

WINE AND SPIRITS

ARTICLE 1

Objective

The objective of this Annex is, on the basis of non-discrimination and reciprocity, to facilitate trade in wine and spirits produced in each Party's territory.

ARTICLE 2

Scope and coverage

This Annex applies to wines classified under the heading HS 22.04 of the Harmonized System and to spirits classified under the heading HS 22.08 of the Harmonized System.

ARTICLE 3

General exception

Nothing in this Annex shall be construed to prevent the adoption or enforcement by either Party of measures necessary to protect human or plant life or health subject to the requirement that such measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade.

ARTICLE 4

Definitions

For the purposes of this Annex, the following definitions apply:

- (a) "label" means any brand, mark, pictorial or other descriptive matter that is written, printed, stencilled, marked, embossed or impressed on, or firmly affixed to, a container of wine;
- (b) "oenological practices" mean wine-making processes, treatments and techniques such as wine additives and processing aids, but do not include labelling, bottling or packaging for final sale;

- (c) "single field of vision" means any part of the surface of a container, excluding its base and cap, that can be seen without having to turn the container;
- (d) "variety" means the cultivar of grape from which a wine is made, as expressed in commonly understood and accepted terms that are permitted for use in the exporting Party;
- (e) "vintage" means the year of harvest of the grapes used to make a wine; and
- (f) "wine" means the product obtained exclusively from the total or partial alcoholic fermentation of fresh grapes, whether or not crushed, or of grape must.¹

ARTICLE 5

General rule

Unless otherwise specified in this Annex, importation and marketing² of wine and spirits shall be conducted in compliance with the law of the importing Party.

¹ For greater certainty, the term "wine" includes concentrated grape must and rectified concentrated grape must that are permitted for enrichment and sweetening purposes as well as fractions of wine that may result from permitted separative techniques.

² For greater certainty, for the purposes of this Annex the term "marketing" means "to place on the market for sale".

ARTICLE 6

Product definitions and oenological practices and processes

1. The Union shall authorise the importation and marketing in its territory for human consumption of wine produced in New Zealand in accordance with:
 - (a) product definitions authorised in New Zealand by its law listed in Appendix 9-E-1 (New Zealand law as referred to in point (a) of Article 6(1) (Product definitions and oenological practices and processes))¹;
 - (b) oenological practices authorised in New Zealand by its law listed in Appendix 9-E-2 (New Zealand law as referred to in point (b) of Article 6(1) (Product definitions and oenological practices and processes)), in so far as such oenological practices are recommended and published by the International Organisation of Vine and Wine (hereinafter referred to as "OIV");² and
 - (c) oenological practices and restrictions that are otherwise jointly accepted by the Parties as provided for in Appendix 9-E-3 (Oenological practices of New Zealand).³

¹ This point is without prejudice to the specific requirements concerning the product name "wine" in Article 9(1) (Mandatory labelling information specifications – product name, actual alcohol strength by volume, lot identification) of this Annex.

² Notwithstanding this point, the Union shall authorise the importation and marketing in its territory of wine produced in New Zealand using physical winemaking processes in accordance with New Zealand law listed in Appendix 9-E-2 (New Zealand law as referred to in point (b) of Article 6(1) (Product definitions and oenological practices and processes)).

³ For greater certainty, points (b) and (c) of this paragraph shall apply individually or cumulatively, depending on the oenological practices applied in wine produced in New Zealand.

2. New Zealand shall authorise the importation and marketing in its territory for human consumption of wine produced in the Union in accordance with:

- (a) product definitions authorised in the Union by its law listed in Appendix 9-E-4 (Union law as referred to in point (a) of Article 6(2) (Product definitions and oenological practices and processes));
- (b) oenological practices and restrictions authorised in the Union by its law listed in Appendix 9-E-5 (Union law as referred to in point (b) of Article 6(2) (Product definitions and oenological practices and processes)), in so far as such oenological practices are recommended and published by the OIV;^{1 2} and
- (c) oenological practices and restrictions that are otherwise jointly accepted by the Parties as provided for in Appendix 9-E-6 (Oenological practices of the European Union).³

¹ By way of derogation from this point, wine produced in the Union using yeast mannoproteins or potassium ferrocyanide may be imported and marketed in the territory of New Zealand provided such wine meets the prescribed limits laid down in the Australia New Zealand Food Standards Code for such substances for as long as the prescribed limits laid down in the Australia New Zealand Food Standards Code differ from the established OIV recommendations as published.

² Notwithstanding this point, New Zealand shall authorise the importation and marketing in its territory of wine produced in the Union in accordance with physical winemaking processes and the conditions and limits of their use as laid down in Article 3(1) and Table 1 of Part A of Annex I to Commission Delegated Regulation (EU) 2019/934.

³ For greater certainty, points (b) and (c) of this paragraph shall apply individually or cumulatively, depending on the oenological practices applied in wine produced in the Union.

3. A Party (hereinafter referred to as "the requesting Party") may propose to the other Party (hereinafter referred to as "the requested Party") a modification to the requesting Party's oenological practices list in Appendix 9-E-3 (Oenological practices of New Zealand) or Appendix 9-E-6 (Oenological practices of the European Union) by delivering a written request, supported by a technical file, to the requested Party through its contact point for this Annex.

4. The Parties shall discuss the proposed modification referred to in paragraph 3 of this Article in the Committee on Wine and Spirits and the Trade Committee shall have the power to adopt a decision to amend Appendix 9-E-3 (Oenological practices of New Zealand) or Appendix 9-E-6 (Oenological practices of the European Union) accordingly.

5. If any matter arises regarding the implementation or application of Article 6 (Product definitions and oenological practices and processes) as a result of developments at an international organisation of which the Member States, the Union or New Zealand are a member, the Parties shall discuss the matter in the Committee on Wine and Spirits with a view to finding a mutually satisfactory solution.

6. The Committee on Wine and Spirits shall undertake a general review of the operation of Article 6 (Product definitions and oenological practices and processes) and relevant Appendices within five years after the date of entry into force of this Agreement and at least once every five years thereafter, unless the co-chairs of the Committee on Wine and Spirits agree otherwise.

ARTICLE 7

General requirements regarding labelling

1. An importing Party may require that all information on a label shall be clear, accurate, truthful, able to be substantiated and not misleading to the consumer.
2. An importing Party may require that labelling information appears in one of the languages in official use in the territory of that Party as provided for in its law.
3. An importing Party may require that mandatory information be presented in indelible characters and written or set out legibly and clearly, including so that the information contrasts distinctly with the background and surrounding text or graphics.
4. An importing Party shall permit information on a label to be repeated on the container, whether or not in the same form.
5. An importing Party may prohibit the use of certain label claims where such prohibition serves a legitimate human health and safety objective.
6. Each Party shall permit mandatory information to be displayed on a supplementary label affixed to a container. Supplementary labels may be affixed to a container after importation but prior to the product being offered for sale in the territory of the importing Party, provided that the mandatory information required by the importing Party is fully and accurately displayed.

ARTICLE 8

Placement of mandatory labelling information

1. Nothing in this Annex shall prevent an importing Party from requiring mandatory labelling information to be specified on a container.
2. An importing Party shall not impose new precise location requirements for mandatory labelling information on wine produced in the other Party.
3. Notwithstanding paragraph 2:
 - (a) an importing Party may require that one or more items of mandatory labelling information or optional labelling information, or both, appear in the same field of vision as, or in conjunction with, or in a certain proximity to, one another; and
 - (b) an importing Party may require that mandatory labelling information is not displayed on the base or cap, or other part of a container not visible to the consumer.

ARTICLE 9

Mandatory labelling information specifications – product name, actual alcohol strength by volume, lot identification

1. The Union shall permit use of the term "wine" as the product name for wine produced in New Zealand and imported and marketed in the Union provided the wine has an actual alcoholic strength of not less than 7 % volume and a total alcoholic strength of not more than 20 % volume.
2. An importing Party shall permit the actual alcohol content by volume to be indicated on the label in percentage terms to a maximum of one decimal point (for example, 12 %, 12,0 %, 12,1 %, 12,2 %).
3. An importing Party shall permit the actual alcohol content by volume to be expressed by alc/vol (for example, 12 % alc/vol, alc 12 % vol, 12 % vol).
4. Without prejudice to the tolerances set for the reference analysis method used, an importing Party shall permit the actual alcohol strength by volume of wines imported from the exporting Party and indicated on the label to vary from that given by analysis by up to 0,8 % vol or by up to 0,5 % vol for fortified wines.
5. An importing Party may require the provision of lot identification on wine labels.

6. An importing Party shall prohibit the defacement¹ of lot identification information, unless the relevant authority of the importing Party permits otherwise.

7. A Party shall not allow packaged products to be placed on the market for sale in its territory which are not compliant with the requirement provided in paragraph 6.

ARTICLE 10

Optional labelling information

1. Subject to Article 7 (General requirements regarding labelling), an importing Party shall permit labels to contain information other than mandatory information in accordance with its law.

2. Notwithstanding point (a) of Article 8(3) (Placement of mandatory labelling information), an importing Party shall not restrict the placement of optional information.

¹ For greater certainty, the term "defacement" includes the following actions: alter, remove, erase, obliterate, and obscure.

ARTICLE 11

Optional information – vintage and variety

1. An importing Party shall permit the importation and sale of wine that is labelled with a vintage if:

(a) the wine conforms to the exporting Party's law in respect of a vintage; and

(b) at least 85 % of the wine is derived from grapes of that vintage.

2. For wines produced in the Union that are traditionally obtained from grapes harvested in January or February, the vintage year to appear on the label may be that of the previous calendar year.

3. An importing Party shall permit the importation and sale of wine that is labelled as being of a single grape variety if:

(a) the wine conforms to the exporting Party's law in respect of varietal composition; and

(b) at least 85 % of the wine so labelled is obtained from grapes of that variety.

4. An importing Party shall permit the importation and sale of wine that is labelled as being of multiple grape varieties if:

- (a) the wine conforms to the exporting Party's law in respect of varietal composition;
- (b) at least 85 % of the wine so labelled is obtained from grapes of those varieties;
- (c) each variety listed is in greater proportion in the wine than any variety that is not listed; and
- (d) the varieties listed are in descending order of their proportions in the wine and, if required by the importing Party, in characters of the same size.

ARTICLE 12

Certification

1. Unless necessary to protect human health and safety, a Party shall not submit imports of wine produced in the other Party to a more restrictive system of certification or more far-reaching certification requirements than those provided for in its law in force at the date of entry into force of this Agreement.

2. The Union shall authorise imports of wine produced in New Zealand in accordance with the simplified VI-1 document, the format and required information of which are specified in Appendix 9-E-7 (Simplified VI-1 document), or in accordance with the Simplified certificate specified in Appendix 9-E-8 (Simplified certificate).

3. In the event of a question in relation to test results, each Party shall apply the reference methods of analysis recommended and published by the OIV or, in case those reference methods do not exist, a method of analysis complying with the standards recommended by the International Organization for Standardization, unless the relevant competent authorities of each Party jointly agree otherwise.

ARTICLE 13

Food information

1. A Party shall not require any of the following to appear on the container, label, or packaging of wine:

- (a) date of packaging;
- (b) date of bottling;
- (c) date of production or manufacture;

- (d) date of expiration;
- (e) date of minimum durability; or
- (f) sell-by date.

2. Notwithstanding points (d) and (e), a Party may require the display of a date of expiration or minimum durability on products that, on account of the packaging or the addition of perishable ingredients, may have a shorter date of expiration or minimum durability than would normally be expected by the consumer.

3. A Party may also require the display of a date of minimum durability on wine that has undergone a dealcoholisation treatment and has an actual alcoholic strength by volume of less than 10 %.

ARTICLE 14

Presentation and description of spirits

Article 7 (General requirements regarding labelling), Article 9(5), (6) and (7) (Mandatory labelling information specifications – product name, actual alcohol strength by volume, lot identification), and Article 13(1) and (2) (Food information) of this Annex shall apply *mutatis mutandis* to the presentation and description of spirits.

ARTICLE 15

Existing stocks

Products that, at the date of entry into force of this Agreement, have been produced or labelled in accordance with the law of a Party and Parties' obligations to each other, but in a manner not compliant with this Annex, may be placed on the market in the other Party for sale until stocks are exhausted.

ARTICLE 16

Committee on Wine and Spirits

1. This Article complements and further specifies Article 24.4 (Specialised committees).
2. The Committee on Wine and Spirits shall meet within one year after the date of entry into force of this Agreement and thereafter at the request of either Party. Meetings shall be held at a date and time agreed by the co-chairs of the Committee on Wine and Spirits, but no later than 90 days after the request.
3. The Committee on Wine and Spirits shall, with respect to this Annex, have the following functions, whenever necessary:
 - (a) serve as a platform for the exchange of information between the Parties to optimise the operation of this Annex;
 - (b) serve as a forum for the Parties to discuss the matters referred to in Article 6(3) and (6) (Product definitions and oenological practices and processes) as well as any matter of mutual interest in the wine and spirits sector; and
 - (c) undertake a general review of the operation of Article 6 (Product definitions and oenological practices and processes) and relevant Appendices in accordance with Article 6(7) (Product definitions and oenological practices and processes); and

4. The Committee on Wine and Spirits may decide on specific modalities such as procedures and criteria for assessment of any proposed modification to Appendix 9-E-3 (Oenological practices of New Zealand) or Appendix 9-E-6 (Oenological practices of the European Union).

ARTICLE 17

Contact points

Within 60 days after the date of entry into force of this Agreement, each Party shall designate a contact point to facilitate the communication between the Parties on matters covered by this Annex and shall notify the other Party of the contact details for the contact point. Each Party shall notify the other Party promptly in the event of any change of those contact details.

NEW ZEALAND LAW AS REFERRED TO IN POINT (a) OF ARTICLE 6(1) (PRODUCT DEFINITIONS AND OENOLOGICAL PRACTICES AND PROCESSES)

New Zealand law as referred to in point (a) of Article 6(1) (Product definitions and oenological practices and processes):

- (i) Wine Act 2003 and associated secondary legislation; and
- (ii) Australia New Zealand Food Standards Code as adopted under the Food Act 2014.

NEW ZEALAND LAW AS REFERRED TO IN POINT (b) OF ARTICLE 6(1) (PRODUCT DEFINITIONS AND OENOLOGICAL PRACTICES AND PROCESSES)

New Zealand law as referred to in point (b) of Article 6(1) (Product definitions and oenological practices and processes):

- (i) Wine Act 2003 and associated secondary legislation; and

- (ii) Australia New Zealand Food Standards Code as adopted under the Food Act 2014.

OENOLOGICAL PRACTICES OF NEW ZEALAND

New Zealand oenological practices as referred to in point (c) of Article 6(1) (Product definitions and oenological practices and processes) for wine produced in New Zealand and imported into the Union:

Use in accordance with New Zealand law:

- ammonium sulphate;
- diammonium phosphates;
- thiamine hydrochloride;
- calcium carbonate;
- potassium carbonate;
- calcium tartrate;

- addition of grape must, concentrated grape must or rectified concentrated grape must for sweetening;
- plant proteins;
- enzymes approved for food production;
- lysozyme;
- gum arabic;
- oenological carbon/activated carbon;
- copper citrate;
- addition of sucrose, concentrated grape must or rectified concentrated grape must to increase the natural alcoholic strength of grapes, grape must or wine;
- yeast hulls;
- inactivated yeasts with guaranteed glutathione levels;

- potassium hydrogen carbonate;
- potassium tartrate;
- sodium carboxymethylcellulose;
- fumaric acid; and
- selective plant fibres.

The addition of water in winemaking is excluded, except where required on account of a specific technical necessity.

Use of the following for all types of sparkling wines:

- Expedition liqueur containing only sucrose, grape must, grape must in fermentation, concentrated grape must, rectified concentrated grape must, wine and wine distillate.

Practices subject to importing Party's law:

- use of sulphur dioxide and sulphites in wine;

- use of tirage liqueur; and
- use of fresh lees.

Agreed with specified limits:

- use of hydrogen peroxide up to a maximum of 5 mg/kg; and
- use of L-ascorbic acid or erythorbic acid in wine is permitted up to a maximum level of 300 mg/L in the final product as marketed.

UNION LAW AS REFERRED TO IN POINT (a) OF ARTICLE 6(2) (PRODUCT DEFINITIONS
AND OENOLOGICAL PRACTICES AND PROCESSES)

Union law as referred to in point (a) of Article 6(2) (Product definitions and oenological practices and processes):

- (i) Regulation (EU) No 1308/2013 of the European Parliament and of the Council¹, in particular the production rules for the wine sector, in accordance with Articles 75, 81 and 91 of, and Part IV of Annex II and Part II of Annex VII to, that Regulation; and
- (ii) Commission Delegated Regulation (EU) 2019/33², in particular Articles 47 and 52 to 54 of, and Annexes III, V and VI to, that Regulation.

¹ Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ EU L 347, 20.12.2013, p. 671).

² Commission Delegated Regulation (EU) 2019/33 of 17 October 2018 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards applications for protection of designations of origin, geographical indications and traditional terms in the wine sector, the objection procedure, restrictions of use, amendments to product specifications, cancellation of protection, and labelling and presentation (OJ EU L 9, 11.1.2019, p. 2).

**UNION LAW AS REFERRED TO IN POINT (b) OF ARTICLE 6(2) (PRODUCT DEFINITIONS
AND OENOLOGICAL PRACTICES AND PROCESSES)**

Union law as referred to in point (b) of Article 6(2) (Product definitions and oenological practices and processes):

- (i) Regulation (EU) No 1308/2013, in particular oenological practices and restrictions in accordance with Articles 80 and 83 of, and Annex VIII to, that Regulation; and
- (ii) Commission Delegated Regulation (EU) 2019/934¹.

¹ Commission Delegated Regulation (EU) 2019/934 of 12 March 2019 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards wine-growing areas where the alcoholic strength may be increased, authorised oenological practices and restrictions applicable to the production and conservation of grapevine products, the minimum percentage of alcohol for by-products and their disposal, and publication of OIV files (OJ EU L 149, 7.6.2019, p. 1).

OENOLOGICAL PRACTICES OF THE EUROPEAN UNION

Union oenological practices as referred to in point (c) of Article 6(2) (Product definitions and oenological practices and processes) for wine produced in the Union and imported into New Zealand:

- concentrated grape must, rectified concentrated grape must and sucrose may be used for enrichment and sweetening under the specific and limited conditions respectively in Part I of Annex VIII to Regulation (EU) No 1308/2013 and in Part D of Annex I to Commission Delegated Regulation (EU) 2019/934, subject to the exclusion of use of such products in a reconstituted form in wines covered by this Agreement;
- the addition of water in winemaking is excluded, except where required on account of a specific technical necessity; and
- fresh lees may be used under the specific and limited conditions set out in line item 11.2 of Table 2 of Part A of Annex I to Commission Delegated Regulation (EU) 2019/934.

Practices subject to importing Party's law:

- use of sulphur dioxide and sulphites in wine; and

- use of tirage liqueur.

SIMPLIFIED VI-1 DOCUMENT

Template of certificate issued by the Ministry for Primary Industries
for wine produced in New Zealand and imported into the Union ⁽¹⁾

1. Exporter (name and address)	THIRD COUNTRY OF ISSUE: NEW ZEALAND Simplified VI-1 Serial No: DOCUMENT FOR THE IMPORT OF WINE INTO THE EUROPEAN UNION
2. Consignee (name and address)	3. Customs stamp (for official EU use only)
4. Means of transport and transport details	5. Place of unloading (if different from 2)
6. Description of the imported product	7. Quantity in l/hl/kg ⁽²⁾
	8. Number of containers ⁽³⁾

9. CERTIFICATE

The product described above is intended for direct human consumption and complies with the product definitions and oenological practices authorised in accordance with the terms of Annex 9-E (Wine and spirits) to the Free Trade Agreement between the European Union and New Zealand.

Full name and address of the competent body:

Stamp:

Place and date:

Signature, name and title of official:

10. ANALYSIS REPORT (describing the analytical characteristics of the product described above)

- Actual alcoholic strength:
- Total sulphur dioxide:
- Total acidity:

Full name and address of the designated body or department (laboratory):

Stamp:

Place and date:

Signature, name and title of official:

- (1) In accordance with Article 12 (Certification) of Annex 9-E (Wine and spirits) to the Free Trade Agreement between the European Union and New Zealand.
- (2) Delete as appropriate.
- (3) A container means a recipient for wine of less than 60 litres. The number of containers may be the number of bottles.

Attribution (entry into free circulation and issue of extracts)

Quantity	11. No and date of the customs document of release into free circulation and of the extract	12. Full name and address of consignee (extract)	13. Stamp of the competent authority
Available			
Attributed			
Available			
Attributed			
Available			
Attributed			
Available			
Attributed			
14. Other remarks			

SIMPLIFIED CERTIFICATE

Template of certificate issued by Ministry for Primary Industries for wine produced in New Zealand and imported into the Union ⁽¹⁾

1. Exporter (name and address)	THIRD COUNTRY OF ISSUE: NEW ZEALAND Serial No ⁽²⁾ : DOCUMENT FOR THE IMPORT OF WINE INTO THE EUROPEAN UNION
2. Consignee (name and address)	3. Customs stamp (for official EU use only)
4. Means of transport and transport details ⁽³⁾	5. Place of unloading (if different from 2)
6. Description of the imported product ⁽⁴⁾	7. Quantity in l/hl/kg ⁽⁵⁾
	8. Number of containers ⁽⁶⁾

9. Certificate

The product described above is intended for direct human consumption and complies with the product definitions and oenological practices authorised in accordance with the terms of Annex 9-E (Wine and spirits) to the Free Trade Agreement between the European Union and New Zealand.

Full name and address of the competent body:

Stamp:

Place and date:

Signature, name and title of official:

- (1) In accordance with Article 12 (Certification) of Annex 9-E (Wine and spirits) to the Free Trade Agreement between the European Union and New Zealand.
- (2) This is the traceability number of the lot allocated by the New Zealand competent body.
- (3) Indicate: transport used for delivery to the point of entry into the Union specify transport mode (ship, air, etc.), state name of the means of transport (ship, flight number, etc).
- (4) Indicate the following information:
 - Sale designation (as it appears on the label, such as name of producer, wine-growing region, brand name, etc.);
 - Name of the country of origin: [indicate "New Zealand"];
 - Name of the geographical indication, provided the wine qualifies for such a geographical indication (e.g. protected designation of origin, protected geographical indication);
 - Actual alcoholic strength by volume;
 - Colour of the product (state "red", "rosé", "pink" or "white" only);
 - Combined Nomenclature code (CN code).
- (5) Delete as appropriate.
- (6) A container means a recipient for wine of less than 60 litres. The number of containers may be the number of bottles.

Attribution (entry into free circulation and issue of extracts)

Quantity	10. No and date of customs document of release for free circulation and of the extract	11. Full name and address of consignee (extract)	12. Seal of the competent authority
Available			
Attributed			
Available			
Attributed			
Available			
Attributed			
Available			
Attributed			
13. Other remarks			

DECLARATIONS

Declaration on yeast mannoproteins and potassium ferrocyanide

1. Footnote 1 to point (b) of Article 6(2) (Product definitions and oenological practices and processes) provides that wine produced in the Union and imported into New Zealand shall meet limits prescribed in New Zealand law for the use of yeast mannoproteins and potassium ferrocyanide for as long as such limits differ from those recommended in International Organisation of Vine and Wine resolutions as published. Subject to paragraph 2 of this Declaration, New Zealand will endeavour to seek the removal of the prescribed limits for yeast mannoproteins and potassium ferrocyanide in the Australia New Zealand Food Standards Code.
2. New Zealand cannot pre-empt the outcome or timeframes of the process referred to in paragraph 1, because the prescribed limits are set by Food Standards Australia New Zealand as part of the joint Food System with Australia.

Joint declaration concerning allergen labelling on wine and spirits

1. Each Party acknowledges the other Party's right to regulate labelling information for wine and spirits relating to allergens.

2. Without prejudice to Article 8 (Placement of mandatory labelling information) of Annex 9-E (Wine and spirits), the Parties acknowledge that:
 - (a) the Union may require mandatory particulars relating to allergens as foreseen in Regulation (EU) No 1169/2011 of the European Parliament and of the Council¹ or Commission Delegated Regulation (EU) 2019/33 to be included in the description and presentation of wine and spirits; and

 - (b) for New Zealand, allergen labelling is subject to New Zealand's joint regulatory regime with Australia under Food Standard 1.2.3 of Australia New Zealand Food Standards Code.

3. The Parties will work cooperatively with the aim of reaching, if possible, a mutually acceptable outcome on allergen labelling requirements.

¹ Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ EU L 304, 22.11.2011, p. 18).

Declaration concerning the use of the terms "brut nature" and "extra brut"
for sparkling wines produced in the Union

Sparkling wines produced in the Union and imported into New Zealand may be described with the terms "brut nature" and "extra brut" in New Zealand provided such use is not false or misleading to consumers in New Zealand under the Fair Trading Act 1986 and provided such use meets requirements under the Food Act 2014.
