

Wine and the labelling of certain substances that may cause adverse reactions

There are new allergen labelling requirements in the *Australia New Zealand Food Standards Code* (the Code) for all food including wine.

Derivatives of egg, fish and milk may be used as fining agents in the wine production process. While these substances are largely removed through filtration, very small residual amounts may be present in the final product. In addition, tannin derived from chestnuts is sometimes used as a wine additive.

Although there are new allergen labelling requirements for all food including wine, individuals who suffer from adverse reactions to egg, fish, milk and chestnuts should be aware that bottled wine labelled with a vintage date of 2002 or earlier will not have these substances declared on the label if present.

This is due to an indefinite extension to the long shelf life stock-in-trade provisions being granted for bottled wines, including sparkling wine and fortified wine labelled with a vintage date of 2002 or earlier. An indefinite extension has been granted as these wines have a very long shelf life and can remain in circulation for many years, long after the stock-in-trade date ends.

For an indefinite extension of the stock-in-trade provisions to apply, the wine **must** meet all of the following conditions:

- have been bottled before 20 December 2002;
- have been compliant with all applicable food standards at time of bottling; and
- be labelled with a 2002 vintage date or earlier.

The indefinite extension of the stock-in-trade provisions does not apply to:

- wine and wine products bottled and labelled after 20 December 2002;
- wine and wine products without a vintage date, such as bag-in-box products, non-vintage sparkling wine and non vintage port; and
- other alcoholic beverages matured in large quantities and bottled and labelled after maturation, such as spirits.

Bottled wine labelled with a vintage date of 2003 or later, must declare on the label derivatives of egg, fish, milk and nuts.

Existing stock-in-trade provisions

The Code came into effect in December 2000 with a two-year transition period ending 20 December 2002. During this transition period the pre-existing Australian Food Standards Code (the old Code) and the *New Zealand Food Regulations* (the NZ Regulations) remained in effect. Therefore, in Australia, manufacturers and importers could legally sell food if it complied with either the Code or the old Code. In New Zealand, food had to comply with the joint Code, the old Code or the NZ regulations.

This situation changed on 20 December 2002 when provisions in the old Code and the NZ Regulations were repealed. A 24 month stock-in-trade provision for long shelf life products, which includes wine, was introduced into the Code to allow foods with a shelf life of more than twelve months, that were manufactured and packaged prior to the 20 December 2002 and complied with all applicable food standards at that time to continue to be sold lawfully until 20 December 2004. These products included bottled wine, canned fruit, vegetables, meats, fish and packaged herbs, spices and sauces.

This provision also included foods in warehouses or storage, in transport (including being imported into Australia or New Zealand) or on supermarket shelves or for sale in other food outlets. **Standard 1.1.1 – Application, Interpretations and General Prohibitions of the Food Standards Code** deals with Stock-in-trade provisions.

Further information

Electronic versions of the *Australia New Zealand Food Standards Code*, User Guides and Fact Sheets can be obtained from the FSANZ website at www.foodstandards.gov.au or www.foodstandards.govt.nz

Hard copies of the Code and the complete set of User Guides may also be purchased from Anstat on 03 9278 1144 . Hard copies of Fact Sheets are available from FSANZ's Information Officer in Australia on 02 6271 2241 or in New Zealand on 04 473 9942 .

Businesses may currently obtain guidance on standards in the Code through the Industry Advice Helpline on 1 300 652 166 (Australia) and 0 800 441 571 (New Zealand) or by e-mail at advice@foodstandards.gov.au

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This document is intended as a guide only: legal requirements are contained in the *Australia New Zealand Food Standards Code*, other relevant food legislation and other applicable laws. The information in this document should not be relied upon as legal advice or used as a substitute for legal advice. You should exercise your own skill, care and judgment before relying on this information in any important matter.