
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 354

The Wine Regulations (Northern Ireland) 2009

PART 1

Introduction

Interpretation

2.—(1) In these Regulations—

“the Agency” means the Food Standards Agency;

“analysis” includes microbiological assay and any technique for establishing the composition of food;

“authorised officer” means any person (whether or not an officer of an enforcement authority) who is authorised for the purposes of these Regulations by an appropriate enforcement authority or, in relation to any particular provision of these Regulations, any person who is authorised by an appropriate enforcement authority for the purposes of that provision;

“the Commissioners” means the Commissioners for Revenue and Customs;

“controlled wine-sector product” means any wine-sector product the movement of which is for the time being prohibited pursuant to regulation 10;

“the Department” means the Department of Agriculture and Rural Development;

“enforcement authority” means—

- (a) the Commissioners or the Agency;
- (b) the Department;
- (c) in relation to the area of a district council, the district council;

“examination” means microbiological examination;

“food analyst” and “food examiner” mean, a person who is a food analyst or a food examiner for the purposes of articles 30 and 31 of the Food Safety (Northern Ireland) Order 1991⁽¹⁾;

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

“quality wines psr” has the meaning assigned to it by Article 54 of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine⁽²⁾;

“Regulation 2392/86” means Council Regulation (EEC) No 2392/86 establishing a Community vineyard register⁽³⁾;

⁽¹⁾ S.I. 1991/762 (N.I. 7)

⁽²⁾ OJ No. L179, 14.7.1999, p. 1 as last amended by Council Regulation (EC) No 1332/2008 (OJ No. L354, 31.12.2008, p. 7).

⁽³⁾ OJ No. L208, 31.7.1986, p. 1 as last amended by Council Regulation (EC) No 1631/98 (OJ No. L201, 28.7.1998, p. 14).

“Regulation 2676/90” means Commission Regulation (EEC) No 2676/90 determining Community methods for the analysis of wines(4);

“Regulation 1601/91” means Council Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine- based drinks and aromatized wine-product cocktails(5)

“Regulation 1493/99” means Council Regulation (EC) No 1493/99 on the common organisation of the market in wine;

“Regulation 1607/2000” means Commission Regulation (EC) No. 1607/2000 laying down detailed rules for implementing Regulation (EC) No. 1493/99 on the common organisation of the market in wine, in particular the Title relating to quality wine produced in specified regions(6);

“Regulation 884/2001” means Commission Regulation (EC) No 884/2001 laying down detailed rules of application concerning the documents accompanying the carriage of wine products and the records to be kept in the wine sector(7);

“Regulation 1282/2001” means Commission Regulation (EC) No 1282/2001 laying down detailed rules for the application of Council Regulation (EC) No 1493/99 as regards the gathering of information to identify wine products and to monitor the wine market(8);

“Regulation 753/2002” means Commission Regulation (EC) No 753/2002 laying down certain rules for applying Council Regulation (EC) No 1493/99 as regards the description, designation, presentation and protection of certain wine-sector products(9);

“Regulation 423/2008” means Commission Regulation (EC) No 423/2008 on laying down certain detailed rules for implementing Council Regulation (EC) No. 1493/99 and establishing a Community code of oenological practices and processes(10);

“Regulation 479/2008” means Council Regulation (EC) No 479/2008 on the common organisation of the market in wine(11);

“relevant Community provision” means any Community provision referred to in column 1 of Schedule 1, the subject matter of which is described in column 2 of that Schedule;

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

“wine-sector product” for the purposes of these Regulations, includes any aromatized wine;

(2) The Interpretation Act (Northern Ireland) 1954(12) shall apply to these Regulations as it applies to an Act of the Assembly.

(4) OJ No. L 272, 3.10.1990, p. 1 as last amended by Commission Regulation (EC) No 1293/2005 (OJ No. L205, 6.8.2005, p. 12).

(5) OJ No. L149, 14.6.1991, p. 1 as last amended by the Regulation (EC) No 1334/2008 of the European Parliament and of the Council (OJ No. L354, 31.12.2008, p. 34)

(6) OJ No. L185, 25.7.2000, p. 17 as last amended by Commission Regulation (EC) No. 2030/2006 (OJ No. L414, 30.12.2006, p. 40).

(7) OJ No. L128, 10.5.2001, p. 32 as last amended by Commission Regulation (EC) No 2016/2006 (OJ No. L384, 29.12.2006, p. 38).

(8) OJ No. L176, 29.6.2001, p 14 as last amended by Commission Regulation (EC) No 23/2009 (OJ No. L10, 15.1.2009, p. 6)

(9) OJ No. L118, 4.5.2002, p. 1 as last amended by Commission Regulation (EC) No 1471/2007 (OJ No. L329, 14.12.2007, p. 9).

(10) OJ No. L127, 15.5.2008, p. 13 as last amended by Commission Regulation (EC) No 1087/2008 (OJ No. L297, 6.11.2008, p. 11).

(11) OJ No. L148, 6.6.2008, p. 1 as last amended by Council Regulation (EC) No 72/2009 (OJ No. L30, 31.1.2009, p. 1).

(12) 1954 c. 33 (N.I.)