

NZ GEOGRAPHICAL INDICATION (GI)

EXAMINATION CHECKSHEET

Application information (reg 7) and formalities

Box Reference Number			
1	GI Number: 1004	GI Name: WAIPARA VALLEY/ WAIPARA	
2	New Zealand GI correctly selected (cf foreign)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
3	Goods GI for	<input checked="" type="checkbox"/> Wine	<input type="checkbox"/> Spirit

4	GI correct?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):	
5	Applicant/ Agent details correct	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):	
6	Wine or spirit correctly stated	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):	
7	Geographical co-ordinates relate to the place of geographical origin to which the GI relates	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):	
8	Description of Conditions provided	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> NA	Comment(s):

Additional Information required before Acceptance (reg 8(1))

9	Explanation of characteristic essentially attributable to the GI	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):
10	Evidence of characteristic essentially attributable to the GI	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):

Examination

11	GI identical to registered GI (s10)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):
12	GI identical to customary name of grape variety (s11)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):
13	GI identical to common name for wine or spirit (s12)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):
14	GI use or registration likely to be offensive (s13A)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s): Chairperson of Maori Advisory Committee determined the GI would not be Considered offensive to Maori

15	GI identical to trade mark for identical goods or services (s14)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):	
16	GI identical to trade mark for similar goods or services (s15)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):	
17	GI similar to trade mark for identical goods or services (s16)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):	
18	GI similar to trade mark for similar goods or services (s17)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):	
19	Conditions of use Entered (s41)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> NA	Comment(s):

Reference Searches

20	Accepto searches saved to MAKO	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):
21	Internet searches saved to MAKO	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):

Evidence

22	Statutory declaration/ affidavit complies with s9 of Oaths and Declarations Act 1957 (for statutory declarations) or the High Court Rules (for affidavits)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Comment(s):
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Quality, reputation or other characteristic

The Applicant should explain and provide evidence of the quality, reputation or other characteristic of the wine or spirit that is attributable to the GI (**reg 8(1)**).

The explanation and evidence should show how the specific characteristic(s) of the wine and/or spirit are linked to features (whether natural or human) within the geographic area.

The below template includes headings that reflect the type of information that IPONZ typically expects to receive as part of an application (**reg 8(2)**).

History and background

The quality, reputation and other characteristics of wine or spirits from a particular area will often be linked to the founding and development of the area for wine or spirit production. Background may also include a description of the history relating to the word that indicates the area as a GI.

23	<p>Comment(s): <i>See page 3</i></p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>The WAIPARA VALLEY GI is situated within North Canterbury. The southern end of the GI is approximately 40 kilometres north from Cathedral Square, Christchurch. WAIPARA VALLEY has 1250 Ha of vines. It has fast established itself as one of the premium wine producing regions of the country particularly in Pinot Noir, Chardonnay and the Aromatics. According to Bob Campbell the</p> </div>
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	<p>Industry structure within the WAIPARA VALLEY GI contributes to the distinctiveness and reputation of wines from the GI. The WAIPARA VALLEY GI is a sub-region of the North Canterbury GI and even larger Canterbury GI. The WAIPARA VALLEY has always had its own distinctive identity which is due in large part to the fact that 85% of the fruit grown in the wider Canterbury GI comes from the WAIPARA VALLEY.</p> <ul style="list-style-type: none"> • The first plantings in the Waipara Valley were made by John McCaskey, who experimented with grapes in the mid-1960's • Waipara Valley plantings expanded in the late '80's and early nineties • Today there are 74 vineyards and 12 wineries in the region
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Geographical features in the area

Geographical features may include general topography, elevation, natural features that provide shelter or that alter wind direction, ridges, valleys, plains, underground waterways and water tables, proximity to the coast or other bodies of water, slope, aspect and accessibility.

24	<p>Comment(s):</p> <p><i>Page 2:</i></p> <ul style="list-style-type: none"> • distinctive geology and soils that contribute to the flavour of the wines; <p>Further information can be located under the heading: <i>Geographical features in the area/ soil composition in the area</i>- page 4; see also box 25</p>
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Soil composition in the area

Soil composition in the area may include the soil type or types (such as sandy, clay, silt or loamy soils), and the presence of particular rock (such as gravel, schist or slate). The characteristics of the soil such as its temperature, pH, drainage, salinity and nutrient/mineral profile may also be relevant.

25 **Comment(s):** *Page 4; See also Box 24*

- Declarant states that soils influence the vine microclimate and therefore influence wine characteristics

The WAIPARA VALLEY GI has three general sites, valley floor, hill slopes and river terraces. The soil types include; gravely deposits on flats and terraces in the central and west of the valley, limestone derived clays on hillsides and valley floor to the eastern side and gravely loams over alluvial subsoil in the southern part of the region. The north facing moderately sloping terrain provides an ideal sun

Climate in the area

Applicants may like to include relevant climate data from the geographical area such as rainfall, temperature, prevailing winds and hours of sunshine. Ideally, such evidence should comprise or be supported by research data from a reputable institution.

26 **Comment(s):**

Page 2:

- a moderate climate with low rainfall that is conducive to producing high quality wines from a particular suite of grape varieties;
- a high level of diurnal fluctuation driven by hill ranges close to the sea, giving wines of great fruit character with well-balanced acidity;

Climate in the area- *pages 4, 5-8; See also Appendix 6*

- Declarant states that 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

Key climate features- *pages 5,6*

- Declarant states on *page 5* that:
- The Waipara Valley GI is both the warmest and driest of the South Island GIs, experiencing a long, relatively cool growing season and its wines typically display a vividly aromatic, fresh, fruitiness alongside a rounded, weightier palate richness as a result
- The declarant further states on *page 5*:

	<p>The WAIPARA VALLEY GI experiences significant diurnal shifts which enhance its wines aromatic expressiveness, varietal typicity and retention of natural acidity. The GI is also notably sunny with around 2400 hours sunshine per annum, a result of the surrounding mountainous rain shadows and low number of cloudy days. This, along with the extended growing season means the GI is able to ripen mid-season varieties such as Syrah, though such varieties can still pose a challenge in cooler years.</p> <p>○ The declarant further states on <i>page 6</i>:</p> <p>The WAIPARA VALLEY GI experiences very low rainfall and has a propensity for droughts due to the marked rain shadow effect of the Southern Alps combined with its generally free-draining soils. Irrigation is widespread. However the advantage of low rainfall is a long, dry growing season: not only essential for ripening grapes in a cool climate but also contributing to very low disease pressure, enhanced flavour and phenolic development without excessive sugars, plus excellent retention of natural acids.</p>
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Methods of producing wines and spirits

Human factors such as viticulture, winemaking or spirit-making practices may also be relevant. These factors are likely to be linked closely to natural factors such as steep, inaccessible terrain which can mean that less mechanisation is feasible. This in turn may mean that the wines or spirits from that area must be premium goods that are sold at a high price point in order to be profitable.

27	<p>Comment(s): <i>Pages 2, 9; See also Box 29 - <u>Ultra-premium market position</u></i></p> <p>The declarant states on <i>page 2</i> that:</p> <ul style="list-style-type: none"> • high costs relative to the volume of production, necessitating ultra-premium positioning in the market; • the predominance of small, owner-operated wine businesses with a shared vision of the GI as a region for producing high quality wines; <p><i>Viticulture and Wine-making – page 9 (see also pages 3 and 4)</i></p> <p>○ The declarant states that wine and wine making practices within the Waipara Valley GI are adapted to the production of ultra-premium wines from specific grape varieties in the range of physical environments that exist within the GI; these are aimed at promoting the distinctive characteristics of wines from the Waipara Valley GI.</p>
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	<p>Particular features of viticulture and winemaking practices within the WAIPARA VALLEY GI are as follows:</p> <ul style="list-style-type: none"> • In order to ensure that grapes are of the highest quality within the WAIPARA VALLEY GI growing environment, yields are typically restricted to between 4.6 and 10 tonnes per hectare for red grape varieties for premium bottled production and 6 and 13 tonnes per hectare for white grape varieties for premium bottled production. • Wines are made in small batches, often predominantly from single vineyards sites. • Red wines are typically aged in oak. Red wines are macerated on their skins for extended periods resulting in red wines with significant aging ability. • Grape growers and winemakers within the WAIPARA VALLEY GI have a strong commitment to sustainable winegrowing, with most participating in Sustainable Winegrowing New Zealand or organic certification. <ul style="list-style-type: none"> ○ Wine-making may take place outside of the region, which the declarant states does not detract from the expression of the characteristics typical of the GI in the resulting wine- <i>page 9</i> ○ Wines from the Waipara Valley GI may be made in styles that are lower in alcohol, including sweet wines and lower alcohol dry wines produces using permitted viticultural and winemaking practices- <i>page 9</i>
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Quality

The qualities of a wine or spirit from a particular area may include its aroma, flavour profile, sweetness, acidity, tannin, fruit, colour, structure, body, texture and viscosity, alcohol by volume, cellaring potential, typicity, signature characteristics, and varieties.

28	<p>Comment(s):</p> <p><i>Sensory attributes- page 9</i></p> <ul style="list-style-type: none"> ○ The Declarant's evidence includes descriptions of the sensory attributes typically associated with wines from the Waipara Valley GI. However, as this information has been provided by a person other than the declarant (namely Master of Wine Emma Jenkins) and is essentially hearsay, we are placing a low weighting on this information (<i>pages 9-10</i>) ○ That said information about quality attributes of the wines from the GI has also been provided elsewhere in the submitted evidence –<i>See Box 26</i>
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Reputation

Where relevant, applicants should provide evidence that demonstrates the extent of the reputation of the wines or spirits from the relevant geographical area. This may include, for example:

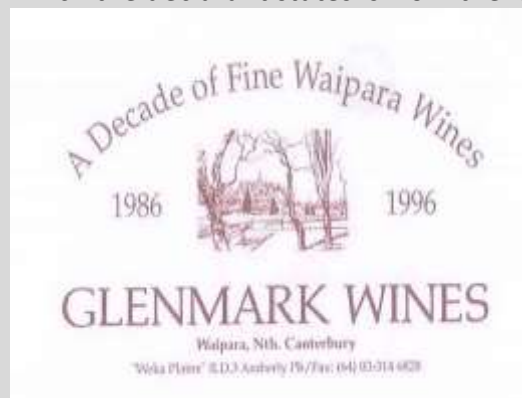
- Evidence that wines or spirits are sold and/or promoted by reference to the GI.
- Statements from chambers of commerce and industry or other trade and professional associations that the wine or spirit has a reputation that is essentially attributable to its origin.
- Evidence that the GI influences consumer purchasing decisions.
- Evidence of tourism linked specifically to the wines or spirits from the relevant area, such as vineyard or distillery tours.
- Sales figures, export figures and/or market share (may be provided on a confidential basis).
- Marketing spend (may be provided on a confidential basis) and marketing activities such as advertising, tastings and other promotional events.
- References to the GI in books, articles, blogs, social media, websites and menus from restaurants and bars.
- Evidence of national and international awards won by wines and/or spirits from the relevant geographical area.

29	<p>Comment:</p> <p>BOUNDARY The geographical boundary claimed for the Waipara Valley/ Waipara Valley GI is in line with, but broader than, the Waipara Valley itself.</p> <p>However, the evidence suggests that the reputation in the GI Waipara Valley extends throughout the area claimed.</p> <p>Alternate name: Waipara While the submitted evidence supports the position that wine from the Waipara Valley has characteristics, particularly reputation, essentially attributable to its geographic origin, there is not a lot of evidence that supports the Waipara as an alternate name.</p>
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- The declarant, *at page 11*, states that:

WAIPARA VALLEY, or its alternative form WAIPARA, has been used consistently and continuously on wines since the first commercial release of wines from this GI in 1989. Some examples of labels using the GI are attached as Appendix 2.

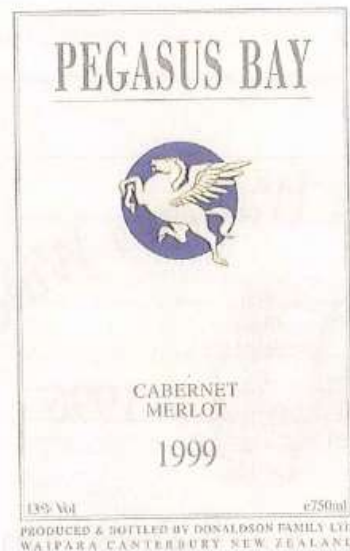
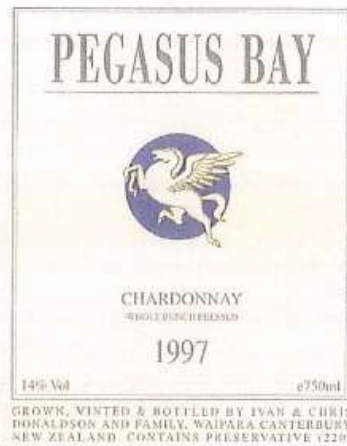
- In *Appendix 2*: the declarant has provided labels showing use of the alternate name Waipara on wine labels for Glenmark wines, Pegasus Bay, Muddy water and one that can't be read.
- The evidence shows once clear instance of the use of Waipara as a GI, which the declarant states is from the '80s



- Two Pegasus Bay labels and a Glenmark label from the late 1990s

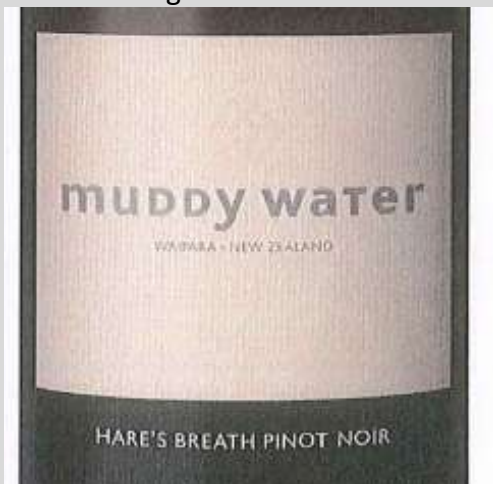


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- A further single Pegasus Bay label from 2001
- A further single label from an unknown year from “2010s onwards”



- Before acceptance the applicant will need to provide further evidence to support their position that Waipara is an alternate name for the Waipara Valley GI.
- This further evidence should show how the Waipara GI is used in relation to the applicant's wine goods. The evidence should include additional wine labels from various vineyards. The evidence should go towards showing consistent and continuous use of the Waipara GI on the applicant's wine goods up until the filing date of the GI.
- If the applicant is unable to provide this further evidence they may request to proceed in respect of the Waipara Valley GI alone.

Evidence relating to reputation

- In terms of the submitted evidence, we are of the view that the evidence of reputation of the wines from the area to which the GI relates constitutes the strongest case for accepting the GI for Waipara Valley.

Ultra-premium market position- pages 13 and 14 (see also page 3)

The Declarant states that wines from the Waipara Valley GI are high quality products produced for the premium to ultra-premium market segments- *page 3*

This is supported by the fact that there is a high value attached to wines bearing the Waipara Valley GI. Wines bearing this GI are of a high quality and are positioned/promoted at the ultra-premium end of the market.

Wines from the WAIPARA VALLEY GI are typically positioned at the “ultra-premium” end of the wine market, defined as wines priced between US\$15 – US\$50¹³ (NZ\$22 – 73) per bottle. The mean retail price of wines bearing the WAIPARA VALLEY GI is NZ\$32.99 per bottle. The range of retail prices is between NZ\$16 and NZ\$315 per bottle, and the median price is NZ\$32.99 per bottle.

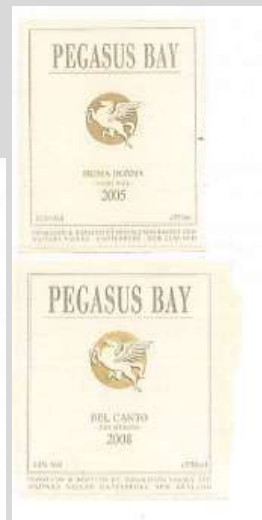
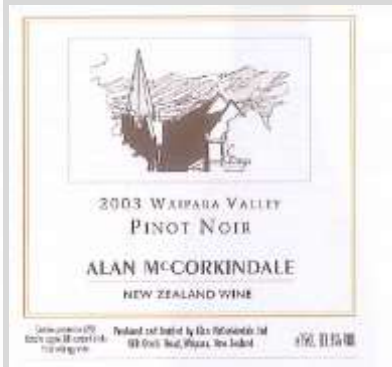
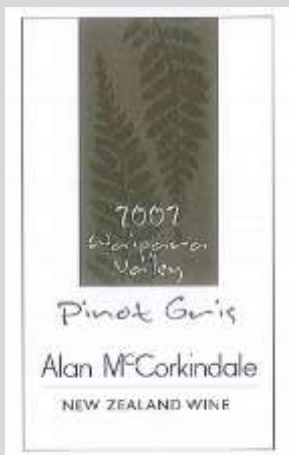
On average, wines bearing the WAIPARA VALLEY GI scored 90.8 points on the 100 point scale¹⁴, in which scores of 90-95 points are classed as Outstanding: a wine of superior character and style. Average scores in this range demonstrate that WAIPARA VALLEY GI wines are perceived in the market as being of ultra-premium or higher quality levels.

Export figures- page 11

There is a reasonable amount of sales of wine bottles bearing the GI Waipara Valley:

Wines from the WAIPARA VALLEY GI are also exported around the world. Data from the Ministry for Primary Industries indicates that 4.2 million litres of wine from the 2010-2016 vintages have been exported using the WAIPARA VALLEY GI.

Labels showing use of the Waipara Valley GI- Appendix 2



Formal Recognition of Waipara Valley GI- pages

Page 12:

The New Zealand Government included both "WAIPARA VALLEY" and "Waipara" 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.

Marketing and media – page 13; Appendix 3

- Examples of marketing of the Waipara Valley GI include the Waipara Valley wine and food festival; "Taste Waipara Valley"

Tourism

Page 2; (see also page 3)

- strategic location near to the major urban centre of Christchurch and tourism hubs such as Hanmer Springs and Kaikoura contributes to wine tourism and reputation.

Awards won by wine from the area to which the GI relates- Appendix 4

- An article set out in *Appendix 4* refers to the Waipara Valley wines
There are many links to articles as opposed to the full articles being exhibited

Other relevant information:

30

Comment(s):

GIs reputation

Some research indicates that Waipara has been recognised as an alternate name for Waipara Valley which goes towards recognition of both names as the GI

OMAR List

- The EU OMAR list for 2009 footnotes that Waipara may be used as an alternative to Waipara Valley:



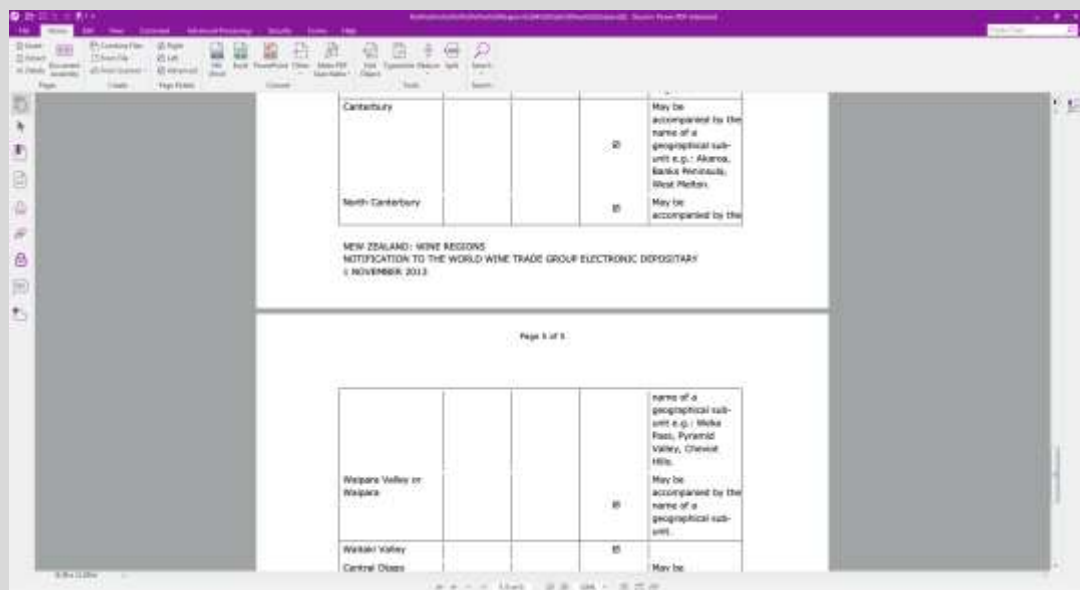
<http://www.foodsafety.govt.nz/password-protected/omars/eun/wine/other/part-2.pdf>

[https://www.trade.gov/td/ocg/Notification%20of%20Wine%20Regions%2004%203\(e\)%20New%20Zealand.pdf](https://www.trade.gov/td/ocg/Notification%20of%20Wine%20Regions%2004%203(e)%20New%20Zealand.pdf)

<https://www.trade.gov/td/ocg/protocol.htm>

World Wine Trade Group (WWTG)

The list recognises WAIPARA as an alternate name for WAIPARA VALLEY



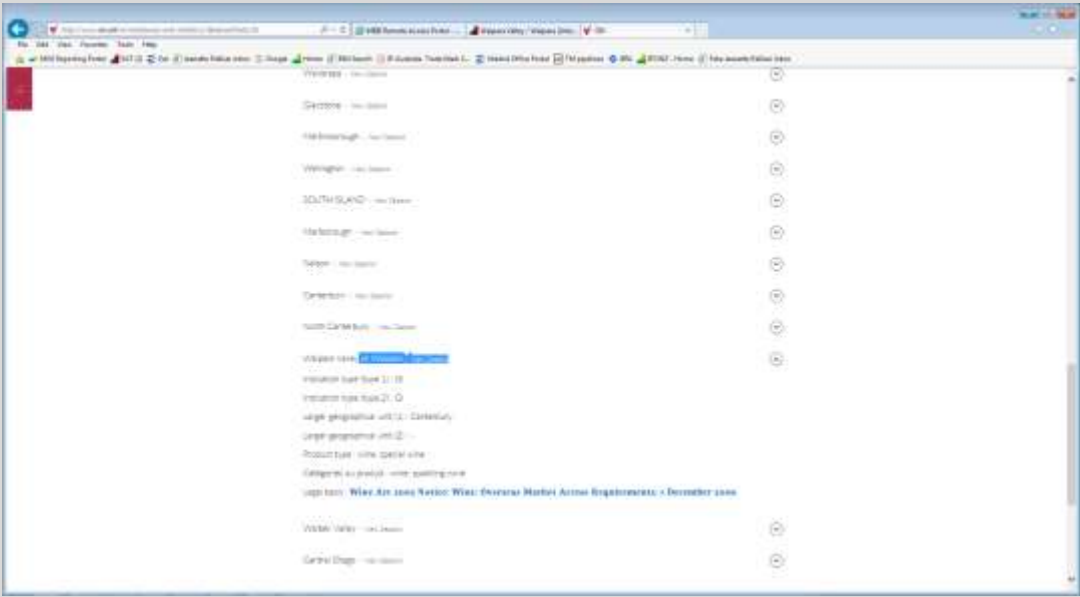
NEW ZEALAND - WINE REGIONS
NOTIFICATION TO THE WORLD WINE TRADE GROUP ELECTRONIC DEPOSITARY
6 NOVEMBER 2013

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Canterbury			20	May be accompanied by the name of a geographical sub-unit e.g.: Akaroa, Banks Peninsula, West Coast.
North Canterbury			10	May be accompanied by the
Waipara Valley or Waipara			10	name of a geographical sub-unit e.g.: Waikato, Pyramid Valley, Central Otago. May be accompanied by the name of a geographical sub-unit.
Waikato Valley			10	May be
Central Otago				

Organisation for Wine and Vine's International Database of Geographical Indications

- Waipara is listed as an alternate name for Waipara Valley listed on OIV list

	
	<p>http://www.oiv.int/en/databases-and-statistics/database?bdd=IG</p>

31	Examiner is satisfied that the Applicant has provided sufficient explanation and evidence of: the quality, reputation or other characteristic of the wine or spirit that is essentially attributable to the GI	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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32	Recommend for Acceptance?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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This Summary may not explicitly refer to every matter that has been considered by the Examiner