the conditions of accession of the Kingdom of Spain and the Portuguese Republic and the adjustments to the Treaties, signed on 12th June 1985	OJ No. L302, 15.11.85, p.23

(a) The title of this Regulation as published in the edition of the Official Journal referred to is Council Regulation (EEC) No. 1873/84 authorising the offer or disposal for direct human consumption of certain imported wines which may have undergone certain oenological processes not provided for in Council Regulation (EEC) No. 337/79. Regulation (EEC) No. 337/79 has been superseded by Council Regulation (EEC) No. 822/87.

Measures containing Community provisions	*Official Journal of the European Communities: Reference*
30. Council Regulation (EEC) No. 3309/85 laying down general rules for the description and presentation of sparkling wines and aerated sparkling wines, as amended by Council Regulation (EEC) No. 3805/85 (OJ No. L367, 31.12.85, p.39), and by Council Regulation (EEC) No. 1626/86 (OJ No. L144, 29.5.86, p.3), and by Council Regulation (EEC) No. 538/87 (OJ No. L55, 25.2.87, p.4)	OJ No. L320, 29.11.85, p.9
31. Commission Regulation (EEC) No. 3590/85 on the certificate and analysis report required for the importation of wine, grape juice and grape must, as amended by Commission Regulation (EEC) No. 1614/86 (OJ No. L142, 28.5.86, p.22)	OJ No. L343, 20.12.85, p.20
32. Council Regulation (EEC) No. 3805/85 adapting, on account of the accession of Spain and Portugal, certain Regulations relating to the wine sector	OJ No. L367, 31.12.85, p.39
33. Commission Regulation (EEC) No. 305/86 on the maximum total sulphur dioxide content of wine originating in the Community produced before 1 September 1986 and, for a transitional period, imported wine	OJ No. L38, 13.2.86, p.13
34. Commission Regulation (EEC) No. 418/86 amending various Regulations concerning wine as a result of the accession of Spain and Portugal	OJ No. L48, 26.2.86, p.8
35. Commission Regulation (EEC) No. 479/86 determining the exceptional cases in which coupage of red Spanish wines with red wines of the other Member States, derived from certain varieties of grape and originating in certain regions of the Community, shall be allowed	OJ No. L54, 1.3.86, p.1
36. Council Regulation (EEC) No. 1627/86 laying down rules for the description of special wines with regard to the indication of alcoholic strength	OJ No. L144, 29.5.86, p.4
37. Commission Regulation (EEC) No. 1781/86 laying down certain detailed rules for authorising the coupage with Spanish red wines of certain red wines of other Member States	OJ No. L155, 10.6.86, p.6
38. Commission Regulation (EEC) No. 1888/86 on the maximum total sulphur dioxide content of certain sparkling wines originating in the Community and prepared before 1 September 1986, and, for a transitional period, of imported sparkling wines	OJ No. L163, 19.6.86, p.19
39. Commission Regulation (EEC) No. 2094/86 laying down detailed rules for the use of tartaric acid for the de-acidification of specified wine products in certain regions of Zone A, as amended by Commission Regulation (EEC) No. 2736/86 (OJ No. L252, 4.9.86, p.15)	OJ No. L180, 4.7.86, p.17
40. Council Regulation (EEC) No. 2392/86 establishing a Community vineyard register	OJ No. L208, 31.7.86, p.1
41. Commission Regulation (EEC) No. 2707/86 laying down detailed rules for the description and presentation of sparkling and aerated sparkling wines, as amended by Commission Regulation (EEC) No. 3378/86 (OJ No. L310, 5.11.86, p.5), and by Commission Regulation (EEC) No. 2249/87 (OJ No. L207, 29.7.87, p.26)	OJ No. L246, 30.8.86, p.71

Measures containing Community provisions	*Official Journal of the European Communities: Reference*
42. Commission Regulation (EEC) No. 649/87 laying down detailed rules for the establishment of a Community vineyard register	OJ No. L62, 5.3.87, p.10
43. Council Regulation (EEC) No. 822/87 on the common organisation of the market in wine, as amended by Council Regulation (EEC) No. 1390/87 (OJ No. L133, 22.5.87, p.3), and by Council Regulation (EEC) No. 1972/87 (OJ No. L184, 3.7.87, p.26)	OJ No. L84, 27.3.87, p.1
44. Council Regulation (EEC) No. 823/87 laying down special provisions relating to quality wines produced in specified regions	OJ No. L84, 27.3.87, p.59
45. Commission Regulation (EEC) No. 1069/87 laying down detailed rules as regards the indication of alcoholic strength on the labelling of special wines	OJ No. L104, 16.4.87, p.14

SCHEDULE 2

Regulation 2(1)

RELEVANT COMMUNITY PROVISIONS

PART I

ACCOMPANYING DOCUMENTS

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 822/87: Article 71(1) and (2)	Regulation 1153/75: all Articles except 2, 4, 18, 22, 23, 25, 26, 27 and 28, as amended by Regulation 2617/77: Articles 1 and 2 and by Regulation 3203/80: Article 1(1) and by Regulation 418/86: Article 5(2) and (3)	Requirements relating to accompanying documents and turnover records
2. Regulation 822/87: Article 70(1)	Regulation 354/79: Article 1 as amended by Regulation 2633/85: Article 1(1) and (2) and Regulation 3590/85: Articles 1, 3, 4, 5, 6 and 8	Accompanying documents required for the importation of wines and other products

PART II

QUALITY WINES PRODUCED IN SPECIFIED REGIONS

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 823/87: Article 15(1), (2), (4), (5) and (7)	Regulation 2247/73: Article 2 and Act of Accession of the Kingdom of Spain and the Portuguese Republic: Article 129	General provisions relating to the use of the expression 'quality wine psr' and other expressions traditionally used by Member States to designate particular quality wines
2. Regulation 823/87: Article 15(3)		Restrictions on use of the term 'quality sparkling wine psr' and other traditionally equivalent terms
3. Regulation 823/87: Article 15(8)	Regulation 2903/79: Articles 3 and 4	Provisions relating to downgraded quality wine psr

PART III

DESCRIPTION AND PRESENTATION

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 355/79: all Articles except 1, 2(1)(b), 2(2)(i), 12(1)(c), 12(2)(u), 22(1)(c), 22(2)(d), 27(1)(b), 27(2)(h), 28(1)(b), 28(2)(r), 29(1)(c), 39, 47, 48 and 49 as amended by Act of Accession of the Hellenic Republic: Article 21 and Annex I, Part IIB, (n) 18 and Regulation 461/80: Articles 1 and 2 and by Regulation 1016/81: all Articles except 1 and 7 and by Regulation 3685/81: Article 1 and by Regulation 2056/84: Article 1 and by Regulation 3490/84: Article 1 and by Regulation 1898/85: Article 1 and by Regulation 3805/85: Article 6 and by Regulation 1625/86: Article 1 and by Regulation 537/87: Article 1	Regulation 997/81: all Articles except 24 and 25 as amended by Regulation 2628/81: Article 1(1) and by Regulation 1224/83: Article 1 and by Regulation 1011/84: Article 1 and by Regulation 2337/84: Article 1 and by Regulation 2397/84: Article 1 and by Regulation 418/86: Article 1 and by Regulation 63/87: Article 1 and by Regulation 689/87: Article 1	General rules and particular requirements relating to the description and presentation of wines and other products (except those relating to the indication of nominal volume)

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
2. Regulation 3309/85: all Articles except 16, 17 and 18 as amended by Regulation 3805/85: Article 10 and by Regulation 1626/86: Article 1 and by Regulation 538/87: Article 1	Regulation 2707/86: all Articles except 11 as amended by Regulation 3378/86: Article 1 and by Regulation 2249/87: Article 1	General rules and particular requirements relating to the description and presentation of sparkling wines and aerated sparkling wines
3. Regulation 1627/86: Article 1(1)	Regulation 1069/87: Articles 1 and 2	General rules and particular requirements relating to the indication of alcoholic strength on the labelling of liqueur wines, semi-sparkling wines and aerated semi-sparkling wines

PART IV

PRODUCTION AND CONTROL OF PLANTING

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 822/87: Article 3(1), (2) and (3)	Regulation 2102/84: Articles 1(1), 2(1) and (2), 3, 4, 5, 11, 12, 13 as amended by Regulation 2391/85: Article 1(1), (2), (4), (9) and (10) and by Regulation 2528/87: Article 1(1) and (2)	Harvest, production and stock declarations
2. Regulation 822/87: Articles 13(2) and 69	Regulation 347/79: Article 13(1)	Restrictions on the use of certain vine varieties

PART V

OENOLOGICAL PROCESSES AND CONDITIONS FOR RELEASE TO THE MARKET

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 822/87: Articles 18(1) and (2) and 19(1) to (7)		Conditions for increasing alcoholic strength
2. Regulation 822/87: Article 21(1) and (3)	Regulation 1594/70: Article 4 and Regulation 2585/79: Article 1 and Regulation 3190/85: Article 1 and Regulation 2094/86: Article 1 as amended by Regulation 2736/86: Article 1	Conditions for acidification and deacidification of wine

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
3. Regulation 822/87: Article 22(1) and (2)		Conditions for sweetening table wines and imported wines
4. Regulation 1618/70: Articles 1, 2, 3 and 4		Notifications and keeping of turnover records in relation to sweetening operations
5. Regulation 822/87: Article 23(1), (2) and (3)	Regulation 1594/70: Articles 5, 6, 7 and 8	Conditions for carrying out authorised processes (including notification and keeping of register)
6. Regulation 822/87: Article 16(2)		Restriction on mixing certain products with products suitable for yielding table wines
7. Regulation 822/87: Article 35(1)		Prohibition of the over pressing of grapes and the pressing of wine lees
8. Regulation 822/87: Article 25(1)	Regulation 351/79: Articles 1, 2 and 3 as amended by Act of Accession of the Hellenic Republic: Article 21 and Annex I, Part IIB, (n) 16 and by Regulation 3196/80: Article 1 and by Regulation 3267/82: Article 1 and by Regulation 3518/83: Article 1 and by Regulation 3689/84: Article 1 and by Regulation 3581/85: Article 1 and by Regulation 255/87: Article 1(1) and (2)	Addition of alcohol
9. Regulation 822/87: Article 16(3) to (7)	Regulation 479/86: Article 1 and Regulation 1781/86: Article 1	Permitted methods for the production of table wine by coupage
10. Regulation 353/79: Article 4	Regulation 643/77: Article 3	Description of wine produced in free zones of the Community
11. Regulation 822/87: Article 65(1) and (2)	Regulation 2805/73: Article 2 and Regulation 305/86: Article 1	Maximum permissible sulphur dioxide content of wine
12. Regulation 822/87: Articles 15(1), (3) and (4), 16(1) and (2), 17(1), (2) and (3) and 66	Regulation 2394/84: Articles 1(1) and 2 as amended by Regulation 2751/86: Article 1(1)	Permitted oenological practices and processes

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
13. Regulation 822/87: Article 67(1)		Wine and certain grape musts that may be offered for direct human consumption
14. Regulation 822/87: Articles 13(4) and 67(2) to (7)		Restrictions relating to certain wines and other products originating in the Community
15. Regulation 822/87: Article 68		Restrictions relating to the use of wine originating in third countries in the production of sparkling wine
16. Regulation 822/87: Article 70(3) to (6)		Restrictions on the use of products originating in third countries
17. Regulation 2931/80: Article 1	Regulation 3826/81	Rules relating to quality wines originating in the Republic of Austria
18. Regulation 822/87: Article 73(1)	Regulation 1873/84: Article 1	General rules relating to release of wine products for human consumption
19. Regulation 358/79: Articles 2, 4, 5(1) to (4), 6(1) and (2), 7(2), 8(1) and (2), 10, 11, 12(1), 13, 14, 15, 16(1), 17(1) and (2), 18 and 22 as amended by Regulation 2383/79: Article 1 and by Regulation 3456/80: Article 1 and by Regulation 3686/84: Article 1(1), (3), (4) and (5) and by Regulation 3310/85: Article 1(1) to (4)	Regulation 2152/75: Article 1 Regulation 1888/86: Article 1	Rules for the preparation and marketing of sparkling wines
20. Regulation 3590/85: Article 8(1)		Conditions for release for human consumption of products originating in third countries
21. Regulation 1972/78: Articles 1, 2, and 4a as amended by Regulation 45/80: Article 1		Restrictions relating to the holding of unfit wine and the use of oenological substances

PART VI

SPECIFICATION

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 822/87: Article 72(1)		Use of the term 'table wine'
2. Regulation 355/79: Article 45	Regulation 997/81: Article 20	Use of the term 'wine'

PART VII

VINEYARD REGISTER

Column 1	Column 2	Column 3
Relevant Community provisions	*Supplementing provisions*	*Subject matter*
1. Regulation 2392/86: Article 3(2)		Establishment of a vineyard register

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply throughout the United Kingdom and come into force on 20th November 1987, provide for the enforcement of EEC regulations (as specified in Schedules 1 and 2) concerned with the production and marketing of wine and related products.

The Regulations, which revoke and re-enact with amendments the provisions of the Common Agricultural Policy (Wine) Regulations 1982 and the Common Agricultural Policy (Wine) (Amendment) Regulations 1983–

(a) designate competent authorities for the purposes of enforcement (regulation 3);

(b) exempt certain products from provisions relating to information required on labels (regulation 4);

(c) provide for an exemption permitting the planting for certain purposes of vine varieties whose planting would otherwise be prohibited (regulation 5);

(d) prescribe offences and penalties (regulation 6).

The Regulations differ from the Common Agricultural Policy (Wine) Regulations 1982, as amended by the Common Agricultural Policy (Wine) (Amendment) Regulations 1983 in that–

(a) an exemption has been provided for permitting the planting for certain purposes of otherwise prohibited vine varieties (regulation 5);

(b) the penalties for offences have been increased (regulation 6);

(c) offences contrary to Part V of Schedule 2, relating to wine making processes, have been added to the offences contrary to Parts I, II and III of that Schedule which are punishable on summary conviction to a fine not exceeding £2,000 and on conviction on indictment to a fine (regulation 6(1));

(d) an exception in the case of disclosure in pursuance of a Community obligation has been included in the provision creating the offence of disclosure of information (regulation 6(2)(b));

(e) a provision has been added which deems various officers of a body corporate to be guilty in certain circumstances of an offence committed by that body corporate (regulation 6(4));

(f) the Schedules have been revised and brought up to date so as to include references to relevant Regulations of the European Communities which have been adopted since the Common Agricultural Policy (Wine) (Amendment) Regulations 1983 came into force and to delete references to Regulations which have been repealed or superseded or have become redundant.

In Schedule 1 each Regulation is given the title which appears in the Official Journal, except in cases where the title refers to a Regulation that has been repealed or superseded. In such a case the title given in Schedule 1 refers to the superseding Regulation and the title in the Official Journal is given in a footnote.