

NZ GEOGRAPHICAL INDICATION (GI)

EXAMINATION CHECKSHEET

Application information (reg 7) and formalities

Box Reference Number			
1	GI Number: 1016	GI Name: NORTH CANTERBURY	
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):
15	GI identical to trade mark for identical goods or services	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):

	(s14)			
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	Comment(s): The History and Background section on <i>page 3</i> does not really delve into how the quality, reputation and other characteristics of wine from the area are linked to the founding and development of the area for wine production.
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	There is only mention of the first grapes being grown in Akaroa by the French in 1840, grapes grown north of Christchurch in 1978 (neither area appears to be in North Canterbury) and in the 1940's mention of the assessment of the suitability of North Canterbury for wine production.
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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): <i>See also Box 25</i></p> <ul style="list-style-type: none"> • <i>page 4:</i> - 90% of the region's vineyards are situation in the Waipara and Waikari Valleys in the northern part of the region, where the coastal Teviotdale Hills provide shelter from the prevailing easterly
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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	<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>Geographical features in the area/ soil composition in the area- pages 3/ 4</p> <ul style="list-style-type: none"> - There are a number of different soils within the region - Reference is made to Gladstone's Geology, Landforms and Soils of the Waipara and Waikairi regions in the North Canterbury 2015 as indicating that there is a strong evidence that soil physical conditions influence wine
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	<p>qualities</p> <ul style="list-style-type: none">- 90% of the region's vineyards are situation in the Waipara and Waikari Valleys in the northern part of the region<ul style="list-style-type: none">o Waipara Valley floor soils are highly mineralised and free-drainingo North of the Waipara River to Omihi has predominantly clay soils; hillslopes have limestone soils over clayo Waikari valley/ basin soils are limestone- derived soils- Declarant states on <i>page 4</i> that both the clay soils and limestone influence the quality of the Pinot Noirs that the region produces (but this is not qualified as to what those specific influences are) - Canterbury plains' soils: course gravels fine sands and clay- Banks Peninsula: mineral rich compact sub-soils over silt loams - The declarant states that <i>Appendix 1</i> contains further soil and geology information for the Northern part of North Canterbury but these have not been provided.<ul style="list-style-type: none">o I do not consider that this information is necessary in this case. While it might give some further context to the soils of the area and some links to the characteristics of the wine from the area, the information that the applicant has provided as whole in support of the application, in particular in relation to the reputation of the wines from the area, is sufficient to support acceptance of this GI, (once issues relating to the GI boundary have been addressed).
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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	<p>Comment(s):</p> <p><i>Page 2:</i></p> <ul style="list-style-type: none"> • 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; <p>- Climate in the area- pages 4-8</p> <p>- 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.</p> <p>- <u><i>Key climate features- page 5</i></u></p> <p style="padding-left: 20px;">The North Canterbury GI's key features are its long sunny growing season, distinct seasons with warm summers within an overall cool climate with cold winters, significant diurnal shift and very low rainfall with drying summer winds.</p> <ul style="list-style-type: none"> ○ Declarant states that the diurnal shifts in temperature contributes to wine in the North Canterbury GI's high degree of fruit intensity as well as retention of natural acidity- <i>page 5</i> ○ Declarant states that the advantage of low rainfall is a long, dry growing season. This affects the North Canterbury wines as follows: <p style="padding-left: 20px;">Irrigation is regarded as essential. However the advantage of low rainfall is a long, dry growing season: not only essential for ripening grapes in such 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. As a result, North Canterbury GI wines are generally aromatically intense, display high varietally expression and are finely structured with an often racy freshness. Wines from the more northerly and protected Waipara Valley typically have more rounded weighty palates but exhibit the same fruit-driven intensity and fresh acidity. Banks Peninsula vineyards receive slightly more rainfall (and fewer frosts) than the wider North Canterbury GI and benefit from a benign maritime influence on the regional climate, which alongside its heavier volcanic soils can give wines of depth and structure.</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

Comment(s): See also Box 29 - *Ultra-premium market position*

Page 2

- 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;

Viticulture and Wine-making – page 9

- Declarant states that wine and wine making practices within the North Canterbury 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

Particular practices unique to the North Canterbury GI are as follows:

- To ensure grapes are of the highest quality and consistent with the ultra-premium marketing within the North Canterbury GI, yields for premium bottled production are typically restricted to between 4.6 to 10 tonnes per hectare for red grape varieties and 6-13 tonnes per hectare for white grape varieties.
- Wines are made in small batches and from predominantly small single vineyard sites.
- Red wines are typically aged in oak and are macerated on their skins for extended periods. This results in wines with significant aging ability.
- Grapegrowers and winemakers within the GI have a strong commitment to sustainable, organic and biodynamic winegrowing practices. Significantly North Canterbury Vineyards have claimed the top honours in the Organic Winegrowing Awards for the past two years
- Grapegrowers and Winemakers within the GI have strong links to both Lincoln University, (the leading Viticulture & Oenology Centre in New Zealand) and Canterbury University. With the proximity of the region to both these world class institutions, local grapegrowers and winemakers have benefited from training days, practical workshops and research into the regions grapegrowing, soils, wine tourism and climate. This in turn has allowed a deeper understanding of the region and allowed members to maximise their training and participation in research.

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>Sensory attributes- page 9</p> <ul style="list-style-type: none"> - The Declarant's evidence includes descriptions of the sensory attributes typically associated with wines from the North Canterbury 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 9-11</i>) - That said information about quality attributes of the wines from the GI has also been provided elsewhere in the submitted evidence –See Box 26
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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 **Comment:**

BOUNDARY

Southern boundary of North Canterbury GI

Both the GIs boundary co-ordinates and the declarant under the heading “Quality, Reputation or Other Characteristic” reflect that the North Canterbury GI is bounded by the Rakaia River to the South.

- However, the submitted evidence, especially the evidence relating to the reputation of the wine from the GI, does not support the southern boundary of the GI extending all the way south to the Rakaia River as asserted on *page 2*

- Evidence largely relates to the Waipara Valley area – for example wine labels of wines bearing the North Canterbury GI at *Appendix 2* largely reference wines from the Waipara Valley area. There are no labels of wines bearing the North Canterbury GI from Banks Peninsula or Canterbury plains (nb: *page 4* indicates that there are vineyards in West Melton, Tai Tapu and Lincoln) - evidence of which is required

Appendix 3 refers to the North Canterbury GI usage in marketing materials;

But note the:

- North Canterbury Food and Wine trail material at *page 23* said that the trail encapsulates the world famous wine region of Waipara, Rangiora, Oxford, Pegasus and Amberley
- Facebook screen shot refers to the area referred to in at *page 24* refers to the North Canterbury Vineyards as being from the Waikari River in the north to the Waipara Valley in the South
- The reputation hasn’t been shown to extend south of where the area North Canterbury is reasonably known.
- We further note that climate indices and statistics really only relate to Christchurch and Waipara Valley (*pages 6-8*)

- Links to the OMAR lists referred to at *page 14* are not appended as evidence but we note that the EU OMAR list for 2009 (note box 30; saved to case management system) shows formal recognition of the GI as being the defined areas of the Waimakariri and Hurunui districts alone and no districts further south of the Waimakariri river

- The applicant will need to supply further evidence that justifies the southern boundary being where it is; alternatively to
- Amend the southern boundary of the GI so that it accords with the material provided to establish reputation
- Note further research mentioned in Box 30

Upon further reconsideration

Consider there is an absence of any agreed/formal definition of North Canterbury

No clear boundary of what consumers would understand as North Canterbury (different boundaries for different purposes)

Consider it's reasonable for consumers would understand North Canterbury wines as coming from area south of what was originally considered in the examination

There is some evidence that grapes grown by growers in Christchurch and Banks Peninsula areas are recognised as being North Canterbury grapes and used by wineries for wines that are labelled as North Canterbury wines (see Donaldson declaration page 5)

Example: "Circuit" page 16

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.

Ultra-premium market position- page 11

The Declarant states that wines from North Canterbury are developing a strong reputation for the production of boutique ultra-premium wines.

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

Wines from the North Canterbury GI are typically positioned at the "ultra-premium" end of the wine market, defined as wines priced between US\$15 – US\$50⁸ (NZ\$22 – 73) per bottle. The mean retail price of wines bearing the North Canterbury GI is NZ\$35.92 per bottle. The range of retail prices is between NZ\$12 and NZ\$130 per bottle.

On average, wines bearing the North Canterbury GI scored 92.4 points on the 100 point scale⁹, in which scores of 90-95 points are considered Outstanding:¹⁰ a wine of superior character and style. Average scores in this range demonstrate that North Canterbury 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 North Canterbury:

Export statistics show that North Canterbury has been used as a GI on 383,000 litres of export wine from the vintages 2009 to 2017. This equates to 511,000 x 750 mL bottles of wine available for sale on the international market bearing the North Canterbury GI over a 6 year period.

Duration and continuity of use of North Canterbury GI – page 11

The Declarant states that there has been a consistent and continuous use of the GI North Canterbury on wines since the mid-eighties.

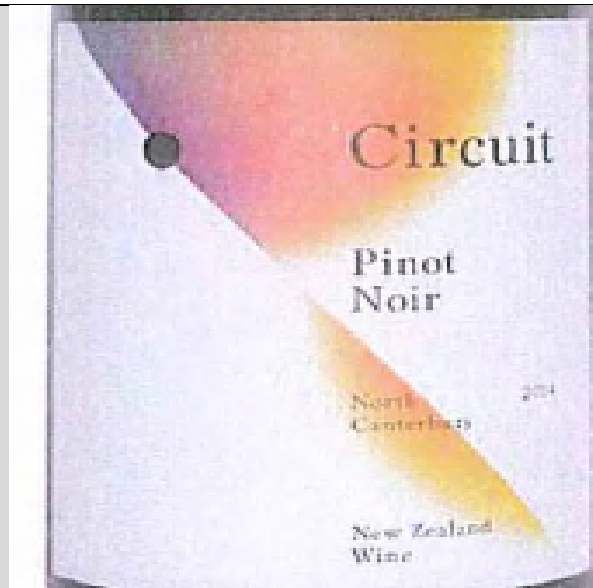
This is a long and continuous use period of wines bearing the GI North Canterbury

Labels showing use of the GI- Appendix 2

- Wine labels show use of the North Canterbury, as a GI for example:



<https://talk-a-vino.com/tag/menhir-salento-quota-31-primitivo/>



Formal Recognition of North Canterbury GI- pages

- *Page 14:*

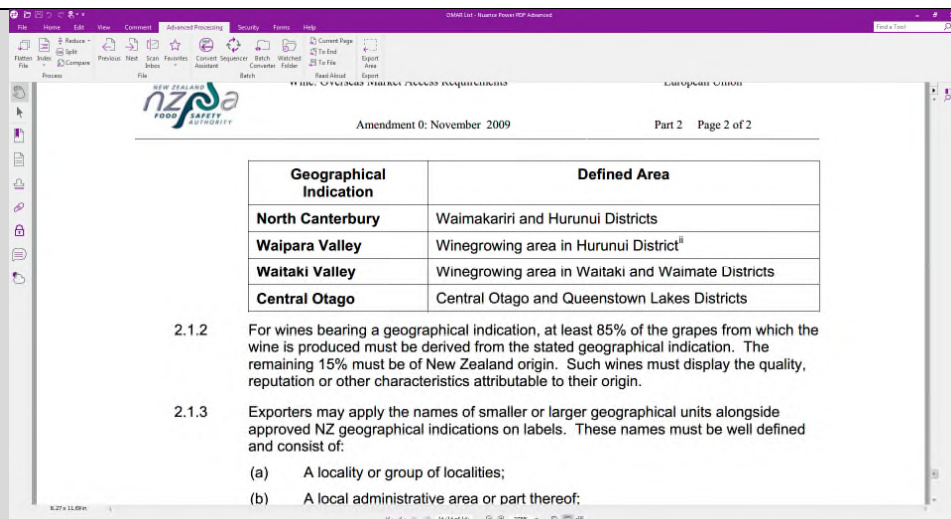
The New Zealand Government included "North Canterbury" in the list of "Appellations of Origin" submitted to the United States Department of the Treasury Bureau of Alcohol Tobacco and Firearms as the official list for use on wines exported to that market.

Marketing – page 13; Appendix 3

	<ul style="list-style-type: none"> • Examples of current marketing of the North Canterbury GI such as in respect of the North Canterbury wine and food festival and, wine trails and wine tastings <p><u>Tourism</u> Page 2</p> <ul style="list-style-type: none"> • 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. <p><u>Awards won by wine from the area to which the GI relates</u></p> <ul style="list-style-type: none"> • Articles set out in <i>Appendix 4</i> refer to the North Canterbury GI and depict wines from Waipara Valley
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Other relevant information:

30	<p>Comment(s):</p> <p>We have conducted research into the scope of the North Canterbury GI:</p> <p><u>OMAR List</u></p> <ul style="list-style-type: none"> - The EU OMAR list for 2009 refers to the North Canterbury GI as including the Waimakariri and Hurunui Districts only:
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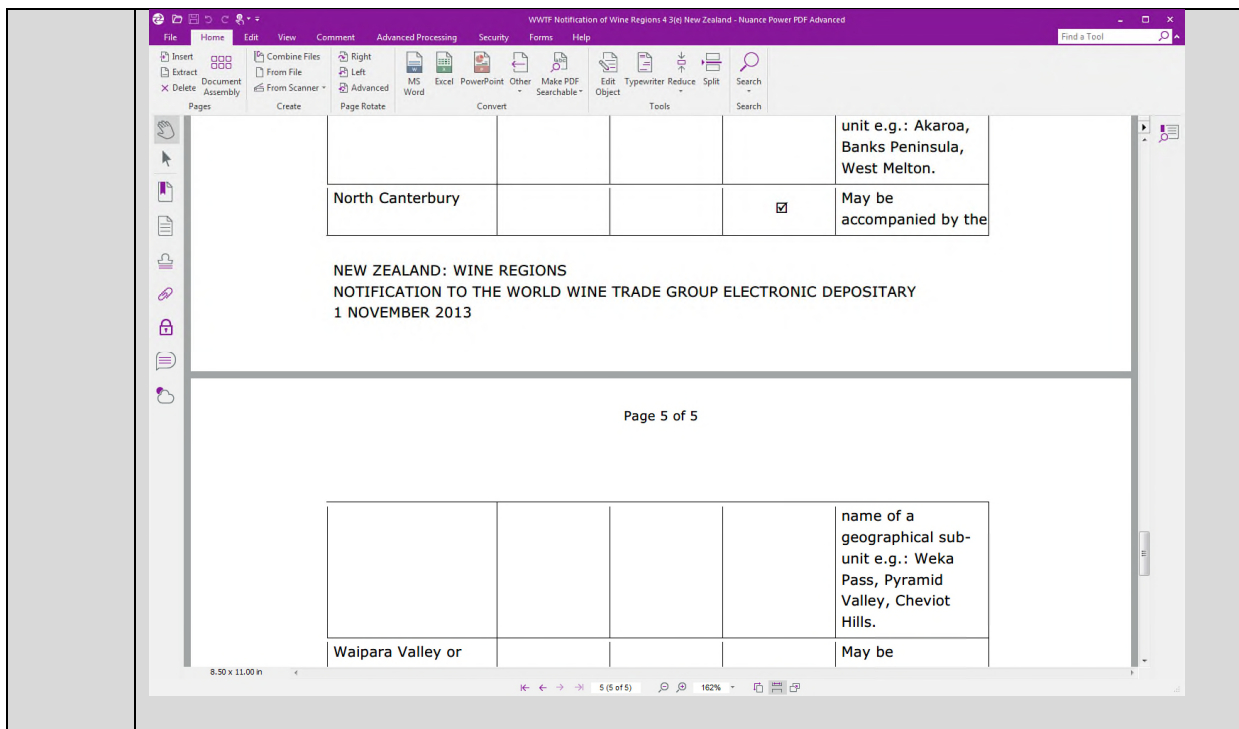
<http://www.foodsafety.govt.nz/password-protected/omars/eun/wine/other/part-2.pdf>

World Wine Trade Group (WWTG) List

- The list examples North Canterbury geographical sub-units as Weka Pass, Pyramid Valley, Cheviot Hills, although the list is not exhaustive no sub-units exemplified are from the area around Christchurch, south of Christchurch or from Banks Peninsula

[https://www.trade.gov/td/ocg/Notification%20of%20Wine%20Regions%204%203\(e\)%20New%20Zealand.pdf](https://www.trade.gov/td/ocg/Notification%20of%20Wine%20Regions%204%203(e)%20New%20Zealand.pdf)

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



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