



*Food and Agricultural Products Classification Act*

WINES OF MARKED  
QUALITY REGULATION

**B.C. Reg. 168/2018**

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**Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

See the User Guide for more information about the *Consolidated Regulations of British Columbia*. The User Guide and the *Consolidated Regulations of British Columbia* are available online at [www.bclaws.ca](http://www.bclaws.ca).

Prepared by:  
Office of Legislative Counsel  
Ministry of Attorney General  
Victoria, B.C.

*Food and Agricultural Products Classification Act*

**WINES OF MARKED QUALITY REGULATION**

**B.C. Reg. 168/2018**

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*Food and Agricultural Products Classification Act*

**WINES OF MARKED QUALITY REGULATION**

**B.C. Reg. 168/2018**

**PART 1 – DEFINITIONS**

**Definitions**

- 1** (1) In this regulation:
- “**accredited laboratory**” means a laboratory accredited by the administrator under section 10 [*application for accreditation*];
- “**Act**” means the *Food and Agricultural Products Classification Act*;
- “**alcoholic strength by volume**” means the number of litres of alcohol contained in 100 litres of wine, measured when the wine is at a temperature of 20°C;
- “**BC VQA wine**” means a wine certified as a BC VQA wine;
- “**BC wine of distinction**” means a wine certified as a BC wine of distinction;
- “**Brix level**” means the quantity of dissolved solids, expressed as grams of sucrose, in 100 grams of grape juice or grape must processed from grapes that are, at harvest, measured at a temperature of 20°C;
- “**category**” means a category of wine listed in section 27 [*categories of BC wines of distinction*] or 40 [*categories of BC VQA wines*];
- “**certificate**” means a practice standards certificate or wine quality certificate;
- “**chaptalize**” means to enrich a wine by adding sugar to fresh grapes, grape juice or grape must before or during fermentation;
- “**cuvée**” means either of the following, if it has a total alcoholic strength by volume of at least 9% and is intended for the preparation of Sparkling wine:
- (a) grape must that is undergoing fermentation;
  - (b) wine that is undergoing fermentation;
- “**dosage**” means the following:
- (a) in the case of expedition liqueur dosage, a product that is added to Sparkling wine to enhance sweetness or to maximize the fill level of a bottle after disgorgement;
  - (b) in the case of tirage liqueur dosage, yeast and a product permitted under section 34 [*Traditional Method Sparkling wine*] that is added to Sparkling wine produced using the traditional method to provoke secondary fermentation;
- “**fermentation**” means the natural biochemical process by which yeast converts sugar to alcohol and byproducts;
- “**finished wine**” means wine for which all treatments required to prepare for bottling are complete;

- “**former regulation**” means the Wines of Marked Quality Regulation, B.C. Reg. 79/2005, as it read immediately before its repeal;
- “**geographical area**” means the land represented by a geographical indication;
- “**geographical indication**” means a term set out in column 1 of the table in section 56 (1) [*geographical indications*];
- “**grape juice**” means a fermentable liquid product used in processing wine that
- (a) is obtained from fresh grapes or grape must, and
  - (b) has an alcoholic strength by volume of not more than 1%;
- “**grape must**” means a fermentable liquid product used in processing wine that
- (a) is obtained by crushing or pressing fresh grapes, and
  - (b) has an alcoholic strength by volume of not more than 1%;
- “**label**” means a label containing printed or graphic symbols attached to a container of, or displayed in connection with, a wine that is the subject of a wine quality certificate;
- “**large processor**” means a practice standards certificate holder who has a processing level of 40 tonnes or more of grapes;
- “**lees**” means the sediment of grape seeds, stems, skin fragments, dead yeast cells and insoluble tartrates that settles to the bottom of a fermentation vessel;
- “**medium processor**” means a practice standards certificate holder who has a processing level of more than 20 tonnes but less than 40 tonnes of grapes;
- “**processing level**” means the volume of grapes used during the previous calendar year to process wines that are, or are intended to be, the subject of a wine quality certificate;
- “**production unit**” means a unit of finished wine that has been packaged, and in which all the packaged wine has uniform characteristics;
- “**sensory wine evaluation**” means an assessment conducted by a taste tester to assess faults in wine, using the senses of sight, smell, taste and touch;
- “**single strength**” means grape juice or grape must that has a Brix level of the greater of the following:
- (a) 17° Brix;
  - (b) the Brix level of the grape juice or grape must at harvest;
- “**small processor**” means a practice standards certificate holder who has a processing level of 20 tonnes or less of grapes;
- “**sweet reserve**” means single strength grape juice or grape must added to wine as a sweetener;
- “**taste tester**” means an individual described in section 7 (3) (b) (ii) [*duties respecting wine evaluations*] who conducts sensory wine evaluations;

“**total volatile acidity**” means, other than for the purposes of item 16 of Schedule 4, the total volatile acidity of a wine as

- (a) determined by the cash still method of analysis, conducted by an accredited laboratory, and
- (b) calculated in grams per litre of acetic acid;

“**vintage year**” means the year in which grapes used to process a wine are grown;

“**wine evaluation**” means a chemical wine evaluation or sensory wine evaluation conducted in accordance with the procedures and systems referred to in section 7 (2) or (3);

“**wine production standards**” means the prohibitions, requirements, limits and conditions established under this regulation for

- (a) an operator to be issued a practice standards certificate, or
- (b) a wine quality certificate to be issued with respect to a wine;

“**wines of marked quality program**” means the certification program continued under section 2 [*certification program continued*].

- (2) For the purposes of paragraphs (a) and (b) of the definition of “process” in the Act, the processing of wine includes the physical, chemical and biochemical oenological practices and treatments that are recognized as good manufacturing practices acceptable in the production and packaging of wine.

## PART 2 – CERTIFICATION PROGRAM

### Division 1 – Administration

#### Certification program continued

- 2 (1) The wines of marked quality program established under the former regulation is continued as a certification program applicable to wine processed in British Columbia.
- (2) The purposes of the wines of marked quality program are to
  - (a) certify wineries and wines that meet wine production standards, and
  - (b) enable certificate holders to use protected labels that are prescribed under this regulation.

#### British Columbia Wine Authority is administrator

- 3 (1) The British Columbia Wine Authority is authorized to continue as the administrator of the wines of marked quality program.
- (2) The administrator is authorized to do all of the following:
  - (a) exercise the powers and perform the duties described in section 4 (1) (a) to (c) of the Act;

- (b) collect and retain fees payable under this regulation;
  - (c) delegate to the individual responsible for the day-to-day operations of the wines of marked quality program one or more of the powers and duties described in section 4 (1) (a) to (c) of the Act.
- (3) For the purpose of giving directions under section 29 (1) (b) of the Act respecting the avoidance of conflicts of interest, the minister must seek to ensure that the following persons do not benefit financially from processing wine or growing grapes used to process wine:
- (a) directors and employees of the administrator;
  - (b) persons engaged by the administrator to exercise the powers and perform the duties of the administrator.
  - (c) Repealed. [B.C. Reg. 100/2019, s. 1.]  
[am. B.C. Reg. 100/2019, s. 1.]

**General duty to establish procedures**

- 4** For the purposes of an audit under section 4 (2) (f) of the Act, the administrator must establish and maintain written procedures for both of the following:
- (a) exercising the powers and performing the duties set out in section 4 of the Act and under this regulation;
  - (b) complying with directions issued by the minister under the Act.

**Administrative duties**

- 5** (1) To cover liability for risks arising from operating the British Columbia Wine Authority and administering the wines of marked quality program, the administrator must purchase and maintain insurance for all of the following:
- (a) the British Columbia Wine Authority and its directors and employees;
  - (b) the members of the advisory committee elected under section 8 [*duty to continue advisory committee*];
  - (c) taste testers.
- (2) In addition to the general register of certificate holders that the administrator must keep under section 4 (2) (d) of the Act, the administrator must do all of the following:
- (a) keep a register of wine grape growers for the purpose of verifying information relating to wine production standards;
  - (b) keep a register of persons who intend to
    - (i) pick grapes for use in processing Icewine, or
    - (ii) process Icewine;
  - (c) establish procedures for registration.



**Duty to ensure program compliance**

- 6 Without limiting the duties of the administrator under section 4 (1) (c) of the Act, the administrator must conduct winery verification audits in accordance with section 21 (2) and (4) [*winery verification audits*] of this regulation.

**Duties respecting wine evaluations**

- 7 (1) The administrator must establish procedures for taking wine samples and for submitting samples for evaluation.
- (2) For the purpose of the conduct of chemical wine evaluations, the administrator must
- (a) develop and manage systems to assess and accredit laboratories, and
  - (b) establish procedures to
    - (i) verify the results of chemical wine evaluations, and
    - (ii) ensure that results are reasonably consistent across accredited laboratories.
- (3) For the purpose of the conduct of sensory wine evaluations, the administrator must
- (a) develop and manage a faults-based taste panel system, and
  - (b) establish procedures to ensure the integrity, objectivity and reputation of the system, including ensuring that the system meets all of the following criteria:
    - (i) limits for defined faults are established objectively;
    - (ii) wines are blind taste tested by panels of taste testers drawn from an eligibility list of expert wine tasters, selected after a merit based process;
    - (iii) the process of conducting sensory wine evaluations is monitored;
    - (iv) taste testers and persons responsible for administering the system, or otherwise having powers and duties with respect to the system, comply with rules respecting their conduct;
    - (v) taste testers report the results of their evaluations to the administrator;
    - (vi) the performance of taste testers in carrying out their function is regularly assessed;
    - (vii) the confidentiality of sensitive information is maintained;
    - (viii) the results of evaluations are collected and reviewed systematically for the purpose of verifying accuracy and consistency.
- (4) The administrator must record, analyze and publish annually statistical information respecting wine evaluations, including
- (a) the failure rate of sensory wine evaluations, and

- (b) the correlation between failed sensory wine evaluations and the results of chemical wine evaluations.

**Duty to continue advisory committee**

- 8**
- (1) The administrator must continue the Wine Industry Advisory Committee established under the former regulation.
  - (2) The advisory committee must
    - (a) consist of up to 7 individuals elected by the membership of the administrator for the terms specified by the administrator, and
    - (b) reflect both a regional balance and a balance of small, medium and large processors.
  - (3) The administrator may consult with the advisory committee on any matter, but must consult with the advisory committee on
    - (a) wine production standards, and
    - (b) the policies and practices of the wines of marked quality program.

**Duties respecting recommendations to the minister**

- 9**
- (1) For the purpose of appointing inspectors under the Act in relation to the wines of marked quality program, the administrator must make recommendations to the minister respecting
    - (a) required qualifications for inspectors, and
    - (b) individuals who, in the opinion of the administrator, are qualified to exercise the powers and perform the duties of inspectors.
  - (2) Without limiting section 4 [*general duty to establish procedures*], the administrator may not make recommendations to the minister respecting changes to the list of grape varieties approved for BC VQA wines unless the administrator first establishes and maintains written procedures for those purposes, and implements those procedures.
  - (3) If the administrator intends to recommend to the minister new subdivisions of geographical indications for the purpose of section 56 (1) [*geographical indications*], the administrator must first ensure that all of the following criteria are met with respect to the geographical area represented by the proposed new subdivision:
    - (a) the area must be geographically distinct and have clearly defined boundaries;
    - (b) appropriate consultations must have taken place in the area and the region surrounding the area, with no credible objections made on the basis that the area is not geographically distinct;
    - (c) grape production in the area must be commercially viable;

- (d) the administrator must hold a vote, by ballot, with respect to the proposal, and the proposal must be supported by at least 2/3 of the following:
  - (i) the practice standards certificate holders who process, in the area, at least 2/3 of the total wine processed from grapes grown in that area;
  - (ii) the registered grape growers who grow at least 2/3 of the total volume of grapes grown in that area by registered grape growers.

## **Division 2 – Laboratory Accreditation**

### **Application for accreditation**

- 10** (1) A laboratory is eligible for accreditation to conduct a chemical wine evaluation for the purposes of this regulation if the administrator is satisfied of the laboratory's competency to conduct the evaluation.
- (2) The laboratory owner may apply for accreditation in the form and manner required by the administrator.
- (3) An applicant for accreditation must pay an application fee as follows:
  - (a) \$200 at the time the application is made, in the case of a new applicant;
  - (b) \$100 by January 1 of the year for which the accreditation will apply, in the case of a renewing applicant.
- (4) An accreditation expires December 31 of the year in which the accreditation is issued.

### **Duties of accredited laboratory**

- 11** (1) An owner of an accredited laboratory must
  - (a) ensure that the chemist named in the accreditation application has direct responsibility for conducting all chemical wine evaluations,
  - (b) ensure that the accredited laboratory uses only the methodology approved by the administrator for conducting chemical wine evaluations,
  - (c) permit the administrator to verify the results of chemical wine evaluations, including by audit, inspection or other means, and
  - (d) keep, for at least 5 years, those records required by the administrator for the purpose of verifying the results of chemical wine evaluations.
- (2) The administrator may revoke, in full or in part, the accreditation of a laboratory if the administrator is satisfied of either of the following:
  - (a) that the laboratory is no longer competent to conduct one or more chemical wine evaluations;
  - (b) that the owner has contravened a requirement under subsection (1).

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**Division 3 – Certification Generally****Types of certificates**

- 12** The administrator may issue to a person, in accordance with this Division, the following certificates:
- (a) a practice standards certificate, certifying that the winery of the certificate holder meets all applicable wine production standards;
  - (b) a wine quality certificate, certifying one or more of the following with respect to a particular wine processed by a particular practice standards certificate holder:
    - (i) that the wine qualifies as a BC wine of distinction or a BC VQA wine, as applicable;
    - (ii) that a protected label may be used in connection with the wine;
    - (iii) that the wine originates from a geographical area;
    - (iv) in the case of a BC VQA wine, the vintage of the wine and the grape varieties used to process the wine.

**Applications for certificates**

- 13** (1) A person may apply for a certificate in the form and manner required by the administrator.
- (2) An applicant must pay the applicable certification fees under sections 18 [*fee for practice standards certificate*] and 24 [*fee for wine quality certificate*].

**Issuing certificates**

- 14** (1) The administrator may issue a certificate to an applicant if satisfied that the applicant is eligible for the certificate under Division 4 [*Practice Standards Certificates*] or 5 [*Wine Quality Certificates*], as applicable.
- (2) The administrator may issue a certificate with or without conditions.
- (3) For the purpose of determining whether to issue a certificate, the administrator may rely on the following:
  - (a) the findings of experts selected after a merit based process;
  - (b) without limiting paragraph (a), a wine evaluation.
- (4) A practice standards certificate is not transferable.
- (5) A wine quality certificate is transferable only to another practice standards certificate holder.

**Suspending or cancelling certificates**

- 15** The administrator may suspend or cancel a certificate for any of the following reasons:
  - (a) the certificate holder fails to comply with, or the wine that is the subject of the certificate fails to conform to, all applicable wine production standards;

- (b) the certificate holder is no longer eligible to hold the certificate for any other reason;
- (c) the certificate holder fails to pay a fee in accordance with this Part.

#### Appeals of decisions

- 16** (1) In this section, “**decision**” means a decision of the administrator to
- (a) refuse an application for a practice standards certificate,
  - (b) attach conditions to a practice standards certificate,
  - (c) suspend or cancel a practice standards certificate, or
  - (d) cancel a wine quality certificate.
- (2) On making a decision, the administrator must give written notice of the decision to the applicant or certificate holder, and the reasons for it.
- (3) A person who receives notice of a decision may appeal the decision by submitting a notice of appeal to the administrator.
- (4) A notice of appeal
- (a) may be sent no later than 30 days after receiving notice of a decision, and
  - (b) must be in the form and manner required by the administrator.
- (5) On receiving a notice of appeal, the administrator must give to the appellant a written notice of hearing.
- (6) A notice of hearing must
- (a) be sent no later than 30 days after receiving the notice of appeal,
  - (b) include the date, time and place of the hearing, and
  - (c) advise the appellant whether the hearing will be written or conducted orally.

### Division 4 – Practice Standards Certificates

#### Eligibility for practice standards certificate

- 17** A person is eligible for a practice standards certificate if the person
- (a) is licensed as a winery under the *Liquor Control and Licensing Act*,
  - (b) gives to the administrator
    - (i) the address of the person’s primary place of business, and
    - (ii) the addresses of any additional places at which the person carries on business,
  - (c) gives to the administrator all information required by the administrator to determine whether the person is eligible, and
  - (d) meets all applicable wine production standards.

**Fee for practice standards certificate**

- 18** (1) An applicant for a practice standards certificate must pay the applicable fee under subsection (2) as follows:
- (a) at the time the application is made, in the case of a new applicant;
  - (b) by March 31 of the year for which the certificate will be issued, in the case of a renewing applicant.
- (2) An applicant must pay the fee applicable to the applicant's class as follows:
- (a) \$300, in the case of a small processor;
  - (b) \$650, in the case of a medium processor;
  - (c) \$11.02 per tonne of grapes used to calculate the applicant's processing level, in the case of a large processor.

**General duties of certificate holder**

- 19** A practice standards certificate holder must
- (a) notify the administrator within 14 days after any change in the address of the holder's primary place of business, and
  - (b) give to the administrator, within the time required by the administrator,
    - (i) a copy of any record required to be kept under section 20 [*records of certificate holder*], and
    - (ii) any other information required by the administrator.

**Records of certificate holder**

- 20** (1) A practice standards certificate holder must keep records of all of the following:
- (a) the total quantity of wine grapes grown and received by the certificate holder;
  - (b) with respect to wine grapes received by the certificate holder,
    - (i) the dates on which the grapes were received and the names of the growers and suppliers from whom the grapes were received,
    - (ii) the annual quantity of wine grapes received from each grower and supplier, and
    - (iii) a statement from each grower or supplier of both the quantity of grapes supplied and the location of the vineyard at which the grapes were grown;
  - (c) with respect to each production unit,
    - (i) the number of litres of each wine processed,
    - (i.1) the date on which the wine passed a sensory wine evaluation and the date on which the wine was bottled, and
    - (ii) the total quantities of all finished wine sold, including the dates on which the wine was sold;

- (d) with respect to grape juice, grape must and finished wine,
  - (i) the total quantity purchased from or sold to other certificate holders, and
  - (ii) a statement from each supplier of grape juice, grape must or finished wine of both the quantity purchased, by variety, and the location of the vineyard at which the grape juice, grape must or finished wine was processed.
- (2) For the purposes of subsection (1),
  - (a) a record or statement with respect to quantities of wine grapes must describe
    - (i) the grapes by both variety and origin, and
    - (ii) the quantity in tonnes,
  - (b) statements from a grower or supplier must be signed by the grower or supplier, and
  - (c) a record or statement with respect to quantities of grape juice, grape must or wine must describe the quantity in litres.
- (3) A certificate holder must keep the records and statements referred to in this section
  - (a) at the certificate holder's primary place of business, and
  - (b) in sufficient detail to enable the administrator to verify that wine processed by the certificate holder meets all applicable wine production standards.

[am. B.C. Reg. 100/2019, s. 2.]

#### Winery verification audits

- 21**
- (1) In this section, “**verification officer**” means a person who conducts a winery verification audit on behalf of the administrator.
  - (2) The administrator must conduct winery verification audits as follows:
    - (a) the administrator must audit a new practice standards certificate holder within 12 months of issuing the certificate to confirm the holder's eligibility for the certificate;
    - (b) the administrator must audit each certificate holder on a random basis, but no less than once every 3 years, to monitor compliance with the Act and wine production standards.
  - (3) A certificate holder must do all of the following for the purposes of a winery verification audit:
    - (a) if the certificate holder is a large processor, pay to the administrator an annual fee of \$65 when paying the certificate fee under section 18 (1) [*fee for practice standards certificate*];
    - (b) permit a verification officer to
      - (i) enter and examine the facilities of the certificate holder during regular business hours,

- (ii) examine containers, equipment and marketing materials found at the certificate holder's facilities, and
- (iii) review, on request of the verification officer, any record that must be kept under section 20 [*records of certificate holder*];
- (c) answer questions asked by a verification officer in relation to
  - (i) matters relevant to the certificate holder's certificate, or
  - (ii) activities of the certificate holder that are regulated under the Act.
- (4) The administrator must establish procedures to collect the results of winery verification audits and review those results systematically for the purpose of verifying their accuracy and consistency.

**Expiry of certificate**

- 22**
- (1) A practice standards certificate expires December 31 of the year in which the certificate is issued.
  - (2) If a fee under section 18 [*fee for practice standards certificate*] was payable based on an estimate of the volume of grapes to be used to process, during the term of the certificate, wines that are the subject of wine quality certificates, the administrator must
    - (a) recalculate the fee on expiry of the certificate, based on the volume of grapes actually used during the term of the certificate, and
    - (b) either charge the certificate holder any additional fee payable or credit the certificate holder's account with any overpayment.
  - (3) A certificate holder who is notified by the administrator that an amount is payable under subsection (2) (b) must pay the amount within 30 days of being notified.

**Division 5 – Wine Quality Certificates****Eligibility for wine quality certificate**

- 23**
- (1) A person is eligible for a wine quality certificate if
    - (a) the person
      - (i) holds a practice standards certificate, and
      - (ii) processes the wine that will be the subject of the certificate, and
    - (b) the wine meets all applicable wine production standards set out in
      - (i) Division 6 [*Production Standards for BC Wines of Distinction*], if the wine is to be certified as a BC wine of distinction, or
      - (ii) Divisions 6 and 7 [*Production Standards for BC VQA Wines*], if the wine is to be certified as a BC VQA wine.
  - (2) An applicant must give to the administrator evidence, based on reports made by an accredited laboratory, respecting all of the following:
    - (a) the wine's alcoholic strength by volume, expressed as a percentage;



- (b) the level of the wine’s total acid, calculated as tartaric acid;
- (c) the level of the wine’s volatile acidity;
- (d) the pH of the wine;
- (e) the level of the wine’s total sulphur dioxide;
- (f) the level of sulphur dioxide in a free state in the wine;
- (g) the level of residual sugar in the wine.

**Fee for wine quality certificate**

- 24** (1) An applicant for a wine quality certificate must pay the applicable fee under subsection (2) as follows:
- (a) on applying for a wine quality certificate with respect to the wine;
  - (b) on resubmitting the wine for a sensory wine evaluation under section 39 (1) (c) [*sensory wine evaluations*];
  - (c) on submitting the wine for an extraordinary sensory wine evaluation under section 39 (1) (e).
- (2) An applicant must pay the fee set out in column 2 of the following table opposite the applicant’s class as set out in column 1:

Column 1 Practice Standards Certificate Class	Column 2 Wine Quality Certificate (\$ per production unit of wine assessed)
Small processor	To certify a wine as a BC wine of distinction, \$0 for each certificate To certify a wine as a BC VQA wine, \$0 for each of the first 5 sensory wine evaluations during the term of the practice standards certificate and \$100 for each subsequent sensory wine evaluation during that term
Medium processor	To certify a wine as a BC wine of distinction, \$0 for each certificate To certify a wine as a BC VQA wine, \$0 for each of the first 8 sensory wine evaluations during the term of the practice standards certificate and \$100 for each subsequent sensory wine evaluation during that term
Large processor	To certify a wine as a BC wine of distinction, \$25 for each certificate To certify a wine as a BC VQA wine, \$100 for each sensory wine evaluation

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**Division 6 – Production Standards for BC Wines of Distinction****General wine production standards**

- 25 Subject to section 26 [*limits and prohibitions*], the administrator may issue a wine quality certificate that certifies a wine as a BC wine of distinction if the wine meets all of the following wine production standards:
- (a) the wine is processed entirely from the full or partial fermentation of fresh grapes, grape juice or grape must derived from grapes grown in British Columbia;
  - (b) the wine is entirely fermented and blended, and all treatments required to prepare the wine for bottling must be entirely completed, in British Columbia;
  - (c) the wine is processed by and on the premises of a practice standards certificate holder;
  - (d) the grapes used to process the wine, and, if sweet reserve is used in the wine, the sweet reserve, have the minimum Brix level set out in column 3 of Schedule 1 opposite the applicable category or subcategory of the wine;
  - (e) the residual sugar level in the wine complies with the level set out in column 2 of the table in Schedule 2 below the applicable category of the wine and opposite the sweetness descriptor that applies to the wine;
  - (f) the wine's alcoholic strength by volume of finished wine is within the following range, as applicable:
    - (i) not less than 7% but not more than 20%, in the case of a wine categorized as Table wine, Blanc de Noirs wine, Icewine, Late Harvest wine, Nouveau wine, Sparkling wine or Vin du Curé wine;
    - (ii) more than 14.9% but not more than 22.9%, in the case of a wine categorized as Fortified wine;
    - (iii) more than 14.9% but not more than 20%, in the case of a wine categorized as Liqueur wine;
  - (g) the wine's total volatile acidity is no more than 1.3 g/L;
  - (h) the total acid level of the wine, calculated as tartaric acid, is at least
    - (i) 6.5 g/L, in the case of a wine to which the sweetness descriptor "doux" or "sweet" applies and that is categorized as Table wine, Blanc de Noirs wine, Late Harvest wine, Nouveau wine or Vin du Curé wine, or
    - (ii) 4 g/L, in the case of any other wine referred to in Table 1 of Schedule 2;
  - (i) the wine is labelled and packaged in accordance with Part 3 [*Bottling and Labelling of Certified Wines*].

### Limits and prohibitions

- 26** The administrator may not issue a wine quality certificate that certifies a wine as a BC wine of distinction if any of the following apply:
- (a) grape varieties of 100% *Vitis labrusca* are used to process the wine;
  - (b) water is added to the wine for the purpose of increasing the wine's yield;
  - (c) more water is added to the wine than is necessary for making aqueous solutions of materials permitted in processing the wine;
  - (d) the wine is chaptalized beyond the following limits:
    - (i) for wines that may be identified using a geographical indication other than "British Columbia", the sugar addition is more than 42.5 g/L (dry basis) of grape juice or grape must, or 2.5% alcohol by volume;
    - (ii) in any other case, the sugar addition is more than 60.5 g/L (dry basis) of grape juice or grape must, or 3.5% alcohol by volume;
  - (e) more than 4 g/L of food additives are added to the wine for the purpose of acidification, or are added contrary to Part B, Division 16, Table X of the Food and Drug Regulations made under the *Food and Drugs Act* (Canada);
  - (f) the wine is deacidified by food additives so as to correspond to the applicable residual sugar level set out in column 2 of Schedule 2 of this regulation, other than as permitted under Part B, Division 16, Table X of the Food and Drug Regulations made under the *Food and Drugs Act* (Canada);
  - (g) the certificate holder who processed the wine purposely used a tolerance level of 0.1% to blend off grapes, grape juice, grape must or wine of a different variety or origin from that of the processed wine;
  - (h) the wine fails to meet all applicable requirements of the *Food and Drugs Act* (Canada) and the regulations made under it.

### Categories of BC wines of distinction

- 27** (1) The administrator may categorize a BC wine of distinction as one of the following if the wine meets all of the wine production standards of this Division applicable to that category:
- (a) Blanc de Noirs wine;
  - (b) Fortified wine;
  - (c) Liqueur wine;
  - (d) Nouveau wine;
  - (e) Solera wine;
  - (f) Sparkling wine;
  - (g) Traditional Method Sparkling wine;
  - (h) Méthode Cuvée Close Sparkling wine;
  - (i) Aromatic Sparkling wine.

- (2) A BC wine of distinction that does not meet the wine production standards of any other category is categorized as Table wine.

**Blanc de Noirs wine**

- 28** The administrator may categorize a BC wine of distinction as Blanc de Noirs wine if the wine is processed only from grape juice or grape must, at least 85% of which is derived from red grapes that are separated from the skins before being fermented according to the processes and treatments used to process white wine.

**Fortified wine**

- 29** The administrator may categorize a BC wine of distinction as Fortified wine if the wine is processed only from fresh grapes
- (a) that have been harvested on the vine, and
  - (b) to which alcohol has been added for the purpose of sweetening the wine and ending the fermentation process.

**Liqueur wine**

- 30** The administrator may categorize a BC wine of distinction as Liqueur wine if the wine
- (a) is processed only from fresh grapes that have been harvested on the vine,
  - (b) has an alcoholic strength by volume of more than 14.9%, and
  - (c) contains no added alcohol.

**Nouveau wine**

- 31** The administrator may categorize a BC wine of distinction as Nouveau wine if processing the wine involves at least partial carbonic maceration, a winemaking process in which
- (a) whole grapes are placed in a closed tank for at least 4 days, and
  - (b) the atmosphere of the tank in which the grapes are placed consists of carbon dioxide resulting from one or both of the following:
    - (i) an external source;
    - (ii) the respiration of the grapes and the fermentation of part of the crushed grapes.

**Solera wine**

- 32** The administrator may categorize a BC wine of distinction as Solera wine if the wine is processed by combining wines from a series of at least 3 barrels, each started in a different vintage year, as follows:
- (a) no more than 30% of the contents is removed from the oldest barrel in the series and bottled;
  - (b) the oldest barrel is topped up with wine from the next-to-oldest barrel in the series, which is in turn topped up from the next-to-oldest barrel after that in the series;

- (c) the process continues until the newest barrel in the series is topped up with new wine;
- (d) the process described in paragraphs (a) to (c) is repeated only once a year for each series.

### Sparkling wine

- 33** (1) Subject to subsection (2), the administrator may categorize a BC wine of distinction as Sparkling wine if the carbon dioxide content of the wine
- (a) is more than 300 kPa when measured at a temperature of 10°C,
  - (b) results only from the fermentation of the cuvée from which it was prepared, and
  - (c) does not increase if carbon dioxide is added to the wine from an external source in order to maintain counterpressure during
    - (i) the racking process, or
    - (ii) the transfer of finished wine from a bulk process tank to bottles.
- (2) The administrator may not categorize a wine as Sparkling wine if expedition liqueur dosage is used to process the wine unless all of the following wine production standards are met:
- (a) a product added as dosage does not increase the wine's alcoholic strength by volume by more than 0.5%;
  - (b) if a wine categorized as Icewine is added as dosage,
    - (i) the dosage is added only to a wine categorized as Traditional Method Sparkling wine, and
    - (ii) the total volume of dosage added is at least 10% of the total volume of the finished wine.

### Traditional Method Sparkling wine

- 34** (1) Subject to subsection (2), the administrator may categorize a BC wine of distinction as Traditional Method Sparkling wine if the wine meets all of the following wine production standards:
- (a) the wine meets all of the wine production standards required for categorization as Sparkling wine;
  - (b) the processing of the wine involves secondary fermentation in a glass bottle having a capacity of no more than 5 L;
  - (c) the wine is separated from its lees by disgorging after a maturation period of at least
    - (i) 9 months for non-vintage dated wine, and
    - (ii) 12 months for vintage dated wine;
  - (d) unless the wine will be sold in bottles larger than 1.5 L,
    - (i) the wine does not leave the bottle before final corking, and

- (ii) the finished wine is sold in the bottle in which secondary fermentation took place.
- (2) The administrator may not categorize a wine as Traditional Method Sparkling wine if a product other than yeast, grape juice, grape must or another wine is added as tirage liqueur dosage, except that
- (a) grape must may be concentrated or rectified concentrated grape must,
  - (b) yeast may be dried yeast or yeasts in wine suspension, and
  - (c) sucrose may be added as part of the product.

**Méthode Cuvée Close Sparkling wine**

- 35** The administrator may categorize a BC wine of distinction as Méthode Cuvée Close Sparkling wine if the wine meets all of the following wine production standards:
- (a) the wine meets all of the wine production standards required for categorization as Sparkling wine;
  - (b) the processing of the wine involves either primary or secondary fermentation in a closed vessel having a capacity of at least 5 L;
  - (c) the duration of the fermentation process and the maturation of the cuvée on the lees is at least
    - (i) 30 days if fermentation occurs in a tank with a mixer, or
    - (ii) 80 days if fermentation occurs in a tank without a mixer;
  - (d) the duration of processing from the start of fermentation, including aging at the location where the wine is processed, is at least 6 months.

**Aromatic Sparkling wine**

- 36** The administrator may categorize a BC wine of distinction as Aromatic Sparkling wine if the wine meets
- (a) all of the wine production standards required for categorization as Sparkling wine, and
  - (b) either of the following wine production standards:
    - (i) those set out in section 34 [*Traditional Method Sparkling wine*], except that the maturation period must be at least 80 days;
    - (ii) those set out in section 35 [*Méthode Cuvée Close wine*], except that the maturation period must be at least 30 days.

**Division 7 – Production Standards for BC VQA Wines****General wine production standards**

- 37** The administrator may issue a wine quality certificate that certifies a wine as a BC VQA wine if the wine meets all of the following wine production standards:
- (a) the wine is eligible to be certified as a BC wine of distinction;

- (b) the wine is processed only from one or more of the grape varieties set out in Schedule 3 for the applicable category of wine;
- (c) the wine passes a sensory wine evaluation conducted in accordance with section 39 [*sensory wine evaluations*], whether an initial evaluation, a resubmitted evaluation or an extraordinary sensory wine evaluation;
- (c.1) the wine is bottled within 90 days of passing a sensory wine evaluation conducted in accordance with section 39;
- (d) if sweet reserve is used in the wine, the sweet reserve is 15% or less of the total volume of the finished wine.

[am. B.C. Reg. 100/2019, s. 3.]

#### **Samples for wine evaluations**

**38** For the purposes of a wine evaluation, a practice standards certificate holder

- (a) must take and submit 2 samples, in accordance with the procedures developed under section 7 (1) [*duties respecting wine evaluations*], that are part of the finished wine to be evaluated, and
- (b) may submit, for a fault set out in column 1 of Schedule 4, the results of a chemical wine evaluation if conducted by an accredited laboratory as follows:
  - (i) each chemical compound set out opposite that fault in column 2 must be analyzed using the method set out opposite the compound in column 3;
  - (ii) refermentation must be analyzed using the method set out opposite item 13 in column 3.

[am. B.C. Reg. 100/2019, s. 4.]

#### **Sensory wine evaluations**

**39** (1) A sensory wine evaluation must be conducted as follows:

- (a) the evaluation must be conducted in accordance with the systems and procedures developed under section 7 (3) [*duties respecting wine evaluations*];
- (b) wine samples for each evaluation must be taken and submitted in accordance with section 38 [*samples for wine evaluations*];
- (c) if a wine fails an initial evaluation, the certificate holder may resubmit the wine for a resubmitted evaluation;
- (d) a resubmitted evaluation for the purposes of paragraph (c) must be conducted by a different combination of taste testers from that of the initial evaluation;
- (e) the certificate holder may submit the wine for an extraordinary sensory wine evaluation by a panel of at least 3 expert wine tasters if
  - (i) the wine fails both the initial and the resubmitted evaluations,

- (ii) there is a difference between the faults identified as the reason for the failure of the initial evaluation and the faults identified as the reason for the failure of the resubmitted evaluation, and
- (iii) the submission for an extraordinary sensory wine evaluation is made within 30 days after receiving the results of the resubmission evaluation;
- (f) if the results of a chemical wine evaluation are submitted under section 38 (b) [*samples for wine evaluations*], the taste testers conducting the evaluation
  - (i) may consider those results, in the case of an initial evaluation, and
  - (ii) must consider those results, in the case of a resubmitted evaluation or an extraordinary sensory wine evaluation.
- (2) Despite subsection (1) (e), the administrator may permit a certificate holder to resubmit a wine to an extraordinary sensory wine evaluation panel described in that subsection if the administrator determines that
  - (a) a procedure developed under section 7 (3) was not followed in conducting any sensory wine evaluation, and
  - (b) not following the procedure is likely to have affected the results of a sensory wine evaluation.

**Categories of BC VQA wines**

- 40** (1) The administrator may categorize a BC VQA wine as
- (a) Blanc de Noirs wine if the wine meets all of the wine production standards of section 28 [*Blanc de Noirs wine*],
  - (b) Fortified wine if the wine meets all of the wine production standards of section 29 [*Fortified wine*], or
  - (c) Nouveau wine if the wine meets all of the wine production standards of section 31 [*Nouveau wine*].
- (2) The administrator may categorize a BC VQA wine as one of the following if the wine meets all of the wine production standards of this Division applicable to that category:
- (a) Icewine;
  - (b) Sparkling Icewine;
  - (c) Late Harvest wine, which may be subcategorized as Select Late Harvest wine, Special Select Late Harvest wine, Botrytis Affected wine or Totally Botrytis Affected wine;
  - (d) Liqueur wine;
  - (e) Meritage;
  - (f) Solera wine;
  - (g) Traditional Method Sparkling wine;



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- (h) Méthode Cuvée Close Sparkling wine;
  - (i) Aromatic Sparkling wine;
  - (j) Vin du Curé wine.
- (3) A BC VQA wine that does not meet the wine production standards of any other category listed in this section is categorized as Table wine.

**Icewine**

- 41** (1) Subject to subsection (2), the administrator may categorize a BC VQA wine as Icewine if the wine meets all of the following wine production standards:
- (a) the only grapes used to process the wine
    - (i) are *Vitis vinifera* varieties or Vidal Blanc,
    - (ii) are grown in a geographical area represented by a geographical indication other than “British Columbia”, and pressed within the same geographical area,
    - (iii) have frozen naturally on the vine while the air temperature is -8°C or lower, and be pressed in a continuous process while the grapes are still frozen, and
    - (iv) are transported by the most direct route from picking to pressing;
  - (b) the Brix level of any grape juice or grape must used to process the wine
    - (i) is at least 32° Brix after each pressing when measured after transfer to the fermentation vessel, and
    - (ii) achieves an average of at least 35° Brix respecting combined pressings in the fermentation vessel;
  - (c) the residual sugar in the wine at bottling is at least 100 g/L;
  - (d) any residual sugar and alcohol in the wine comes only from the natural sugar in the grapes;
  - (e) the wine does not include sweet reserve and is not chaptalized;
  - (f) the total volatile acidity for the wine is no more than 2.1 g/L.
- (2) The administrator may not categorize a wine as Icewine if any of the following apply:
- (a) the practice standards certificate holder is not registered under section 5 (2) (b) (ii) [*administrative duties*];
  - (b) the wine is processed using any artificial method of concentrating the sugar content of fresh grapes, grape juice, grape must or wine, including by artificial refrigeration at a temperature below -4°C;
  - (c) the tanks in which the wine is processed are cooled below -4°C during fermentation and cold stabilization before bottling.

**Sparkling Icewine**

- 42** The administrator may categorize a BC VQA wine as Sparkling Icewine if the wine meets all of the wine production standards of sections 41 [*Icewine*] and 47 [*Sparkling wines*].

**Late Harvest wines**

- 43** The administrator may categorize a BC VQA wine as Late Harvest wine if the wine meets all of the following wine production standards:
- (a) the only grapes used to process the wine are fresh and ripe, and have been desiccated on the vine under natural conditions that favour concentration of the sugar in the grapes;
  - (b) the wine does not include sweet reserve and is not chaptalized;
  - (c) the total volatile acidity for the wine is no more than the following:
    - (i) 1.5 g/L for Late Harvest wine that is not subcategorized as Select Late Harvest wine or Special Select Late Harvest wine;
    - (ii) 1.8 g/L for Select Late Harvest wine or Special Select Late Harvest wine.

[am. B.C. Reg. 100/2019, s. 5.]

**Liqueur wine**

- 44** The administrator may categorize a BC VQA wine as Liqueur wine if the wine
- (a) meets all of the wine production standards of section 30 [*Liqueur wine*], and
  - (b) has an alcoholic strength by volume of 20% or less.

**Meritage**

- 45** The administrator may categorize a BC VQA wine as Meritage if the wine is processed using a blend of 2 or more of the following grape varieties, none of which alone makes up more than 90% of the wine:
- (a) for a red wine, Cabernet Sauvignon, Merlot, Cabernet Franc, Malbec, Petit Verdot, St. Macaire, Gros Verdot and Carmenere;
  - (b) for a white wine, Sauvignon Blanc, Sémillon and Sauvignon Vert.

**Solera wine**

- 46** The administrator may categorize a BC VQA wine as Solera wine if the wine
- (a) meets all of the wine production standards of section 32 [*Solera wine*], and
  - (b) has a total volatile acidity of no more than 2.1 g/L.

**Sparkling wines**

- 47** (1) Subject to subsection (2), the administrator may categorize a BC VQA wine as

- (a) Traditional Method Sparkling wine if the wine meets all of the wine production standards of sections 33 [*Sparkling wine*] and 34 [*Traditional Method Sparkling wine*],
  - (b) Méthode Cuvée Close Sparkling wine if the wine meets all of the wine production standards of sections 33 [*Sparkling wine*] and 35 [*Méthode Cuvée Close Sparkling wine*], and
  - (c) Aromatic Sparkling wine if the wine meets all of the wine production standards of sections 33 [*Sparkling wine*] and 36 [*Aromatic Sparkling wine*].
- (2) The administrator may not categorize a BC VQA wine as
- (a) Traditional Method Sparkling wine or Méthode Cuvée Close Sparkling wine unless the only grapes used to process the wine are *Vitis vinifera* varieties set out in Table 1 of Schedule 3,
  - (b) Aromatic Sparkling wine unless the only grapes used to process the wine are of the varieties set out in Table 2 of Schedule 3, or
  - (c) Traditional Method Sparkling wine, Méthode Cuvée Close Sparkling wine or Aromatic Sparkling wine if the wine has an alcoholic strength by volume, including alcohol contained in a product added as expedition liqueur dosage, of less than 8.5%.

#### Vin du Curé wine

- 48** The administrator may categorize a BC VQA wine as Vin du Curé wine if the wine meets all of the following wine production standards:
- (a) the only grapes used to process the wine are fresh grapes that, after harvest, are left to dry on ventilated structures in a dry location until the grapes yield grape must with a Brix level of at least 32° when measured after the grape must has been transferred to a fermentation vessel;
  - (b) the wine does not include sweet reserve and is not chaptalized;
  - (c) the total volatile acidity for the wine is no more than 2.1 g/L.

### PART 3 – BOTTLING AND LABELLING OF CERTIFIED WINES

#### Bottling requirements for BC VQA wines

- 49**
- (1) A wine quality certificate holder must ensure that a BC VQA wine processed by the holder is bottled in accordance with this section.
  - (2) Wine must be bottled in glass bottles, sized only as authorized under the *Consumer Packaging and Labelling Act* (Canada).
  - (3) Wine must be enclosed only with one of the following bottle closures:
    - (a) natural cork;
    - (b) pore-filled or colmated natural cork, filled with resin or dust;

- (c) cork composite, made with natural cork discs, or a particle or an agglomerate cork composite;
  - (d) 100% synthetic cork;
  - (e) a screw top or crown cap.
- (4) Cork closures must be
- (a) a traditional cylindrical shape of any colour, or
  - (b) in the case of a wine categorized as Fortified wine or Liqueur wine, in a shape that is traditional for those wines, as applicable.

**Stating wine categories**

- 50**
- (1) A wine quality certificate holder must ensure that a wine processed by the holder is labelled in accordance with this section.
  - (2) Unless the wine is categorized as Table wine, the label must state the category to which the wine belongs.
  - (3) Despite subsection (2), a wine categorized as Traditional Method Sparkling wine may be labelled as one of the following:
    - (a) Classical Method Sparkling wine;
    - (b) Méthode Traditionale Sparkling wine;
    - (c) Méthode Classique Sparkling wine.

**Stating grape varieties**

- 51**
- (1) A wine quality certificate holder must ensure that a wine processed by the holder is labelled in accordance with this section.
  - (2) Subject to subsection (3), the label may state the name of a grape variety used in a wine only if all of the following conditions are met:
    - (a) the name must appear immediately before or after the geographical indication that applies to the wine at least once on at least one label;
    - (b) if the names of more than one grape variety are stated, those names must be stated
      - (i) in descending order of quantity, and
      - (ii) using identical font, size and colour.
  - (3) Subject to subsection (4), a label may state a varietal name only as follows:
    - (a) a single-varietal name may be stated if at least 85% of the total wine by volume is derived from the named grape variety;
    - (b) a dual-varietal name may be stated if at least
      - (i) 90% of the total wine by volume is derived from the 2 named grape varieties, and
      - (ii) 15% of that 90% is derived from the second of those varieties;
    - (c) a triple-varietal name may be stated if at least

- (i) 95% of the total wine by volume is derived from the 3 named grape varieties,
  - (ii) 15% of that 95% is derived from the second of those varieties, and
  - (iii) 10% of that 95% is derived from the third of those varieties.
- (4) For the purposes of subsection (3),
- (a) volume must be measured when the wine is at a temperature of 20°C, and
  - (b) if the wine contains a blend of Merlot and one or both of Cabernet Franc and Cabernet Sauvignon, the label may use the descriptor “Cabernet Merlot” as long as each grape variety used is listed elsewhere on the label.
- [am. B.C. Reg. 100/2019, s. 6.]

#### Stating “Estate Bottled”

- 52**
- (1) A wine quality certificate holder must ensure that a wine processed by the holder is labelled in accordance with this section.
  - (2) The label of a BC wine of distinction may describe the wine as “Estate Bottled” only if all of the following conditions are met:
    - (a) the wine must be processed entirely from grapes grown on land owned or controlled by the practice standards certificate holder who bottles the wine;
    - (b) the land referred to in paragraph (a) must be located within a geographical area other than that represented by the geographical indication “British Columbia”, and the corresponding geographical indication must be displayed on the label;
    - (c) at least 85% of the grapes used to process the wine must be grown during the same vintage year;
    - (d) the practice standards certificate holder who crushed or pressed the grapes used to make the wine must also process and bottle the wine;
    - (e) the wine must not leave the premises of the practice standards certificate holder referred to in paragraph (d) before bottling;
    - (f) the premises referred to in paragraph (e) must be located within the same geographical area as where the grapes are grown.
  - (3) For the purposes of subsection (2) (a), land is controlled by a practice standards certificate holder if the holder has the legal right to conduct, and does conduct, all activities associated with growing grapes on the land under the terms of a lease, rental or similar agreement.
  - (4) The label of a BC VQA wine may describe the wine as “Estate Bottled” only if all of the following conditions are met:
    - (a) all of the conditions of subsection (2);
    - (b) the lease, rental or similar agreement referred to in subsection (3) must be for a term of at least 10 years;

- (c) the description must be used only in the fourth and subsequent years of the term referred to in paragraph (b);
- (d) any alcohol added to a wine categorized as Fortified wine must have been distilled
  - (i) within the geographical area where the wine was processed and that geographical area must be one other than that represented by the geographical indication “British Columbia”, and
  - (ii) by the same practice standards certificate holder who processed and bottled the wine.

**Other labelling requirements**

- 53**
- (1) A wine quality certificate holder must ensure that a wine processed by the holder is labelled in accordance with this section.
  - (2) If the label states a geographical indication that is a subdivision of another geographical indication, the label must also state the geographical indication in which the subdivision is located.
  - (3) The label must not describe a geographical area in connection with the processing or marketing of the wine, except to include a geographical indication or proper place name.
  - (4) The label may state the name of a vineyard only if all of the following conditions are met:
    - (a) the certificate holder who processes the wine must be registered in accordance with the procedures established under section 5 (2) (c) [*administrative duties*];
    - (b) all of the grapes used to process the wine must be grown in the vineyard;
    - (c) the vineyard must be located in a geographical area other than that represented by the geographical indication “British Columbia”;
    - (d) the label also states the geographical indication
      - (i) corresponding to the geographical area in which the vineyard is located, or
      - (ii) “British Columbia”.
  - (5) The label may state a vintage year only if at least 85% of the grapes used to process the wine were grown during the stated vintage year.
  - (6) If sweet reserve is used in a wine, the wine’s label must state all of the following respecting the grapes used to process the sweet reserve:
    - (a) the name of the grape variety;
    - (b) the year in and location at which the grapes were produced.
  - (7) The label must not describe a wine categorized as Liqueur wine as “Natural” if
    - (a) sweet reserve is used in the wine, or

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- (b) the wine is chaptalized.

**Labelling BC wines of distinction**

- 54** (1) In addition to any other labelling requirement that applies under this Part, a wine quality certificate holder must ensure that a BC wine of distinction processed by the holder is labelled in accordance with this section.
- (2) If the label describes the sweetness of a wine, the descriptor may only be the applicable descriptor set out in column 1 of the table in Schedule 2.

**Labelling BC VQA wines**

- 55** (1) In addition to any other labelling requirement that applies under this Part, a wine quality certificate holder must ensure that a BC VQA wine processed by the holder is labelled in accordance with this section.
- (2) The label must state all of the following:
- (a) the geographical indication that applies to the wine;
  - (b) one of the protected labels “BC VQA”, “British Columbia VQA” or “British Columbia Vintners Quality Alliance”, as established under section 58 [*protected labels established*];
  - (c) subject to subsection (3), either
    - (i) the names of the grape varieties used in the wine, or
    - (ii) a distinct name that is associated with the practice standards certificate holder who processed the wine, commonly referred to as a proprietary name;
  - (d) subject to subsection (4), the vintage year of the wine.
- (3) The label of a BC VQA wine categorized as
- (a) Icewine must state the names of the grape varieties used to process the wine, and
  - (b) Sparkling Icewine, Traditional Method Sparkling wine or Méthode Cuvée Close Sparkling wine must state the method used to process the wine.
- (4) Subsection (2) (d) does not apply
- (a) to a wine categorized as Fortified wine, Liqueur wine, Solera wine, Traditional Method Sparkling wine or Méthode Cuvée Close Sparkling wine, or
  - (b) if the distinct name of a person for whom or a body or event for which the wine was processed is stated on the label, commonly referred to as a private label.

**PART 4 – GEOGRAPHICAL INDICATIONS AND PROTECTED LABELS****Geographical indications**

- 56** (1) For the purposes of this regulation,
- (a) geographical indications are the terms set out in column 1 of the following table, and
  - (b) the geographical area represented by a geographical indication is described in column 2 of the following table opposite the geographical indication:

Item	Column 1 Geographical indication	Column 2 Geographical area
1	British Columbia	The land inside the boundaries of British Columbia
2	Fraser Valley	The land inside the boundary shown on the map entitled “Fraser Valley” and dated June 4, 2018
3	Golden Mile Bench, a subdivision of the Okanagan Valley	The land inside the boundary shown on the map entitled “Golden Mile Bench” and dated June 4, 2018
4	Gulf Islands	The land inside the boundary shown on the map entitled “Gulf Islands” and dated January 2013
5	Kootenays	The land inside the boundary shown on the map entitled “Kootenays” and dated June 4, 2018
6	Lillooet	The land inside the boundary shown on the map entitled “Lillooet” and dated June 4, 2018
7	Naramata Bench, a subdivision of the Okanagan Valley	The land inside the boundary shown on the map entitled “Naramata Bench” and dated March 4, 2019
8	Okanagan Falls, a subdivision of the Okanagan Valley	The land inside the boundary shown on the map entitled “Okanagan Falls” and dated June 4, 2018
9	Okanagan Valley	The land inside the boundary shown on the map entitled “Okanagan Valley” and dated January 2013
10	Shuswap	The land inside the boundary shown on the map entitled “Shuswap” and dated June 4, 2018
11	Similkameen Valley	The land inside the boundary shown on the map entitled “Similkameen Valley” and dated January 2013
12	Skaha Bench, a subdivision of the Okanagan Valley	The land inside the boundary shown on the map entitled “Skaha Bench” and dated March 1, 2019
13	Thompson Valley	The land inside the boundary shown on the map entitled “Thompson Valley” and dated June 4, 2018
14	Vancouver Island	The land inside the boundary shown on the map entitled “Vancouver Island” and dated January 2013

- (2) The administrator must do all of the following with respect to the maps referred to in column 2 of the table in subsection (1):



- (a) publish a copy of the maps on a website that is
  - (i) maintained by or on behalf of the administrator, and
  - (ii) publicly and freely accessible;
- (b) keep a copy of the maps in the office of the administrator, and permit members of the public to access the maps during the administrator’s regular business hours and without charge.

[am. B.C. Reg. 100/2019, s. 7.]

#### **Certifying geographical origin**

**57** If the administrator issues a wine quality certificate with respect to a BC VQA wine, the administrator must state in the certificate the geographical indication that may be used in connection with the wine as follows:

- (a) if 100% of the grapes used to process the wine originate from British Columbia, the geographical indication “British Columbia” may be used;
- (b) if 95% of the grapes used to process the wine originate from a geographical area represented by a geographical indication other than “British Columbia” and the remainder from another place or places in British Columbia, that geographical indication.

#### **Protected labels established**

**58** (1) The following are established as protected labels:

- (a) BC wine of distinction;
- (b) BC VQA;
- (c) British Columbia VQA;
- (d) British Columbia Vintners Quality Alliance;
- (e) Late Harvest;
- (f) Select Late Harvest;
- (g) Special Select Late Harvest;
- (h) Icewine;
- (i) Sparkling Icewine;
- (j) Meritage;
- (k) Vin du Curé.

(2) Each geographical indication is established as a protected label.

#### **Use of protected labels**

**59** (1) Subject to subsections (2) and (3), a person must not attach to bottled wine or use in connection with the marketing of wine a protected label established under section 58 [*protected labels established*] unless all of the following requirements are met:

- (a) the wine must

- (i) be processed by a practice standards certificate holder, acting in compliance with all applicable wine production standards, and
    - (ii) be the subject of a wine quality certificate;
  - (b) in the case of a protected label set out in section 58 (1) (b), (c) or (d) [*protected labels established*], the wine must be a BC VQA wine;
  - (c) in the case of a protected label set out in section 58 (1) (e) to (k), the wine must meet all of the wine production standards applicable to the category that matches the protected label being used;
  - (d) in the case of a protected label that is a geographical indication, the geographical indication is stated in the wine quality certificate that applies to the wine.
- (2) If a wine quality certificate holder processed a wine before the coming into force of this section, a geographical indication may be attached to the bottled wine or used in connection with the marketing of the wine only as follows:
- (a) if the wine is a BC VQA wine, all requirements under section 57 [*certifying geographical origin*] apply;
  - (b) if the wine is not a BC VQA wine but is a BC wine of distinction and the wine was processed by a person who held a winery licence issued under the *Liquor Control and Licensing Act*
    - (i) before December 31, 2006, all requirements under section 57 of this regulation apply until December 31, 2020, or
    - (ii) on or after December 31, 2006, the requirement under section 57 (a) of this regulation applies until December 31, 2020.
- (3) If a person who is not a certificate holder states on a wine’s label the postal address of the wine’s processor or distributor, the term “British Columbia” may be used as part of the address if all of the following conditions are met:
- (a) the term must be stated in connection with the words “processed by” or “distributed by” and the processor’s or distributor’s name, as applicable;
  - (b) the term must be stated immediately after the municipality and before the postal code;
  - (c) the term must be stated using identical font, size and colour to the remainder of the address.

## PART 5 – TRANSITION OF CERTIFICATES AND ACCREDITATION

60 Repealed. [B.C. Reg. 168/2018, s. 60 (4).]

**SCHEDULE 1 – MINIMUM BRIX LEVEL REQUIREMENTS**

*(section 25 [general wine production standards])*

Item	Column 1 Category	Column 2 Subcategory	Column 3 Minimum Brix Level at Harvest (°)
1	Table wine	(a) If processed in a geographical area other than that represented by the geographical indication “British Columbia”	18
		(b) If paragraph (a) does not apply	17
2	BC VQA Blanc de Noirs wine Fortified wine Liqueur wine Nouveau wine Solera wine		18
3	Late Harvest wine	Late Harvest	23
		Select Late Harvest	26
		Special Select Late Harvest	32
		Botrytis Affected	26
		Totally Botrytis Affected	34
4	Vin du Curé		20

**SCHEDULE 2 – CHEMICAL ANALYSIS CRITERIA**

*(sections 25 [general wine production standards], 26 [limits and prohibitions] and 54 [labelling BC wines of distinction])*

**Sweetness Descriptors, Residual Levels of Sugar**

Item	Column 1 Sweetness Descriptor	Column 2 Residual Sugar Level (g/L)
<b>TABLE WINE, BLANC DE NOIRS WINE, LATE HARVEST WINE, NOUVEAU WINE, VIN DU CURÉ WINE</b>		
1	Dry Sec	not more than 4, or total acid plus 2 but not more than 9
2	Medium Dry Semi-Dry Demi-Sec Off-Dry	more than 4 but not more than 12, or total acid plus 10 but not more than 18
3	Semi-Sweet Demi-Doux	more than 12 but not more than 45
4	Sweet Doux	more than 45 but not more than 100

**WINES OF MARKED QUALITY REGULATION**

## Schedule 3 – Grape Varieties for BC VQA Wines

Item	Column 1 Sweetness Descriptor	Column 2 Residual Sugar Level (g/L)
<b>FORTIFIED WINE, LIQUEUR WINE</b>		
5	Dry Sec	not more than 30
6	Medium Dry Semi-Dry Demi-Sec	more than 30 but not more than 65
7	Sweet Doux	more than 65
<b>SPARKLING WINE</b>		
8	Natural Brut Naturel	not more than 5, and no sweetener if expedition liqueur dosage is added
9	Brut	not more than 15
10	Extra Dry Extra Sec	more than 15 but not more than 25
11	Dry Sec	more than 25 but not more than 35
12	Medium Dry Semi-Dry Demi-Sec	more than 35 but not more than 50
13	Sweet Doux	more than 50

**SCHEDULE 3 – GRAPE VARIETIES FOR BC VQA WINES***(sections 37 [general wine production standards] and 47 [Sparkling wines])***Table 1****Permitted Grape Varieties for BC VQA Wines,  
Other than BC VQA Aromatic Sparkling Wines**

Item	Column 1 Prime Name	Column 2 Synonym
<b>VITIS VINIFERA VARIETIES</b>		
1	All <i>Vitis vinifera</i> varieties	
<b>VARIETIES PRODUCED BY INTER-SPECIFIC CROSSBREEDING</b>		
1	Aurore	Aurora
2	Baco Noir	
3	Blattner Brickett Red	
4	Blattner Cabernet Foch	
5	Blattner Cabernet Libre	

**WINES OF MARKED QUALITY REGULATION**

## Schedule 3 – Grape Varieties for BC VQA Wines

Item	Column 1 Prime Name	Column 2 Synonym
6	Blattner Petite Milo	
7	Castel	
8	Cayuga White	Cayuga
9	Chambourcin	
10	Chancellor	Chancellor Noir
11	Chelois	
12	Couderc Muscat	Muscat du Moulin, Couderc
13	De Chaunac	
14	Golden Muscat	
15	L'Acadie Blanc	
16	Landal	
17	Léon Millot	Millot
18	Lucie Kuhlman	
19	Maréchal Foch	Foch
20	Michurinetz	
21	Perle von Zala	Pearl von Zala
22	Pollux	
23	Rosette	Seibel 1000
24	Rougeon	
25	Severny	
26	Seyval Blanc	Seyval
27	Siegfriedrebe	Siegfried Rebe, Siegfried
28	Sovereign Opal	
29	Verdelet	
30	Vidal Blanc	Vida
31	Vignoles	Ravat 51
32	Villard Noir	
33	Vincent	
34	Vivant	
<b>UNNAMED VARIETIES PRODUCED BY INTER-SPECIFIC CROSSBREEDING</b>		
1	Blattner BFV 51-75-7	
2	Blattner BFV-PN-Tivo	
3	Blattner CWR 48.05.03	
4	Blattner CWR 48.05.100	
5	Blattner CWR 48.05.103	
6	Blattner CWR 48.05.31	
7	Blattner CWR 48.05.43	

**WINES OF MARKED QUALITY REGULATION**

## Schedule 3 – Grape Varieties for BC VQA Wines

Item	Column 1 Prime Name	Column 2 Synonym
8	Blattner CWR 48.05.49	
9	Blattner CWR 48.05.61	
10	Blattner CWR 48.05.83	
11	Blattner CWR 48.05.98	
12	Blattner CWR 48.28.127	
13	Blattner CWR 48.28.128	
14	Blattner CWR 48.28.146	
15	Blattner CWR 48.28.153	
16	Blattner CWR 48.28.161	
17	Blattner CWR 48.28.192	
18	Blattner CWR 48.28.200	
19	Blattner CWR 49.11.01	
20	Blattner CWR 49.11.02	
21	Blattner CWR 49.23.02	
22	Blattner CWR 49.28.04	
23	Blattner CWR 49.28.06	
24	Blattner CWR 49.28.24	
25	Blattner CWR 49.28.29	
26	Blattner CWR 49.96.03	
27	Blattner CWR 49.96.04	
28	Blattner CWR 49.96.05	
29	Blattner CWR 50.25.02	
30	Blattner CWR 50.36.03	
31	Blattner CWR 50.36.12	
32	Blattner CWR 50.37.01	
33	Blattner CWR 50.37.02	
34	Blattner CWR 50.39.02	
35	Blattner CWR 50.39.02A	
36	Blattner CWR 50.39.A	
37	Blattner CWR 50.42.04	
38	Blattner CWR 50.57.01	
39	Blattner CWR 50.57.02	
40	Blattner CWR 51.75.07	
41	Blattner CWR 51.75.08	
42	Blattner CWR 51.75.09	
43	Blattner CWR 51.96.02	
44	Blattner CWR 51.96.03	

**WINES OF MARKED QUALITY REGULATION**

Schedule 3 – Grape Varieties for BC VQA Wines

Item	Column 1 Prime Name	Column 2 Synonym
45	Blattner CWR 51.96.04	
46	Blattner CWR 51.96.05	
47	Blattner CWR 51.96.06	
48	Blattner CWR 51.96.07	
49	Blattner CWR 51.96.08	
50	Blattner CWR 51.96.09	
51	Blattner CWR One	
52	Blattner CWR Two	
53	Blattner CWR Four	
54	Blattner CWR Eight	
55	Blattner CWR Nine	
56	Geisenheim 311-58	
57	Geisenheim 318-57	
58	Geisenheim 322-58	Hibernal, Hybernal
59	Geisenheim 6495-3	
60	Geneva Red 7	
61	Joannes Seyve 23-416	
62	Seyve Villard 23-512	

**Table 2**  
**Permitted Grape Varieties for BC VQA Aromatic Sparkling Wines**

Item	Column 1 Prime Name	Column 2 Synonym
<b>VITIS VINIFERA VARIETIES</b>		
1	Bacchus	
2	Chardonnay Musqué	
3	Colombard	French Colombard
4	Ehrenfelser	
5	Faberrebe	
6	Gamay Noir	Gamay
7	Gewürztraminer	Traminer
8	Goldburger	
9	Kerner	Trollinger x Riesling
10	Morio Muscat	Muscat
11	Müller-Thurgau	Riesling x Sylvaner
12	Muscat Blanc	Muskateller, Gelber Muskateller, Muscat
13	Muscat Ottonel	Muscat

## WINES OF MARKED QUALITY REGULATION

## Schedule 3 – Grape Varieties for BC VQA Wines

Item	Column 1 Prime Name	Column 2 Synonym
14	Optima	
15	Oraniensteiner	
16	Ortega	
17	Perle of Csaba	Pearl of Csaba
18	Riesling	
19	Riesling x Traminer	
20	Scheurebe	
21	Schönburger	
22	Siegerrebe	
23	Traminer	
<b>VARIETIES PRODUCED BY INTER-SPECIFIC CROSSBREEDING</b>		
1	Aurore	Aurora
2	Cayuga White	Cayuga
3	Couderc Muscat	Muscat du Moulin, Couderc
4	L'Acadie Blanc	
5	Perle von Zala	Pearl von Zala
6	Pollux	
7	Severny	
8	Seyval Blanc	Seyval
9	Siegfriedrebe	Siegfried Rebe, Siegfried
10	Sovereign Opal	
11	Verdelet	
12	Vidal Blanc	Vida
13	Vignoles	Ravat 51
14	Vivant	
<b>UNNAMED VARIETIES PRODUCED BY INTER-SPECIFIC CROSSBREEDING</b>		
1	Geisenheim 311-58	
2	Geisenheim 318-57	
3	Geisenheim 322-58	Hibernal, Hybernal
4	Geisenheim 6495-3	
5	Joannes Seyve 23-416	
6	Seyve Villard 23-512	



**SCHEDULE 4 – CHEMICAL ANALYSES FOR FAULTS**

(section 38 [samples for wine evaluations])

Item	Column 1 Fault	Column 2 Chemical Compound	Column 3 Method of Analysis
1	Bitter from bacterial spoilage	acrolein	liquid chromatographic analysis
2	Brettanomyces	red wines: 4-ethylphenol 4-ethylguaiacol  white wines: 4-vinylphenol 4-vinylguaiacol	gas chromatographic analysis
3	Butyric	butyric and acetic acid acetoin acetone	gas chromatographic analysis
4	Corked	2,4,6-trichloroanisole (TCA)	gas chromatographic analysis
5	Earthy, muddy or musty	2-methylisoborneol geosmin	gas chromatographic analysis
6	Foxy	methyl anthranilate	gas chromatographic analysis
7	Geranium	2-ethoxyhexa-3, 5-diene 2,4-hexadien-1-ol, acetate esters	gas chromatographic analysis
8	Lactic/sour	lactic acid diacetyl	gas or liquid chromatographic analysis gas chromatographic analysis or mass spectrometry
9	Medicinal	1:1 mixture 4-vinylguaiacol and 4-ethylphenol	gas chromatographic analysis
10	Mousy	2-ethyltetrahydropyridine 2-acetyltetrahydropyridine 2-acetylpyrroline	gas chromatographic analysis
11	Oxidized	E-2 Alkenals: (E)-2-heptenal (E)-2-hexenal (E)-2-octenal (E)-2-nonenal  methylpropanal methional phenylacetaldehyde acetaldehyde	gas chromatographic analysis

**WINES OF MARKED QUALITY REGULATION**

## Schedule 4 – Chemical Analyses for Faults

Item	Column 1 Fault	Column 2 Chemical Compound	Column 3 Method of Analysis
12	Pediococcus spoilage	diacetyl	gas chromatographic analysis
13	Refermentation		visual inspection to be unintended fermentation as indicated by active yeast sediment in the bottle and CO <sub>2</sub> levels above the detection limit of 0.12g/100ml
14	Sulphur defects	hydrogen sulphide methyl mercaptan (methanethiol) ethyl mercaptan (ethanethiol) dimethyl sulfide diethyl sulfide diethyl disulfide dimethyl disulfide carbon disulfide methyl thioacetate ethyl thioacetate	gas chromatographic analysis
15	Sulphur dioxide	sulphur dioxide	aspiration method
16	Volatile acidity	acetic acid	cash still method or gas chromatographic analysis
		ethyl acetate	gas chromatographic analysis

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