

Nova Scotia Farm Winery Policy

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1. Policy Statement

Nova Scotia's Farm Winery Policy is intended to encourage investment in a wider range of agricultural resources in Nova Scotia and ultimately encourage the production of wine made from locally grown grapes and farm produce, consistent with the regulations and this Policy, which will enable Farm Wineries to enter into a contract with the Nova Scotia Liquor Corporation. This policy shall replace both the former Farm Winery and Cottage Winery policies.

2. Objectives

This 'Farm Winery' Policy will serve to:

- 1.) Provide a favourable economic and regulatory climate for the development and expansion of the agricultural resources of Nova Scotia through the application of wine content guidelines.
- 2.) Provide provisions that will enable 'Farm Winery' operations to become more viable and to further develop their businesses leading to the creation of more jobs;
- 3.) Provide the potential for tourist industry development associated with the 'Farm Winery' operation;
- 4.) Develop an expanded market for Nova Scotia agricultural products;
- 5.) Allow Nova Scotia farms to create related value-added, quality products;
- 6.) Promote rural development.

3. Definitions

3.1 "Nova Scotia Farm Winery Policy" (hereinafter called the 'Policy') means the Policy respecting farm wineries, as prescribed from time to time by the Farm Winery Industry Development Board.

3.2 "Farm winery" means a winery in Nova Scotia which makes wine from grapes, and/or which makes wine from other Nova Scotia agricultural produce.

The winery must be located in Nova Scotia on the principal farm premises. If making grape wine from grapes grown in the Province of Nova Scotia, it must have entitlement to a minimum of 10 (ten) acres of certified vineyard located adjacent to the winery.

3.2.1 A "Small Farm Winery" of less than 10 acres may be approved with the additional restrictions:

- 1.) A minimum of two certified acres producing grapes or other agricultural produce must be located adjacent to the Small Farm Winery and for every acre on site the winery can grow or contract one acre off site in Nova Scotia. On the recommendation of the Farm Winery Industry Development Board, the calculation on low yield grapes may be based on tonnage rather than acres.
- 2.) A 90% Nova Scotia content requirement must apply to all sales of grape wine; or 100% Nova Scotia content for wine made from other agricultural produce, made by a winery operating under the Small Farm Winery guidelines.
- 3.) When a Small Farm Winery expands to at least 10 acres on site, the Small Farm Winery must apply to become a Farm Winery and must not fall below an 85% Nova Scotia content requirement as defined in Section 5 below if producing grape wine, or 100% Nova Scotia content if making wine from other agricultural produce as per Section 3.3 below.

3.3 A Farm Winery making wines from fruit other than grapes, or making wine from other local agricultural produce, must have a minimum of 10 certified acres of agricultural lands growing goods that can be turned into wine adjacent to the production facilities and must meet a 100% local content requirement.

3.4 "wine" means any liquor which is produced on the farm by the natural fermentation of grapes or other agricultural produce which cannot be defined as beer or spirits. Additives are permitted as allowed by the federal *Food and Drugs Act*. If alcohol is added it must be derived from alcoholic fermentation of a food source distilled to not less than 94% alcohol by volume and in the case of table wine (below 14.9%) must not exceed a 2% AV bump up. An alcohol additive for use in the production of fortified wines between 14.9% and 22.9% is permitted but must be clearly labeled as a product that meets the "wine" definition. "Wine" includes but is not limited to wine coolers, table wine, fortified wine, still wine, ice wine, sparkling wine, champagne and cider.

3.5 "grape product" means grape concentrate, grape juice, grape must or wine. "Grape must" means grapes that have been de-stemmed and crushed leaving grape skins, pulp and seeds.

- 3.6** "farm winery retail store" (hereinafter called the 'store') means a store front operation permitted under this policy and as described in the regulations for the purpose of selling the defined products to the general public and licensees on its premises. It must be on the principal farm premises and be adjacent to the manufacturing facility.
- 3.7** "permit" means a permit issued by the Nova Scotia Liquor Corporation for the sale, storage, manufacture or delivery of liquor. An application may be made for the following permits:
- Farm Winery
 - Retail Store (optional)
 - Hospitality Room (optional)
- 3.8** "contract" means a farm winery contract entered into between the Nova Scotia Liquor Corporation and the farm winery.
- 3.9** "Farm Winery Industry Development Board" means a committee appointed by the Minister in Charge of the Administration of the *Liquor Control Act* consisting of representatives of the Office of Economic Development, Department of Agriculture, Nova Scotia Liquor Corporation, and any other individual or individuals, which may be appointed from time to time by the Minister.
- 3.10** Retail Sales Markup Allocation, hereinafter indicated as RSMA, means the administration fee charged by the NSLC as an alternative to NSLC markup on Nova Scotia wine, as defined below, sold direct to customers at the winery's retail store.
- 3.11** "Standards" means the Nova Scotia Wine Standards as accepted by the Nova Scotia Winery Association and the Nova Scotia Grape Growers Association, included in this document as Schedule "A".
- 3.12** "Nova Scotia Liquor Corporation" - hereinafter indicated as NSLC.

4. Responsibilities

- 4.1** The NSLC is established as the administrator of the Farm Winery Policy and as a member of the Farm Winery Industry

Development Board may recommend changes in policy and regulation to that committee for their approval. It shall:

- 1.) enter into a contract with a farm winery for the establishment of a store. The contract shall provide terms and conditions reflecting the spirit and intent of the Nova Scotia Farm Winery Policy and the specific provisions as outlined in the Policy;
- 2.) through the Minister in Charge of Administration of the *Liquor Control Act*, appoint the Industry Development Board as established under Regulations of the *Liquor Control Act* to monitor the Policy and Procedures ;
- 3.) working with the Nova Scotia Department of Agriculture, ensure that grape product eligible for RSMA is Nova Scotia grape product pursuant to section 5, and ensure that other (fruit) wines eligible for RSMA is Nova Scotia agricultural product;
- 4.) enforce, in conjunction with industry stakeholders, product quality standards, public health and food safety standards, and federal and provincial wine standards, where they exist.

4.2 The Farm Winery Industry Development Board shall ensure that the overall monitoring for the economic objectives of this policy are in place and are being met.

4.3 The Department of Agriculture shall, operating through the Farm Winery Industry Development Board, ensure that this policy reflects the continuing objectives of rural development. In so doing, it will verify:

- 1.) eligibility requirements of the applicants for a permit initially and over time, including acreage certification;
- 2.) local content being used in the production of wine, including compilation of annual tonnage reports.

The Department will support and ensure the appropriate technical, educational and scientific support to the industry, including ongoing development of standards.

4.4 Wineries are expected to recognize their unique nature as a potential tourist destination and to continuously develop and maintain quality facilities, product standards, products and labeling practices in accordance with this policy; follow and abide by applicable legislation, regulation, and standards; remain compliant with applicable policies of the NSLC as well as all other

applicable federal and provincial requirements; and keep within the spirit and intent of the Nova Scotia Farm Winery Policy.

4.5 The function of the Farm Winery Industry Development Board is to:

- 1.) ensure that the economic and development provisions and the spirit and intent of this policy is being met.
- 2.) monitor the situation in the industry, act as a facilitator and arbitrator for the on-going development of the policy, and serve as a link between the various individual, industry and government interests.
- 3.) act as a catalyst to ensure research and development mechanisms are in place.
- 4.) work with the industry to develop standards and ensure quality control of products and processes.
- 5.) enforce standards and other provisions of this policy.

5. Nova Scotia Grape Content Requirements

Nova Scotia Farm Wineries producing grape wine will be required to ensure that a minimum of 85% of overall production volume eligible for RSMA is produced from Nova Scotia grapes. In addition, the following guidelines are to be used in the application of this policy:

- 5.1** The percentage of local content is based on 1 tonne of Nova Scotia grapes equivalent to 900 L of finished wine.
- 5.2** The percentage content calculated annually is the ratio of the total amount of wine produced exclusively from the previous year's harvest of Nova Scotia-grown grapes to the total amount of wine subject to the revenue sharing mark-up allocation.
- 5.3** The revenue sharing on all sales of grape-based products through the retail store of Farm Wineries at the time of coming into force of this policy shall be subject to applicable federal/provincial and municipal taxes.
- 5.4** The revenue sharing mark-up allocation of 95% to the Farm Winery and 5% to the Nova Scotia Liquor Corporation on local wine products shall be based on the wholesale price.
- 5.5** A Farm Winery that uses imported grapes or grape product in the manufacture of wine shall do so in combination with Nova Scotia grapes or grape product.
- 5.6** The percentage of local content may be reviewed by the Farm Winery Industry Development Board on a case-by-case basis, particularly in the instance of a crop failure, and a waiver may be granted subject to conditions. Notwithstanding the foregoing, no Farm Winery shall, in any year, add imported grapes or imported grape products into wine without notifying the NSLC in writing of its intentions to do so.
- 5.7** Failure to meet the annual percentage content, excluding crop failure conditions stated in clause 5.6, would cause a review by the Nova Scotia Farm Winery Industry Development Board in consultation with the Nova Scotia Grape Growers Association and will result in penalties to be imposed on the Farm Winery. The review will include, but not be limited to, an examination of the winery's local content under the 85% content requirement; an examination of winery agricultural and production practices,

including a cellar audit; and an audit of winery financial and payment records by the NSLC.

- 1.) Penalties imposed will be equal to the difference between the actual percentage content met and the percentage content required, and will be based on the difference in markups payable between a commercial winery and a farm winery. As a hypothetical example, a farm winery meeting only an 80% local content level in a given production year is calculated to have improperly benefited on the RSMA on a total of 900 liters of finished wine production and sales. The difference in markup payable between a commercial winery and a farm winery is in this example determined to be \$5.00 per liter. The amount of the penalty imposed is calculated as 900 liters times \$5.00 per liter, or \$4,500.00.
- 2.) The penalty as calculated in the example above will be directed into an industry research fund administered by the Nova Scotia Grape Growers Association to be used for the exclusive use and development of the Nova Scotia grape and wine industry.
- 3.) The NSLC reserves the right to terminate or suspend permits of Farm Wineries in the event of failure to comply with this policy or other applicable NSLC policies, in consultation with the Farm Winery Industry Development Board.

6. Conditions For Issuance Of Permits

6.1 The NSLC may issue an annual permit to a Farm Winery operation provided it meets the following conditions;

- 1.) it meets the required definition of a commercial, registered farm in Nova Scotia;
- 2.) it has complied with local content requirements for wine sold through the winery's retail store under RSMA as established under the Policy;
- 3.) other provincial and federal Acts and regulations are satisfied;

and providing the winery provides the following information:

- 4.) A letter from the Department of Agriculture supported by the "Annual Statement of Acreage Certification and Grape Content Compliance" indicating that the proposed Farm Winery:
 - meets the definition of a farm;
 - has submitted a business and production plan with the initial permit application;
 - has obtained certification of their acreage (an annual requirement);
 - has complied with local grape content guidelines being used in the production of wine sold through their Farm Winery retail outlets.
- 5.) Proof of Insurance including Product Liability.
- 6.) Fire Marshall's Inspection Certificate or Letter of Approval.
- 7.) Federal & Provincial Health Inspection Letters of Approval.
- 8.) Physical address of proposed facility to allow the NSLC to determine whether the proposed location is in a "wet" or "dry" area. If the municipality in which the retail outlet is proposed is currently dry, it will be necessary to request a plebiscite.
- 9.) Upon initial application, a proposal for approval which includes:
 - Structure of Company: Principal owner of Farm, Board of Directors, President, etc., holding

- companies, if any, and the principal operator
- Floor and site plans of proposed Farm Winery and location of the Retail Store
- Method of Distribution
- Marketing Plan
- Financial Analysis
- Quality Control
- Product Plans
- Location of Facilities
- Number of People expected to be Employed
- Projected Sales
- Container Handling
- Approval of Consumer & Corporate Affairs for all packaging and labeling
- Written approval from municipality relative to their zoning, etc., if applicable

6.2 The permit for a Farm Winery, when issued, must coincide with a duly completed and signed contract called 'Farm Winery Contract' and appropriate production plan. The contract covers terms, store construction, maintenance and operation procedures and basic rules governing the winery store, days and hours of sale, employees, store operations, insurance, advertising, general terms and conditions, and Termination, Assignment and Disposal provisions.

6.3 The Farm Winery must keep the permit and other notices required by the NSLC prominently displayed on the premises;

6.4 Required fees and completed application form including any updating of the NSLC of changes from the original application must be supplied each year.

7. Premises

7.1 It shall be the responsibility of the permit holder to keep and maintain the store, production area and the consumption area in a clean and sanitary condition as required by federal and provincial statutes and regulations.

7.2 The wine production area and consumption/sales portion of the building are to be separated by a full solid and/or glass wall. If covered by permit, sampling is allowed in the winery's tasting/sales area by persons 19 years of age or older.

- 7.3** Wine cannot be removed from the permitted winery premises for use at any other company locations without express permission from the NSLC.
- 7.4** Security of ingredients, final product and facilities is to be assured regarding burglary, sabotage and theft incidents.
- 7.5** The retail store and hosting/sampling areas are to be carefully controlled. They are to be annually inspected by the Fire Marshall or his delegate and the limits as to number of persons permitted at any one time are to be posted and are not to be exceeded. Annual inspection is also required by the Department of Health.
- 7.6** The winery and retail store must meet all applicable standards specified by the NSLC and other government departments;
- 7.7** Public observation of wine making apparatus through a viewing window is permitted. No one other than the Permit holder's designated staff and contractors are allowed entry to the wine manufacturing area except those on tour who are to be accompanied by winery employees.

8. Record Requirements

- 8.1** Farm Wineries shall maintain records as required by the NSLC such as production plans, business plans, price lists, tonnage purchased, tonnage grown, bottles/cases produced by variety/style, and third-party cellar audit reports.
- 8.2** Method of purchasing, calculating costs for pricing, accounting routines and required reporting procedures are to comply with NSLC standards as administered by the NSLC's Finance Division.
- 8.3** The NSLC will provide the necessary documents for the winery to perform the reporting functions required.
- 8.4** Audits by the NSLC will be conducted from time to time for the purpose of verifying the accuracy of reporting and compliance with this policy.
- 8.5** Annual cellar audits shall be carried out by independent third parties at the winery's expense, and shall include reporting and verification on varieties produced, local content percentage met, and compliance with applicable wine standards.

8.6 Winery records will be inspected by NSLC Inspectors from time to time as necessary; co-operation of winery staff is required.

9. Product Delivery

9.1 The method of delivery of farm winery products to licensees shall be determined by the NSLC in consultation with the Nova Scotia Farm Winery Industry Development Board.

9.2 The sale or transfer of Nova Scotia bulk wine or juice between farm wineries or between them and any other manufacturers of alcoholic beverages is not normally permitted. However, an exception is possible as per the following: Any sale or transfer of Nova Scotia bulk wine or juice between Nova Scotia Farm Wineries and/or other Manufacturers of alcoholic beverages must be justified and recommended in writing by the Farm Winery Industry Development Board with advice to the NSLC. The NSLC reserves the right to disapprove such sales or transfers.

9.3 Terms and conditions for Manufacturers/Bottlers include the following:

- 1.) ensure their client's 'products' 'security', 'purity' and 'non-mix' or involvement with other products;
- 2.) maintain records to demonstrate the origin and amount of finished product and bottles or other containers used and associated shipping transportation records;
- 3.) allow audit of these records;
- 4.) ensure the foregoing terms and conditions and other pertinent policies and regulations are followed as a public commitment in a fair and proper manner.

10. General

10.1 Proper wine making techniques are to be followed ensuring that high standards of hygiene, quality and other requirements are ongoing and meet the requirements of the NSLC, Provincial and Federal Departments of Health, other Government departments, and federal and provincial wine standards as applicable.

10.2 Public Sampling - Consumption of wine or other alcoholic beverages on the winery premises are not permitted and are not to be given away or sold in the manufacturing portion of the

winery, nor are any other alcoholic beverages or other wines permitted for sale or testing, except with the approval of the NSLC. Wine is only permitted to be sold and/or tasted by the public in the retail or hospitality spaces of the winery which have been permitted by the NSLC.

10.3 Tours and tastings of wine products manufactured on the premises are permitted during such periods and on such days as shall comply with the retail closing by-laws of the municipality in which the store is located.

10.4 Winery tours are permitted for the purpose of public relations and increasing public knowledge of the winery and its products; and for hosting, tasting, or sampling of products produced by the manufacturer and purchased from the NSLC. They are not to be used as an inducement, or the permitting of over-consumption or underage drinking. Tasting by individuals is permitted. Free snack food items complimentary to the wine being sampled may be supplied to the tours.

11. Manufacturer's Retail Store Guidelines

11.1 General Guidelines

11.1.1 The NSLC may issue a permit and a contract to a Farm Winery to operate one store at its winery plant site in Nova Scotia.

11.1.2 No person other than the NSLC or those issued a permit by the NSLC will be permitted to engage in the retail sale of liquor in the province of Nova Scotia.

11.1.3 The store is to be owned or leased by the Manufacturer and located and operated at the winery site.

11.1.4 The store must operate under contract between the NSLC and the Manufacturer.

11.1.5 The store may only sell liquor products manufactured, blended, and bottled at the plant site and such other related products as the NSLC may approve. Off-site bottling or other processing may be permitted by application to the Farm Winery Industry Development Board under special conditions.

11.1.6 The store shall engage in on-premises sales only and all sales will be by unopened container.

11.1.7 Stores shall be constructed and maintained at the Manufacturer's expense and in a manner and condition satisfactory to the NSLC.

11.2 Permit and Contract

11.2.1 The NSLC will provide a Special Permit to the store and the Permit shall be displayed in the premises at all times;

11.2.2 The NSLC shall enter into a contract with a Manufacturer respecting operation of the store and containing terms and conditions reflecting the spirit and intent of the NSLC's Manufacturers' Retail Stores' Policy and the specific provisions thereof;

11.2.3 The Manufacturer may terminate the Contract and the Permit to operate a store by giving written notice by registered mail addressed to the Supervisor, Permits and Regulatory Affairs, NSLC, 93 Chain Lake Drive, Halifax, Nova Scotia, B3S 1A3, at least sixty days before the date of the intended termination.

11.2.4 The NSLC may terminate the Contract and the permit to operate a store at any time if, in its opinion, the operation of the store is unsatisfactory or if the *Liquor Control Act* or the Regulations and directives of the NSLC have been contravened. Notice will be given to the Manufacturer in the manner prescribed in the Contract.

11.2.5 The Contract will require the Manufacturer to indemnify the NSLC against all actions, suits, claims, and demands which may be brought against or made upon the NSLC from any loss, costs, charges, damages and expenses which may be incurred, sustained or paid by the NSLC in connection with the store.

11.3 Sales, Pricing and Listing

Wines are as defined in the definition section of this document.

- 11.3.1 The Winery may only sell their own Farm Winery manufactured wines by the unopened bottle and which has been manufactured on-site and under its own label, subject to provisions as outlined in clause 11.3.9 below.
- 11.3.2 All wine sold at the retail store or used for hosting or tastings shall be purchased from the NSLC.
- 11.3.3 All wine produced is to be properly and accurately measured before being sold. This is to be accomplished by accepted standards and/or federal, provincial approved systems.
- 11.3.4 All product sold direct to general and licensee customers must be processed through a farm winery retail store that has been licensed by the NSLC by way of a manufacturers retail store permit.
- 11.3.5 A Farm Winery may sell farm winery manufactured wines to licensed premises and general customers from the store.
- 11.3.6 Cross-marketing of products of other Nova Scotia Farm Wineries, including sale of those products at winery retail stores other than the one at the production site of the specific product, may be permitted upon application to the Farm Winery Industry Development Board.
- 11.3.7 Sales invoices must be produced for each sale to general or licensee customers. Sales made to licensees must include the license number on the invoice. Product cannot be given away to licensees at "no charge" for re-sale.
- 11.3.8 The NSLC pricing policy requires that at no time can the retail price of a product sold through the farm winery store fall below the Social Reference Price established by the NSLC. Social Reference Price represents the retail price below which a product may not be priced due to the product's potential for abuse and the associated health care costs.

11.4 Marketing

- 11.4.1 Effective marketing and promotion of sales through the store is encouraged with the intent of facilitating the intent of the Farm Winery Policy.
- 11.4.2 All external and media advertising are subject to the NSLC regulations.
- 11.4.3 Customer payment terms may be whatever good business practices dictates to the operator.

11.5 Hours Of Operations

- 11.5.1 The retail store shall comply with retail closing by-laws of the municipality in which the store is located.
- 11.5.2 The retail store shall be closed at such other times and on such other days as NSLC policy may determine from time to time, and shall comply with all applicable provincial and federal statutes, if any, affecting days and hours of operation.

11.6 NSLC Listings

These may be acquired through the normal NSLC Listing Policy as administered by the Merchandising Division of the NSLC.

11.7 Store Operations

- 11.7.1 The Manufacturer shall make returns to the NSLC on forms prescribed by the NSLC, showing accurately all information required thereon respecting the sale of products, proceeds from such sales, the inventory held in the store, including the monthly inventory report, and any other information which the NSLC may deem necessary.
- 11.7.2 Liquor shall not be consumed on the premises of the store, except as authorized by NSLC policy, or be given away, or, be sold in the storage area of the store.
- 11.7.3 The NSLC may approve a tasting area in the store for which an in-store tasting permit is issued.

- 11.7.4 The Manufacturer shall not sell products to a person who is intoxicated.
- 11.7.5 The Manufacturer shall not sell liquor to a person under the legal drinking age of majority.
- 11.7.6 The Manufacturer is responsible for the recording and remittance of all HST in accordance with the laws of the Province of Nova Scotia and compliance with the Excise Tax Act (Canada).

11.8 Viewing and Measurement

- 11.8.1 Public observation of the liquor making apparatus through a viewing window in the store is permitted. No one, other than the Manufacturer's employees or contractors, is allowed entry to the manufacturing area except persons touring the plant accompanied by Manufacturer's employees.

Schedule "A"

NOVA SCOTIA GRAPE WINE STANDARDS

The Nova Scotia Wine Standards (NSWS) are standards for Nova Scotia Grape wines that enable consumers to identify quality grape wines of Nova Scotia, based on the origin of the grapes from which the wines are produced.

These standards apply only to wines that display the Nova Scotia Geographical Indicator (NSGI) on the principal display panel. Icewines, all Late Harvest wines, Botrytized wines and Vin de Curé are required to display the NSGI on the principal display panel and must meet these standards. All other wines have the option to display the NSGI on the principal display panel if they meet these standards. Wines that are not required and choose not to display the NSGI on the principal display panel are not part of these standards.

1.0 TERMINOLOGY

The following terms have the following meaning:

Alcohol means ethyl Alcohol, C₂H₅-OH

Alcoholic Strengths:

Actual Alcohol by volume means the number of volumes of pure alcohol contained at a temperature of 20⁰C in 100 volumes of the product at that temperature.

Potential Alcohol by volume means the number of volumes of pure alcohol at a temperature of 20⁰C capable of being produced by total fermentation of the sugars contained in 100 volumes of the product at that temperature.

Natural Alcoholic Strength by volume means the total alcoholic strength by volume of a product before any enrichment.

Total Alcoholic Strength by volume means the sum of the actual and potential alcoholic strengths.

Blending means the process of combining two or more wines prior to finishing and packaging.

Chaptalization means enrichment by the addition of sugar to fresh grapes, grape juice or grape must, prior to or during fermentation.

Cuvée means grape must in fermentation or wine, or a mixture of grape musts in fermentation or wines, intended for the preparation of sparkling wine.

Dosage - See expedition liqueur.

Expedition Liqueur means the product added to sparkling wine to enhance specific flavour qualities and/or to maximize fill levels after dégorgement.

Fermentation means the natural bio-chemical process by which yeast converts sugar to ethyl alcohol and other by-products.

Finish means the necessary treatments required to prepare a wine for packaging.

Fortification means the addition of alcohol, brandy or spirit to a wine.

Geographical Indication means an indication that identifies a wine as originating in a country, or a region or a locality of that country, where a quality, a reputation, or other characteristic of the wine is essentially attributable to its geographical origin.

Grape Juice For Winemaking means the fermentable liquid product, with an actual alcoholic strength of not more than 1% by volume, obtained from fresh grapes or grape must.

Note: Throughout this standard the term "grape juice" is intended to refer to "grape juice for winemaking".

Grape Must means the liquid product, with an actual alcoholic strength of not more than 1% by volume, obtained by crushing fresh grapes.

Nova Scotia Wine means all wines entitled or required to use the Nova Scotia Geographical Indicator on the Principal Display Panel

Principal Display Panel means the label normally exposed to the consumer at the point of sale, as defined in "A Guide To the Consumer Packaging and Labelling Act and Regulations".

Process means the physical, chemical, and bio-chemical oenological practices and treatments that are recognized as acceptable in the production and packaging of wine.

Sweet Reserve means the single strength grape juice, which is added to wine as a sweetener.

Tirage Liqueur means the product added to the "cuvée" to provoke a secondary fermentation.

Varietal Wine means a wine that is derived from grapes of the variety(s) identified.

Vintage-Dated Wine means the wine that is derived from grapes grown in an identified crop year.

Wine - means an alcoholic beverage produced by the complete or partial alcoholic fermentation of fresh grapes, grape juice, or grape must.

2.0 GEOGRAPHICAL INDICATION (G.I.)

2.1 Provincial

2.1.1 A wine shall be entitled to use the Provincial designation "Nova Scotia" on its principal display panel if;

- (i) not less than 85% of the wine's content is derived from grapes grown within the political boundaries of the province of Nova Scotia, and the remaining 15% must be Canadian grown; and
- (ii) it meets all standards set out herein.

3.0 VINEYARD DESIGNATION

3.1 Where a vineyard is designated on the principal display panel, no less than 85% of the wine must be derived from the designated vineyard, and the remaining 15% must be Nova Scotia grown.

3.1.2 Only the word "vineyard" may be used to identify a specific vineyard on the principal display panel.

3.1.3 Notwithstanding 3.1.2, the word "estate" may be used in place of the word "vineyard" if the wine meets all the requirements listed in Section 4.0, Estate Bottled or Estate Grown Declaration.

4.0 ESTATE BOTTLED OR ESTATE GROWN DESIGNATION

4.1 Where an estate bottled or estate grown is designated on the principal display panel, no less than 85% of the wine shall be grown on land owned or controlled by the winery, and the remaining 15% must be Nova Scotia grown.

4.1.1 For the purpose of this section, "controlled by" refers to property on which the bottling winery has the legal right to perform, and does perform, all of the acts common to viticulture under the terms of a lease or other agreement of at least ten years duration; provided however that during the first two years of the term of such lease or other agreement, the winery shall not be entitled to use the designation "Estate bottled" or "Estate grown".

4.1.2 Grapes grown by the members of a co-operative bottling winery shall be considered to have been grown on land controlled by the winery.

4.1.3 The winery shall have harvested and crushed the grapes, fermented the resulting must, finished, and aged, the wine on site.

4.1.4 No designation other than "Estate Bottled" may be used on a principal display panel to indicate combined growing and bottling conditions

5.0 WINE CATEGORIES

5.1 All categories of wine shall be produced from the complete or partial alcoholic fermentation of fresh grapes, grape juice, or grape must. A wine shall be entitled to use one or more of the following category designations on the principal display panel provided it meets all of the standards set out for the designated category.

5.2 **Wine or Table Wine** shall have an actual alcoholic content not less than 8.5% and not greater than 14.9% by volume.

5.2.1 Wine or Table Wine must be made from grapes that meet a minimum level of 15° brix at harvest.

5.3 **Icewine** shall be a wine produced exclusively from Nova Scotia grown grapes, that have been harvested, naturally frozen on the vine, and pressed in a continuous process while the air temperature is minus 8°C or lower. The following criteria shall also apply:

- (i) Icewine may be produced as a varietal wine in accordance with the provisions listed in section 6.1;
- (ii) the pressing shall take place within Nova Scotia;
- (iii) artificial refrigeration of the grapes or artificial refrigeration of the juice, must, or wine is prohibited at any point in the manufacturing process except for tank cooling during fermentation and/or during cold stabilization prior to bottling;
- (iv) freeze concentration of juice must or wine is prohibited;
- (v) after each pressing the resulting juice shall achieve a minimum of 30° Brix when measured after transfer to the fermentation vessel;
- (vi) the finished wine shall have been produced from a must that achieved a computed average of not less than 32° Brix;
- (vii) the residual sugar shall not be less than 110 g/L, at bottling, and
- (viii) the residual sugar and the actual alcohol shall result exclusively from the natural sugar of the grapes.

5.4 **Botrytized Wine** shall be a wine produced exclusively from fresh ripe Nova Scotia grown grapes of which, a significant portion have been affected under natural conditions by the mould *Botrytis cinerea*. The grapes shall have been naturally harvested on the vine. After pressing, the resulting juice shall achieve a minimum of 26° Brix when measured after transfer to the fermentation vessel. The following criteria shall also apply:

- (i) Botrytized wine shall be produced as a varietal wine in accordance with the provisions listed in section 6.1;
- (ii) the resulting wine shall have the predominant character of wine made from botrytized grapes,
- (iii) shall be labeled "Botrytized, Botrytis Affected or B.A.";
- (iv) may be labeled Totally Botrytized, Totally Botrytis Affected, or TBA if, after pressing, the resulting juice achieves a minimum of 34^o Brix when measured after transfer to the fermentation vessel, and
- (vi) the residual sugar and the actual sugar shall result exclusively from the natural sugar of the grapes.

5.5.1 Late, Select Late, and Special Select Late Harvest Wines shall be wines that are produced entirely from fresh ripe Nova Scotia grown grapes of which a significant portion has been desiccated under natural conditions in a manner that favours the concentration of sugars in the berries.

5.5.2 Residual sugar and actual alcohol in all "late harvest" wines shall result exclusively from the natural sugar of the grapes.

5.5.3 Late Harvest Wine shall be a wine produced exclusively from fresh ripe grapes that have been naturally harvested, on the vine, after achieving a minimum of 22^o Brix at harvest.

5.5.4 Select Late Harvest Wine shall be a wine produced exclusively from fresh ripe grapes that have been naturally harvested, on the vine, after achieving a minimum of 26^o Brix at harvest.

5.5.5 Special Select Late Harvest Wine shall be a wine produced exclusively from fresh ripe grapes that have been naturally harvested, on the vine, after achieving a minimum of 30^o Brix at harvest.

5.6 Vin Du Curé shall be a wine produced exclusively from fresh Nova Scotia grown grapes that have been naturally harvested, on the vine, after achieving a minimum 18^o Brix at harvest, and processed in the following manner:

- (i) after harvest, the grapes shall be left to dry on frames, mats, small boxes, or any other similar structure with a perforated bottom in a dry, ventilated place until such time as they yield a must of at least 30^o Brix when measured after transfer to the fermentation vessel, and

- (ii) the residual sugar and the actual alcohol shall result exclusively from the natural sugar of the grapes.

5.7 Nouveau Red Wine shall be a red wine produced exclusively from fresh grapes that have been naturally harvested, on the vine, after achieving a minimum of 16⁰ Brix at harvest, and processed in the following manner:

- (i) vinification shall involve at least partial carbonic maceration; and
- (ii) if the name of the grape variety(s) appears on the principal display panel, the letters must be at least half the size but no larger than those specifying "Nouveau"; and
- (iii) the term "Nouveau" must appear on the principal display panel directly below or immediately following the named grape variety(s).

5.8 Blanc De Noirs Wine shall be a wine produced exclusively from fresh grapes, of which 85% shall be a red variety. The grapes shall have been naturally harvested on the vine and processed in the following manner:

- (i) the juice shall be separated from the skins prior to fermentation and vinified using processes and treatments suitable for the production of white wine;
- (ii) the term "Blanc de Noirs" shall appear on the principal display panel directly above or below the named grape variety(s) in letters at least half the size but no larger than twice the size of those specifying the grape variety(s).

5.9 Fortified Wine shall be produced by adding grape brandy or spirit, derived from the alcoholic fermentation of a food source and distilled to not less than 94% alcohol by volume, to wine, or grape juice or grape must in fermentation. In addition, a fortified wine:

- (i) shall have an actual alcohol content greater than 14.9% but not greater than 22.9% by volume; in accordance with Canada Customs and Revenue Agency Regulations' and the Excise Act; and
- (ii) shall be produced from grapes that have been naturally harvested, on the vine, after achieving a minimum of 16⁰ Brix at harvest.

5.10 Liqueur Wine shall be the product obtained exclusively from the alcoholic fermentation of fresh grapes, grape juice, grape must, or wine. In addition a liqueur wine:

- (i) shall have an actual alcohol content greater than 14.9% but not greater than 22.9% by volume; in accordance with Canada Customs and Revenue Agency Regulations, and the Excise Act;
- (ii) may be designated "natural" if the residual sugar results exclusively from the sugar of the grapes.

5.11 Sparkling Wine shall be a wine surcharged with carbon dioxide gas to a pressure not less than 300 kPa at 10°C which:

- (i) has an actual alcoholic strength, including the alcohol contained in any "expedition liqueur" added, of not less than 8.5% by volume;
- (ii) if produced in the Traditional Method or the Charmat Method, the sparkling wine derives its effervescence exclusively from a primary or secondary alcoholic fermentation in a closed vessel;
- (iii) is produced using either the Traditional Method, the Charmat Method or the Carbonation Method as described herein;
- (iv) may declare the method of production on the principal display panel in accordance with the nomenclature set out in Table 2;

5.11.1 **Cuvée** is grape must in fermentation or wine, or a mixture of grape musts in fermentation or wines, intended for the preparation of sparkling wine, having a total alcoholic strength of not less than 9% by volume.

5.11.2 **Tirage Liqueur** is the product added to the "cuvée" to provoke a secondary alcoholic fermentation. It is produced exclusively from grape must, grape must in fermentation, or wine suitable for yielding the same quality Nova Scotia sparkling wine as that to which the "tirage liqueur" is added, and may contain:

- (i) dried yeasts;
- (ii) yeasts in wine suspension;
- (iii) sucrose; and/or
- (iv) concentrated grape must or rectified concentrated grape must.

5.11.3 **Expedition Liqueur** is the product added to sparkling wine to enhance specific flavour qualities and/or to maximize fill levels after dégorgement.

- 5.11.4 **Traditional Method** is a method of producing sparkling wine by a secondary fermentation in a glass bottle having a capacity not exceeding 5 L, in accordance with the following:
- (i) the wine is separated from its lees by disgorging after a minimum maturation period, on the lees, of 12 months for vintage-dated wine and 9 months for non-vintage dated wine;
 - (ii) the finished wine shall be sold in the bottle in which the secondary fermentation took place;
 - (iii) the wine shall at no time have left the bottle prior to final corking; and
 - (iv) shall be produced either as a varietal wine or a blended wine, in accordance with the provisions listed in Section 6.
- 5.11.5 **Charmat Method** is a method of producing sparkling wine by a primary or secondary fermentation in a closed vessel having a capacity exceeding 5 L, in accordance with the following:
- (i) the duration of this process to make sparkling wine from the start of the alcoholic fermentation designed to make the wine sparkling, including aging at the undertaking where the wine was made, shall not be less than six months;
 - (ii) the duration of the alcoholic fermentation process designed to make the "cuvée" on the lees, shall not be less than 80 days; or 30 days if the fermentation took place in a tank with a mixer, and
 - (iii) notwithstanding the provisions listed in Section 6, a Charmat sparkling wine shall be produced either as a single-varietal wine or as a blended wine.
- 5.11.6 **Carbonation Method** – is a method of producing sparkling wine by injecting carbon dioxide (CO₂) to the wine during bottling in accordance with the following:
- (i) shall be produced as a varietal wine or blended wine but no grape varieties shall be declared on the principal display panel;
 - (ii) no vintage date shall be declared on the principal display panel.
- 5.11.7 **Maintenance of Counter Pressure** – For the Traditional Method and the Charmat Method, carbon dioxide gas (CO₂) may be authorized for use, under supervision, to maintain counter pressure

during the process of racking or the transfer of a finished sparkling wine from a bulk process tank to bottle, provided the content of carbon dioxide gas (CO₂) contained in the sparkling wine is not increased.

5.11.8 **Nomenclature for Sparkling Wine** - In addition to any labelling requirements set out in these standards, only those terms listed in Table 2, Table 3, and Table 4 may be designated on the principal display panel of Sparkling Wine.

Table 2

Designation of Method of Production For Nova Scotia Sparkling Wine

Method of Production	Nomenclature
Traditional Method	Traditional Method, Méthode Traditionelle, Classical Method, Méthode Classique
Charmat Method	Charmat Method, Méthode Cuvé Close

Table 3

Nomenclature Permitted For Nova Scotia Sparkling Wine

Nomenclature	Application
Fermented in this Bottle	May appear on a Traditional Method sparkling wine in addition to the designation of "Method of Production". The type size shall be no larger than that used to declare the "Method of Production".
Blanc De Blancs	Optional at the producer's discretion if not less than 85% of the wine is derived from white grapes.
Blanc De Noirs	Optional at the producer's discretion if not less than 85% of the wine is derived from red grapes.
Rosé	Optional at the producer's discretion, as a color descriptor.

6.0 VARIETAL AND BLENDING DESIGNATIONS

6.1 Varietal Designation

- 6.1.1 In the case of **single-varietal** wines, where the variety is designated on the principal display panel, not less than 85% of the wine shall be made from the named individual grape variety.
- 6.1.2 In the case of **dual-varietal** wines, where the varieties are designated on the principal display panel, not less than 90% of the wine shall be made from the two varieties named, with the second being not less than 15% of the total.
- 6.1.3 In the case of **triple-varietal** wines, where the varieties are designated on the principal display panel, not less than 95% of the wine shall be made from the three varieties named, with the second being not less than 15% and the third not less than 10% of the total.
- 6.1.4 In every case, the designated varieties shall be listed on the principal display panel in descending order of quantity, in identical type and identically displayed.
- 6.1.5 In every case, the designated varieties shall appear immediately before and after the geographical indication. Nothing shall be permitted to be written between the designated variety(s) and the geographical indication.
- 6.1.6 Notwithstanding Section 6.1.5, descriptions may be appended to the varietal designation provided such descriptions are accurate and would not reasonably be confuse the consumer as to the proper name of the grape variety. For greater clarity, descriptions such as "Old Vines Foch", "L'Acadie Reserve", "Old Block Leon Millot" are permitted.
- 6.1.7 A proprietary name may appear on the principal display panel in conjunction with the designated grape variety(s) provided the type size used is not more than three times the size of that used to designate the grape variety(s).
- 6.1.8 When a sweet reserve is employed, its amount shall be included in the calculation of varietal content.

6.2 Blended Wine (Proprietary Names)

- 6.2.1 Wines that are not designated as varietal on the principal display panel shall be identified by a proprietary name on the principal display panel. When grape varieties are designated, all varieties used

to produce the blend must be declared and must appear in descending order of quantity, in identical type and identically displayed.

6.3 Vintage Dating

6.3.1 Vintage dating is to be mandatory for all wines using the Nova Scotia Geographical Indicator, with the exception of sparkling, fortified and liqueur wines, and wines produced and packaged with a private label.

6.3.2 Not less than 85% of the wine must be derived from grapes grown in the designated vintage year.

6.3.3 When a sweet reserve is employed, its amount shall be included in calculating the 85% minimum.

6.4 Sugar Content and Sweetness Descriptors

6.4.1 Sweetness designations permitted on the principal display panel shall be those shown in Table 4, and shall conform to the limits of sugar content shown for the various wine categories in the Table.

Table 4

Sweetness Descriptors on Labels

Table Wine

Sweetness Descriptors	Residual Sugar Level	Total Acid Level (calculated as tartaric acid)
Dry (sec)	a) not more than 5 g/L, or	not less than 4 g/L
	b) total acid plus 2 but not more than 9 g/L	not less than 4 g/L
Semi-Dry (off-dry) demi-sec)	a) more than 5 g/L but not more than 12 g/L, or	not less than 4 g/L
	b) total acid plus 10 but not more than 18 g/L	not less than 4 g/L
Medium Dry (Semi-sweet) (demi-doux)	more than 12 g/L but not more than 45 g/L	not less than 4 g/L

Sweet (doux)	more than 45 g/L	not less than 4 g/L
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Fortified or Liqueur Wines

Sweetness Descriptors	Residual Sugar Level	Total Acid Level (calculated as tartaric acid)
Dry (sec)	not more than 30 g/L	not less than 4 g/L
Medium Dry (Semi-dry) (demi-sec)	more than 30 g/L but not more than 65 g/L	not less than 4 g/L
Sweet (doux)	more than 45 g/L	not less than 4 g/L

Sparkling Wine

Sweetness Descriptors	Residual Sugar Level	Total Acid Level (calculated as tartaric acid)
Natural Brut (naturel)	not more than 15 g/L and no sweetener in the dosage	not less than 4 g/L
Brut	not more than 15 g/L	not less than 4 g/L
Extra Dry (extra sec)	more than 15 g/L but not more than 25 g/L	not less than 4 g/L
Dry (sec)	more than 25 g/L but not more than 35 g/L	not less than 4 g/L
Medium Dry (semi-dry) (Demi-sec)	more than 35 g/L but not more than 50 g/L	not less than 4 g/L
Sweet (doux)	more than 50 g/L	not less than 4 g/L

Icewine

Sweetness Descriptors	Residual Sugar Level	Total Acid Level (calculated as tartaric acid)
Sweet (doux)	more than 125 g/L	not less than 6.5 g/L

7.0 QUALITY STANDARDS

7.1 Minimum Brix Levels at Harvest

7.1.1 Minimum brix levels of grapes, as delivered at harvest, are shown in Appendix A.

7.1.2 The Nova Scotia Wine Standards Committee can recommend to the Farm Winery Industry Development Board to make an adjustment to the minimum permitted brix levels in a year when the weather conditions may have been exceptionally unfavourable.

7.2 Addition of Water

7.2.1 The addition of water to Nova Scotia wine during any stage of the manufacturing process is prohibited.

7.2.3 Notwithstanding para 7.2.1, dissolving certain oenological substances in water shall be permitted to the degree to which the water is an essential element for their proper use.

7.3 Chaptalization

7.3.1 Chaptalization is permitted for all Nova Scotia wines, unless otherwise prohibited within this standard.

7.3.2 Chaptalization of Nova Scotia table wines is limited to 76.5 grams of sugar (dry basis) per liter of juice or 4.5% alcohol by volume.

7.4 Sweet Reserve

7.4.1 The use of sweet reserve is permitted for all Nova Scotia wines, unless otherwise prohibited within these standards

7.4.2 Sweet reserve shall be included when calculating varietal content and when calculating the minimum 85% vintage content.

7.5 Fortification

7.5.1 Fortification is prohibited for Nova Scotia Wines, except when used in accordance with the provisions listed in Section 5.9, Fortified Wine.

7.6 Vineyard Production

7.6.1 Production shall not exceed 9,000 liters per hectare for Nova Scotia Wines.

**8.0 NOVA SCOTIA WINE AUDIT PROCEDURE
(To Certify Nova Scotia Geographical Indications and
Production Standards)**

8.1.1 In addition to the normal information require by the Nova Scotia Liquor Corporation (NSLC), wineries shall make available the following information for all Nova Scotia wines:

- (i) varieties and volumes stipulated by individual tank;
- (ii) quantities for "Vineyard" designated wines duly identified;
- (iii) quantities for "Estate Bottled or Estate Grown" designated wines duly identified;
- (iv) quantities for Provincially designated Wines duly identified, and
- (v) quantities for Specialty Wines duly identified.

8.2.2 In addition to 8.1.1, tank records and racking orders for all Nova Scotia wines setting out the complete processing record, up to and including the packaging stage, must be available for audit purposes. When racking orders are not used, the maintenance of a "Day Book" indicated quantities processed to packaging will be acceptable for audit purposes.

8.2.3 Grape purchases shall be reconciled with wine production records to assure reasonable feasibility of reported recoveries.

9.0 TERMS RESTRICTED TO NOVA SCOTIA WINES

9.1 A wine, or any other product, displaying the following terms on their package must meet the standards for the Nova Scotia Geographical Indicator and must display the Nova Scotia Geographical Indicator on the principal display panel;

- (i) Icewine, Ice Wine, or Eiswein;
- (ii) Totally Botrytized, Totally Botrytis Affected or TBA;
- (iii) Botrytized, Botrytis Affected, or BA;
- (iv) Late Harvest, Select Late Harvest, or Special Select Late Harvest;
- (v) Vin de Curé.

10.0 MAINTENANCE OF THE STANDARDS

- 10.1 The Nova Scotia Wine Standards Committee will make recommendations from time to time to the Nova Scotia Farm Winery Industry Development Board regarding changes to these standards and such recommendations shall take effect when approved by the Farm Winery Monitoring Committee.

APPENDIX A

Minimum Brix Levels of Grapes at Harvest

GEOGRAPHICAL DESIGNATION OR WINE CATEGORY	Minimum Brix Levels of Grapes at Harvest
1. PROVINCIAL DESIGNATIONⁱ NOVA SCOTIA	15° Brix ⁱⁱ
2. VIN DE CURÉ Berries must reach 30° Brix at time of pressing.	18.0° Brix
3. LATE HARVEST	22.0° Brix
4. SELECT LATE HARVEST	26.0° Brix
5. BOTRYTIS AFFECTED (B.A)	26.0° Brix
6. SPECIAL SELECT LATE HARVEST	30.0° Brix
7. TOTALLY BOTRYTIS AFFECTED (T.B.A.)	34.0° Brix
8. ICEWINE	32.0° Brix

ⁱ The Nova Scotia Wine Standards Committee can recommend to the Farm Winery Monitoring Committee to make an adjustment to the minimum permitted brix levels in a year when the weather conditions may have been exceptionally unfavorable.

ⁱⁱ Grapes specifically for the production of sparkling wine are exempt from this minimum.