

# AUSTRALIAN WINE INDUSTRY FORTIFIED WINE CODE OF PRACTICE

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## PREAMBLE

The Agreement between Australia and the European Community on Trade in Wine, and Protocol (Wine Agreement) entered into force on 1 March 1994. Article 8 of the agreement required Australian producers to cease using certain geographic indications (GIs) in any market to describe or present wine. These GIs included “Port” and “Sherry”, however, the phase-out dates remained undetermined and the result of future negotiations.

Following protracted negotiations a further agreement (*The 2008 Australia - European Community Agreement on Trade in Wine* (2008 Wine Agreement)) was signed in December 2008 which resolved the outstanding issues of the 2004 Agreement. The treaty is expected to take effect in mid-2009, after Australia has amended the *Australian Wine and Brandy Corporation Act 1980* and *Trade Marks Act 1995*.

The 2008 Wine Agreement specifies the dates on which the transition period will end for the port and sherry GIs (12 months from entry into force of the 2008 Wine Agreement). Additional decisions relating to fortified wine production included the phase-out of the term ‘tokay’ as a synonym for the grape variety muscadelle over a period of ten years from the 2008 Wine Agreement entering into force. It was also agreed a further group of terms will also have to be phased out including Amontillado, Fino and Oloroso. After a phase-out period of 12 months from the Agreement coming into force, these terms will not be able to be used to describe or present a wine originating from Australia. This will also apply to trademarks or brand names incorporating these terms. The withdrawal of these terms will require the development of new names and terminology to describe Australian fortified wines.

In addition, the European Union sought exclusive use of the terms ruby, tawny, vintage, cream, crusted/crusting and solera for fortified wines. In order to maintain use of these terms in our market and to permit their use on the European market the Australian industry will need to regulate the use of these terms through a Fortified Wine Code of Practice.

Some other terms including ‘rancio’ will not be able to be used to describe and present fortified wines.

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The development of new names and terminology through the Fortified Wine Code of Practice will satisfy several objectives:

- To demonstrate industry-wide commitment to the Wine Agreement by adopting names and terminology to describe fortified wines that meet the spirit and intent of the agreement.
- To provide a framework for producers to benchmark their styles against the defined descriptors, and for using the classification terminology to describe their wines.
- To increase consumer confidence when buying Australian fortified wines through the adoption of readily understood, industry-wide classifications.

The Fortified Wine Code of Practice has been developed in close consultation with industry, and has benefited particularly from the extensive work undertaken by the Muscat of Rutherglen group in developing a voluntary classification system for Muscat and Tokay. The Rutherglen system was developed to provide consumers with readily understood names and descriptors for the various classifications in both the domestic and international markets. Extensive market testing in Australia, the UK and USA since the classifications were launched in 1996 has confirmed trade and consumer understanding and acceptance of the classifications, and provides the necessary marketplace evidence that the classifications are soundly based and commercially robust.

The use of the classifications and descriptors has been extended to the Wine Show Circuit.

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**FORTIFIED WINE CODE OF PRACTICE**

1. All producers agree to observe the age, quality and style classifications for the different types of fortified wines as listed in Section 6.
2. All fortified wines will conform to industry regulations, including, but not limited to:
  - (a) Australian and New Zealand Food Standards Code Standard 4.5.1
  - (b) Label integrity program as outlined in the *Australian Wine and Brandy Corporation Act*.

**Classification system for Australian fortified wines**

**Fortified wine standard**

**Purpose**

This Standard includes requirements **only** for the production of fortified wine originating in Australia.

**Table of Provisions**

1. Interpretation
2. Application
3. Substances used in production
4. Processing aids
5. Composition
6. Designation & Classification
7. Labelling

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**1. Interpretation**

In this Standard

- wine means the product of the complete or partial fermentation of fresh grapes, or a mixture of that product and products derived solely from grapes.
- fortified wine means the product consisting of wine to which has been added Australian grape spirit, brandy or both and the term may be further qualified by the addition of the name of a grape variety including inter alia muscat, tokay, pedro, frontignac, verdelho, shiraz, etc.
- liqueur wine means a product consisting of wine to which has been added Australian grape spirit, brandy or both, and the term may be further qualified by the addition of the name of a grape variety including inter alia muscat, tokay, pedro, frontignac, verdelho, shiraz, etc.
- brandy means the spirit obtained by the distillation of wine in such a manner as to ensure that the spirit possesses the taste, aroma and other characteristics generally attributed to brandy, in accordance with the requirements set out in the Schedule to this Standard.
- grape spirit means the spirit obtained from the distillation of Australian wine or the by-products of wine making or the fermented liquor of a mash of dried grapes and contains methanol in a proportion not exceeding 3 g/L at 20°C of the ethanol content.

**2. Application**

This Standard applies to the production of wine in Australia.

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**3. Substances used in production**

- 1) Subject to any limits imposed by clause 5 of this Standard, any of the substances specified in the Table to this clause may be used in the production of fortified wine.

Table to clause 3

Ascorbic acid
Carbon dioxide
Citric acid
Dimethyl dicarbonate
Erythorbic acid
Grape juice and grape juice products, including concentrated grape juice
Grape skin extract
Gum Arabic
Lactic acid
Malic acid
Metatartaric acid
Mistelle
Potassium sorbate
Potassium sulphites
Sorbic acid
Sulphur dioxide
Tannins
Tartaric acid
Yeast mannoprotein

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**4. Processing aids**

- 1) Subject to any limits imposed by clause 5 of this Standard, any of the substances specified in the Table to this clause may be used in the production of fortified wine.
- 2) In this clause –
  - mistelle means grape must or grape juice prepared from fresh grapes to which grape spirit has been added to arrest and/or prevent fermentation and which has an ethanol content between 120 mL/L and 150 mL/L at 20°C.
  - Cultures of micro-organisms include yeasts or bacteria permitted for food use (including yeast ghosts) used in wine manufacture with or without the addition of any one or more of thiamine hydrochloride, niacin, pyridoxine, panthenic acid, biotin and inositol.

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Table to clause 4

Activated carbon
Agar
Alginates, calcium and potassium salts
Ammonium phosphates and sulphates
Argon
Bentonite
Calcium carbonate
Calcium tartrate
Carbon dioxide
Cellulose
Collagen
Copper sulphate
Cultures of micro-organisms
Cupric citrate
Diatomaceous earth
Dimethylpolysiloxane
Egg white
Enzymes permitted as processing aids under clause 17 to Standard 1.3.3
Gelatine
Hydrogen peroxide
Ion exchange resins
Isinglass
Lysozyme
Milk and milk products
Nitrogen
Oak
Oxygen
Perlite
Phytates
Plant proteins permitted as processing aids under clause 3(a) to Standard 1.3.3
Polyvinyl polypyrrolidone
Potassium carbonate / Potassium hydrogen carbonate
Potassium hydrogen tartrate
Silicon dioxide
Yeast ghosts

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**5. Composition**

- 1) Fortified wine must after the addition of grape spirit, brandy or both, contains no less than 150 mL/L and no more than 220 mL/L of ethanol at 20°C, however, may attain a higher level of ethanol by natural increases created by maturation in wooden vessels.
- 2) Fortified wine must not contain methanol in proportion exceeding 3 g/L of ethanol content at 20°C.
- 3) Fortified wine may contain water in proportion not exceeding 70 mL/L where the water is necessary for the incorporation of any substance specified in clause 3 or clause 4.

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**6. Designation and Classifications**

Australian Fortified Wines can be identified by any of the following designations:

- a. Fortified Wine / Dessert Wine / Aperitif Wine / Liqueur Wine.
- b. Australian Fortified Wine / Australian Dessert Wine / Australian Aperitif Wine / Australian Liqueur Wine.
- c. Fortified Wine of Australia / Dessert Wine of Australia / Aperitif Wine of Australia / Liqueur Wine of Australia

However, fortified wines are not required to have such a product designation for sale on the Australian market. It should also be noted that the use of such terminology is restricted in many international markets. For example, in the United States the use of the term 'fortified' is prohibited in wine labelling.

'Dessert wine' may be used in the United States as a class designation for grape wine having an alcoholic content of greater than 14%, but less than 24%. The United States regulations do not allow the term 'Liqueur' with a wine product, as the term 'Liqueur' is only associated with distilled spirit products.

The term 'liqueur wine' must be used in Europe as a sales designation for fortified wine; however, it must meet the definition for 'liqueur wine' given in EC Regulation 1493/99:

The additional term 'Dessert wine' may be used in the European Union.

<i>Type</i>	Australian Fortified Wines					
<i>Category</i>	<b>Aperitif</b>	<b>Dessert</b>				
<i>Style</i>	<b>Apera</b>	<b>Tawny</b>	<b>Vintage</b>	<b>Ruby</b>	<b>Muscat</b>	<b>Tokay/ Topaque</b>
<i>Classification</i>	<b>Dry Medium Dry / Off dry Medium Sweet / Semi-Sweet Sweet Cream</b>	<b>Australian Classic Grand Rare</b>			<b>Australian Classic Grand Rare</b>	<b>Australian Classic Grand Rare</b>

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**CONDITIONS OF USE**

<b>Defined Term</b>	
<b>Apera</b>	<p>Apera describes a style of fortified wine which ranges from a dry to a very sweet style. The wine is usually produced using a solera system and ageing takes place in a variety of vessels. Apera is fortified with grape spirit, brandy or both. Most Apera styles are initially dry, with any sweetness being added later. Apera is produced in a variety of styles, ranging from dry versions that are pale amber in colour to sweeter sometimes dark brown styles. For Apera produced in Australia fortification must be from Australian grape spirit, brandy or both.</p> <p>Typically, the commercial Apera styles are described using sweetness. Other descriptors such as fine, intense or rich may be used to provide additional information for these classifications for the premium styles or to sub-divide existing classifications.</p>
<b>Dry</b>	Sugar ≤ 15 grams/litre
<b>Medium Dry</b>	Sugar < 1.5 baumé
<b>Medium Sweet / Semi-sweet</b>	Sugar 1.5 - 4.0 baumé
<b>Sweet</b>	Sugar > 4.0 baumé

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<b>Cream</b>	<p>'Cream' describes a style of Australian fortified sweet wine of not less than 5 baumé. The wine will be pale yellow to light amber in colour, rich and sweet to taste and typically with a vinous to fruity aroma. The wine can be blended from more than one vintage and typically does not exhibit age-derived characters. Ageing takes place in a variety of vessels. Fortification must be from Australian grape spirit, brandy or both.</p> <p>In addition, for the export market, the wine will be produced using the solera system, including being aged in oak barrels for at least 3 years.</p>
<b>Tawny</b>	<p>Tawny describes a style of Australian fortified wine that receives varying years of ageing prior to bottling. At bottling the wine has a red-gold or 'tawny' hue. The wines should reflect the characteristics of careful ageing showing 'developed' rather than 'fresh' fruit characters. However, they may show the fresh well developed 'fruit' characteristics of younger wine.</p> <p>The wine is usually blended from more than one vintage, may be matured in oak containers and reaches an optimal age before sale. Fortification must be from grape spirit, brandy or both.</p>
<i>Australian Tawny</i>	Base classification. Other terms such as "Barossa Tawny" may be used where this is consistent with the Fortified Wine Code of Practice.
<i>Classic Tawny</i>	A maturing style showing some complexity of age and some fruit characters with the beginnings of rancio character. Has an average age of greater than 5 years.
<i>Grand Tawny</i>	A mature style exhibiting maturation characters which are flavoursome, rich and have great length. Has an average age of greater than 10 years.
<i>Rare Tawny</i>	The epitome of the style showing all the flavours of prolonged cask ageing, with extreme rancio and great length. Has an average age in excess of 15 years.

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<b>Vintage</b>	<p>Vintage describes a style of Australian fortified wine that is produced from a single vintage year. These high quality wines are characterised by relatively long periods of bottle maturation. They are generally deep in colour, full bodied and smooth. They are entitled to bear the designation 'vintage' and the corresponding year. These wines are characterised by the ability to improve with age in bottle and benefit from prolonged cellaring. Such wines are aged for a minimum of twenty months prior to release. Fortification must be from Australian grape spirit, brandy or both.</p> <p>In addition, for the export market, the ageing of the wine will include, as a minimum, ageing in oak containers for 4 months.</p>
<b>Ruby</b>	<p>Ruby describes a style of Australian fortified wine that receives only a few years of ageing prior to bottling. At bottling the wine retains a deep ruby colour and tends to be robust in character, full bodied and fruity. The wine can be blended from more than one vintage, with a view to sustaining the primary characteristics of colour and aroma. Fortification must be from grape spirit, brandy or both.</p> <p>In addition, for the export market, the ageing of the wine will include, as a minimum, ageing in oak barrels for 4 months.</p>
<b>Muscat</b>	<p>Muscat may be a fortified wine. Muscat juice is fermented until it reaches the desired baumé level, when grape spirit is added. The wines may be matured in oak vessels of various sizes. Wines may be blended using either a modified solera system where the wine is drawn down through a series of barrels into which selected parcels of new vintage muscat or a range of matured wines are added from time to time or by selecting individual parcels of quality muscat.</p>
<i>Australian Muscat</i>	<p>Base classification. The wines should be a younger style showing fresh fruit characters and integration of spirit.</p> <p>Terms such as "Barossa Muscat or "Rutherglen Muscat" may be used where this is consistent with the Fortified Wine Code of Practice.</p>
<i>Classic Muscat</i>	<p>A maturing style exhibiting raisined fruit flavour, cask aged flavour and the beginnings of rancio character. The palate shows balanced lusciousness, richness on the mid-palate from cask ageing and some concentrated characters.</p>
<i>Grand Muscat</i>	<p>A mature style exhibiting aged fruit flavour, rich cask aged character and rancio character. The palate shows balanced lusciousness, rich mid-palate from cask ageing, concentrated flavours from ageing and rancio flavours.</p>

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<i>Rare Muscat</i>	A rancio style showing all the flavours of prolonged cask ageing – lusciousness, extreme rancio and concentration.
<i>Tokay /Topaque</i>	<p>‘Tokay’ is a synonym for Muscadelle and for the purposes of this code is a term used to describe an Australian fortified wine. From June 2020, the word tokay may not be used to describe or present an Australian wine. Topaque is an Australian term that may be used to describe a fortified wine produced from Muscadelle. This is a high quality wine from a single vintage or a blend of vintages and is unique to Australia. Fortification must be from Australian grape spirit. The wines are usually aged in oak containers for different lengths of time according to the classification system below. The wines are quite sweet and are generally served as a dessert style wine.</p> <p>To use the classification Topaque, the wine must be:</p> <ul style="list-style-type: none"> <li>• Made from 85% muscadelle grapes</li> <li>• Be presented with an Australian Geographic indication</li> <li>• Contain no less than 150 mL/L and no more than 220 mL/L of ethanol at 20°C, however, may attain a higher level of ethanol by natural increases created by maturation in wooden vessels.</li> </ul>
<i>Australian Tokay/Topaque</i>	<p>Base classification. The wines should be a younger style showing fresh fruit characters and integration of spirit.</p> <p>Terms such as “Barossa Tokay” or “Rutherglen Fortified Muscadelle” may be used where this is consistent with the Fortified Wine Code of Practice.</p>
<i>Classic Tokay/Topaque</i>	A maturing style made from Muscadelle/Tokay exhibiting raisined fruit flavour, cask aged flavour and the beginnings of rancio character. The palate shows balanced lusciousness, richness on the mid-palate from cask ageing and some concentrated characters.
<i>Grand Tokay/Topaque</i>	A mature style from Muscadelle/Tokay exhibiting aged fruit flavour, rich cask aged character and rancio character. The palate shows balanced lusciousness, rich mid-palate from cask ageing, concentrated flavours from ageing and rancio flavours.
<i>Rare Tokay/Topaque</i>	A rancio style from Muscadelle/Tokay showing all the flavours of prolonged cask ageing – lusciousness, extreme rancio and concentration.

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## **Flavoured Wines**

Flavoured wine such as Vermouth and Marsala can be designated 'Australian Flavoured Fortified Wine'.

(Marsala will require a name change and will no longer be able to be used in the description or presentation of Australian wine. "Marsala" with egg can be labelled as "All Uovo".)

## **7. Labelling**

In this Standard

- "Label" means any, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or firmly affixed to the primary container of wine.

### **General principles**

- Any information, including descriptive information, may be included in addition to the classification system information, as long as it is clear, specific, accurate, truthful, and is not misleading to the consumer, nor inconsistent with the laws and regulations of the importing Party.
- Any information contained on a label may be repeated elsewhere on the container, whether or not in the same form as long as it is not misleading.
- When using a defined term to designate a wine, it should be used in conjunction with one or more words to ensure no confusion for the consumer.

## **8. Implementation**

### **Entry into force**

The Code of Practice came into force on 31 December 2006. Full compliance will be expected within 12 months of entry into force of the Wine Agreement, that is, 30 June 2010.

### **Existing stocks**

Wines which, at the time of entry into force of this Code of Practice have been legally produced, described and presented in a manner contrary to the Code of Practice, may be marketed under the following conditions:

- (a) where wines are described and presented using different conditions of use from those presented in clause 6, Table 1, the wines may be marketed:
  - i. by wholesalers for a period of 5 years;
  - ii. by retailers (includes cellar door) until stocks are exhausted.
  - iii. by the secondary market and museum stocks indefinitely.

### **Review**

The Code of Practice will be reviewed by WFA by 31 December 2013. The review will consider any amendments necessary, compliance issues, and the desirability or otherwise to ratify the code in legislation.

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**SCHEDULE**

**SPECIFICATIONS FOR THE PURPOSES OF THIS STANDARD**

**Brandy**

Brandy means the spirit obtained by the distillation of wine in such a manner as to ensure that the spirit possesses the taste aroma and other characteristics generally attributed to brandy, in accordance with the requirements set out below:

- (a) must be matured in wooden containers for no less than 2 years; and
- (b) must contain no less than 250 mL/L of the spirit distilled at a strength of no more than 830 mL/L at 20°C of ethanol; and
- (c) may contain –
  - (i) water; and
  - (ii) caramel; and
  - (iii) sugars; and
  - (iv) grape juice and grape juice concentrates; and
  - (v) wine; and
- (d) must not contain methanol in a proportion exceeding 3 g/L at 20°C of the ethanol content thereof.