

Rt. Hon. R. J. Seddon.

WINE-ADULTERATION PREVENTION.

ANALYSIS.

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A BILL INTITULED

AN ACT to prevent the Adulteration of Wine.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Wine-adulteration Prevention Act, 1904"; and it shall form part of and be read together with "The Adulteration Prevention Act, 1880" (hereinafter referred to as "the principal Act").

Short Title.

2. In this Act, if not inconsistent with the context,—
"Analyst" means an analyst appointed under the principal Act:

Interpretation.

"Dry wine" means wine produced by complete fermentation of the juice or must of the fresh grapes:

"Foreign substance" means any substance mentioned in the Schedule hereto, and any other substance from time to time by Order in Council gazetted, declared to be deleterious when added to wine or to unfermented grape-juice; but does not include—

(a.) Common salt, provided that the amount of chlorine, calculated as sodium chloride, does not exceed seventy grains per gallon, which is the quantity to be found often in a natural wine:

(b.) Sulphate of lime, as the result of the sulphuring of the vines and casks, provided that the amount of sulphate does not exceed one hundred and forty grains per gallon, calculated as neutral potassium-sulphate; also sulphurous acid, provided that the total amount of this acid, free and combined, does not exceed fourteen grains per gallon, and the amount of free sulphurous acid does not exceed 1.4 grains per gallon:

(c.) Refined cane or beet sugar, in the making of dry wine in bad seasons, to fresh grape-juice only, and in such quantity that the total percentage thus obtained does not exceed twenty per centum of the grape-juice; in the making of sweet wine, concentrated grape-juice, refined cane and beet sugar, to fresh grape-juice only, and in such quantity that the total percentage of sugar thus obtained does not exceed twenty-four per centum of the grape-juice : 5

(d.) Pure oenocianin, or the natural colouring matter of the wine extracted from the skins of grapes : 10

(e.) Pure wine spirit, not less than six months old, for the purpose of increasing the alcoholic strength to not more than twenty-six per centum of proof spirit in the case of dry wine intended for export, and in the case of sherries, ports, or sweet wine for home consumption, to not more than thirty-five per centum of proof spirit, alcohol in either case to be pure wine spirit of specific gravity of 0.7938, measured at a temperature of sixty degrees, Fahrenheit's thermometer : Provided that the limitation of alcoholic strength shall not apply in the case of European sherries, ports, or sweet wine imported into New Zealand : 15 20

(f.) Any other substance from time to time by Order in Council gazetted, declared to be nondeleterious when added to wine or to unfermented grape-juice : 25

"Pure wine spirit" means the rectified product of the distillation of wine :

"Sparkling wine" means wine surcharged with carbonic-acid gas, and to which pure cane or beet sugar or pure wine spirit may or may not have been added, and includes champagne : 30

"Sweet wine" means wine containing sugar derived from the juice or must of fresh grapes, and to which concentrated grape juice, pure cane and beet sugar, pure wine spirit, may or may not have been added : 35

"Wine" means the product solely of the alcoholic fermentation of the juice or must of fresh grapes, and includes dry wine, sparkling wine, and sweet wine.

Wine not to contain foreign substances.

3. No person shall sell, advertise, offer, or expose for sale (whether wholesale or by retail or exchange), or have in his possession or control for sale, or authorise or permit the sale of— 40

(a.) Any liquor under the name of wine, or dry wine, or sweet wine, or sparkling wine, or under any name popularly or commercially used as a designation of any wine that is not wine as defined by this Act, or to which any foreign substance has, either before, during, or after the making of the liquor, been added, or that contains less ash than 91.14 grains per gallon : 45

(b.) Any unfermented grape-juice to which any foreign substance has been added. 50

Bottles, &c., to be labelled.

4. No person shall sell, offer, or expose for sale, or authorise or permit the sale of, any wine unless the bottle, cask, or other recep-

tacle containing the wine is labelled or branded in distinct letters with the name of the wine and the name and address of the maker or bottler of the wine :

5 Provided that where such wine has been made by adding sugar and water to the skins of grapes from which the first wine has been racked off, such receptacle shall also be labelled or branded in distinct letters with the words "Second wine."

10 5. (1.) Any Inspector may at any reasonable time enter into and inspect any vineyard store-room, wine-cellar, bonded or free store, ship, shed, shop, hotel, or other place or premises that he may have reasonable ground for believing is kept or used for making or storing for sale, or selling or exposing for sale, any liquor bearing a designation popularly or commercially used as a designation for wine, or in which the word "wine" occurs, and may purchase at a
15 reasonable price such a sample of such liquor as may be required for purposes of analysis under this Act.

(2.) Every person in charge of any liquor referred to in this section who refuses to allow the amount required for analysis to be taken by the Inspector commits an offence against this Act.

20 6. If it is intended to submit for analysis any sample so purchased, the Inspector shall, after the purchase has been completed, forthwith notify to the vendor or his agent his intention to have the same analysed, and shall then and there divide the same into four parts, and shall place each part in a separate glass receptacle, and
25 shall secure, mark, and seal each such receptacle, and shall leave one such part with the vendor or his agent, and shall retain one such part for future comparison, and shall send the two remaining parts to an analyst for analysis.

30 7. Every person who improperly removes or tampers with the seal, mark, or fastening of any wrapper, cover, or receptacle containing any sample or part of a sample taken for purpose of analysis commits an offence against this Act.

8. (1.) The analyst shall furnish a certificate in the form prescribed by regulations.

35 (2.) In any proceeding against any person for an offence against this Act the production of the analyst's certificate shall be sufficient evidence of the facts therein stated, unless the defendant requires that the analyst be called as a witness and that the parts of the sample retained by the Inspector as hereinbefore mentioned be produced.
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(3.) If, on the hearing, it appears to the Court that the analyst was called on frivolous or insufficient grounds, the defendant shall be liable to pay the costs of the attendance of the analyst.

45 9. The Court may order that the part of the sample retained by the Inspector under section *six* hereof be divided into two equal parts, and that each of such parts be submitted to an independent analyst for report.

50 10. Every person who commits an offence against this Act is liable for the first offence to a fine not exceeding *ten* pounds, and for every subsequent offence to a fine not exceeding *fifty* pounds and not less than *five* pounds.

Sale of fruit wines
not prohibited.

11. Nothing in this Act shall be deemed to prohibit the sale of any beverage made from fruit, or sources other than fresh grapes, although designated by any name including the word "wine," provided that every bottle, cask, or other receptacle containing such beverage is labelled or branded in distinct letters with the name of the wine, and the name of the fruit or source from which it is made, and that such latter name shall be in letters of the same size as those used in the word "wine." 5

Strength of New
Zealand wines.

12. Notwithstanding anything in any Act, it shall be lawful for New Zealand wine to be sold by any person duly authorised to sell such wine although the wine is of a strength exceeding twenty per centum of proof spirit. 10

Regulations.

13. The Governor may, by Order in Council gazetted, make regulations for carrying out the provisions of this Act, and may in such regulations impose a fine not exceeding *ten* pounds for every breach thereof. 15

Schedule,

SCHEDULE.

FOREIGN SUBSTANCES PROHIBITED TO BE USED.

Ethers.	Copper, abrastol.	Crystalline.
Essential oil.	Mineral acids.	Starch sugar, or glucose of commerce.
Bitter almonds.	Formalin, or formaldehyde.	Impure spirit.
Cherry laurel.	Salicylic acid.	Organic or mineral colouring matter.
Alkaloidal substances.	Ammonia.	Gums.
Compound of barium.	Alum.	Any mixture containing any of these substances.
Fluorine, magnesium.	Glycerine.	
Strontium, bismuth.	Saccharine.	
Arsenic, lead, zinc.	Dulcine.	
Aluminium, tin.	Lucroxine.	