



WINE AND SPIRIT BOARD

Scheme for the Integrated Production of Wine

IPW policy on action against members in response to transgressions of legislative requirements.

Drawn up in terms of the Scheme for the Integrated Production of Wine published in Regulation R1413 dated 6 November 1998 promulgated in terms of the Liquor Products Act, 1989 (Act 60 of 1989)

Approved on 22 November 2007

Chairperson of the Management Committee of the Wine and Spirit Board: Dr J Deist



The Scheme for the Integrated Production of Wine (IPW) is an industry initiative and, as such, not the primary regulator of legislation. IPW's actions in cases where members transgress legislative requirements are aimed at ensuring that the "transgressor" takes the necessary steps to rectify the transgression or to rehabilitate the environmental impact as a result of the transgression and to protect the interests of the other IPW members. The action is therefore focused on getting the transgressor to mitigate the environmental impact resulting from the transgression, in collaboration with the regulator.

In cases where discussions with the relevant regulator, either National or Provincial Department of Agriculture, National or Provincial Department of Environmental Affairs, Department van Water Affairs and Forestry, Cape Nature as well as the Biodiversity and Wine Initiative (BWI) have revealed that a transgression had occurred and where collaboration with the transgressor has not resulted in the desired outcomes, the following procedure will be followed.

1. The matter will be tabled at the Management Committee of the Wine and Spirit Board (WSB) with a request that the following steps be considered:
 - 1.1 If there exists any uncertainty regarding the extent or severity of the transgression, request that an independent auditor be appointed to investigate the matter and to make recommendations.
 - 1.2 If it is clear that further action is required, that the following steps are considered:
 - 1.2.1 The registration of the IPW member be temporarily suspended in terms of section 8.3 of the Scheme for the Integrated Production of Wine published in Regulation R1413 dated 6 November 1998, promulgated in terms of the Liquor Products Act, 1989 (Act 60 of 1989) ("the Regulation").
 - 1.2.2 The holder be informed per notice, in terms of section 8.4 of the Regulation, about the suspension of the registration and the grounds for the suspension.
 - 1.2.3 The holder be requested in terms of section 8.5 of the Regulation to return the relevant certificate of registration to the WSB within 30 days of such notice.
 - 1.2.4 The notice must indicate the period of suspension and any conditions attached to the suspension.
 - 1.2.5 BWI be informed that the registration of the specific IPW member has been temporarily suspended.

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2. The suspension of the certificate of registration will be considered on a case by case basis, but within the following guidelines:
 - 2.1 The suspension will be valid for a minimum of 1 production season.
 - 2.2 The suspension may be lifted if:
 - 2.2.1 the suspended member provides proof that the necessary corrective action or rehabilitation has taken place in collaboration with and to the satisfaction of the regulator and/or that a rehabilitation plan with specified time frames has been approved by the regulator; and
 - 2.2.2 the suspended member has paid back the expenditure incurred by the WSB for having the case investigated by an independent auditor, if applicable.
 - 2.3 If the suspended member is only a farm, the Manager IPW will inform the cellar(s) where the grapes are delivered that the particular IPW member has been temporarily suspended.
 - 2.3.1 If the volume of grapes delivered by the suspended member to that cellar is so large that the suspension will result in the cellar being unable to show that more than 90% of the grapes crushed complies with IPW guidelines, the cellar will have to return its certificate of registration to the Board and a new certificate of registration will only be issued once the farm had taken the necessary actions as listed under point 2.1 and 2.2.
 - 2.4 If the suspended member is an estate cellar, a transgression of legislative requirements in relation to either the guidelines for the farm or the cellar, will require that the certificate of registration be returned to the Board.
3. The suspended member's certificate of registration that was returned to the Board will not be returned, instead a new certificate of registration will be issued to the holder for the new production season after the suspension has been lifted and if the member complies with the requirements of registration as an IPW member.

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