



## APPLICATION BY COMITÉ INTERPROFESSIONNEL DU VIN DE CHAMPAGNE (CIVC) FOR THE REGISTRATION OF THE 'CHAMPAGNE' GEOGRAPHICAL INDICATION IN NEW ZEALAND

This document sets out the application by CIVC to register as a geographical indication the French controlled appellation of origin 'CHAMPAGNE' and proof that 'CHAMPAGNE' is protected in the country of origin.

### NAME OF GOODS AND GEOGRAPHICAL INDICATION

The geographical indication which is the subject matter of this application is the name 'CHAMPAGNE' to describe a naturally sparkling wine produced in a defined geographical region of France by a process of double fermentation from grapes grown in the CHAMPAGNE vine growing region.

### GEOGRAPHICAL INDICATION AREA

#### A. Zone Delimitation

The delimitation of the CHAMPAGNE vine growing region dates back to the July 22, 1927 Act voted by the French Parliament.

It covers 34,300 hectares on which it is possible to plant vines, the grapes of which can be used to produce CHAMPAGNE wine.

The July 22, 1927 Act defines CHAMPAGNE wine to mean wine produced exclusively from grapes harvested and processed in the defined geographical area comprising of two defined zones as follows:

- a. The geographical zone, defined by the names of towns and villages, in which the CHAMPAGNE wine must be produced and handled. This zone includes villages in the five administrative areas in north-eastern France, namely, Aisne, Aube, Marne, Haute-Marne and Seine-et-Marne. The CHAMPAGNE vine growing area stretches over 150 km from north to south, at the very northernmost vine growing area in France, 100 km to the north east of Paris.
- b. The defined production area which includes all the plots of land located within the towns and villages of the defined region on which it is possible to plant vines suitable for making CHAMPAGNE Appellation d'Origine Contrôlée ("Appellation of Origin") wine.

The July 22, 1927 Act is still in force today.

### DESCRIPTION OF PRODUCTION PROCESS

#### A. Raw Materials (Products to be processed)

There are several regulations setting out the list of authorised grape varieties that may be cultivated in order to produce CHAMPAGNE wine.

These are:

1. The **Decree of 28 September 1935** which sets out the rules relating to the quality of CHAMPAGNE wine;

2. The **Decree of 29 June 1936**, which defines the CHAMPAGNE controlled appellation of origin, elaborating the definition of the natural and human factors; and
3. the current **Book of specifications on the Appellation of Origin CHAMPAGNE of November 22, 2010**.

The grape varieties, their proportion coupled with natural factors including climatic conditions are key factors in establishing the quality of CHAMPAGNE wine.

The three most prominent authorised varieties are:

- a. **Pinot Noir** - a black grape with a white juice accounts for nearly 38% of the plantings and lies at the heart of most blends - it gives CHAMPAGNE wine its body, structure, strength and grip. It is planted across the CHAMPAGNE vine growing region and particularly so in the southern Aube district and grows very well in Montagne de Reims.
- b. **Meunier** - another black grape with a white juice which gives a freshness and youth to CHAMPAGNE wine constitutes nearly 34% of the plantings. Its durability and resistance to spring frosts make the *Marne Valley*, a notorious frost pocket, its natural home. It ripens well in poor years and produces a soft, fruity style of wine that is ideal for blending with the more assertive flavors of Pinot Noir.
- c. **Chardonnay** - a white grape with white juice, which contributes finesse and elegance and constitutes nearly 26% of vineyards in the CHAMPAGNE vine growing region. It is relatively simple to grow, although it buds early and thus is susceptible to spring frosts. *The Côte des Blancs* is dedicated almost exclusively to Chardonnay.

The other grape varieties authorised in the making of CHAMPAGNE wine are Arbane, Petit Meslier, Pinot Blanc and Pinot Gris.

## B. Description of Production Method

The production method of CHAMPAGNE wine is highly regulated. During the period from 1935 to 2010, various quality rules concerning the production method of CHAMPAGNE wine have been laid down and a brief summary of the same, in chronological order, is provided below:

**1938** - Regulation methods of vine pruning were laid down.

**1952** - Regulations applying to vintage CHAMPAGNE wines (wines produced exclusively from a single harvest) were laid down. A mandatory three-year period of ageing in bottle commencing in the year following the harvest was prescribed.

**1978** - Height, spacing and density of plants (8,000 to 9,000 low-yield plants per hectare) and training and further pruning methods were laid down.

**1984** - Ban on the bottling of wines before 1<sup>st</sup> January of the year following the harvest.

**1991** - Approval becomes compulsory for all grape pressing centers.

**1993** - Juice extraction is reduced to 102 litres per 160 kilos of grapes rather than 100 litres per 150 kilos.

**1997** - Minimum periods of ageing in bottle are extended to 12-15 months for nonvintage wines and three years for vintage wines, commencing on the date of bottling.

**2010** - Formal document based on which the Appellation of Origin CHAMPAGNE is recognized and protected (book of specifications on the Appellation of Origin CHAMPAGNE of November 22, 2010).

The following are the production rules set out and followed in respect of the CHAMPAGNE wine:

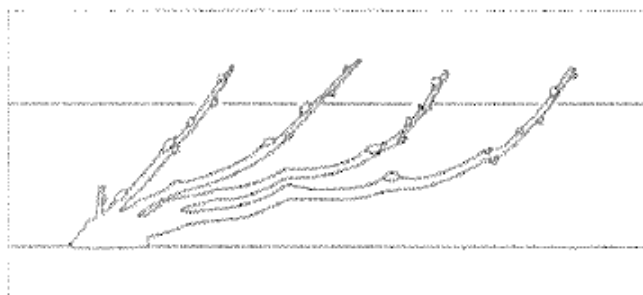
**The vine training:** The vine training is an important element in the quality and specificity of the wines. The density of vines is extremely high (approximately 8,000 vine stocks/hectare), which participate to the maturation of the grapes. The production of CHAMPAGNE wine is the result of a balanced marriage between the qualities of the different grapes: the Pinot Noir gives body and vigour, the Chardonnay finesse and lightness and the Meunier roundness and fruitiness. In each season there is different work to do in the vineyards and each production step is strictly controlled to ensure the vigour of the vine-stocks and the quality of the grapes.

For example:

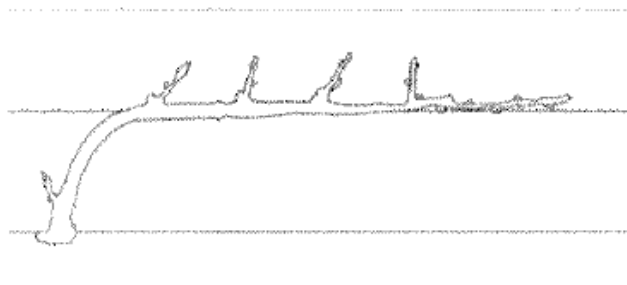
- Spacing between rows of vines must not exceed 1.5 meters;
- Distance between vine-stocks in the same row must be between 0.9 and 1.5 meters;
- The sum of the space between rows and the distance between vine-stocks must be less than 2.5 meters.

**Pruning:** there are four authorised pruning methods, as shown below, enabling wine growers to choose the method they prefer based on the grapes' varieties and the characteristics of the soil on each plot of land.

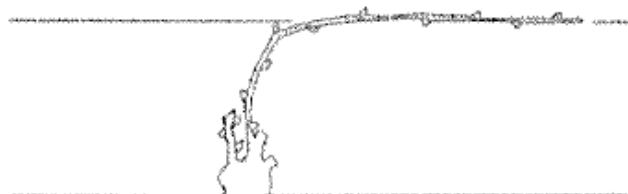
Chablis pruning



Cordon de Royat pruning



### Guyot simple pruning



### Guyot double pruning



**Yields:** Each year, a decree is published to establish the maximum yield per plot, based on the worldwide market needs, within a maximum yield ceiling of 15,500 kg per hectare.

**The harvesting of the grapes:** CHAMPAGNE vine growing region is one of the rare vine growing regions where grapes are still harvested entirely by hand. The law requires that the grapes are taken to the press undamaged (and no mechanical technique enables this to be achieved). This obligation is a guarantee of quality and ensures that the grape juice is not coloured. Picking is carried out about one hundred days after the flowering of the vines, which generally takes place from the end of May to the middle of June. The grape bunches are examined one by one and the green or damaged grapes are discarded. Not all of the harvest goes into the making of CHAMPAGNE wine. A maximum yield per hectare is fixed for each producer, yearly. This ensures that the quality is not threatened by an overzealous search for quantity. Compliance with these principles preserves the quality and the specificity of each grape-variety.

**Pressing:** When the grapes are harvested, they are immediately taken to the pressing centres that are distributed across the area, in order to reduce transport time and ensure the quality of the juices. The law sets out strict rules for the pressing of the grapes and the conditions under which pressing is carried out such as:

- the grapes are transported with utmost care due to their fragility and placed in special presses. The main objective of the process is to ensure that the juice obtained is not tainted by the skin of the black grapes;
- the bunches of grapes must be whole when pressed;
- they must be pressed in approved pressing centres, where the facilities have been declared compliant with a set of quality specifications using presses with a capacity between 2,000 and 12,000 kg;
- this operation is carried out rapidly and according to the clearly set out standards of production of CHAMPAGNE wine. The initial two or three rapid pressings of the grapes produce the "cuvée" juice, subsequent pressings give the "première taille" and then the "deuxième taille". Any further juice cannot be made into CHAMPAGNE wine;
- 160 kg of pressed grapes gives 102 litres of must;
- the initial press which provides 2,050 litres of must for 4,000 kg of grapes, then a second press providing only 500 litres for 4,000 kg.

**The wine making process:** After an initial traditional alcoholic fermentation, the still wines undergo a specific elaboration process which makes the CHAMPAGNE wine so distinctive.

**The blend:** The blending of still wines is a traditional practice for CHAMPAGNE wine. The process involves blending wines that come from different grape varieties, vineyards and harvests, in order to obtain maximum quality. Each winegrower makes blends to express a particular style and personality.

**The second fermentation in bottle:** This is a technique which was devised in the CHAMPAGNE vine growing region during the 19th century. Before the wine is bottled, an amount of sugar and yeasts are added to the blend before the bottle is stopped. According to regulations, this operation, known as *tirage*, cannot start before 1<sup>st</sup> January following the year of harvest. The fermentation process lasts from 6 to 8 weeks, during which time the yeasts transform the sugar into alcohol and carbon dioxide thereby making the wine effervescent and bubbly.

**Aging on lees:** Another feature of CHAMPAGNE wine is that after the second fermentation, the wines are aged with their lees (the sediment of yeasts left over from fermentation) for varying periods. Regulations specify that this period cannot be less than 15 months, or even 3 years for vintage wines.

**Riddling and disgorging:** When the ageing process has terminated, the bottles are "riddled" in order to make the lees slowly move down into the neck of the bottle. The "disgorging" process then removes the lees and clears the wines.

**Dosage:** Dosage refers to the fact that after disgorging, a liqueur made up of sugar and CHAMPAGNE wine is added. This offsets the wine that was lost during the disgorging process. According to the amount of sugar added, the wine will be extra brut, brut, medium dry, dry, etc.

In addition, the specific rules below shall apply to the production process:

- a. The spreading of slush and composts of urban origin over the plots of land that are located in the production area of CHAMPAGNE wine is prohibited.
- b. The growers and producers of CHAMPAGNE wine must store, handle and process their grape harvests and their wines in separate premises to avoid possible contamination.
- c. The name CHAMPAGNE is eligible to be applied only to wines that are grown and produced completely within the boundaries of the CHAMPAGNE vine growing region, which are carbonated by natural fermentation in bottles and which come from a production area and produced from the prescribed grape varieties.
- d. CHAMPAGNE wine must be produced only from grapes that come from the grape varieties mentioned in Section A above "Raw Materials (products to be processed)".
- e. In order to qualify for the right to use the CHAMPAGNE appellation of origin, wines must be produced in accordance with local common practice from grapes that are transported intact up to the wine presses. The baskets, crates and wooden containers used to transport the grapes from the place where they are picked to the wine presses must feature apertures at the bottom and on all the sides designed to enable the rapid and complete outflow of juice during transportation and while awaiting pressing.
- f. The wine presses must be approved by the National Committee for Wines and Brandies of France's National Institute of Origin and Quality ('INAO'). This approval, which shall be granted based on the opinion of a commission of experts appointed by the National Committee, shall certify that the approved wine presses comply with the qualitative standards featuring in specifications approved by the National Committee for Wines and Brandies of France's National Institute of Origin and Quality. Any opening, extension or alteration of a wine press must be approved before the wine press is put into production.
- g. A log must be kept by each wine press. This log shall state, for each grape pomace, the

weight of each type of grapes used, their potential alcohol content, their origin, the name of the wine grower and the volume of grape must that was yielded.

- h. CHAMPAGNE name can be used on a specific wine only in the following conditions:
- i. Wine produced from yields of less than or equal to 12,400 kilograms of grapes per hectare of productive vines;
  - ii. In the case of young wines, wines obtained from the second year onwards following the year in which they were planted before 31<sup>st</sup> August;
  - iii. Wines produced from vines that have not been subjected, even partially to either annular (shaped like a ring) pruning or a similar process;
  - iv. Grapes whose saccharin content and wines whose alcoholic percentage were fixed on the advice of the commission created by article 3 of the law of 28<sup>th</sup> September 1935.
- i. The harvest declaration must state the weight of the grapes used and the corresponding quantity of grape must (freshly pressed grape juice containing pulp, skin, stems and seeds) produced.
- j. The CHAMPAGNE name may also be applied on a wine obtained from a maximum quantity of grape must of 102 liters produced from 160 kilograms of grapes, following pressing carried out in accordance with the prescribed rules.
- k. Inspection would be carried out by officials from the Directorate General for Competition, consumption and Fraud Prevention and by those from Directorate General of Customs and Excise.
- l. When grapes and wines in barrels, intended for the production of CHAMPAGNE wine and which fulfil the conditions of origin, production area and grape varieties are transported through the Champagne vine growing region, they shall be accompanied with a customs certificate bearing the CHAMPAGNE name.
- m. Since 1<sup>st</sup> January 1998, except when being transferred between operators in the region, bottles of CHAMPAGNE wine may only leave the separate wine warehouses a minimum of fifteen months after bottling. These bottles will bear a label containing the name CHAMPAGNE in highly visible lettering. Cases or packaging containing these bottles must bear the same name, also in highly visible lettering.
- n. Bottles containing the wine must be sealed with a cork bearing the name CHAMPAGNE. Bottles of finished wines on which the CHAMPAGNE name is used must bear the full name or corporate title of the producer as well as the district or area of the district where the latter is based, in clear and legible letters.
- o. No wine using the CHAMPAGNE name may be bottled before the 1st of January after it has been harvested. The removal of by-products produced by fermentation in bottles designed to carbonate the wine must be performed by 'disgorgement' (removing sediment). From 1st January 1998, disgorgement must be carried out after a period of twelve months from the bottling date; a period during which the wines must constantly remain in bottles.
- p. The wine covered by the CHAMPAGNE appellation of origin must be created and sold in the bottles within which they are fermented in order to become sparkling wine, with the exception of CHAMPAGNE wine sold in bottles with an internal volume of less than 375 millilitres and bottles with a volume of more than 3 litres.

### **C. Description of Geographical Indication Labelling**

Labelling rules set out and followed while bottling and packaging the wines:

The top of the bottle is sealed with a tin or aluminium capsule and a label is glued on the front of the bottle indicating all the mandatory labelling requirements including the type of CHAMPAGNE wine, the degree of alcohol, the volume, the origin and the name of the wine grower or merchant. By virtue of European Union Regulation No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products, EU Commission Delegated Regulation No 2019/33 of 17 October 2018 supplementing EU Regulation No 1308/2013 and the **Book of specifications on the Appellation of Origin CHAMPAGNE of November 22, 2010 Rules of presentation and labelling" (XII)** the geographical indication CHAMPAGNE must feature on all the wine packaging items such as bottle, cork (on the part inside the bottleneck) and packaging (boxes, gift packs, cardboard boxes, crates, etc.). Bottles are only allowed to circulate and distributed once they are completed, bear a proper label according to the applicable legislation (except between two operators within the production area).

The label shall indicate the professional registration number as delivered by the CIVC. When the producers own their brand, the following initials will be found:

- .NM négociant-manipulant
- .CM coopérative de manipulation
- .RM récoltant-manipulant
- .RC récoltant-coopérateur

When third parties own their brand but the CHAMPAGNE wine is elaborated by a winegrower, the following initials will be found:

- .MA marque d'acheteur

The wines can only be commercialised in the bottles where the second fermentation occurred (except for the bottles containing less than 375 millilitres and the bottles containing more than 3 litres). References to the "Cru" (a grade of class of wine) is also regulated. Grand Cru or Premier Cru refers to the best rated villages of CHAMPAGNE vine growing region. There are 17 Grands Crus, including Ambonnay, Avize, Ay, Bouzy, Cramant, Le Mesnil-sur-Oger, Tours-sur-Marne, and 41 Premiers Crus, including Chouilly, Hautvillers, Mareuil-sur-Ay.

## METHOD OF CONTROL

### A. Method of Control

There are four main bodies involved in inspecting CHAMPAGNE wine, at the various stages in its elaboration:

- **External control by The Institut National de l'Origine et de la Qualité ('INAO')**: This is a public administrative body, under the supervision of the Ministry of Agriculture and the Ministry of Economy and Finances, in charge of implementing the law of the recognition, management and inspection of Appellations d'Origine / *Appellation of Origin*.
- **Internal control by The Comité Interprofessionnel du Vin de CHAMPAGNE ('CIVC')**, the applicant herein of the geographical indication application. The CIVC is a legal person, public service body, having various public authority prerogatives. The CIVC has been established by an Act of the French Parliament, Act of April 12, 1941. The membership to CIVC is compulsory to all parties who are engaged in the production and process and trade of CHAMPAGNE wine. Together they account for approximately 16,000 winegrowers, about 150 cooperatives and about 350 CHAMPAGNE Houses (merchants). The CIVC receives mandatory financial contributions from its members in order to finance its activities. The CIVC is based on equal representation of winegrowers and CHAMPAGNE Houses in the decision process. The CIVC is made of an executive board which is composed of six members representing the winegrowers and six members representing the CHAMPAGNE Houses who administer the policies of the CIVC. The executive board approves decisions

and supervises the work of several specialized committees made up also of an equal number of winegrowers and CHAMPAGNE Houses. Among its prerogatives, the CIVC is entitled to apply for registration of the geographical indication CHAMPAGNE worldwide, manage, promote and protect the common interests of persons involved in the production of wines sold under the geographical indication CHAMPAGNE with powers to lodge law suits and to be sued. One of CIVC's main objects is the protection and development of the CHAMPAGNE wine market in general. This includes documentation, market studies, issuing certificates of origin, informing and educating the general public and retailers, and legally defending the geographical indication CHAMPAGNE, both in France and abroad. In pursuit of this objective, the CIVC is entitled to investigate and verify that products sold as CHAMPAGNE wine worldwide have been wholly produced in the CHAMPAGNE vine growing region in accordance with the relevant legislations. The CIVC is entitled to take legal actions to stop misuse of the geographical indication CHAMPAGNE. Members of the CIVC have a very strong interest in ensuring that the reputation of CHAMPAGNE, which has been carefully built up over hundreds of years, is not damaged by the sale of non-CHAMPAGNE wine, which do not meet all the necessary requirements or other products which might damage the reputation of the CHAMPAGNE wine.

- **External control by The Direction Générale des Douanes et des Droits Indirects ('DGDDI')**: An administration overseen by the Ministry of Economy and Finances, in charge of controlling the circulation of wines and the payment of indirect duties.
- **External control by The Direction Générale de la Concurrence, de la Consommation et de la Repression des Fraudes ('DGCCRF')**: An administration overseen by the Ministry of Economy and Finances, in charge of ensuring the compliance of products with all of the regulations that are enforceable in France.

There are various inspections that are carried out throughout various stages of the life cycle of CHAMPAGNE wine as follows:

- a) **The inspection of production conditions**: The INAO is the legal body in charge of ensuring that all production conditions are respected. These inspections involve:
- the compliance of the vineyards with regulations: vineyard plots belonging to the defined production areas, authorised grape varieties, respect for minimum vine density as well and wine training procedures, etc.;
  - respect for maximum authorised yields;
  - the quality of the grapes at harvest time and the respect of pressing rules;

If any of these inspections highlight a problem, the INAO can issue sanctions which can be as severe as the declassification of the vineyard plot or the batch of wine in question.

- b) **The approval of CHAMPAGNE wine**: Before being allowed to use the geographical indication CHAMPAGNE for its own wines, each vine grower must receive authorisation issued by the INAO. This authorisation is granted after two examinations have been carried out in order to establish that the wines comply with the enforceable regulations and are typical of the region. These examinations are:
- The analytical examination looks at the volatile acidity, total acidity and alcoholic strength by volume of the wine.
  - The organoleptic examination focuses on the colour and clarity of the wine, its sediment, smell and flavour and whether it is a typical CHAMPAGNE wine.

If this approval is refused, the wine cannot claim to have the geographical indication status.

- c) **Document inspections**: All the movements of wine carried out by vine growers, at every stage of production or marketing, can be inspected by CIVC and DGDDI. CIVC issues a trader's card to any natural or legal person who participates in the cultivation of vines and the



elaboration of CHAMPAGNE wine. CIVC is also authorised to inspect any documents relative to transactions between vine growers for grapes, musts, still wines and bottled wines, as well as for CHAMPAGNE wine sold to customers. DGDDI verifies that the CHAMPAGNE wine sold to customers are indeed CHAMPAGNE wine eligible for the geographical indication status.

- d) **inspecting product conformity:** It is DGCCRF that is in charge of inspecting product conformity. With respect to CHAMPAGNE wine, DGCCRF undertakes several operations throughout the production and marketing chains. DGCCRF checks that the wines are "marketable", with regard to the alcoholic strength, respect for authorised winemaking practices, the proper labelling of bottles, etc. DGCCRF also has a role to play at every stage, and at the marketing phase, a stage where the INAO no longer has any jurisdiction over the products.
- e) **The downstream monitoring quality:** CIVC is responsible for quality monitoring. Throughout the year, it takes samples from CHAMPAGNE wine distribution and marketing circuits. These samples are subjected to organoleptic examination by expert tasters. If any quality problems are observed, CIVC requests the vine grower in question to take the necessary measures to correct the problem. CIVC can carry out a technical audit of a vine grower's production process. In the event of a serious problem or the repetition of the previous problem, CIVC is authorised to take sanctions and to propose to the DGCCRF that a problematic wine be declassified.

## B. Name and Address of Certification Agency

On the basis of controls undertaken throughout the elaboration process, the CIVC delivers a certificate of origin for every shipment of CHAMPAGNE wine outside of the European union. This certificate attests that the wines shipped are fulfilling all the requirements of the appellation of origin Champagne. This process is regulated by a Ministerial Order of 5 October 1945.

## REPUTATION AND ENFORCEMENT

### A. Development of the name

The historical origin and development of CHAMPAGNE wine plays a significant role in the reputation of the geographical indication CHAMPAGNE.

"Campania remensis" was the first name given to the countryside around Reims in France in the 6<sup>th</sup> century where CHAMPAGNE wine is now produced.

From the 13<sup>th</sup> to 15<sup>th</sup> centuries, the wines produced in this region were called *vins de rivière* (river wines) or *vins de montagne* (mountain wines). Gradually, these wines started to be known by the name of the vineyards and then under the name of the region. The first references to CHAMPAGNE as a product occurred in or around 1600, a term that also appeared on the bottle labels along with the names of the vineyard and the producer.

Vines were grown in the region back in the Roman period. It was not, however, until the end of the 17<sup>th</sup> century, when the art of producing quality sparkling wines was perfected, that the renown of CHAMPAGNE wine grew and the use of CHAMPAGNE to refer to those wines became more common. Given the success of 'CHAMPAGNE wine in the 19<sup>th</sup> century, wine growers came together in order to defend what had become a symbol of their heritage: the name CHAMPAGNE.

### B. Protection

In 1843, the growers undertook successful judicial proceedings before the French Court of Tours to seek orders preventing other growers (not from the region) referring to and promoting, their

product as CHAMPAGNE. This decision was subsequently confirmed in 1845 by the Supreme Court. Shortly thereafter, they obtained a similar judgement from the Appeal Court of Angers which, in 1887 pronounce the following dicta:

*“By the name CHAMPAGNE or CHAMPAGNE wine, one may only refer to a wine that is both harvested and manufactured in CHAMPAGNE, the former province of France which is geographically determined”.*

This judgement was confirmed by the French Supreme Court in 1889.

Following the decision of 1889, several legislations were enacted to define the production region and the conditions applying to the geographical indication CHAMPAGNE. The delimitation of the CHAMPAGNE vine growing area then developed over time to its current boundary.

The name CHAMPAGNE has also been recognised and protected through the first regulation of the European Council establishing a common wine market of 1973. This protection is now encompassed in the EU Regulation No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and in the EU Regulation No 668/2014 of 13 June 2014 laying down the rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and the Council on quality schemes for agricultural products and foodstuffs (see: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1308&qid=1595229279392&from=EN> and <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014R0668&from=en>).

### C. Enforcement

Owing to a sustained promotional campaign by the CIVC and its member, CHAMPAGNE wines today enjoy a strong reputation internationally. The CIVC actively monitors use of the name CHAMPAGNE worldwide and, when appropriate, takes enforcement action to defend against unauthorised use of the geographical indication.

The use of the name CHAMPAGNE to refer to and present sparkling wines other than those coming from the defined winegrowing region in France and/or which fail to meet the production specification set down for the geographical indication and any other misuse for non-comparable products and services, misappropriation, evocation and exploitation of the reputation of the CHAMPAGNE name are regarded by the CIVC as an infringement. Stopping the exploitation of the CHAMPAGNE name has been one of the CIVC's primary duties ever since its creation.

Relevant to this application, the CIVC was successful in obtaining a decision from the New Zealand Court of Appeal to the effect that use of the name CHAMPAGNE to refer to sparkling wines other than from the defined growing and production region constituted the tort of passing off and was also 'deceptive conduct in trade' under section 9 of the Fair Trading Act 1986: *Wineworths Group Ltd v CIVC* [1992] 2 NZLR 327 (CA).

## DOCUMENTS ATTACHED TO THIS APPLICATION

A copy of the enactments, orders, rules and regulations referred to in this application and currently in force in relation to the recognition, control, monitoring and enforcement of the rules relating to CHAMPAGNE wine along with a certified translation into English are **attached** to this application as follows:

| Document   | Description  | Appendix | Comment                                      |
|--|--|----------|--|
| Map of Delineated Zone   | The delineation of the Champagne wine growing region is in the July 22, 1927 Act and in the specifications on the Appellation of Origin CHAMPAGNE of November 22, 2010.  | A        |  |
| French Law of April 12, 1941   | Statute and Regulations of CIVC  | B        | In French with certified English translation |
| July 22, 1927 Act  | Recognition and definition of the GI   | C        | In French with certified English translation |
| Decree of 28 September 1935  | Rules relating to quality of CHAMPAGNE wine  | D        | In French with certified English translation |
| Decree of 29 June 1936   | Definition of CHAMPAGNE as controlled appellation of origin  | E        | In French with certified English translation |
| Book of Specifications on the Appellation of Origin "CHAMPAGNE" of November 22, 2010 | Sets out the name of the registered designation of origin, the description of the wine, the definition of the geographic area, the description of production methods, factors inherent to origin and the mandatory declarations. | F        | In French with certified English translation |
| Ministerial Order of 5 October 1945  | Regulation of the certification or compliance with rules and regulation  | G        | In French with certified English translation |
| Extract from the European Commission Register  | Registration of CHAMPAGNE as a Protected Designation of Origin in the European Union   | H        |  |