

**NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL (NAFDAC)**

WINE REGULATIONS 2018

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Commencement:

**In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control (NAFDAC) by sections 5 and 30 of the National Agency for Food and Drug Administration and Control Act Cap NI Laws of the Federation of Nigeria (LFN) 2004 and all powers enabling it in that behalf, the Governing Council of the National Agency for Food and Drug Administration and Control with the approval of the Honourable Minister of Health hereby makes the following Regulations:-**

1. **Scope**

These regulations prescribe the definition, description, presentation and labelling of wine.

1. Prohibition:

No person shall manufacture, import, export, advertise, sell or distribute wine specified in

Schedule I to these Regulations in Nigeria unless it has been registered in accordance with the

provisions of these Regulations.

1. **Use and Limit of** food **additives**.
2. The use and limits of any food additives or food colors in the manufacture of wine shall be as approved by the Agency.
3. Indication of sulphur dioxide shall be declared on the label, when in wine is not present in natural state and exceed 10 mg/l expressed in total SO2, sorbic acid.
4. **Categories of Grape Wine**
5. A grape wine shall be classified by any or all of the following:
6. vintage;
7. variety;
8. sugar content and sweetness.
9. All categories of grape wine shall be produced exclusively from the complete or partial alcoholic fermentation of fresh grapes, grape juice.
10. The categories of grape wine shall be as follows:
	1. table wine;
	2. ice wine;
	3. botrytized wine;
	4. late harvest wine, including select late harvest wine and special select late harvest wine;
	5. vine du curé;
	6. nouveau red wine;
	7. blanc de noirs;
	8. blanc de blanc;
	9. liqueur wine;
	10. fortified wine;
	11. sparkling wine.
	12. port wine

or as prescribed by the Agency

1. **Vintage dating**

All varietal wines shall be classified by identified crop year, except for sparkling, fortified and liqueur wines.

* 1. At least 85% of a grape wine shall be derived from grapes grown in the same identified crop year.
	2. Cuvée that is made up of less than the minimum percentage required by Regulation 4.2 shall be labelled as such.
	3. A sweet reserve from the same vintage that is added to a grape wine shall be included in calculating the percentage required by Regulation 4.2.
1. **Varietal designations**
	1. At least 85% of a single-variety wine shall be made from 1 grape variety.
	2. At least 90% of a dual-variety wine shall be made from 2 grape varieties, with neither variety making up less than 15% of the total.
	3. At least 95% of a triple-variety wine shall be made from 3 grape varieties, with 2 of the varieties being at least 15%, and one of the varieties making up at least 10% of the total.
	4. A sweet reserve that is added to a varietal wine shall be included in the calculation of a wine’s content under Regulation 5.
2. **Sugar content and sweetness descriptors**

The sweetness descriptors permitted on the principal display panel and the limits of sugar content shown for the various wine categories are as set out in Schedule 2 to these regulations.

1. **Single-vineyard designated wines**
2. A producer may designate a grape wine as a single-vineyard wine and display the designation on the principal display panel if all of the following conditions are met:
	* + 1. at least 85% of the wine is from grapes grown on the designated vineyard;
			2. the remaining 15% or less of the wine is from grapes grown in the Geographical location.
3. **Labelling Information.**

The labeling of wine shall be in accordance with the Pre-packaged Food (Labelling) Regulations, 2018.

1. Notwithstanding Regulation 8(1) of these Regulations, wines that contain less than 10 percent absolute alcohol by volume shall have the ‘Best Before’ date declared.
2. Country of origin
3. A clear indication of the country of origin shall be shown on the Information Panel of a wine when the product comes from the country where the grapes are harvested and vinified.
4. where the wine is a result of a blend of wines from different countries or where the wine is vinified in a country different to that in which the grapes were harvested;
5. “blend of wines from …”, or another similar expression, - “wine produced in … from grapes harvested in …”, or another similar
expression, shall be declared.
6. the “18+” age restrictions shall be prominently displayed on the product label;
7. not suitable for pregnant women;
8. health claims shall not be made on spirit drinks.
9. **Name of Wine** to **indicate the** **nature**  .
	1. The name of every wine shall indicate the accurate nature.
	2. Where a name has been established for the wine in these Regulations, only such a name shall be used.
	3. Where no common name exists for the wine, an appropriate descriptive name shall be used.
10. **Traditional terms of quality**1. The indication of terms relative to a superior quality of wine (Grand vin, cru, superior wine, classico, vino nobile, etc.) shall satisfy the following conditions:
11. the wine shall have entitlement to a recognized appellation of origin or recognized geographic indication;
12. the terms shall be attributed by an official organization of the country of manufacture and refer either to the classification of the viticultural land or to criteria relating to wine quality.
13. the labels shall show the vintage.

**11. Advertisement**

* 1. The advertisement of wine shall be in accordance with the Food Products (Advertisement) Regulations, 2018.
	2. No person shall advertise wine in any media unless such advertisement has been pre-cleared and approved by the Agency.
	3. The content of Advertisements of wine shall not be misleading and shall be free of health claims.
	4. No advertisements of wine in any media shall be permitted on children’s programmes nor shall children, sportsmen or expectant mothers be used as models.
	5. Gift items promoting wine drinks shall not be directed at children and sportsmen.
1. **Penalty**
	1. A person who contravenes any of the provisions of these Regulations shall be guilty of an offence and liable on conviction :-
	2. In case of an individual to imprisonment for a term not exceeding two years or to a fine not exceeding N50, 000 or to both such imprisonment and fine.
	3. in the case of fine not exceeding a body corporate to a N100, 000.
	4. Where an offence under these regulation is Committed by a body corporate, firm, or other association of individual every-
	5. director, manager, secretary or other similar officer of the body corporate; or
	6. partner or officer of the firm; or
	7. trustee of the body concerned; or
	8. person concerned in the management of the affairs of the association; or
	9. person who was purporting to act in a capacity referred to in paragraphs (a) to (d) of this regulation is severally guilty of that offence and liable to be proceeded against and punished for that offence in the same manner as if he had himself committed the offence unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.
2. **Forfeiture**

In addition to the penalty specified in Regulation 17 of these Regulations, a person convicted of an offence under these Regulations shall forfeit to the Agency, the herbal medicine or related product and whatsoever is used in connection with the commission of the offence.

1. Interpretation

In these Regulations, unless the context otherwise requires:

1. “Agency” means the National Agency for Food and Drug Administration and Control;
2. “**Cuvée**” means wine or grape in fermentation used in preparing sparkling wine;
3. **“Dry wine”** means wine produced by complete fermentation of the sugar contained in the juice or must of the grapes from which it is made.
4. “**Flavouring**” shall mean: using one or more of the flavourings and/or aromatic herbs and/or spices and/or flavouring foodstuffs in the preparation of wines. legal
5. “Lab**el**” means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, embossed or impressed on, or attached to, a package (container) of wine.
6. “**Grape juice**” means the fermentable liquid that is obtained from pressing fresh grapes or grape and used for making wine with an actual alcohol content of 1% or less by volume from the juice;
7. “**Grape product**” means a product derived from grapes and includes grape juice, grape and grape wine;
8. “**Grape**” means unpressed, unfermented grape juice that may have been in contact with the grape skins, pulp, and seeds;
9. “**Grape wine**” means wine derived exclusively from grapes;
10. “**Identified crop year**” means the calendar year in which the vines bear fruit;
11. “**Method of production**”, in relation to sparkling wine, means any of the methods used to produce the wine as described in these Regulations:
12. “**Non-grape wine**” means a wine derived from a wine crop other than grapes;
13. **“Perry”** means the fruit wine prepared from the juice or must of pears and no more than 25 % of the juice or must of apples.
14. “**Principal display panel**” means the main label on a wine bottle or container that is normally used when displaying the wine to a consumer;
15. “**Sweet reserve**” means grape must that is unfermented and sterile, and is added to fermented wine to increase sweetness and balance excess acidity;
16. **“Sweet wine”** means wine containing sugar derived only from the juice or must of the grapes from which it is made.
17. “**Varietal wine**” means a grape wine that is derived from 1 or more specific identifiable varieties of grapes;
18. “**Vintage-dated wine**” means a grape wine derived from grapes grown in an identified crop year;
19. “Wine” shall be:
20. The product of fermentation of the juice of fruits, fresh grapes, grape products derived solely from fresh grapes, or any combination of them and may also have added to it yeast, concentrated grape juice, sugar, dextrose or invert sugar.
21. The blending of ethyl alcohol of agricultural origin with:
22. fruit juice or fruit juice concentrates;
23. sugar;
24. dextrose or invert sugar;
25. aqueous solution of caramel;
26. permitted food additives; and
27. colors.
28. Blending of aqueous solution of the following:
	1. yeast food;
	2. brandy or fruit spirit;
	3. carbon dioxide;
	4. oxygen;
	5. tartaric or citric acid;
	6. pectinase;
	7. caramel; and
	8. food additives

and aged for a period.

1. **Repeal of Wine Regulations 2005**

Wine Regulations 2005 is hereby repealed

1. **Citation**

These Regulations may be cited as Wine Regulations 2018

SCHEDULE I

CLASSIFICATION OF WINE

Table Wine Table wine shall contain not less than 6 percent and not more than

17 percent absolute alcohol by volume.

5% to 8.5% of the actual alcohol content shall be achieved through naturally occurring sugar content

It shall be made from grapes that meet a minimum level of 15°Brix at harvest.

**Sparkling Wine** Sparkling wine shall be wine that has been allowed to undergo a secondary

fermentation in the bottle so that visible carbon dioxide is produced and it may contain not less than 14 percent and not more than 21 percent absolute alcohol by volume.

Fortified Wine Fortified (otherwise called dessert) wines shall be wine to which distilled spirits (usually distilled from wine) have been added during or after fermentation and shall contain absolute alcohol in excess of 14 percent but not more than 24 percent by volume.

Fruit Wine Fruit wine shall be the product of fermentation of the juice of sound and ripe fruits and in all other respects shall meet the requirements of the standard for wine as prescribed by Regulations 12.

Vermouth Vermouth shall be the wine to which has been added bitters, aromatics or

other approved botanical substances or flavouring preparations and shall contain not more than 20 percent absolute alcohol by volume.

**Flavoured Wine, Wine Cocktail,** **Aperitif**

**Flavoured Wine, Wine Cocktail,** **Aperitif** shall be wine to which has been added herbs, spices, other botanical substances, fruit juices or a flavouring preparation, and shall contain not more than 20 per cent absolute alcohol by volume.

**Cider** Cider shall be the product of fermentation of apple juice or a mixture of the juice of apple and pear with or without the addition of potable water, sugar or concentrated apple or pear provided that, not more than 25 percent of the juice shall be pear juice, and shall contain not less than 2.5 percent and not more than 13 percent alcohol by volume.

**Champagne Cider**

Shall be cider that is impregnated with carbon dioxide under pressure by (a)

conducting the after part of the fermentation in closed vessels, or

Secondary fermentation in closed vessels with or without the addition of

sugar, dextrose, invert sugar, glucose or glucose solids or aqueous solutions

thereof, and shall contain not less than seven per cent absolute alcohol by

volume.

**Tonic Wine** Tonic wine shall be wine which had been fortified with vitamins or introduced naturally from the processing method (fermentation of the grapes/herbs), provided the required level of vitamin is met.

**Honey Wine S**hall be the product of the alcoholic fermentation of an aqueous solution of

honey

**May Wine S**hall be wine to which has been added artificial woodruff flavouring

preparation.

**Ice wine** A grape wine produced exclusively from grapes grown in the Geographical

location that have been harvested while still naturally frozen on the vine at an air temperature of -8°C or lower. The finished wine shall be produced from a must that achieves a computed average of at least 35°Brix;

The residual sugar in the wine shall not be less than 110 g/L, when the wine is bottled. The unfermented residual sugar and the actual alcohol remaining in the finished wine shall result exclusively from the natural sugar of the grapes.

**Botrytized wine** A grape wine produced exclusively from fresh ripe grapes grown in the

geographical location. A portion of the grapes is affected under natural conditions by the mould botrytis cinerea.

The resulting juice shall achieve a minimum of 34°Brix when measured after transfer to the fermentation vessel.

**Late Harvest wines** A grape wine produced exclusively from fresh ripe grapes grown in the Geographical location that have been desiccated under natural conditions in a way that favours the concentration of sugars in the berries. It is produced with residual sugar and actual alcohol content resulting exclusively from the natural sugar of the grapes. It is produced from grapes that are naturally harvested on the vine after achieving a minimum of

1. for late harvest wine, 22°Brix at harvest,
2. for select late harvest wine, 26°Brix at harvest, and
3. for special select late harvest wine, 30°Brix at harvest.

**Vin du curé wine** A grape wine that it is produced exclusively from fresh grapes grown in the

Geographical location that have been naturally harvested on the vine after achieving a minimum 30°Brix when measured after transfer to the fermentation vessel. The residual sugar and the actual alcohol content of the finished wine result exclusively from the natural sugar of the grapes.

**Nouveau red wine** A grape wine that meets all of the following criteria may be designated as

nouveau red wine:

* + - 1. it is a red wine produced exclusively from fresh grapes that have been naturally harvested on the vine after achieving a minimum of 16°Brix at harvest;
			2. it utilizes the carbonic maceration process.

**Blanc de noirs wine** A grape wine that meets all of the following criteria may be designated as

blanc de noirs:

* + - 1. it is produced exclusively from fresh grapes, of which 85% are a red variety;
			2. it is produced from grapes that have been naturally harvested on the vine;
			3. the juice is separated from the skins before fermentation and vinified using processes and treatments suitable for producing white wine.

**Blanc de blanc wine** A grape wine that is produced exclusively from fresh grapes, of which 85% are white variety. It is produced from grapes that have been naturally harvested on the vine and the juice is separated from the skins before fermentation and vinified using processes and treatments suitable for producing white wine.

**Liqueur wine** A grape wine that is produced exclusively from the alcoholic fermentation of

fresh grapes, grape juice, grape must, or wine. It has an actual alcohol content of greater than 14.9% but not greater than 22.9% by volume.

 A liqueur wine may be labelled as “natural” if the residual sugar in the

finished wine results exclusively from the sugar of the grapes.

**Heritage sparkling wine**

A grape wine that has an actual alcohol content, including the alcohol contained in any added expedition liqueur, of at least 7.5% by volume; that derives its effervescence exclusively from a primary or secondary alcoholic fermentation in a closed vessel. It is produced exclusively using one of the following methods:

1. the traditional method,
2. the charmat method,
3. the transfer method.

**Heritage light sparkling wine**

A grape wine that is surcharged with carbon dioxide gas to a pressure of at least 300 kPa at 10°C and has an actual alcohol content, including the alcohol contained in any added expedition liqueur, of at least 5.5% but not greater than 7.5% by volume. It derives its effervescence exclusively from a primary or secondary alcoholic fermentation in a closed vessel and is produced exclusively using one of the following methods:

1. the traditional method,
2. the charmat method,
3. the transfer method.

**Prestige cuvée wine** A grape wine that is surcharged with carbon dioxide gas to a pressure of at

least 300 kPa at 10°C and has an actual alcohol content, including the alcohol

contained in any added expedition liqueur, of at least 7.5% by volume. It is produced from a minimum of 85% juice from first pressing. It derives its effervescence exclusively from a primary or secondary alcoholic fermentation in a closed vessel and is produced exclusively using one of the following methods:

1. the traditional method,
2. the charmat method,
3. the transfer method;

**Carbonated sparkling wine**

A grape wine that is surcharged with carbon dioxide gas to a pressure of at least 300 kPa at 10°C and has an actual alcohol content, including the alcohol contained in any added expedition liqueur, of at least 7.5% by volume.

**Carbonated light sparkling wine**

A grape wine that is surcharged with carbon dioxide gas to a pressure of at least 300 kPa at 10°C and has an actual alcohol content, including the alcohol contained in any added expedition liqueur, of at least 5.5% and not greater than 7.5% by volume;

**Semi-sparkling wine** A grape wine that is surcharged with carbon dioxide gas to a pressure of

between 100 kPa to 250 kPa at 10°C may be designated as semi-sparkling wine.

**Malt wine** Malt wine, or any wine which purports to contain any malt extract, shall be wine conforming to the general standard for wine, to which has been added malt extract, so that the resultant wine contains not less than 5% (w/v) malt extract.

**Quinine wine** Quinine wine shall be wine containing quinine or compounds of quinine

(calculated as quinine hydrochloride) in proportion of not less than 0.5 and not more than 2.3 mg per ml.

**SCHEDULE 2**

**Sweetness Descriptors**

**Dry,** when the wine contains a maximum of 4 g/l of glucose plus fructose or 9 g/l when the acidity strength totals (expressed in grams of tartaric acid per liter) is not less than 2 g/l to glucose plus fructose strength.

**Medium dry,** when wine contains more than the figures aimed for at the first drawing off and achieves at the most 12 g/l or 18 g/l when the total acid content is fixed in implementing the first drawing above.

**Mellow or semi-sweet,** when the wine contains more than the figures aimed for in the second drawing off and achieves at the most 45 g/l.

**Sweet,** when the wine contains glucose plus fructose strength of at least 45 g/l.

**MADE at Abuja this ……………………….day of …………………………..2018**

**………………………**

**Inuwa Abdulkadir Esq**

**Chairman Governing Council**

**National Agency for Food and Drug Administration and Control (NAFDAC)**