Give and take between Oz and EU

1 Sep 2010 by Richard Hemming

Yesterday legislation came into force that regulates aspects of trade in wine between the European Union and Australia. Most significantly, it finally forbids the use of several European appellations by Australian producers – Champagne, Port, Sherry, Chablis and Graves being the most famous examples. It also protects traditional wine descriptions such as Amontillado, Spätlese and Claret – though some terms remain permissible, most notably, tawny, solera, vintage and cream.

There are caveats, though, for example regarding terms such as 'château'. According to Andreas Clark from the Australian Wine and Brandy Corporation: 'Under Australian law, Australian producers can continue to use the term château in Australia if it forms part of a trade mark that was registered prior to 1 Dec 2008 (being the date of signature of the EU Wine Agreement). The protection afforded to château and other such Traditional Expressions (as listed in the Agreement) does not, generally speaking, apply to imported wine from non-EU countries, so for example US producers can continue to use these terms in Australia.

'Whether Australian producers can continue to use château for the EU depends on whether they are permitted to do so under EU legislation. Again, generally speaking, provided a producer has a trade mark registered in the EU prior to 30 May 2002 they can continue to use the term in Europe.'

For producers such as Tahbilk, however, the château prefix was dropped as far back as 2000, 'because we thought the new millennium was a good time to make a statement about being proudly Australian', says Alister Purbrick, Tahbilk's owner. 'The inclusion of château with Tahbilk had always sat uncomfortably with me ... it doesn't make sense to be proudly beating our Australian chest but to be hanging part of our name from a European/French generic name.'

In return for the concessions, European producers may not use Australian GIs such as Hunter Valley and McLaren Vale. This hardly seems a serious restriction for EU vintners, but the formal acceptance in Europe of certain vinification techniques originally more common in Australia is much more significant, especially the formal recognition of the practice of using oak chips. (For the detail of these winemaking practices, see Oak chips finally accepted by Europe.) There will also in future be a simplified system of permitting new winemaking methods which could have far-reaching consequences. Labelling regulations have also been eased.

The AWBC are upbeat, heralding a new, easier era of trade with the EU, which was worth A$863m (£507m, $784m, €612m) in 2009. 'One of our primary objectives is to facilitate the free trade of Australian wine and this agreement is vital in achieving this […] we are confident the Australian wine industry can only benefit from these changes.'

The Brussels press release offers a different point of view: 'The agreement provides important safeguards for EU wine interests. It ensures the protection of Geographical Indications and traditional expressions for EU wines in Australia and beyond.'

Home bias is understandable, but both sides go on to agree that the changes are ultimately beneficial to both sides, and any moves that help producers sell their wine in the current market can only be welcomed.