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**DRAFT REFERENCE MANUAL ON WINE AND VINE LEGISLATION IN  
GEORGIA**

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Between 2003 and today, the legislative framework regulating the vine and wine sector in Georgia has gone through a lot of changes: new legislations have been adopted and old ones have been modified or deleted.

Georgia has now a full set of laws and regulations.

However, due to these rapid changes and lack of information dissemination, knowledge of the obligations and procedures necessary to comply with the law are not sufficiently understood or even known by grape producers, wine producers, wine merchants and also by government officials.

This document is intending to give the list of the different requirements and obligations imposed by national law from grape producing to wine selling.

Presented under the form of “*question and answer*”, this document will contribute in establishing a common framework for private enterprises and state officials on implementation of current wine legislation.

We would recommend that this document be audited by SAMTREST, and eventually to be made accessible on internet (and regularly up-dated) for any stakeholders entering or acting in the wine and sector in Georgia to be fully aware of the set of regulations that applies.

The document is composed of 4 major sections: :

- 1 : Presentation of the full set of regulations applying in the wine and vine sector in Georgia**
- 2 : Description of the obligations when producing wine grapes in Georgia**
- 3 - Description of the obligations when producing vine and grafted materials in Georgia**
- 4 – Description of the obligation when producing and selling wine in Georgia**

## WHAT ARE THE SET OF REGULATIONS APPLYING IN THE WINE AND VINE SECTOR IN GEORGIA ?

The set of legislation/Decree/Minister order applying to the wine and vine sector are composed of:

- **Law of Georgia on Vine and Wine adopted on February 4th, 2003**
  - **Minister Order n° 2-30** adopted on February 11th, 2003 of the Statute of the Legal Entity of Public Law: State Vine and Wine Department “Samtrest”
  - **Minister order n° 2-51**, adopted March 6, 2003 with the following Normative acts
    - General Rules and Regulations of Grape Wine Production
    - Rules of recording Technological Processes
    - Rules of Compulsory Notification of Activities Relating to the Production and Selling of Commodity output in the Fields of Viticulture and Winemaking
  - **Minister order n° 2-220**, august 12, 2003 adopted on August 2003 with the following Normative acts:
    - Regulation for the Technical and Phytosanitary Control of the production of Vine Mother Plantations, Grafting Material and Engrafted Seedling
    - Certification Rules for Vine Grafting Material and Engrafted Seedling
    - Rules for Special Zones and Grape growing Regions
    - Rules for Removal of grapes from the Zone in order to Produce Wines with the Denomination of Origin
    - Rules for controlling the labelling of Alcohol Drinks of Grape Origin.
  - **Minister Order n° 2-221**, august 12, 2003 adopted on January 1st, 2004 with the following Normative acts:
    - Certification System of Alcoholic Drinks
    - Rules for Certification of Alcoholic Drinks
    - Rules for Accrediting of Testing Laboratories
    - Rules for Issuing Certificates of Origin
    - Rules for Wine Sorting
  
- **Law of Georgia on Geographical Indications and Denomination of origin of products adopted on July 4th, 2002**
  - **Decree n°88** adopted on February 28, 2002 on “Regulation on Identification, registration, use and Control of Appellations of Origin of Wine and Wine Brandy
  - **Minister Order n°2-37** adopted on February,20th, 2003 with the following Normative acts:
    - Procedure for specifying and examining the information necessary for registration of denomination of origin of wine and wine brandy
    - Procedure for state control over production of wine and wine brandy with denomination of origin

## WHAT ARE THE OBLIGATIONS WHEN PRODUCING WINE GRAPES IN GEORGIA?

<b>Is a registration necessary to produce grapes ?</b>			
Answer: No.	<ul style="list-style-type: none"> <li>▪ Everybody (individuals or legal entities) can engage in grape production.</li> <li>▪ The only legislation applying is related to starting a business in Georgia</li> </ul>		
<b>Is a registration necessary to plant vineyards?</b>			
Answer: No.	<ul style="list-style-type: none"> <li>▪ Planting new vineyard is not subject to any initial declaration</li> </ul>	Note: Prior notification before planting use to exist in Minister Order n°2-51 but is now cancelled	
<b>Can any sort of grapes be planted?</b>			
Answer : No.	<ul style="list-style-type: none"> <li>▪ The Law on Wine and Vine has identified regions and Sub-regions with a fixed set of varieties allowed to be planted</li> </ul>	<b>Legislation :</b> Article 7 of the Law on Wine and Vine	
<b>Can vines be bought anywhere, to anybody ?</b>			
Answer : No.	<ul style="list-style-type: none"> <li>▪ Only Vitis Vinifera varieties, phylloxera resistant can be planted.</li> </ul>	<b>Legislation :</b> Article 7 of the Law on Wine and Vine	
	<ul style="list-style-type: none"> <li>▪ Only seedlings bearing a certificate of quality and compliance is allowed to be planted</li> </ul>	<b>Legislation :</b> Article 9 of the Law on Wine and Vine	
<b>What are the obligations regarding managing a vineyard?</b>			
When?	Limit date?	What to do?	Under which regulation?
Every year	No later than January 15th	<ul style="list-style-type: none"> <li>▪ “Notification of Vineyard” should be submitted to Samtresti</li> </ul>	Article 6 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annexe 4
Every year	/	<ul style="list-style-type: none"> <li>▪ To record every operations on a <b>Vineyard Book</b> is compulsory</li> </ul>	Article 3 of Minister Order n°2-51 on “ <i>Statute on Rules of recording technological Process</i> ”
<b>When selling my grapes, what are my obligations?</b>			
		<ul style="list-style-type: none"> <li>▪ Every individual or legal entities engaged in a business activity should be registered for Taxation</li> </ul>	<b>Legislation :</b> Ministry of Finance
		<ul style="list-style-type: none"> <li>▪ Only the purchaser of grapes has the obligation to record and submit documents</li> </ul>	<b>Legislation :</b> See Obligation of Wine processing entities

**WHAT ARE THE OBLIGATIONS WHEN PRODUCING VINE AND GRAFTED MATERIALS IN GEORGIA?**

<b>Is a registration necessary to produce vine and grafted materials ?</b>			
<b>When?</b>	<b>Limit date?</b>	<b>What to do?</b>	<b>Under which regulation?</b>
Before starting production	No later than January 15	<ul style="list-style-type: none"> <li>▪ “Notification of Intention to produce and sell grafted materials” shall be submitted to “Samtresti”</li> </ul>	Article 5 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ”. Model in Annexe 1 of Minister Order.
<b>What are my obligations, when managing a nursery?</b>			
<b>When?</b>	<b>Limit date?</b>	<b>What to do?</b>	<b>Under which regulation?</b>
Every year	No later than December 15 <sup>th</sup>	<ul style="list-style-type: none"> <li>▪ “Notification of actual production of vine graded materials” should be submitted to Samtresti</li> </ul>	Article 5 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annexe 2 of Minister order.
Every year	/	<ul style="list-style-type: none"> <li>▪ A register for mother plantation of scions and roostocks as well as a grafting register is compulsory</li> </ul>	Article 2 of Minister Order n°2-51 on “ <i>Statute on Rules of recording technological Process</i> ”
<b>What are my obligations when selling grafted materials?</b>			
<b>When?</b>	<b>Limit date?</b>	<b>What to do?</b>	<b>Under which regulation?</b>
Every year	No later than April 15 <sup>th</sup>	<ul style="list-style-type: none"> <li>▪ “Notification for selling vine grafted material and grafted seedling” should be submitted to “Samtresti”</li> </ul>	Article 5 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annexe 3 of Minister order.
		<ul style="list-style-type: none"> <li>▪ Only Certified materials (given by the Certification Commission”) can be sold.</li> </ul>	Article 1 to 8 of the Minister Order n° 2-220 on “ <i>Regulation for certification of Grafting Material and Engrafted Seedling</i> ”
Before selling		<ul style="list-style-type: none"> <li>▪ Declarant should apply by letter for certification to “Samtresti” or other authorized regional certifying body.</li> </ul>	

## WHAT ARE THE OBLIGATIONS WHEN PRODUCING WINE IN GEORGIA?

<b>Is a registration necessary to produce wine ?</b>			
Answer :No	<ul style="list-style-type: none"> <li>▪ Everybody (individuals or legal entities) can engage in wine production.</li> <li>▪ The only legislation applying is the one related to starting a business in Georgia</li> </ul>		
<b>What are the obligations when processing grapes,?</b>			
When?	Limit date?	What to do?	Under which regulation?
<b>For all producers</b>			
After production	No later than December 1 <sup>st</sup> of vintage year	<ul style="list-style-type: none"> <li>▪ “Notification on Grape processing”</li> </ul>	Article 8 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annexe 6 of Minister Order
Twice a year	No later than July 10 and January 10 <sup>th</sup>	<ul style="list-style-type: none"> <li>▪ “Notification of wine turnover”</li> </ul>	Article 10 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annex 8 of Minister Order
Every year	/	<ul style="list-style-type: none"> <li>▪ A register for “grape receiving” is compulsory</li> </ul>	Article 4 of Minister Order n°2-51 on “ <i>Statute on Rules of recording technological Process</i> ” Model in Annex 1 of Minister Order
Every year	/	<ul style="list-style-type: none"> <li>▪ A register for “recording wine turnover” is compulsory</li> </ul>	Article 4 of Minister Order n°2-51 on “ <i>Statute on Rules of recording technological Process</i> ” Model in Annex 2 of Minister Order
Every year	/	<ul style="list-style-type: none"> <li>▪ A register for oenological practices “Technological book” is compulsory</li> </ul>	Article 4 of Minister Order n°2-51 on “ <i>Statute on Rules of recording technological Process</i> ” Model in Annex 3 of Minister Order
Every year	/	<ul style="list-style-type: none"> <li>▪ A register for wine ageing “Register for wine ageing” is compulsory</li> </ul>	Article 4 of Minister Order n°2-51 on “ <i>Statute on Rules of recording technological Process</i> ” Model in Annex 4 of Minister Order

<b>For Appellation wine producers</b>			
<b>When?</b>	<b>Limit date?</b>	<b>What to do?</b>	<b>Under which regulation?</b>
Prior to buying.	No later than August 1th of vintage year	<ul style="list-style-type: none"> <li>“Notification of intention to produce place-of-origin denomination wines” to be submitted to Samtresti</li> </ul>	Article 7 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annexe 5 of Minister Order
Prior to buying.	No later than September 1 of the vintage year	<ul style="list-style-type: none"> <li>“Notification of the Intention to buy grapes from the Specific Zone” is compulsory</li> </ul>	Article 2 of Minister Order n° 2-220 “ <i>Rule for buying Grapes from the Specific Zone for the Purpose of production of Wines with denomination of Origin</i> ”. Model in Annex 1 of Minister Order
After production	No later than January 10 <sup>th</sup> of next vintage year	<ul style="list-style-type: none"> <li>“Notification of production of wines with denomination of origin”</li> </ul>	Article 9 of Minister Order n° 2-51 “ <i>Statute on the Procedure for Compulsory Notification of Activities Relating to the Production and Selling of Commodity in the Fields of Viticulture and Winemaking</i> ” Model in Annexe 7 of Minister Order
<b>What are the obligations when labelling my wine,</b>			
		<ul style="list-style-type: none"> <li>Label of product bottled in Georgia should comply with the law</li> </ul>	<b>Legislation :</b> Law on Wine and Vine Chapter XII
<b>What are the obligations when selling wine inside Georgia,</b>			
		<ul style="list-style-type: none"> <li>Sales of wine within Georgia should comply with the Law on Product Certification and Services adopted on 10/04/2006</li> </ul>	
<b>What are the obligations, when exporting wine outside of Georgia?</b>			
		<ul style="list-style-type: none"> <li>Only wine receiving a “Certificate of Compliance” can be exported.</li> </ul>	Minister Order n°2-221. Statement on “Certification System of Alcoholic Drinks”
		<ul style="list-style-type: none"> <li>The Certificate of Compliance can only be issued by Samtresti.</li> </ul>	Minister Order n°2-221. Statement on “Rule for issuing Certificate of Compliance”
		<ul style="list-style-type: none"> <li>The Certificate should include Analytical testing by an Accredited Laboratory Organoleptic testing Control of the production rules</li> </ul>	Minister Order n°2-221. “Rule for accrediting testing Laboratories” “Rule for Certification of Alcoholic drinks”

	<ul style="list-style-type: none"> <li>▪ Only wine receiving a “Certificate of Origin” can be exported</li> <li>▪ Request for a certificate should be done in written by filling an Application</li> </ul>	Minister Order n°2-221. “Rule for issuing a certificate of origin” Model Annex 1 of Minister Order
	<ul style="list-style-type: none"> <li>▪ The Certificate of Compliance can only be issued by Samtresti</li> </ul>	<b>Legislation :</b> Law on Wine and Vines Minister Order n°2-221. “Rule for issuing a certificate of origin”