

Declaration

I, *Jane Docherty*, of  *Mapua*
[Name] [Place of residence]

being a person authorised to present evidence in support of this Application on behalf of the Applicant, solemnly and sincerely declare that:

1. The information contained in and with this application, including appendices and attachments, is true and correct to the best of my knowledge.
2. I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Name: *Jane Docherty*

Signature: 

Declared at *Richmond* this *21st* day of July 2017.

By  

[Name of Justice of the Peace, or solicitor, or other person authorised to take a statutory declaration.]

Signature:

**AMANDA GREHAN
SOLICITOR
KNAPP'S LAWYERS
RICHMOND**

Evidence in support of application for registration of a New Zealand Geographical Indication: *NELSON*

Geographical Indication name

The name of the geographical indication (GI) for which registration is sought is NELSON.

The Applicant notes that the NELSON GI may be used in conjunction with the names of smaller geographical units, including the following: *Golden Bay; Motueka; Upper Moutere; Redwood Valley, Waimea Plains; Brightwater; Riwaka.*

Quality, Reputation or Other Characteristic

There are a number of aspects of the NELSON GI which contribute to the distinctive quality, reputation or other characteristics of wines grown there, including:

- the moderate climate being optimal for producing high quality wines from a variety of grapes – particularly aromatic varieties, Chardonnay and Pinot Noir;
- distinctive geology, topography and soil composition that contributes to the characteristics of the wines;
- a long history of grape growing which has been refined over many years resulting in a selection of varieties that are well suited to producing premium wines of a certain style.
- the predominance of small, owner-operated wine businesses with a shared vision of the GI as a region that produces high quality wine.

Consequently, wines from the NELSON GI have the following quality, reputation or other characteristics that are essentially attributable to their geographical origin:

- NELSON GI wines are specialised in a particular suite of classic grape varieties and wine styles suited to both the physical environment and the market, in particular: aromatic varieties, Chardonnay and Pinot Noir.
- NELSON GI wines display recognisable and consistent sensory characteristics across a range of varieties and styles due to the physical environment as well as viticultural and winemaking practices.
- NELSON GI wines are high quality products produced for the premium to ultra-premium market segments.
- NELSON GI wines have a global reputation for the foregoing based on many years of use and recognition by consumers, tourists wine experts and visitors to the GI.

History and background

Background

The Nelson GI is located at the top of the South Island and sits on the edge of Tasman Bay. The region extends to the south and east with the land being used predominantly for horticulture, forestry and vast areas of native forest which include the Abel Tasman, Kahurangi, and Nelson Lakes National Parks. Tourism is also an important economic driver with the region attracting visitors for the beaches and national parks.



The region now has “The Great Taste Cycle Trail” which passes along the coast and inland areas past vineyards, breweries, and orchards and was designed for riders to enjoy the region’s quality cuisine. Having only been established in 2013 the trail has seen an increase in numbers to 208,000 cyclists in 2015¹. The Abel Tasman National Park alone attracts around 110,000 international visitors per year². The large numbers of both national and international tourists helps contribute to both the renown and the image of Nelson as a winegrowing region

The moderate climate and diverse geography means that the area is well suited to growing a wide range of crops. As well as grapes Nelson has long been known as an area for growing pip fruit, kiwifruit, berries, agricultural crops and hops. In more recent times there has been an expansion of small artisan food producers growing and making an array of products from mushrooms to olives, to nuts, to cheese. The craft brewery market has also seen rapid growth in the area, with many of the breweries making specialist beers using hops grown within the region. As well as this, Nelson is also home to Australasia’s largest fishing port. This has seen the region becoming increasingly known as culinary destination for tourists of which wine tourism has contributed significantly too.

The Nelson GI is also distinctive in that all wine producers remain family owned and are comparatively small in terms of volume and production. Out of 30 member wineries only 3 are Category 2 (producing over 200,000L per year, and 22 of the wineries produce less than 45,000L per year. Having a small production has meant that producers have remained focused on production of premium wines.

History

Wine production has a long history in the Nelson GI. Early European settlers started producing commercial quantities of wine in 1868 with the establishment of FHM Ellis & Sons. Production fluctuated greatly over the next 100 years as settlers came and went however grapes and wine always continued to be produced. Viggo du Fresne planted a vineyard in the early 1960s and is credited with experimenting with a large number of varieties and finding those best suited to the Nelson climate. It wasn’t until the 1970s when Seifried Estate (1974) and Neudorf Vineyards (1978) planted their vineyards that the modern era of wine production in the Nelson GI began.

Early plantings saw a mix of varieties, including Italian and Bordeaux varieties, however, over a number of years these have been narrowed down to a select few. This refinement of varieties was largely driven by the quality of the wines produced by the varieties themselves; whereby some varieties naturally produced much better wines than those less well suited to the Nelson climate. These include Chardonnay, the aromatics varieties and Pinot Noir that produce the style of wines for which the Nelson GI has become known for.

The second wave of plantings began in the early 1990s with the establishment of Greenhough Vineyards, Brightwater Vineyards, Waimea Estate, Rimu Grove and Kaimira Estate. It was also around this time that Nelson wines started to receive recognition on the international stage with awards for Sauvignon Blanc and Chardonnay at the International Wine & Spirits Competition in London, (Seifried 1994, Spencer Hill 1997). This, along with on-going recognition, has helped cement Nelson as a region that produces quality aromatics and Chardonnay.

The rapid growth throughout the 1990s saw the establishment of Nelson Winegrowers Association (the Applicant) (formerly Nelson Grape Grower & Winemakers Association) circa 1993 which now has 60 member vineyards and 30 wineries. The benefit of growing grapes in the moderate Nelson climate is that producers can grow and ripen a large number of grape varieties across many tiers in the market place, from entry level wine through to the ultra-premium end of the market. However,



the focus for all these producers is on the production of premium aromatic varieties, Chardonnay and Pinot Noir which are fruit driven, have great purity and natural acidity.

One of the main factors driving the production of premium wines is that all Nelson wineries remain under family ownership and production is small, this means that time can be invested in focussing on quality; it is also necessary as there is no 'economy of scale' so producers must sell their wines for a premium in order to remain economically viable.

In 2002 Nelson Winegrowers supported the establishment of Wine Art specifically to promote Nelson as a distinctive winegrowing region targeting local, national and international markets. In 2014 Wine Art was rebranded to Wine Nelson to more clearly define the regions identity as a wine producer.

Since the 'modern era' of planting wines produced within the Nelson GI have been branded and marketed both nationally and internationally as 'Nelson'. This continues with the Associations website www.winenelson.co.nz, social media accounts on Instagram, Twitter and Facebook which use Wine Nelson.

Economic context

There are a number of economic factors which have influenced the focus on premium wine production in the Nelson GI.

Historically land within the Nelson GI has been used for agricultural crops which had a long and proven track record – such as pip fruit and berry production. The land area has also been intensively planted in agricultural crops for a long period of time. This has meant that large areas of land are seldom available for development into vineyards, and for those pieces of land that do come on to the market there is a lot of competition from potential buyers which pushes prices up. This has meant that with the exception of a few producers the majority of vineyards and wine producers are small. This has necessitated the focus on premium wine production in order for producers to remain economically viable as they are not afforded the advantage of economies of scale.

Even for those larger producers who are able to supplement their business by producing lower tier wines the main focus is still on premium wine production.

Over 60% of wine producers in the Nelson GI export their wine to overseas markets – in particular the USA, Australia and the United Kingdom. These markets have access to readily available, cheap wine from countries where the cost of production is low. Given New Zealand's high production costs and the reliance of producers within the Nelson GI on having to sell wine into export markets, producers have had to ensure that the focus has been on wines at the premium and ultra-premium end of the market in order to be able to compete overseas.

Tourism has also played a significant role in the development of wine styles in the Nelson GI. To the year ending July 2016 there were 1.3 million guest nights, of these 36% of visitors to the region were international and 64% domestic, and they spent \$91m on Food & Beverage³. Wine tourists spend more per visit to New Zealand than any other tourist⁴. This suggests that visitors to cellar doors are looking for a high quality wine tourism experience. There are 23 cellar doors in the Nelson region, which is equivalent to around 75% of all wine producers within the GI. A cellar door, and providing a unique experience for wine tourists is a core focus for many of the wine producers within the Nelson GI and this has helped drive the production of premium wine to cater to this market.



These key economic drivers have played a role in determining the styles and sensory characteristics of wines from the Nelson GI; the wines produced must be of corresponding quality and display sensory characteristics that are distinctive to the GI in order to justify their premium positioning.

Industry structure

Industry structure also contributes to the distinctive characteristics of wines from the Nelson GI. Nelson Winegrowers Association (the Applicant) has over 60 member vineyards and the vast majority of wine producers are full members of Wine Nelson (30 producers). The Applicant provides a platform for many cooperative activities including representation and education, as well as having a specific marketing body (Wine Nelson) which is solely focused on marketing members' wines produced within the Nelson GI.

Vineyards within the Nelson GI contribute to 2.4% of the total harvest in NZ (NZWG Annual Report 2016). Given the small size of the majority of producers (average size of vineyards being 9.5 ha), members have relied on forming close links within the wine community to help with equipment sharing, knowledge sharing – through tastings, viticulture and winemaking workshops, field days – all of which has helped establish a culture of collaboration amongst wine producers within the Nelson region.

While there are always differences of opinion between competing businesses, perhaps most notable is that all winegrowing enterprises within the GI view the GI as being a region that produces premium aromatics and chardonnays. This is particularly evident with members of the Applicant supporting and financing the establishment of the Aromatics Symposium in 2007 and having run it every 3 years since, as well as hosting it again in 2017.

These factors contribute to the specific characteristics of wines from the Nelson GI by combining a broad collective understanding of the GI and its wines with an underlying network of collaboration and knowledge-sharing to produce wines which fulfil that understanding.

Geographical features in the area / soil composition in the area

Soil and subsoil

The soil and subsoil of the Nelson GI contribute to the distinctive sensory characteristics of wines. The structure and composition of the soil and subsoil in which vines grow affect factors such as drainage, water availability, microbial population, root penetration and nutrient uptake of the vines. Current research shows that the physical properties of soil, and more specifically water availability, are important in determining wine quality; whilst soil chemistry has an effect on the expression of genes that are involved in the production of compounds that determine flavour⁵. The combination of these elements affect vine growth and the ripening of fruit and are associated with particular viticultural aptitudes and sensory characteristics both across the GI as a whole and between different parts of the GI.

While the soils within the Nelson GI are diverse, the soils in which grapes are currently grown are generally categorised into two main areas – the Hills and the Plains.

The Plains

The Waimea Plains lie at the eastern margin of the Moutere Depression, an area of relatively low lying land between the uplifted east and west Nelson Ranges. The Waimea Plains has been formed through deposition of alluvial sediments in a valley system that has been excavated in the Moutere



Gravel Formation by the Wai-iti and Wairoa Rivers⁶, and is made up of 2 major soil types which are sufficiently similar and derived from similar parent material that the area is collectively referred to as The Plains.

Soil from the Plains are formed from stony gravel, laid down as a large fan formed from gravels deposited by the Wairoa and Wai-iti Rivers as it has exited the Wairoa Gorge and Wai-iti Valley. Across the land surface, there are numerous shallow blind channels which indicate that the gravels were deposited from repeated outpourings of river sediment, probably in large flash-flood types of events. The age of the surface gravels is estimated to date from the Late Pleistocene period (between 25-18 thousand years ago) when the onset of cold climate conditions in the Richmond Ranges (associated elsewhere in New Zealand with widespread glaciation) gave rise to extensive erosion in the mountains and subsequent rapid deposition of the gravelly sediments of the Waimea Plains.

The soil has somewhat unusual properties for a stony soil in that within the upper part of the soil profile, the texture of the fine fraction is clay loam, with the stony fraction making up around 60-65% of the soil⁷. This is beneficial for viticulture on the Waimea Plains as moisture retention in the upper soil profile is better than in many stony river terrace soils found elsewhere. Beneath the weathering soil profile the gravels are unconsolidated and free draining, allowing deep root penetration. The soil has been derived from a variety of rock types in the Richmond Ranges including greywacke, argillite, sandstone, limestone and a variety of ultrabasic rocks giving rise to a moderate natural level of fertility.

Soils on the Plains are particularly well suited to producing wines that have good varietal expression, specifically the aromatic whites. While the stony soils produce red wines with good fruit expression with fine tannin.

The Hills

“The Hills” area forms part of the geomorphic feature known as the Moutere Depression⁸. The Moutere Depression is a low lying area extending from the Nelson lakes to Tasman Bay that is composed of a thick deposit of outwash gravels referred to as the Moutere Gravel Formation that dates from the Late Tertiary.

A long period of fluvial erosion has resulted in the original gravel sheet now forming hill country characterised by a fine-textured “herringbone” dissection pattern and a landscape dominated by ridges and gullies. The alluvial sediments have deeply weathered to form clay-bound gravel interspersed with layers of strongly weathered and leached soils⁶.

The upper soil surface of “The Hills” does vary giving rise to a variety of soil types but these have been shown to be related and derived from the same parent material⁹. The soil is considered a sandy loam which is characterised as having a deep heavy clay sub soil overlying very to extremely stony subsoils⁹.

Soil fertility is naturally low which helps control vine vigour. The clay subsoil has very good water holding capacity which is beneficial for viticulture as it allows for cultivation without irrigation during the drier summer months.

Wines from the Hills tend to be more robust with the higher clay content giving good texture and weight to the wine, and density to the tannin.



Geology / topography

The geology and topography of the Nelson GI also contribute to the distinctive sensory characteristics of the wines. The rock formations underlying the soil and subsoil also have an impact on drainage, water availability, root penetration and nutrient uptake of the vines. The landform of the Nelson GI affects exposure of vineyard areas to the sun, wind and rain. These elements also affect vine growth and the ripening of fruit and contribute to viticultural aptitudes and sensory characteristics both across the GI as a whole and between different parts of the GI.

The geological / topographical features which make up the entirety of the Nelson GI are diverse given the area within the GI boundary. However, the features that make up the current area in which grapes are currently grown are more easily defined. The area of the Nelson GI sits on the edge of Tasman Bay with the Plains extending to the South and extending into the Moutere Hills to the West and South West. The Nelson GI is surrounded by mountains on all three sides, the Richmond Ranges separating it from Marlborough and the Abel Tasman and Kahurangi National Parks to the South and West.

The mountain ranges to the west, south and east protect it from weather extremes. The Tasman Mountains to the west, climbing to 1775 metres, act as a barrier to the prevailing westerly winds, and ranges to the south and east protect the region from cold weather systems.

Close to the sea, and less windy than most parts of the country, the Nelson GI has a calmer, more temperate climate than most parts of the South Island. On a typical summer's day, temperatures peak at around 25°C, with an overnight low of 14°C.

Climate in the area

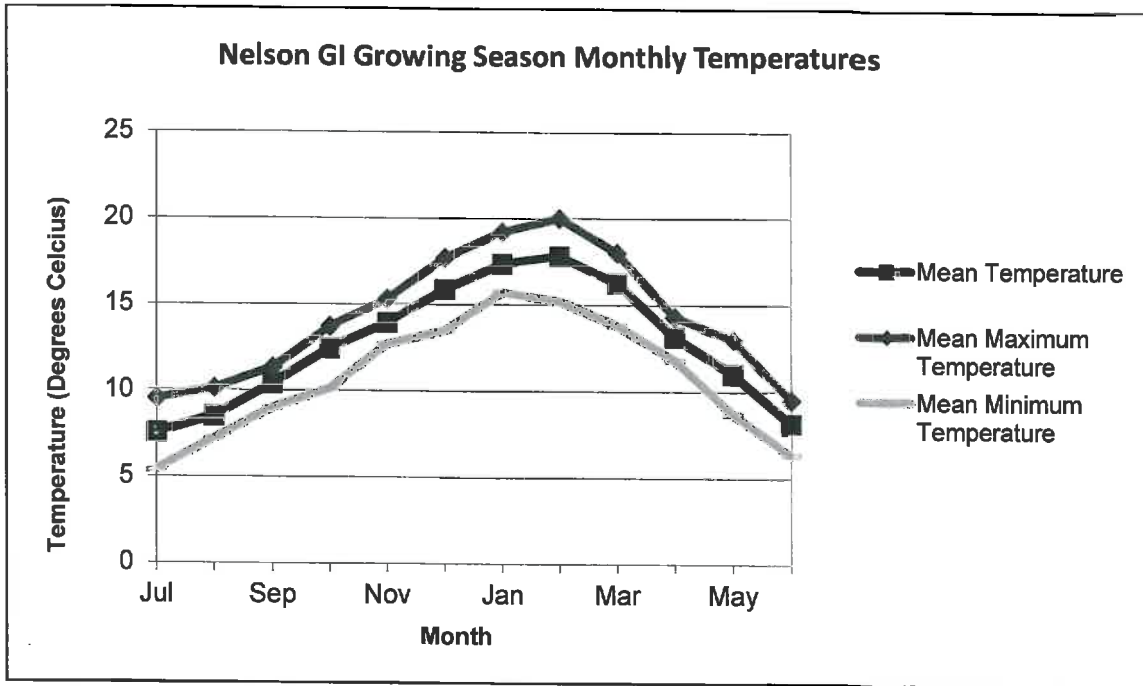
Climate is one of the primary determinants of the growth and ripening of the grapes grown within a GI, which in turn contributes to distinctive sensory attributes in the wine produced in the GI. It affects the development of fruit, the duration of ripening and the timing of harvest, as well as impacting upon fruit quality and vine health.

The Nelson GI's key climatic factors are its high sunshine hours, close proximity to the sea and sheltered topography courtesy of surrounding mountain ranges to the west, south and east. Respectively these elements allow optimum fruit ripening conditions, reduced frost risk and deliver marked protection from the prevailing westerly winds and cold southerly weather systems. As a result, the Nelson GI generally experiences distinctly calmer, milder and more even temperatures particularly when compared to other South Island GIs and within the context of New Zealand's overall cool climate viticulture.

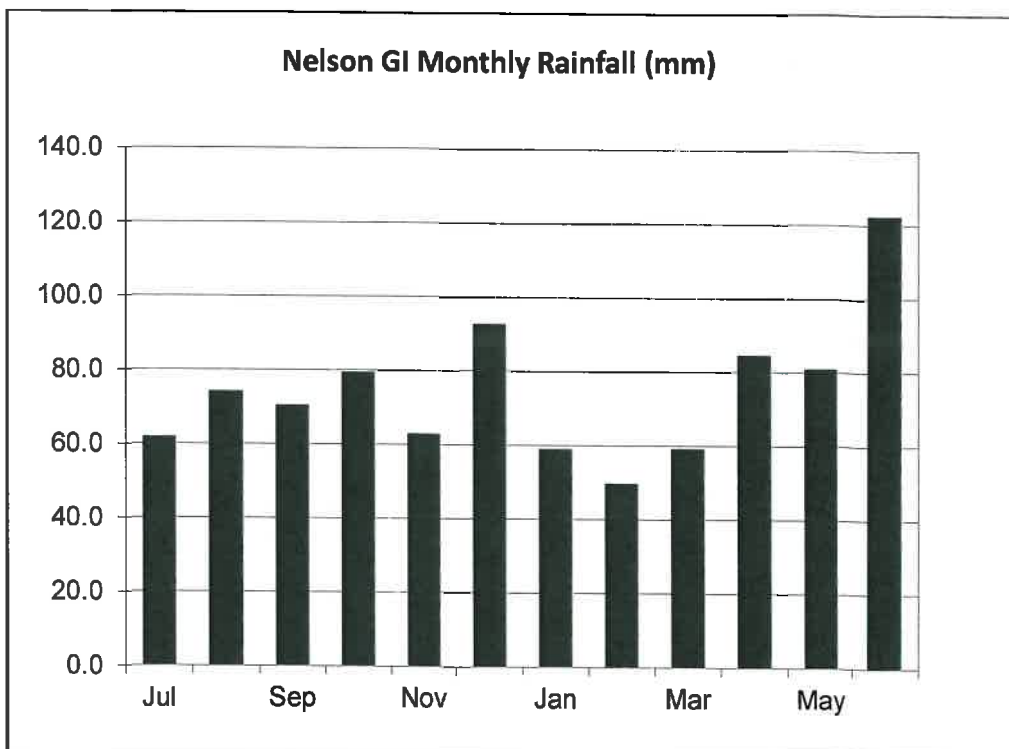
The Nelson GI is nestled in the sheltered Tasman Bay on the western top of the South Island, where its mild climate and fertile river plains have long seen it as an attractive traditional crop and fruit-growing area. The significant height of Tasman Mountains to the west protect it from the prevailing westerly weather extremes and the Richmond and Hope Ranges to the east and south provide shelter from the colder southerly weather systems. The combination of this shelter and the proximity to the relatively settled Tasman Bay water mass contribute to the GI's calm, temperate climate. Unlike other South Island GIs, significant frost is a relatively rare occurrence within the viticultural growing season, however rainfall is high relative to other South Island GIs and autumn rain can occasionally impact on viticulture and harvests, in particular affecting later ripening varieties and styles.



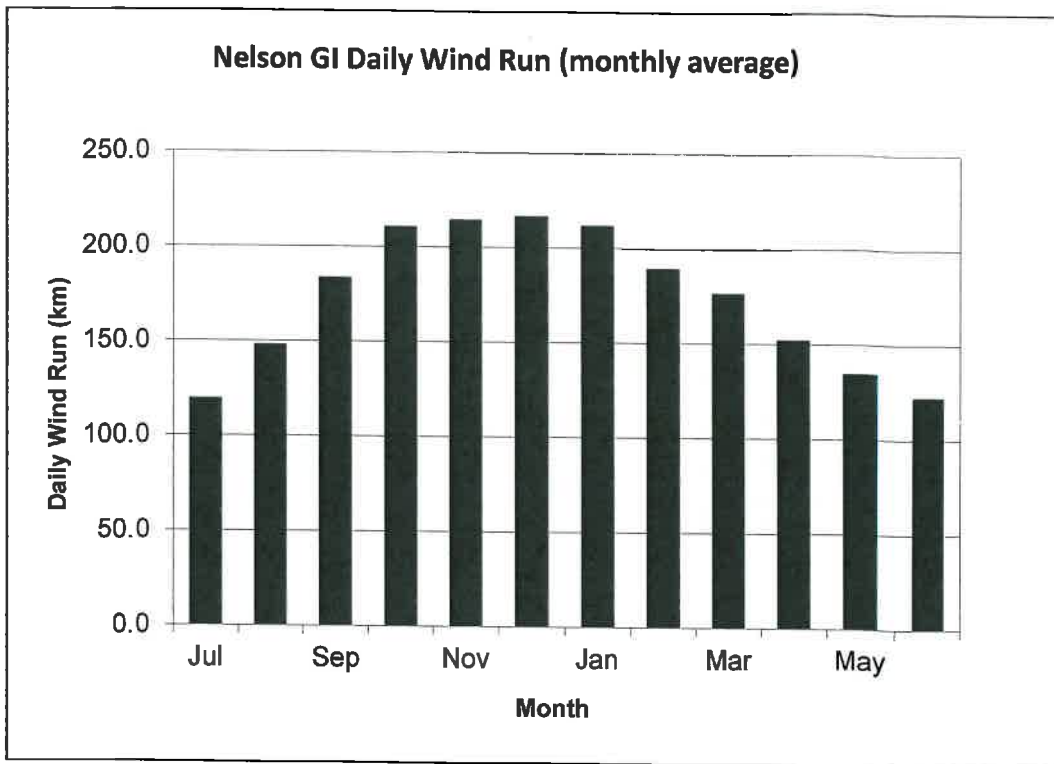
The generally settled weather patterns help to ensure the Nelson's GI's markedly high sunshine hours - amongst the highest in the country - and clear skies. Alongside the milder temperatures, these contribute to the Nelson GI having the South Island's highest GDD figure, though the overall southerly latitude means there is still a notable diurnal temperature variation across the growing season. The net effect on the GI's fruit quality and intensity helps to emphasize ripe varietal characters and gives a strong fruit-driven purity across its varieties.



Data courtesy of NIWA: Appleby 2 EWS, Appleby EWS, Nelson AWS and Appleby



Data courtesy of NIWA: Appleby 2 EWS, Appleby EWS, Nelson AWS and Appleby



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Methods of producing wines in the area

Grape varieties and wine styles

Nelson typically produces white, red and rosé wines from the following grape varieties.

- Sauvignon Blanc;
- Pinot Gris;
- Chardonnay;
- Riesling;
- Gewurtztraminer;
- Pinot Noir;
- plus other 'aromatic' varieties (e.g. Albarino, Gruner Veltliner)

In 2016, the tonnes harvested within the Nelson GI from each grape variety were as follows:

WHITE		RED	
Variety	Tonnes	Variety	Tonnes
Chardonnay	571	Pinot Noir	1,303
Gewurtztraminer	201		
Pinot Gris	1,322		
Riesling	355		
Sauvignon Blanc	5,826		
TOTAL	8,275	TOTAL	1,303

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The signature wines produced in the Nelson GI are Pinot Noir, Chardonnay and the 'Aromatics' – particularly Pinot Gris, but also including Sauvignon Blanc, Gewurtztraminer and Riesling. The Nelson GI is unique to other regions within New Zealand for its ability to produce premium wines from an array of the Aromatic varieties. In more recent years wines from the Nelson GI have also started to receive recognition for the lesser known and newly planted varieties such as Albarino.

Viticulture and winemaking

Viticultural and winemaking practices within the Nelson GI are adapted to the production of wine from specific grape varieties in the range of physical environments that exist within the GI and across a number of tiers within the market, more specifically the premium and ultra-premium end. While the practices themselves may not be unique, they are aimed at promoting the distinctive characteristics of wines from the Nelson GI.

Particular features of viticulture and winemaking practices within the Nelson GI are as:

- Vines are typically, but not exclusively trained using the VSP system.
- Grapes are either machine harvested or hand harvested, however wines at the ultra-premium end of the market are hand harvested.
- There is very little irrigation of vines grown in the Hills soils - most vines are dry farmed.
- 20% of producers in the region are certified organic with these wines being pitched at the ultra-premium end of the market.
- Wines are typically made in small batches, often from single vineyards or vineyards owned by the winery. In many instances, wines are made and bottled on the property.
- Aromatic varieties are predominantly fermented in stainless steel tanks, with aging on lees, lees stirring and residual sugar levels determined by individual winery style.
- More producers in the region are experimenting with barrel fermented Sauvignon Blanc – made in the traditional 'fume blanc' style.
- Chardonnay is either fermented in stainless steel, or fermented and matured in oak depending on the style.
- Red wines are typically aged in oak. Red wines are macerated on their skins for extended periods resulting in red wines with significant aging potential, and some being matured in oak beyond 12 months.
- Un-inoculated ferments (referred to as wild ferments) are common in Pinot Noir and Chardonnay; and there are an increasing number of Pinot Noirs made within the GI that are un-fined and un-filtered.
- Grape growers and winemakers within the Nelson GI have a strong commitment to sustainable winegrowing, with all those producing wine for export participating in the Sustainable Winegrowing New Zealand programme and many using organic practises or having organic certification.

Due to factors such as the capital intensive nature of winemaking facilities, fluctuations in vintages, and multi-regional ownership models, it is not unusual for winemaking to take place outside the GI. This is a widely accepted practice within New Zealand and within the GI itself and does not detract from the expression of characteristics typical of the GI in the resulting wine.

Wines from the GI may be made in styles that are lower in alcohol, including sweet wines and lower alcohol dry wines produced using permitted viticultural and winemaking practices.

Quality

Sensory attributes

Master of Wine, Emma Jenkins, has provided the following descriptions of the sensory attributes typically associated with wines from the Nelson GI.

Varieties

i. Chardonnay

A key variety. Wines of good to excellent quality are made in a range of styles encompassing entry level, fruit-driven wines with little winemaking intervention through to critically-acclaimed examples vinified in high quality French oak intended for longer-term ageing. The GI's milder climate delivers typically ripe fruit expression with good intensity. Wines range from medium to fuller-bodied with ripe citrus, melon and stonefruit characters, often accompanied by creamy/buttery winemaking influences and seasoned with oak.

ii. Pinot Noir

The significant red variety for the GI. Good fruit ripeness and aromatic expressiveness are typical with styles ranging from light and fruity to weightier, more structured examples, often dependent on the vineyard's soil type and/or market position. Perfumed balanced wines with ripe red berryfruit, cherries and plum fruit expression alongside spice and light herbal notes. Quality French oak use is common with varying degrees of intensity. Rosé styles are also made.

iii. Sauvignon Blanc

A well-regarded variety for the GI, with expressive wines of good ripeness. Rich in fruit with strong varietal expression of both tropical fruit and herbaceous elements, usually without excessive pungency. Palate structure is crisp and balanced. Wines tend to be made to showcase the fruit purity of the GI, though there are also examples with lees and/or oak work intended for more complexity of style as well as potentially longer-term ageing.

iv. Pinot Gris

A popular variety with wide market potential. The region's milder climate allows for ripe-fruited examples rich in stonefruit, tree fruit and spice, generally made in a relatively neutral fashion to enhance fruit purity but occasionally also with lees and/or oak use for greater complexity. Wines are well-balanced and retain acidity for freshness. Residual sugar levels vary according to desired style.

v. Riesling

Relatively small plantings; good critical acclaim. Ripening conditions allow a range of styles from dry to dessert-wine sweetness, often Late Harvest rather than botrytis-affected. Late-season rains can therefore affect this variety. Wines tend to showcase the excellent purity of fruit: ripe lemons, limes, blossom through to passionfruit and quince, and are well-balanced by crisp acidity.

vi. Gewürztraminer

A very small proportion of the GI's vineyard area however strongly championed, and critically recognized as a variety well-suited to the region. Very good aromatic expression is achieved with ripe tropical fruit, rose petal and spice notes common; residual sweetness levels vary according to vintage and desired style but generally tend towards riper styles with balanced alcohols and acidity. Winemaking influence is minimal to promote fruit purity.

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vii. Albarino

A newcomer by way of Spain finding increasing favour due to the suitability of the climate, which delivers ripe fruit expression – stonefruit, citrus – while retaining crisp acidity. Wines tend to be made in a fresh, fruit-driven style with minimal winemaking intervention.

viii. Viognier

Very small plantings but the GI's milder climate and high sunshine hours are well-suited to the later-ripening variety's needs. Classic aromas and flavours of stonefruit, floral and herbal notes are achieved in ripe-fruited wines, typically medium-bodied, with balanced alcohol and acid levels.

ix. Syrah

A minority red variety for the GI; milder climate allows a typically soft, open, fruity style with fresh acidity and light peppery/herbal notes. Gently supporting oak use is common.

Premium positioning

Wines from the Nelson GI are typically positioned at the premium end of the wine market with some producers at the “ultra-premium” end. This premium positioning is reflected in the average score that wines from the Nelson GI receive of 86¹⁰ points on the 100 point scale, which is considered ‘Very good: a wine with special qualities’¹¹. Additionally, 48% of wines scored an average of 4 to 5 stars by Michael Cooper (MW) which is recognised as being a wine of excellent or outstanding quality.¹²

Reputation

The Nelson GI has established a reputation for the production of premium wines – particularly aromatic white varieties, chardonnay and pinot noir. The region, with its 3 national parks, diversity of agriculture, artisan food producers and climate attracts large numbers of both national and international tourists which in turn contributes to both the renown and the image of Nelson as a winegrowing region.

The geographical factors outlined above contribute to the specific characteristics of wines bearing the Nelson GI also contribute to their reputation. These factors both dictate the necessity for production of premium, distinctive wines, and provide a suitable environment for the production of such wines. The reputation of wines bearing the Nelson GI is built upon and justified by the longstanding production of premium, distinctive wines and enhanced by the tourism values of Nelson

Use of the Nelson GI

“Nelson” has been used consistently and continuously on wines since the first commercial release of wines from this region by Seifried in 1977. Wines from the Nelson GI have never used any other regional or geographical indicator. Historical examples of wine labels using the GI are shown in Appendix 1.

While production is not large and export quantities are comparatively low, export statistics show that Nelson has been used as a GI on 15.81 million litres of export wine from the vintages 2009-2016. This equates to 21,079,508 x 750 mL bottles or 1,756, 625 x 9L cases of wine available for sale on the international market bearing the Nelson GI over a 6 year period¹³. The effect of such usage is



significant as, through the process of sale, the Nelson GI will appear on price lists and catalogues, advertisements, media and consumer tastings, shelf talkers and on restaurant wine lists.

The national wine industry association, New Zealand Winegrowers (NZW), has long recognised the Nelson GI and reference to the GI has been included in many of NZW's publications which are publicly available and distributed nationally and internationally in hard and soft versions. These include the following examples:

- The NZW Annual Report <https://www.nzwine.com/media/1214/nzw-annual-report-2016.pdf>;
- The NZW Vineyard Register Report: <https://www.nzwine.com/media/4221/2017-vineyard-register.pdf>;
- The www.nzwine.com website;
- NZW pamphlets and materials about the NZ wine industry and its regions, such as:
 - *Nelson (Sub-regions tab)*: <https://www.nzwine.com/en/regions/nelson/>
 - *A Land Like No Other*: <https://www.nzwine.com/media/6390/a-land-like-no-other.pdf>.
- The New Zealand wine regions map A0 size poster which is widely used including in association with all national and international promotional activities. This map also appears as the sixth panel in the *A Land Like No Other* pamphlet.
- Producers within the NELSON GI also participate in international marketing events and incoming visitor programmes and events organised through NZW. These frequently feature regional overview tastings and education programmes including NELSON GI wines as well as participation from producers within the GI. These combined activities have an enormous global reach, covering millions of consumers in NZ, Australia, Europe, North America and Asia. Data on the reach of these events is set out in the NZW 2016 Annual Report.

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Examples of the Nelson GI in use are shown below.



Appendix 1 is a selection of historical examples where the Nelson GI has been in use in the market place

The Nelson region GI is at the heart of the marketing strategy for producers within the GI, with the emphasis on the geographical location and sense of place. The vast majority of producers within the GI are fully paid members of Wine Nelson – the collective marketing body for the region’s wine producers (a subsidiary of the Applicant, Nelson Winegrowers Association). The Nelson region has an enviable climate, with a sheltered coastline and a landscape that ranges from sandy beaches to rugged mountains.

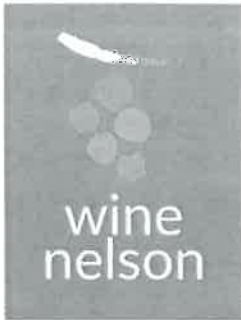
The Wine Nelson brand identity is made up of three key themes being:

- 1) Boutique family-owned vineyards,
- 2) The attractiveness of the Nelson Region and
- 3) The wines and people are world class.

The attractiveness of the region is further defined as the clay, river stones, breath-taking landscape, beautiful clear skies, stunning sunsets and warm sunshine. In 2014 the brand and logo were changed from Wine Art, to Wine Nelson, as a vehicle to more clearly define our identity as a Wine region within an incredibly beautiful region of New Zealand and therefore partner with our local Tourism

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office to leverage the existing promotional activity. Our logo has been designed to incorporate these regional features:



Throughout all of Wine Nelson’s marketing, which includes print advertising, website and social media platforms (Facebook, Twitter and Instagram), reference is made to location: “Wine Nelson, home to some of NZ’s most inspired wines, hops, pristine beaches, blushing sunrises, captivating sunsets, star-gazing, fresh seafood and sunniest climates.” Each year we host a New Release Tasting event hosted on the waterfront in Nelson. More than 20 local producers showcase their wines targeting media, trade and the general public. Wine Nelson has hosted an Aromatics Symposium in Nelson every three years since 2007 and hosted it again on behalf of New Zealand Winegrowers in January 2017. Annually a Wine Guide is produced for locals and visitors to our region, with more than 50,000 copies distributed nationwide. This guide encourages visitors to create their own itinerary, visiting cellar doors both on the Waimea Plains and in the Moutere Hills as well as exploring the unique countryside and attractions on offer.

Formal recognition of the Nelson GI

While New Zealand has not had a formal registration system for GIs in place, the New Zealand Government has formally recognised “Nelson” on several occasions where this has been necessary to facilitate exports. This provides evidence that the Nelson GI is already recognised by the New Zealand Government to the extent possible under the current New Zealand law, and that such recognition has been accepted by the governments of other countries.

In 1981, the New Zealand Government requested that “Nelson” be included as a viticultural region on the European Union’s official list of “geographical ascriptions”¹ to be used on New Zealand wines exported to that market.²

The New Zealand Government included “Nelson” in the list of “Appellations of Origin” submitted to the United States Department of the Treasury Bureau of Alcohol Tobacco and Firearms as the official list for use on wines exported to that market.

In 2008, the New Zealand Government included “Nelson” as a New Zealand geographical indication for use on wines exported to the European Union in the *European Union: Wine: Overseas Market Access Requirements Notice*.³

In 2010, the New Zealand Government included “Nelson” as a New Zealand geographical indication for use on wines exported to Brazil in the *Brazil Wine Notice of Overseas Market Access Requirements*.⁴

In 2013, the New Zealand Government included “Nelson” on the list of New Zealand wine regions⁵ notified pursuant to Article 4(3)(e) of the World Wine Trade Group *Protocol to the 2007 World Wine*

¹ Note that the terminology of “geographical indications” did not come into use internationally until 1995.

²Commission Regulation (EEC) No 997/81 of 26 March 1981 laying down detailed rules for the description and presentation of wines and grape musts, Official Journal L 106/52.

³<http://www.foodsafety.govt.nz/password-protected/omars/eun/wine/other/part-2.pdf>

⁴<http://www.foodsafety.govt.nz/password-protected/omars/bra/wine/other/part2.pdf>

⁵ Note that the Protocol does not use the terminology of “geographical indications” although it is understood that GIs fall within the definition of “wine regions” at Article 1(g) of the Protocol.



*Trade Group Agreement on Requirements for Wine Labelling Concerning Alcohol Tolerance, Vintage, Variety, and Wine Regions.*⁶

Nelson is included as a New Zealand GI on the International Organisation for Wine and Vine's *International Database of Geographical Indications*.⁷

Quality reputation of the Nelson GI

The Nelson GI is globally recognised as a location for the production of premium wines. This is demonstrated through recognition of the Nelson GI in leading national and international wine publications and media, as well as through national and international awards won by wines bearing the Nelson GI.

For example, the current (2nd) edition of Michael Cooper's *Wine Atlas of New Zealand* states ". . . Riesling and Chardonnay perform strongly throughout the region. Some highly aromatic, richly flavoured Gewurztraminers and Pinot Gris are also produced, and Pinot Noir is yielding superb wines at Upper Moutere and on the edge of the Plains in heavier, clay-based soils at the base of the hills."¹⁴

Nelson is also referred to in *The World Atlas of Wine* (7th Edition), written by two of the foremost, and well regarded wine writers internationally - Hugh Johnson & Jancis Robinson as: "A versatile region, producing freshly herbaceous Sauvignon Blanc and sturdy, rich Chardonnay and Pinot Noir, it also has a strong reputation for aromatic whites, especially Riesling and increasingly popular Pinot Gris."¹⁵

Appendix 2 is a selection of national and international publications and media articles which refer to the Nelson GI.

Appendix 3 is an indicative list of national and international awards won by wines bearing the Nelson GI

⁶[http://ita.doc.gov/td/ocg/Notification%20of%20Wine%20Regions%204%203\(e\)%20New%20Zealand.pdf](http://ita.doc.gov/td/ocg/Notification%20of%20Wine%20Regions%204%203(e)%20New%20Zealand.pdf)

⁷<http://www.oiv.int/oiv/info/enbasedonneesIG>



Appendix 1: Examples of the Nelson GI being used historically in the market



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Appendix 2: National and international publications and media articles referring to the Nelson GI

“ . . . the region already boasting some of the country’s top Pinot Noirs and Chardonnay. It’s also building an increasing following for its softer style Sauvignon, and other fresh and vibrant aromatic white varieties”. Burzynska, J (2009) *Wine Class; all you need to know about Wine in New Zealand*. Random House, New Zealand

“The vineyards are mostly undulating, and most of the growing number of wineries are boutique, rather than large concerns. The quality of the wine is excellent.” Johnson, H (2009). *Wine Companion; the encyclopedia of wines, vineyards and winemakers* (6th Edition). Mitchell Beazley Ltd. London, England.

“Nelson is a small region with plenty of sunshine for ripening grapes.” Bateman, D (2002) *Global Concise Wine Encyclopedia*. (pp. 320) Global Book Publishing NSW, Australia. pp. 320.

“A versatile region, it is succeeding with several varieties. Sauvignon Blanc from the Waimea Plains can be distinctly Marlborough-like, and Riesling and Chardonnay perform strongly throughout the region. Some highly aromatic, richly flavoured Gewürztraminers and Pinot Gris are also produced, and Pinot Noir is yielding superb wines at Upper Moutere and on the edge of the plains in heavier, clay-based soils at the base of the hills.” Cooper, M. (2017, March 22) *Regional Wine Profiles – Nelson*. Retrieved March 22, 2017 from <http://michaelcooper.co.nz/region-info/>

“Flight four consisted of only two wines, but what beauties they were, coming from Nelson, the sunshine capital of the country, perched at the top of the South Island. The fascination here was that both wines, beautifully balanced, delivered ripeness at red! There was no sign of the black fruit of Martinborough. The two producers— Tim and Judy Finn at Neudorf and Andrew Greenhough— have more than five decades of experience between them and they have clearly put this to good use.” Morris, J (MW) pp. 212-217 in Beckett, N (Ed) *The World of Fine Wine*. (Issue 57 2016) Progressive Media International. London, United Kingdom.

“Nelson has magical versatility when it comes to turning out remarkably pure, aromatic whites alongside deeply complex, powerful pinot noir and everything in between. Yes there are pockets of perfection in the soil for grapevines of all descriptions, but it’s also the talent pool of exceptionally gifted oeno-people that Nelson has at its disposal, which makes it such a strong, solid wine region.” – Yvonne Lorkin (2016)

“Nelson Winemakers are creating hand-made wines, taking risks with wild yeast fermentations, unproven grape varieties and new styles of wines. It is this skilled artistic approach to wine making



rather than a factory-focused one that makes the synergy between wine and art so natural in the Nelson Region.” – Joelle Thomson (2016)

“Nelson can produce striking results with Sauvignon Blanc, Chardonnay, Riesling and Pinot Noir” Michael Franz (2015) <http://www.winereviewonline.com> (retrieved December 16, 2015)

“Nelson’s reputation rests primarily on small, family-run wineries focused on Pinot Noir, Chardonnay, and Riesling. . . Standout producer Neudorf’s highly complex, beautifully structured, age worthy (10 to 20 years) Montrachet-like Chardonnays are among Australasia’s finest. Firmly structured and condensed, Pinot Noir, Pinot Gris, Sauvignon Blanc, and Riesling are produced in pairs to illustrate Nelson’s prevailing soil types.”

Paul White, iSante Magazine – The wine Gods shine on South Island (Feb 15 2011) from <http://isantemagazine.com/article/wine-gods-shine-south-island> (retrieved March 22, 2017)

“Small in size but with a big reputation, the temperate region of Nelson on New Zealand’s South Island is home to family-owned estates producing stellar wines.” Nick Ryan pp. 139 in *Gourmet Traveller Wine* (February 2011) Nelson tasting.

“Nelson is a magic place to visit and the wines can be simply terrific.” Cameron Douglas (MS) pp. 59-61 in *Hospitality*, December 2010. Thirst, Wine: Tasting Log.

“Nelson produces some of the country’s most irresistible and gratifying wines. As we embrace and celebrate regionality, it is fitting to pay more attention to this little region renowned for gloriously perfumed aromatics and sumptuously delicious Burgundy varieties.” Sam Kim (2010) pp.58. *Grill Magazine*. Aromatic Beauties – Understanding Nelson; undeniably a fine wine region.

“With pinot noir and chardonnay our (New Zealand’s) dominant red and white fine wine styles, Nelson must rank two producers among the top 10 in both: Neudorf and Greenhough.” Stewart, K (2007)pp. 34-35 in *New Zealand Listener* (Vol 208) Drinks: Promise Aplenty.

“Neudorf in New Zealand’s Nelson region produce world-class wines which are remarkable for their quality and consistency. As confirmation, a 200 Moutere Chardonnay showed at dinner one evening sat comfortably alongside a 1er cur Puligny Montrachet” – Anthony Rose, The Wine Gang UK.



Appendix 3: Indicative list of national and international awards won by wines bearing the Nelson GI

This is not a complete list, rather an indicative list of the types of awards and accolades that wines from the Nelson GI have received.

Year	Show	AWARD / Recognition	Wine
2016	Bragato	Brother Cyprian Trophy Winner - Champion Pinot Gris	Aronui Pinot Gris Single Vineyard Nelson 2016
	Bragato	Alan Limmer Trophy Winner - Champion Syrah	Falcon Ridge Estate Syrah Nelson
	World of Fine Wine Magazine	Jasper Morris (MW) NZ Pinot Noir tasting - World of Fine Wine Magazine - Top 2 places	Greenhough (1st) and Neudorf (2nd)
	Mundus Vini Grand International Wine Awards	Best in Show for New Zealand Red Wine	Blackenbrook Family Reserve Pinot Noir 2014
	Royal Easter Show	Gold Medal	Brightwater Vineyards Lord Rutherford Pinot Noir 2014
	Tri Nations Wine Challenge	Trophy winner	Neudorf Moutere Chardonnay 2013
2015	Air New Zealand Wine Awards	Champion Other White Styles	Waimea Family Estate Albarino 2015
	Air New Zealand Wine Awards	Champion Pinot Noir	Brightwater Vineyards Pinot Noir 2014
	Air New Zealand Wine Awards	Champion Sweet Wine	Seifried Winemakers Collection Sweet Agnes Riesling 2015
	Australian Alternative Varieties Wine Show	Best New Zealand Wine	Aronui Albarino 2014
	Sydney International Wine Competition	"Top 100 Wines"	Aronui Albarino 2014
	Sydney International Wine Competition	"Top 100 Wines"	Aronui Pinot Gris 2014
	Sydney International Wine Competition	"Top 100 Wines"	Waimea Family Estate Gruner Veltliner 2014
	Sydney International Wine Competition	"Top 100 Wines"	Waimea Sauvignon Blanc 2014
	Sydney International Wine Competition	"Top 100 Wines"	Seifried Winemakers Collection Sweet Agnes Riesling 2014
	Sydney International Wine Competition	"Top 100 Wines"	Woolleston Estate Pinot Noir 2011
	Bob Campbell (MW) Wine Reviews	Perfect score (the first perfect score he has ever awarded any wine)	Neudorf Moutere Chardonnay 2014
	Bragato	Trophy winner - Champion Gewurtztraminer	Blackenbrook Gewurtztraminer 2014
	Royal Easter Show	Trophy Winner - Champion Pinot Gris	Aronui Pinot Gris 2014
2014	Air New Zealand Wine Awards	Trophy Winner - Champion Pinot Gris	Sea Level Pinot Gris 2014
2012	Royal Easter Show	Trophy Winner - Champion Chardonnay	Brightwater Vineyards Chardonnay 2009

Year	Show	AWARD / Recognition	Wine
2010	Royal Easter Show	Trophy Winner - Champion Wine of the Show	Brightwater Vineyards Chardonnay 2009
2011	Decanter World Wine Awards	Trophy - Champion New Zealand Sauvignon Blanc (under 10)	Waimea Estate Sauvignon Blanc 2010
2010	New Zealand International Wine Show	Best Pinot Gris	Blackenbrook Reserve Pinot Gris 2008
	Decanter World Wine Awards	International Trophy for Best Sweet Wine	Seifried Estate Sweet Agnes Riesling 2009
2007	Bragato	Trophy	Blackenbrook Sauvignon Blanc 2007
	Bragato	Trophy	Stafford Lane Pinot Gris 2007
	Bragato	Trophy	Seifried Estate Gewurtztraminer 2007
	Bragato	Trophy	Waimea Estate Noble Riesling 2004
	Decanter World Wine Awards	International Trophy for Best Sweet Wine	Seifried Estate Sweet Agnes Riesling 2006

Note: Seifried Estate Winemakers Collection Sweet Agnes Rielsing has won 14 trophies since being released in 2006.

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14. Cooper, M (2008). *Wine Atlas of New Zealand*. Hachette New Zealand Ltd.
15. Johnson, H & Robinson, J (2013), *The World Atlas of Wine* (7th Edition). Octopus Publishing Group, London, England.

Declaration

I, Jane Docherty, of

[Name]



[Place of residence]

Mapua

being a person authorised to present evidence in support of this Application on behalf of the Applicant, solemnly and sincerely declare that:

1. The information contained in and with this document is true and correct to the best of my knowledge.
2. I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Name: Jane Docherty

Signature:



Declared at Mapua, Nelson this

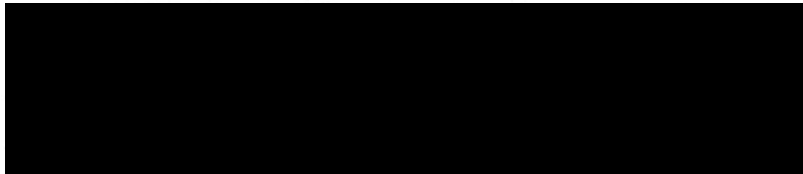
7th

day of December ~~November~~ 2017.

Before me:

JUDITH M MITCHELL
JUSTICE OF THE PEACE
107 ARANUI ROAD
MAPUA NELSON

Signature:



Appendix 1: Examples of the Nelson GI being used historically in the market



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NEUDORF

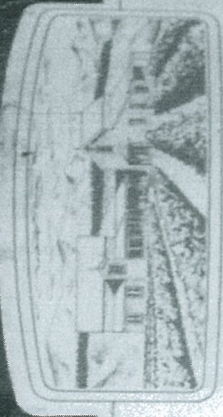
CABERNET SAUVIGNON

1982

*First vintage Cabernet Sauvignon
A dry smooth wine with full fruit tones
This wine will develop further with bottle age
Serve at room temperature*

750 ml

J.P. & J.M. FINN, NEUDORF RD. UPPER MOULTERE DISTRICT
N.Z. ALC. BY VOL. A PRODUCT OF NEW ZEALAND



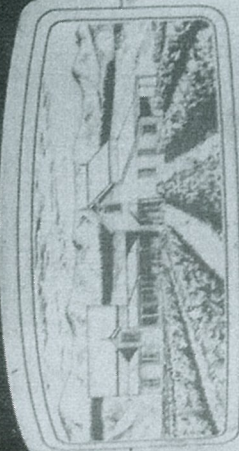
Neudorf

CHENIN BLANC 85

*Fragrant and balanced with a light natural sweetness
Recommended cellaring 2 - 3 years*

750 ml

J.P. & J.M. FINN, NEUDORF RD. UPPER MOULTERE DISTRICT
N.Z. ALC. BY VOL.



Neudorf

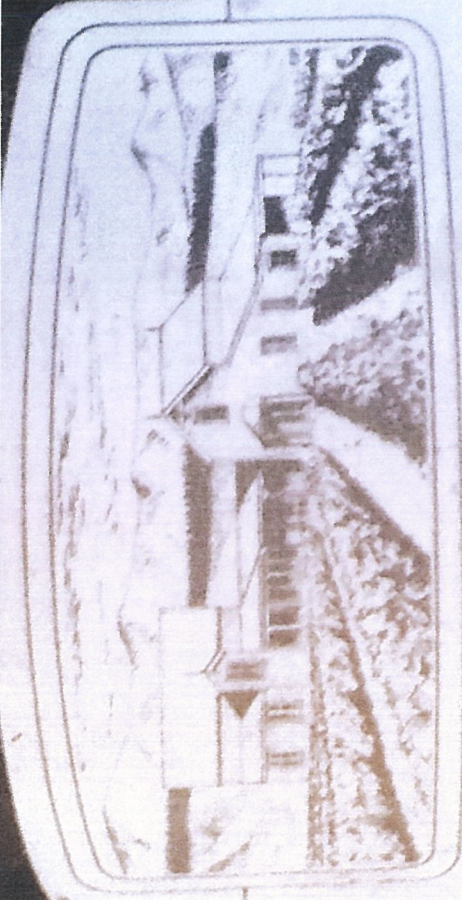
CHENIN BLANC 85

*Fragrant and balanced with a light natural sweetness
Recommended cellaring 2 - 3 years*

750 ml

J.P. & J.M. FINN, NEUDORF RD. UPPER MOULTERE DISTRICT
N.Z. ALC. BY VOL.

Handwritten initials or signature



Neudorf

CHENIN-BLANC 85

Sweet and balanced with a light natural sweetness.

Recommended cellaring 2 - 3 years.

750 ml

Produced by Vol.

100% NEUDORF RD, UPPER MOUTERE, NELSON NEW ZEALAND

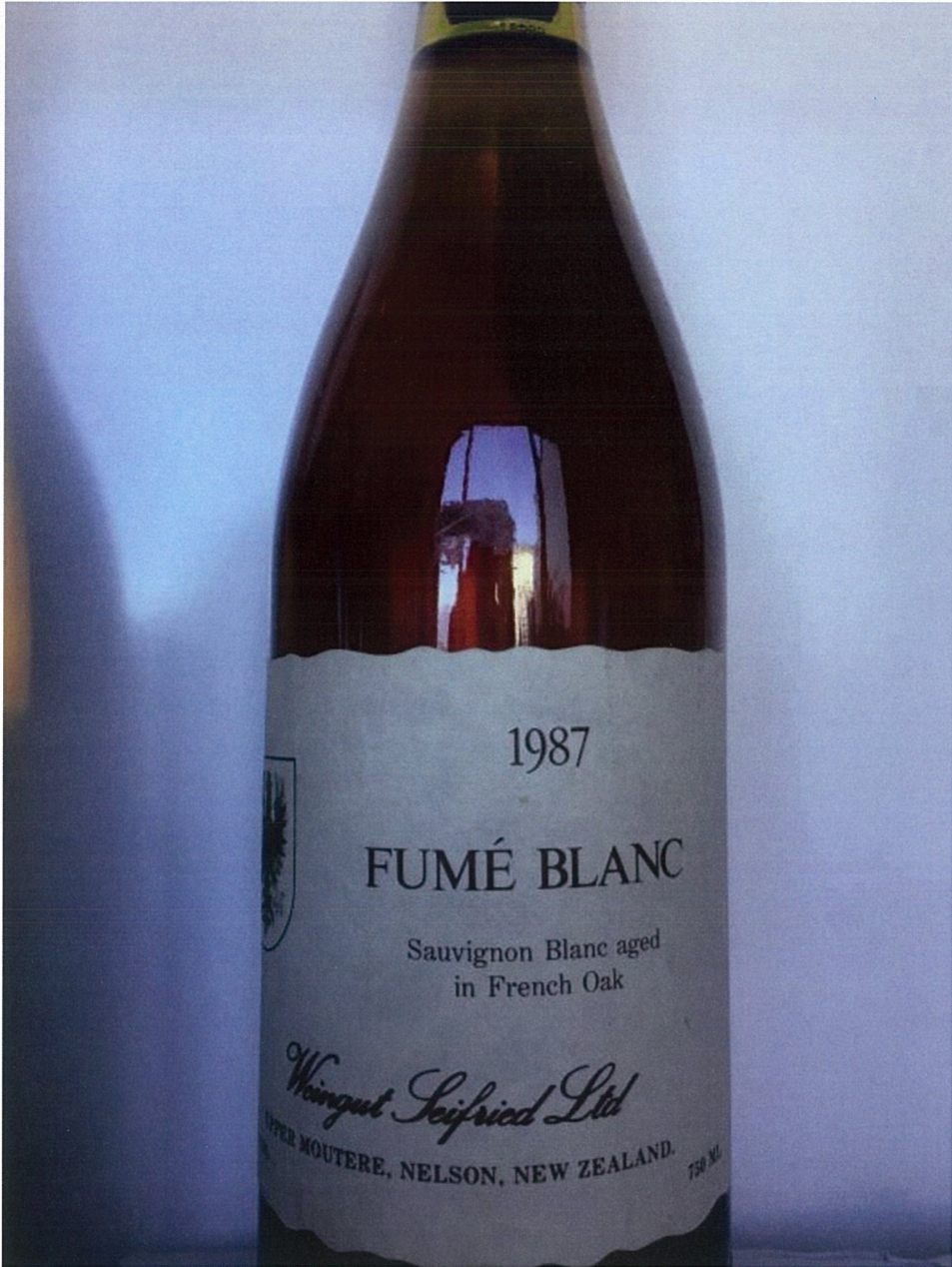
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Examples of the Nelson GI in use are shown below.

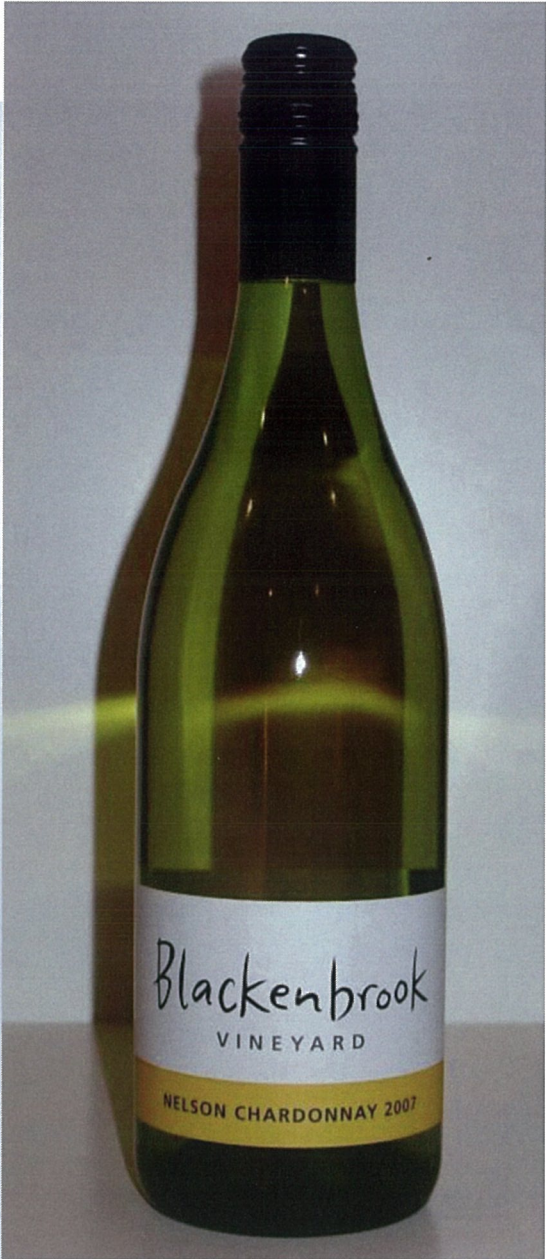


Appendix 1 is a selection of historical examples where the Nelson GI has been in use in the market place

A handwritten signature in blue ink, consisting of stylized initials and a surname.



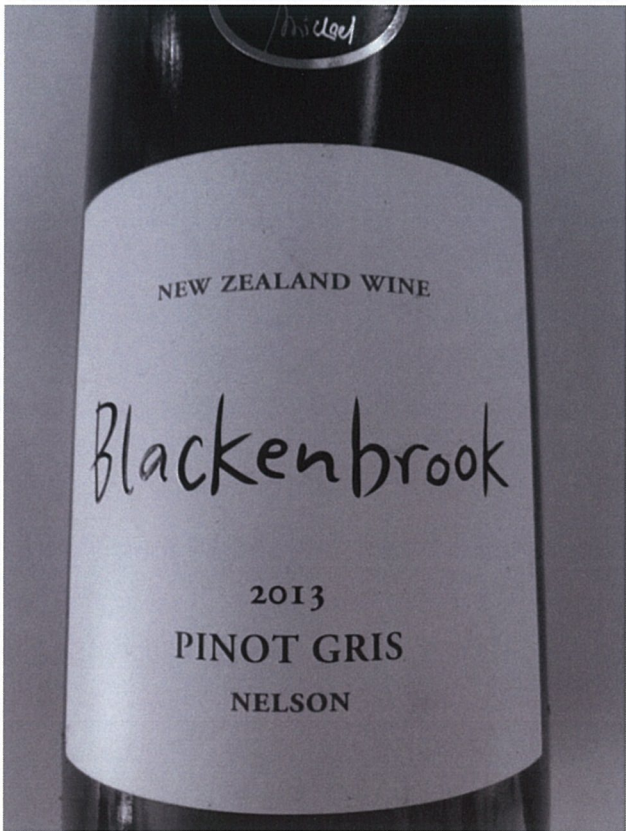
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MSD



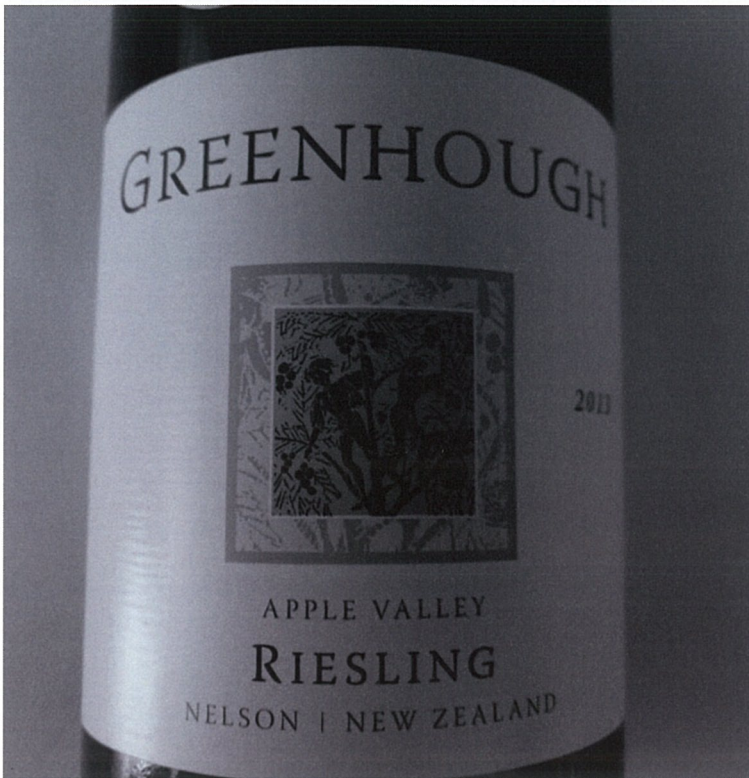
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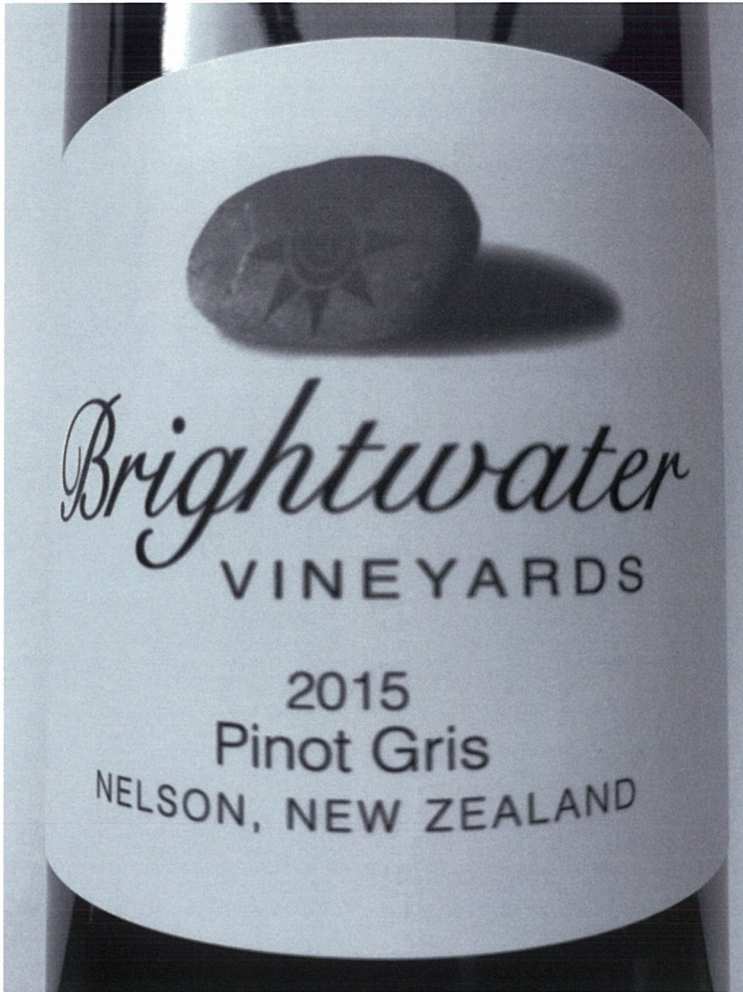
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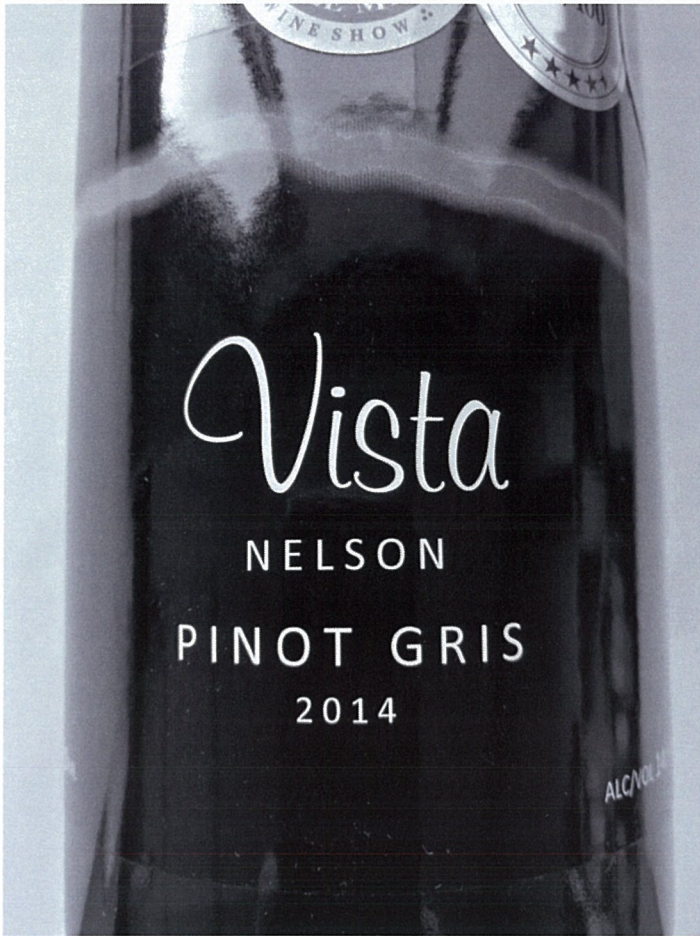
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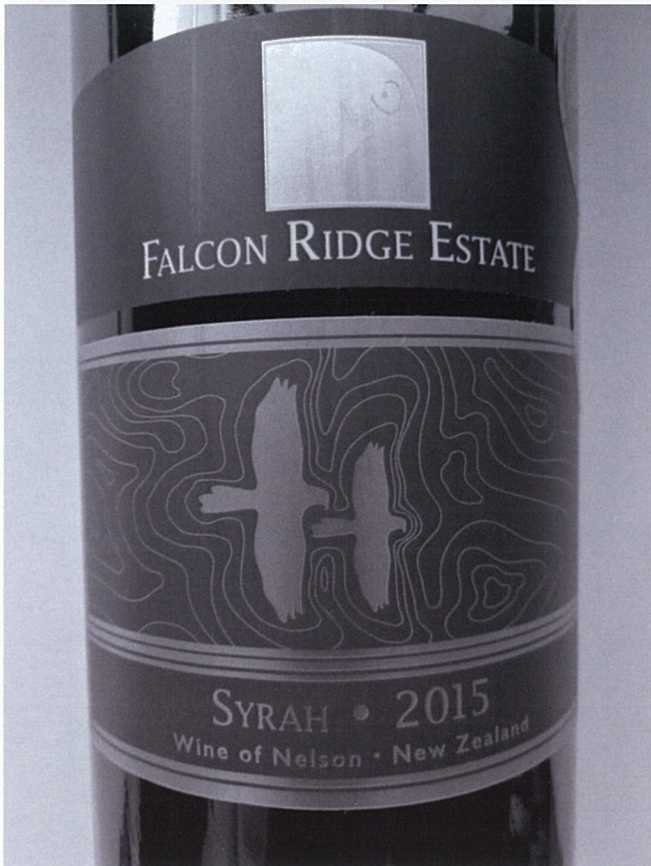
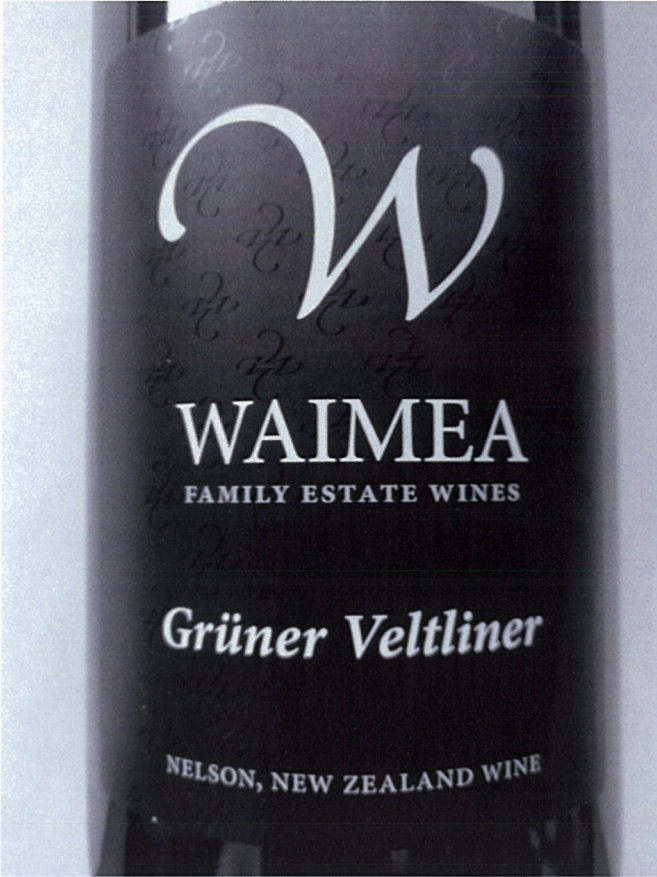
Handwritten signature or initials in blue ink.



Signature



gm



[Handwritten signature]