

# NZ GEOGRAPHICAL INDICATION (GI) EXAMINATION CHECKSHEET

# **Application information (reg 7) and formalities**

	1								
Box Reference Number									
1	GI Number: 1028		GI Name: Bannockburn						
2	New Zealand GI correctly selected (cf foreign)	⊠ Yes						No	
3	Goods GI for	⊠ W	/ine					Spirit	
4	GI correct?			Ye	S		No	Comment	:(s):
5	Applicant/ Agent de correct	tails		Ye	S		No	Comment	:(s):
6	Wine or spirit correct stated	tly		Ye	S		No	Comment	:(s):
7	Geographical co-ord relate to the place of geographical origin to which the GI relates	f to		Ye	S		No	Comment	:(s):
8	Description of Condi	itions		Yes		No	⊠ N	A Comment	:(s):



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

9	Explanation of	$\boxtimes$	Yes	No	Comment(s):
	characteristic essentially				
	attributable to the GI				
10	Evidence of characteristic	$\boxtimes$	Yes	No	Comment(s):
10	Evidence of characteristic essentially attributable		Yes	No	Comment(s):

# **Examination**

11	GI identical to	Yes	$\boxtimes$	No	Comment(s):
	registered GI				
	(s10)				
12	GI identical to	Yes	$\boxtimes$	No	Comment(s):
	customary				
	name of				
	grape variety				
	(s11)				
13	GI identical to	Yes	$\boxtimes$	No	Comment(s):
	common name				
	for wine or spirit				
	(s12)				
14	GI use or	Yes	$\boxtimes$	No	Comment(s):
	registration				
	likely to be				
	offensive				
	(s13A)				
15	GI identical to	Yes	$\boxtimes$	No	Comment(s):
	trade mark for				
	identical goods or				
	services				



	(s14)					
16	GI identical to		Yes	$\boxtimes$	No	Comment(s):
	trade mark for					
	similar goods or					
	services					
	(s15)					
17	GI similar to		Yes	$\boxtimes$	No	Comment(s):
	trade mark for					
	identical goods or					
	services					
	(s16)					
18	GI similar to		Yes	$\boxtimes$	No	Comment(s):
	trade mark for					
	similar goods or					Noted marks:
	services					285230 BANNOCKBURN BRIDGE Class 33
	(s17)					"alcoholic beverages except beers"
						992244 BANNOCKBURN PADDOCK Class 33 "wine"
						The additional words BRIDGE and Paddock change the meaning of the marks and will not be confused with word BANNOCKBURN alone.
19	Conditions of use	□Ye	S	No	$\boxtimes$ NA	Comment(s):
	Entered					
	(s41)					

# **Reference Searches**

20	Acsepto searches	$\boxtimes$	Yes	No	Comment(s):
	saved				



	to MAKO				
21	Internet searches	$\boxtimes$	Yes	No	Comment(s):
	saved				
	to MAKO				

### **Evidence**

22	Statutory declaration/ affidavit	⊠ Yes	☐ No	Comment(s):
	complies with			
	s9 of Oaths and Declarations			
	Act 1957			
	(for statutory declarations)			
	or the High Court Rules			
	(for affidavits)			

# 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 Comment(s):

Declarant confirms history timeline of wine in the area at page 4 and 5:

- 1895: Bragato identifies Bannockburn as a suitable winegrowing region. (Bragato, 1895)
- 1991: The first grape vines are planted in Bannockburn by John Olssen and Heather MacPherson
- 1996: The first wine label noting the subregion of Bannockburn appears on a 1995 vintage Pinot Noir. (see Appendix 2 Wine Labels)
- 1997: Felton Road Winery is the first winery built and opened in Bannockburn.
- 2009: Bannockburn is first used in the context of a subregional identifier on a wine front label produced from Bannockburn grapes.
- 2013: Bannockburn winegrowers identify and codify the subregion as bounded by Lake Dunstan / Kawarau River to the north, the 400 metre contour to the south, extending from Cornish Point (east) to Walkers Creek (west). (Walter, 2019)
- 2019: Bannockburn vineyard map is updated and 340.7 hectares of vineyards are recorded in the Bannockburn subregion

The history provided above shows how the reputation for the GI BANNOCKBURN has developed over time (last 29 years).

#### 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 Comment(s):

The geography of BANNOCKBURN contributes to the capacity to produce fruit within the GI. The GI is a crescent shaped area of land; its elevation is only up to 400 metres. This is important as beyond 400 metres the ability to ripen grapes is compromised with cooler temperature. (See page 6)

The natural features of the land ensure warm climate (high growing degree-days). Southern Alps to the west and Cairnmuir and Carrick Ranges to the south ensure reduced rainfall and good grape growing conditions. (See Page 7)

#### **Geographical Features in the Area**

Bannockburn GI lies within the wider Cromwell Basin at its southern end. It forms a 9 km crescent shaped stretch of land bounded to the north by the Kawarau River, which flows into the upper reaches of the Kawarau arm of Lake Dunstan and to the south by the 400 metre contour line. The 400 metre contour was considered appropriate as beyond that contour the ripening ability of grapes is compromised with the cooler temperatures. Beyond that are the Cairnmuir and Carrick mountain ranges.

Between the 400 metre contour and the Kawarau (Kawarau River and Kawarau Arm of Lake Dunstan (at an elevation of 195 metres) the land slopes gently with predominantly north facing slopes and small terraces. Some of this land still contains the remains of old gold workings, limiting the land available for planting.

The eastern boundary of Bannockburn is Cornish Point at the intersection of the Kawarau and Clutha rivers, the last gently sloping area before the Cromwell Gorge. The western boundary is the last gently sloping area before the Kawarau Gorge, adjacent to Walkers Creek.



#### 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):

Bannockburn GI soil is diverse. Some changes to the soil occurred to the Bannock GI due to goldmining activity in the 1860's. There tends to be a good level of mineral compounds found in the soil, and low rainfall. (Page 6 and 7)

#### Soil Composition in the Area

Soils across the Bannockburn subregion contain a similar extensive diversity found elsewhere in Central Otago. Because of its location at the southern end of the Cromwell basin, an old glacial valley, the prevailing northerly winds have deposited glacial loess across the northern slopes. Some modification occurred in parts as a result of the goldmining activity throughout the Bannockburn area commencing in the 1860's.

The parent rock material is schist (metamorphosed greywacke), part of the ancient 80 million year old Zealandia continent, whose surface was eroded over 60 million years ago and then uplifted in the last two million years. The soils range from outcrops of ancient lake bed sediments, outwash schist, greywacke and quartz gravel deposits forming fans at the base of mountains and terraces, to deep silts, and sands. In many places the hills have been

coated with a veneer of loess, and the terraces and fans with fine alluvium and loess. Due to the parent rock and gravels, they are free draining and in most sites the soils result in low vigour. Scattered deposits of calcium carbonate can be found in many soils at depth. The low rainfall has kept leaching effects low, so there is a good level of mineral compounds present. However, the low rainfall has kept plant growth sparse, which means the organic matter content of the soils tends to be low. The result is a range of soils generally low in vigour, but high in mineral richness.



#### 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):

Bannockburn is the warmest sub-region within Central Otago. This is measured by GDD (growing Degree Days > 10c (see graph on page 7). There are a low number of frosts. Geographical factors, Southern Alps to the west and Cairnmuir and Carrick Ranges to the south, ensure reduced rainfall and unfavourable grape growing conditions.

#### Climate in the Area

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

The Bannockburn GI enjoys many attributes that are also characteristic of other parts of Central Otago. The climate is truly continental created by the basin like nature of the wider region (the Cromwell Basin) protected by the Southern Alps to the west and the Cairnmuir and Carrick Ranges to the south. These geological factors reduce rainfall within the basin significantly. Further, it is the area in New Zealand most distant from the sea.

Notably, Bannockburn GI is the warmest subregion within Central Otago measured in Growing Degree Days  $>10^{\circ}$  C Oct-April (GDD). GDD measures the ability of grapes vines to grow and ripen fruit over the normal growing period.

The following table provides comparative data for the various sub-regions of Central Otago. (Moran, 2016)

Locality	GDD	Average Daily °C			Annual mm	Air Frosts
	>10° C Oct-April		January		precipitation	Sept/Oct
		Max	Min	Mean		
>1100 Degree-days						
Bannockburn	1290	25.2	11.2	18.2	400	7
>1000 Degree-days						
Cromwell to Pisa	1100	24.4	11.0	17.7	400	10
Cromwell Gorge	1100	24.1 11.9 18.		18.0	400	6
Alexandra to Clyde	1030	23.2	10.7	17.0	350	8
Bendigo	1040	23.8	9.8	16.8	400	8
>900 Degree-days						
Wanaka	940	24.1	10.4	17.3	660	9
Gibbston	910	24.1	9.3	16.7	600	6
>800 Degree-days						·
Roxburgh-Dunbarton	890	23.1	9.8	16.8	500	6
Arrow Basin	890	23.8	9.8	16.3	650	6

Moran observed:



"The results from Bannockburn are even more persuasive. Its degree-days during the growing season are at least 350 higher than Wanaka and Gibbston and more than 150 higher than all other districts." (Moran, 2016)

Other climatic factors that affect the growing of grapes are precipitation and the number of air frosts.

Grapes are at risk from diseases which thrive under unfavourable climatic conditions. Rain and humidity are particularly hostile to grape growing.

The low rainfall and the timing of rainfall in the Bannockburn GI are factors which minimise this disease pressure. The result is clean fruit providing true flavours and little need to intervene in the winemaking process.

On average Bannockburn experiences seven air frosts during the spring and one or two in the autumn. These frosts would potentially curtail vine growth and grape ripening. However, most Bannockburn vineyards have installed frost protection measures to counter the effects of these frost events, using wind or water to protect the vines.

#### 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 Comment(s):

The declarant confirms there are four grape varieties planted in Bannockburn. Details of the grape vines plants are on page 8.

Details of Viticulture and Winemaking practices are on page 9 and 10 and confirm the key aspects of production are completed manually. Due to the lack of rainfall, irrigation is done using drip irrigation method.



## Viticulture and Winemaking

Viticulture and winemaking reflect the value of grapes and wines being produced. Most viticulture is dominated by manual production. While mowing, spray application and soil cultivation is largely carried out using machines, the key aspects of pruning, leaf and shoot thinning, and harvesting are done by hand.

Organic cultivation of vineyards features widely in Bannockburn due to the premium positioning of the wines being made and the individual winery's environmental and quality aims.

Because of the lack of rainfall, particularly during the growing season, most vines are irrigated using drip irrigation methods. This ensures that water application is measured and controlled to maintain vines at their optimal health.

Cropping levels are low. Pinot Noir is cropped between 5 and 6.5 tonnes/ hectare dependent on the season. Whites are generally cropped higher; 6 to 7.5 tonnes per hectare are typical. Weather is a major factor in determining crop levels. However, vines are deliberately thinned to ensure that they are able to support the loads and provide ripe and high-quality fruit for processing.

Winemaking practices also reflect the value of fruit produced. Small batch production, minimal intervention and deliberative winemaking are the norm. Pinot Noir is the dominant variety and is typically aged in barrel. Reliance on indigenous yeast is the norm and barrel fermentation of white wines particularly Chardonnay is common.

Vineyards and wineries are certified either as sustainable within the New Zealand Winegrowers Sustainable Winemaking Programme (SWNZ), Biodynamic (Demeter NZ) or Organic (BioGro NZ).

#### 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 varietals.

# 28 Comment(s):

#### **Sensory attributes:**

The Declarant's evidence includes description of the sensory attributes of Bannockburn Pinot Noir. However, as this information has been provided by a person other than the declarant (namely Master of Wine Bob Campbell) and is essentially hearsay, we are placing low weighting on this information (page 10).

#### 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 Comment(s):

#### **Boundary**

The geographical indications boundary claimed appears to fall within what is generally considered Bannockburn.

The geographical indications boundaries claimed include the wider area surrounding Bannockburn and not only those located west of Bannockburn road. The evidence suggests that the reputation in Bannockburn GI extends throughout the area claimed. Several of the vineyard/wineries located east of Bannockburn Road consider themselves to be within the Bannockburn area, as indicated by their address details.

### 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. The reputation of the wines from the GI are in part attributable to the geographical features, which include the warmest sub-region in Central Otago, low rain fall and high mineral richness.

#### <u>Ultra-premium product</u>

A number of factors indicate that the Bannockburn GI is a premium to ultra-premium wine region (Page 5):

- The cost of production is the GI is high.
- The vineyard are small and production limited. Most of the area suitable for grape growing has been planted over the last 29 years.
- Wine produced in small batches, with minimal intervention and much of the winery work is done by hand.
- Wine is produced from local fruit. There are 12 wineries in the area and six of these use fruit produced in the Bannockburn GI to make wine.
- Land values in the GI are high due to scarcity and desire to grow grapes in the area.

#### **Export markets**

Exporting into a number of different overseas markets supports the reputation of wine from Bannockburn GI (page 10).



Winery	AUST	EU	ASIA	<b>AMERICAS</b>
Akarua	~	<b>V</b>	~	~
Black Quail	·	<b>✓</b>	·	·
Burn Cottage	·	·	·	·
Carrick	·	·	·	·
Ceres		~	~	~
Doctors Flat	·	<b>✓</b>	·	<b>✓</b>
Domain Road	~	~	~	~
Gate 20 Two	~			
Felton Road	·	<b>✓</b>	·	<b>~</b>
Mt Edward	·	<b>~</b>	·	<b>~</b>
Mt Difficulty	<b>✓</b>	·	·	·
Terra Sancta	·	<b>✓</b>	·	
Two Paddocks	<b>✓</b>	<b>√</b>	<b>✓</b>	·

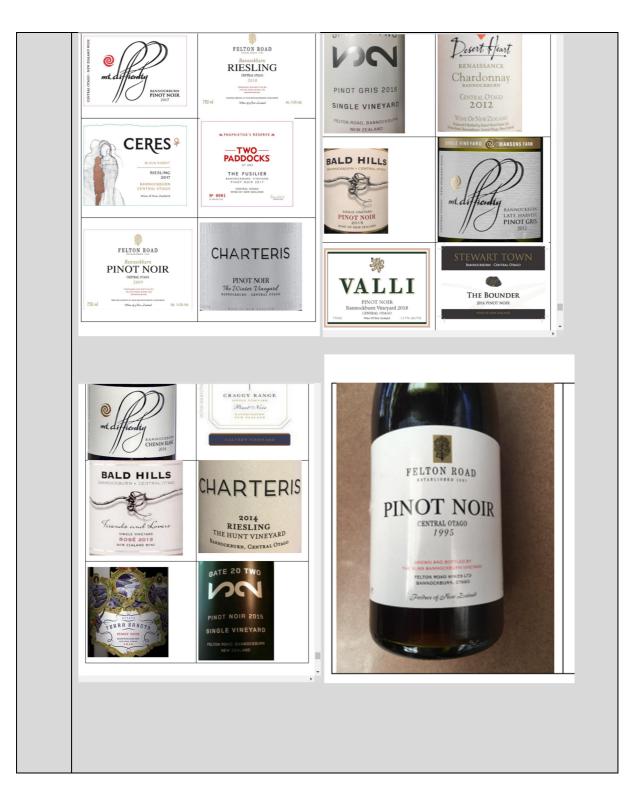
### Duration and continuity of use of Bannockburn

Bannockburn's first vines were planted in 1991 with the first wine label noting the GI appearing in 1995. Over this 29-year period, the GI has become recognised as a distinct winegrowing area and most of the suitable grape growing land has been planted (Page 5).

### Labels showing use of the GI

Examples of wine labels provided (Appendix 2), some shown below. The GI BANNOCKBURN can clearly been seen in the images provided. It is often used along-side the GI Central Otago. However, Bannockburn has its own unique reputation sitting alongside the reputation of the broad Central Otago area.







### Reference to Bannockburn GI in books by wine experts

National and international wine experts refer to Bannockburn GI as being one of the country's top Pinot Noir districts (page 11). The Bannockburn GI is referenced in a number of different texts including Viv Milson 2018 book on Central Otago and in 2019 The Wine Advocate (Page 11).

## Awards won by wine from the area to which the GI relates

Declarant provide examples in Appendix 3 and 4 of the GI being identified as producing high quality and award winning wines bearing the BANNOCKBURN GI.

Bannockburn appeared prominently in the 2019 NZ Fine Wine Selection (Page 9 and appendix 3).

#### The Fine Wines of New Zealand Selection

A selection of New Zealand's finest wines (82 selected in 2019) made by seven Masters of Wine and one Master Sommelier identified Bannockburn featuring strongly amongst Central Otago wines.

Three of the four Rieslings and four of the twelve Pinot Noirs selected from Central Otago are from Bannockburn. See Appendix 4 for the Fine Wines of New Zealand list.

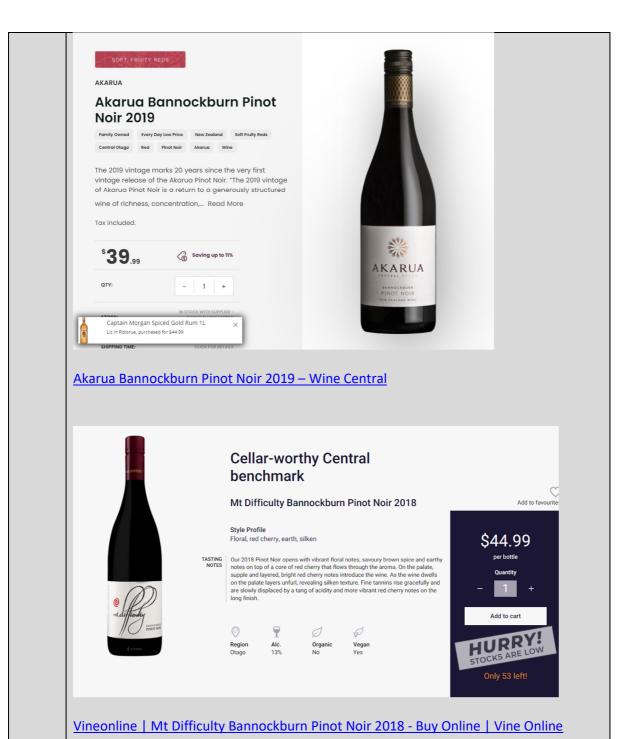
# Other relevant information:

20	Ca a +/	а	۱.
30	Comment	5	ı.

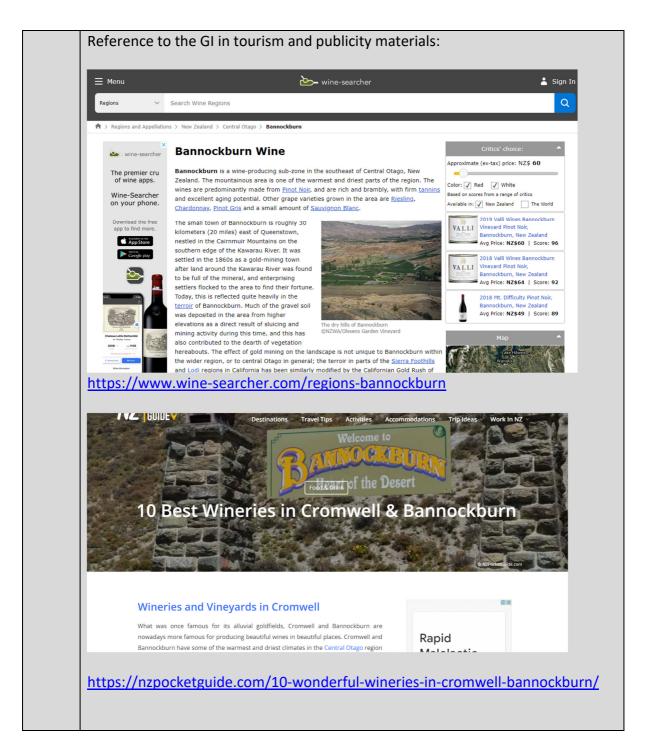
# Office research

Use of the GI in relation to the goods:

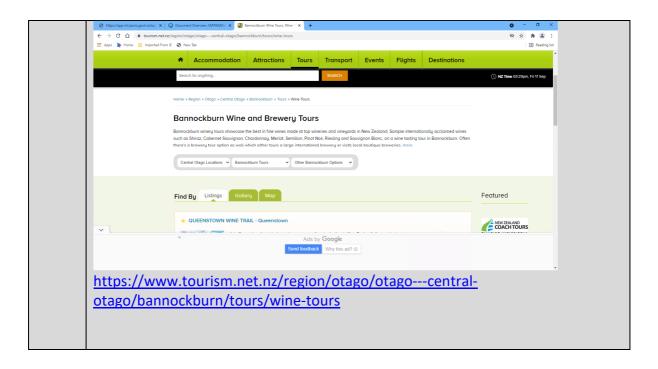












31	Examiner is satisfied that the Applicant has provided sufficient explanation and evidence of: the quality, reputation or other characteristic of the wine or spirit that is essentially attributable to the GI	Yes	No
32	Recommend for Acceptance?	Yes	No

This Summary may not explicitly refer to every matter that has been considered by the Examiner