

“Some of the information in this document may be redacted to protect the privacy of natural persons”.

Declaration

I, Jeffrey Paul SINNOTT, of [REDACTED] Tarras, Viticulturist, being a person authorised to present evidence in support of this Application on behalf of the Applicant, solemnly and sincerely declare that:

1. The evidence contained in and with this application, including appendices and attachments, is true and correct to the best of my knowledge.
2. I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Name: *Jeffrey Paul Sinnott*

Signature: [REDACTED]

Declared at *Tarras* this *24th* day of July 2017.

Before me: *Helen L. Pledger*

[Name of Justice of the Peace, or solicitor, or other person authorised to take a statutory declaration.]

Signature: [REDACTED]

*Justice of the Peace
Central Otago
New Zealand*

Helen L. Pledger, JP
#93256
CENTRAL OTAGO
Justice of the Peace for New Zealand

Evidence in support of application for registration of a New Zealand Geographical Indication: *WAITAKI VALLEY NORTH OTAGO*.

Geographical Indication name

The name of the geographical indication (GI) for which registration is sought is WAITAKI VALLEY NORTH OTAGO. This may alternatively be presented as WAITAKI VALLEY.

Quality, Reputation or Other Characteristic

The WAITAKI VALLEY NORTH OTAGO GI is a small GI located on the southern side of the Waitaki River in the South Island. It is not a sub-region of any larger regional GI, lying outside the boundaries of the Canterbury GI and separated from the Central Otago GI. Its combination of inland location, cooler climate and limestone soil structures create a unique physical environment in which a group of small and dedicated producers make distinctive Pinot Noir, Chardonnay and aromatic white wines.

Particular aspects of the WAITAKI VALLEY NORTH OTAGO GI which contribute to the characteristics and reputation of its wines include:

- a cool but moderated climate that is conducive to producing high quality wines from a particular suite of grape varieties;
- distinctive geology that contributes to the flavour of the wines particularly the Oligocene limestones of the Waitakian and Duntroonian classes.
- an evolutionary pathway for winegrowing that has created specialisation in certain varieties and styles;
- 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 high quality wine production;
- a strategic location on tourist routes between Christchurch and Queenstown.

As a result, wines from the WAITAKI VALLEY NORTH OTAGO GI have the following quality, reputation or other characteristics that are essentially attributable to their geographical origin:

- WAITAKI VALLEY NORTH OTAGO GI wines are specialised in a particular suite of classic grape varieties and wine styles suited to both the physical environment and the market, in particular: Pinot Noir, aromatic varieties, and Chardonnay.
- WAITAKI VALLEY NORTH OTAGO GI wines display recognisable and consistent sensory characteristics across a range of varieties and styles due to the physical environment as well as viticultural and winemaking practices.
- WAITAKI VALLEY NORTH OTAGO GI wines are high quality products produced for the premium to ultra-premium market segments.
- WAITAKI VALLEY NORTH OTAGO GI wines have a global reputation for the foregoing based on use and recognition by consumers, tourists wine experts and visitors to the GI.

History and background

Background

The Waitaki Valley is situated in North Otago on the eastern side of the South Island of New Zealand following the Waitaki River roughly along the 45th parallel south. The region spreads from the general location of Duntroon approximately 45 km from the river mouth and stretches some 45 km inland to the settlement of Otematata.

The region covers approximately 450 km² of land. The predominant land use is pastoral agriculture with dairy, sheep, beef augmented with horticulture including stone fruit, tree crops and grapes. The region has a low resident population that swells during the summer months with people holidaying from other parts of NZ, attracted by the region's bountiful lakes, rivers and mountains mainly for boating, fishing, hunting and general holiday making. Tourism Waitaki quotes that the Alps to Ocean Cycle Trail has seen significant year on year growth and currently attracts upwards of 18,500 visitors to the region, often outside the typical December-January peak. Tourism is seen as an important growth industry in the region and as such is responsible for significant increases in economic activity with the WAITAKI VALLEY NORTH OTAGO GI.

The Waitaki Valley is one of the major sources of hydro-electric power for New Zealand with a large network of hydro dams stretching from the upper reaches of Aoraki/Mount Cook encompassing the sub-alpine lakes Tekapo, Pukaki, Ohau, Ruataniwha and Benmore in the MacKenzie country as well as lakes Aviemore and Waitaki along the mid-Waitaki system. Energy companies Contact and Meridian Energy are the owners of this power generation system and exerts considerable economic and infrastructural influence in the region.

The positioning of the WAITAKI VALLEY NORTH OTAGO GI as an idyllic yet isolated retreat just off the main route between the major tourist centres of Christchurch and Queenstown is the key to the growth of tourism. The amenity offered by crystal clear lakes & rivers, native forest and cultural/culinary activities is a major draw card. Wine tourism has both benefitted from and contributed to this, as outlined below.

History

The WAITAKI VALLEY NORTH OTAGO GI is New Zealand's most recently developed winegrowing region. While viticulture has been suggested by several authors (McIntyre *et al* 1988) and speculated by several Central Otago wine industry pioneers such as Alan Brady of Gibbston Valley Wines and Rolf Mills of Rippon Vineyard in Wanaka, the GI remained relatively undeveloped in a wine sense until several ventures began in the late 1990s.

Dunedin entrepreneur the late Howard Patterson headed up a development company in 1999 to establish vineyards firstly at Doctors Creek and then in the Otekaieke river valley, particularly a development known as Waitaki Valley Estates along Grant's Road. They also drew in interest from Drs John Forrest, a Marlborough winegrower, who made the first Waitaki Pinot Noir in 2004 from grapes planted by the Patterson developers in 2001.

Concurrent to that brothers in law Dr Jim Jerram and viticulturist & winemaker Jeff Sinnott began what became Ostler vineyards on the limestone slopes above the small village of Duntroon. Following the initial production of wine from these two sites several others entered the industry. Dr Antonio Pasquale, an Italian academic with wine industry connections in Europe planted vines in the valley

floor near Oteike and built a small winery among those vines. He also planted a trail vineyard in the Hakatamea valley which has since been removed. In the ensuing years several producers have planted small blocks up & down the valley stretching from Lake Waitaki in the west to Duntroon in the east

The applicant formed their association in 2005 and currently has a small but dedicated membership of growers. Wines from these vineyards began to see the market in the mid-2000's and have been gradually gaining a local and international reputation for their quality, style and individuality. Pinot Noir in particular has become the flagship of the valley with several producers, Ostler, Valli, Forrest and Pasquale winning numerous awards in New Zealand and international wine competitions such as the International Wine Challenges (IWC) in London and Shanghai. The GI now has its own class and trophy in the International Wine Competition and other competitions. Given the initial success (and in some cases failure) of producers the valley now sits as a region in its own right, nestled as it is on the northern boundary of Otago it is entirely within the historical provincial boundary of Otago..

The economic context

Making wine in the WAITAKI VALLEY NORTH OTAGO GI is expensive; even within the context of New Zealand which is itself a high-cost producer in global terms.

The geology and climate of the WAITAKI VALLEY NORTH OTAGO GI limit the availability of suitable vineyard sites. Often these are on sloping sites which can be expensive to work. Land values vary through the region based on their agricultural use. In some cases pastoral land is available at low prices relative to other winegrowing regions with New Zealand. In other cases competition for resources with other industries such as dairying inflate base land prices compared to pastoral hill country. Market forces often dictate land values at any given time but as experience has shown through much of rural New Zealand these land values fluctuate with economic cycles.

Because the GI is an isolated valley, there are high costs involved in sourcing and transporting labour and other inputs, and in transporting finished goods to market. Grape yields are generally low, which means that the cost per tonne of grapes is high.

All of these factors dictate that the WAITAKI VALLEY NORTH OTAGO GI must operate as an ultra-premium wine region; producing to the lower end of the market is not economically viable. Consequently, producers maximise the quality and distinctiveness of wines from the WAITAKI VALLEY NORTH OTAGO GI in order to retain their position in the market.

This is an essential element in determining the styles and sensory characteristics of wines from the WAITAKI VALLEY NORTH OTAGO GI. In essence, the wines produced must justify their ultra-premium positioning by being of corresponding quality and by displaying sensory characteristics that are distinctive of the GI.

Industry structure

Industry structure also contributes to the distinctive characteristics of wines from the WAITAKI VALLEY NORTH OTAGO GI. It has always maintained its distinct geographical, geological, topographic, pedological and climatological differences to the neighbouring GIs of Central Otago and Canterbury. The compact nature of the WAITAKI VALLEY NORTH OTAGO GI, the fact that it is an isolated valley on the boundary of the provinces of Otago and Canterbury, and the "boutique" nature of winegrowing operations are elements of a closely linked winegrowing community. Most winegrowers are full members of the Applicant and participate in its activities. The Applicant provides a platform for many cooperative activities from marketing to education.

Many winegrowing businesses within the WAITAKI VALLEY NORTH OTAGO GI cooperate in other ways for mutual benefit. For example, some businesses share viticultural and winemaking staff, logistical support particularly during harvest and freight costs of fruit out of the region for downstream processing.

While there are always differences of opinion between competing businesses, perhaps most notable is that all winegrowing enterprises within the GI view the GI as having a particular vocation for high quality wines.

These factors contribute to the specific characteristics of wines from the WAITAKI VALLEY NORTH OTAGO GI by combining a broad collective understanding of the GI and its wines with an underlying network of collaboration and knowledge-sharing to produce wines which fulfil that understanding.

Geographical features in the area/ soil composition in the area

The geography and soil composition of the WAITAKI VALLEY NORTH OTAGO GI contributes to the distinctive sensory characteristics of wines, affecting factors such as exposure to sunlight, drainage, water availability, microbial population, root penetration and nutrient uptake of the vines. These elements affect vine growth and the ripening of fruit and are associated with particular viticultural aptitudes and sensory characteristics both across the GI as a whole and between different parts of the GI.

Probably the most readily identifiable feature of the Waitaki Valley North Otago is its underlying geographical structure. It was the Oligocene limestones, particularly of the Waitakian and Duntroonian classes that drew winegrowers to this region. The formation of the limestones in the WAITAKI VALLEY NORTH OTAGO GI are generally of marine origin but are significantly younger in Geological terms than our European colleagues. Similar in age to the Te Aute Limestone facies in the Southern Hawke's Bay these soils are richly fossiliferous containing mainly shallow water species of brachiopods but also significant deposits of large marine mammal remains such as the ancient dolphin *Waipatia Maraewhenua* as well as remains of terrestrial species such as Moa, Kiwi and Weka.

The relationship between calcareous soils and wine quality is not easy to define but limestone has been strongly associated with high quality wine production. This is at least in part for reasons to do with water availability for the vine, but calcareous soils are considered to contribute positively to the sensory characteristics of wine. For example, WAITAKI VALLEY NORTH OTAGO GI white wines grown on limestone are sometimes considered to have a "mineral" character.

While the limestones feature heavily in the make-up of the valley they are by no means the only soil types found. Significant areas of alluvial greywacke gravels are concentrated close to the main Waitaki River and its tributaries, these soils are often overlain with a mixture of alluvial river silts and wind-blown loess of varying depths. As the valley progresses west toward the lakes of Waitaki, Aviemore and Benmore the soils take on more micaceous schist as the Waitaki river has cut through various strata and exposed the metamorphic parent material of the Southern Alps. The availability of these other suitable soil types adds variety and complexity to the wine styles produced within the GI.

Climate within the area

The climate of the WAITAKI VALLEY NORTH OTAGO GI is one of the primary determinants of the growth and ripening of the grapes grown within the GI, which in turn contributes to distinctive sensory

attributes in the wine produced in the GI. It affects the development of fruit, the duration of ripening and the timing of harvest, as well as impacting upon fruit quality and vine health.

The climate of the WAITAKI VALLEY NORTH OTAGO GI is strongly influenced by the maritime influence of the South Pacific. Being situated in the east coast of the South Island with the large inland McKenzie basin acting as a venturi the prevailing wind is easterly which exerts a cooling effect on the GI. It is this coolness that has been identified by several international commentators (Kramer, 2013) as a key contributor to the GI's wines, Pinot Noir in particular.

Even though it sits within the same province as its sibling region Central Otago and occupies the same latitude (45'S) the GI exhibits quite different climatological characteristics. The region is not a continental as "Central" in that the mean annual temperature range is lower, meaning the difference between mean summer and mean winter temperatures is closer.

This moderation effect caused by the region's proximity to the South Pacific Ocean is seen as a key contributor to the regional wine style. While it doesn't get as hot in mid-summer as Central Otago it also remains slightly warmer in the late autumn, giving it significantly different conditions in which to ripen grapes. Several producers in the region (eg, Forrest & Valli) also make wines from outside the region and claim this effect a significant differentiating factor in their wines. It also has a much lower frost risk than central, particularly in early spring and in late autumn. The most successful vineyards within the GI do employ some form of frost protection to mitigate the risk.

Key climate indices and statistics

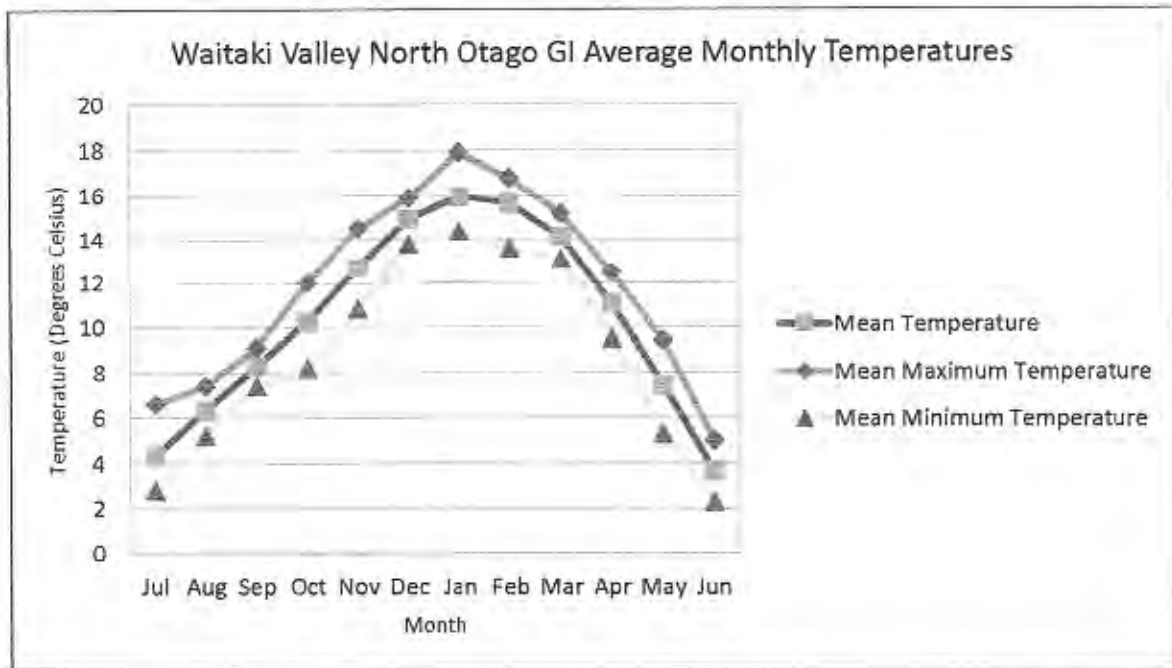
The following tables and charts provide data on key climate statistics relevant to the viticulture of the Waitaki Valley North Otago region¹. All data were sourced from the National Institute of Water and Atmospheric Research.

	Sunshine Hours (sum)	Growing Degree Days (>10°C) (sum)	Rainfall (mm) (sum)	Screen (air) frost (# days per month) (sum)	Ground Frost (# days per month) (sum)
Annual	1,802	850	380	78.8	102
Season (Sept - April)	1,279	835	229	15.9	26
Season % of annual	71%	98%	60%	20%	25%

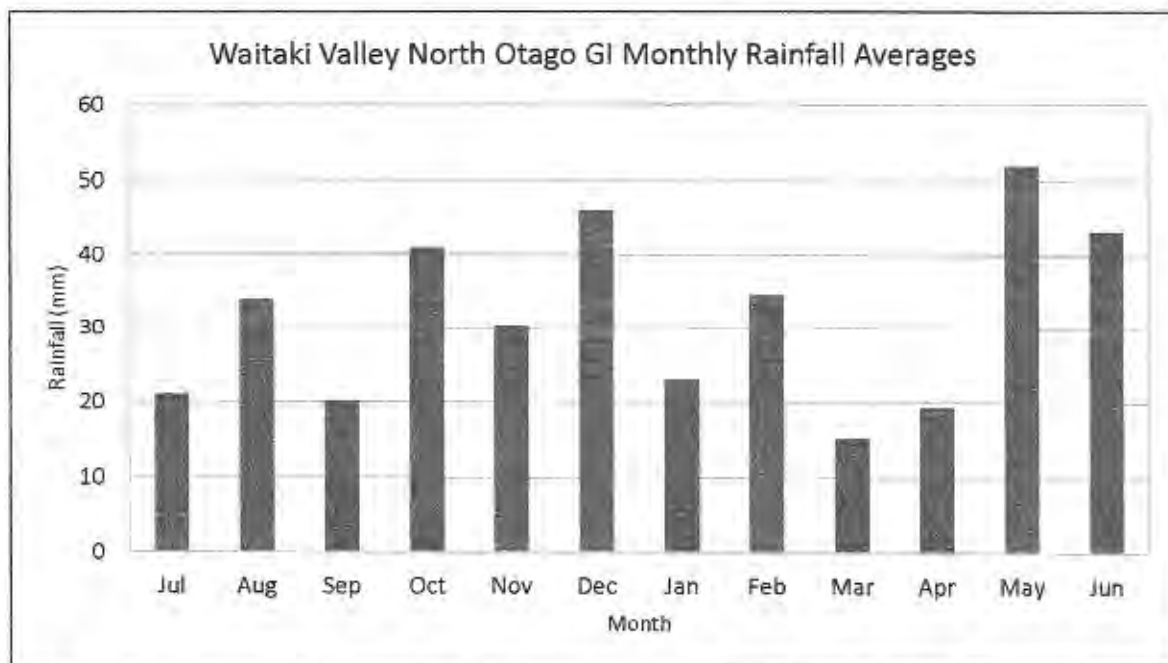
Growing Season metrics (Sept-April)	°C
Mean Maximum Temperature	14.2
Mean Minimum Temperature	11.4
Mean Diurnal Shift	12.9

¹ Data sourced from Hakataramea Valley CWS



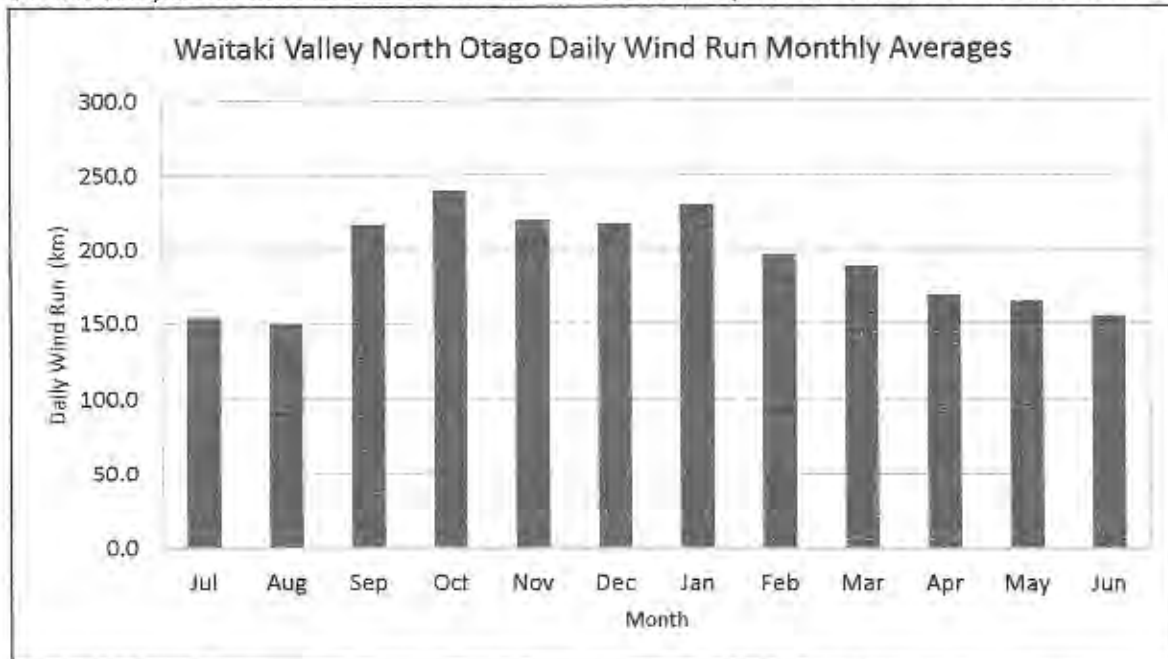


Annual rainfall is low compared to northern winegrowing regions at around 380 mm per annum. This falls under the AWRI aridity index limit meaning supplementary irrigation is considered essential. Given the proximity to the hydro-electric generation capacity of the river irrigation water is plentiful although access to it can in some cases be problematic.



One of the more subtle but nonetheless important climatological indices is wind. The upper Waitaki around the township of Omarama is world renowned in aviation circles as a gliding mecca attracting significant national and international interest. Huge atmospheric uplift caused by convective air currents in the Mackenzie Basin are responsible for some of the highest altitudes gained in unpowered aircraft on earth. This uplift must necessarily be replaced by air from lower altitudes which gives rise to the infamous "easterly" from the coast through the lower to the upper valley. It is this

easterly wind pattern, particularly on summer afternoons that contributes to the overall coolness of the summer period. In a sense it is considered by winegrowers in the valley as the daily air-conditioner preventing temperatures from getting too high and causing heat damage to the vines. It is the topography of individual sites and their relative exposure to this phenomenon when combined with geological factors gives rise to sub-regional, site or "terroir" differences within the valley. A temperature gradient of up to 20% has been measured along the 35 Km distance from the cooler more coastal vineyards near Duntroon to the warmer inland vineyards on the shores of Lake Waitaki.



A series of privately owned but networked weather stations across the valley, logged by Havestnz.com provides accurate, real-time access to key meteorological data for more precise vineyard decision support systems.

Methods of production in the area

Grape varieties and wine styles

The WAITAKI VALLEY NORTH OTAGO typically produces red, white and rosé wines from the following grape varieties.

- Pinot Noir
- Pinot Gris
- Chardonnay
- Riesling

in 2016, the hectares planted within the WAITAKI VALLEY NORTH OTAGO GI from each grape variety were as follows:

WHITE		RED	
Variety	Ha.	Variety	Ha.
Chardonnay	3.9	Pinot Noir	25.7
Pinot Gris	15.8	Other Red	0.7
Gewurztraminer	1.95		
Riesling	5.65		
Other White	2.40		
TOTAL	29.7	TOTAL	26.4

Other Red includes Dornfelder, Pinot Meunier & Tempranillo

Other white includes Malvasia Bianca, Schonberger, Muscat, Viognier

NB Not all planted hectares were producing as at harvest 2016

The “signature” styles produced in the WAITAKI VALLEY NORTH OTAGO GI are: Pinot Noir, Pinot Gris, Riesling and Chardonnay. The WAITAKI VALLEY NORTH OTAGO GI is similar to other South Island regions sharing the same latitude in that it focuses primarily on Pinot Noir. It also enjoys a strong reputation for Pinot Gris and increasingly Riesling and more recently Chardonnay.

Viticulture and winemaking

Viticultural and winemaking practices within the WAITAKI VALLEY NORTH OTAGO 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. While the practices themselves may not be unique, they are aimed at promoting the distinctive characteristics of wines from the WAITAKI VALLEY NORTH OTAGO GI.

Particular features of viticulture and winemaking practices within the WAITAKI VALLEY NORTH OTAGO GI are as follows:

- For reasons of quality and due to the relative isolation of the region, there is no mechanical harvesting within the WAITAKI VALLEY NORTH OTAGO GI. Instead, all harvesting is carried out by hand.
- Due to the low rainfall and relatively low waterholding capacity of some of the soils vines are required to be grown with supplementary irrigation. There are some sites, particularly on the limestones that have higher water holding capacity (> 50mm/m) that require less or in some cases no irrigation in some seasons.
- In order to ensure that grapes are of the highest quality within the WAITAKI VALLEY NORTH OTAGO GI growing environment and as a result of the maritime climate yields are typically restricted to between 2.5 and 6 tonnes per hectare for red grape varieties and 4 to 7 tonnes per hectare for white grape varieties.
- Wines are made in small batches, often predominantly from single vineyards or vineyards owned by the winery.
- Given the relative lack of winemaking infrastructure in the WAITAKI VALLEY NORTH OTAGO GI most fruit is transported out of the region for vinification. In some cases, wines are made &/or bottled in the GI.

- Red wines, particularly Pinot Noir, from the WAITAKI VALLEY NORTH OTAGO GI are slowly gathering a reputation within the international wine community as having unique sensory characteristics that exist not a consequence of winemaking technique but from the underlying climatology & geology.
- In most cases premium winemaking techniques are employed such as cool pre-fermentation maceration, hand plunging on the fermentations in small (<4 tonne) tanks, extended post-fermentation maceration then maturation for up to 18 months in small French Oak barriques prior to bottling.
- Winemakers generally agree that even though the same or similar winemaking techniques are employed the resultant wines are distinctive, recognisable and original in their aroma and flavour profile and that these characteristics are as a result of the unique growing conditions (site, climate, cultivar & culture) from within the GI.
- These characteristics are observed to be significantly different to other regions within New Zealand which forms the basis on which this application is being made.
- Grape growers and winemakers within the WAITAKI VALLEY NORTH OTAGO GI have a strong commitment to sustainable winegrowing, with most participating in Sustainable Winegrowing New Zealand or organic certification.
- Wines from the GI may be made in styles that are lower in alcohol, including sweet wines and lower alcohol dry wines produced using permitted viticultural and winemaking practices.

Quality

Sensory attributes

Master of Wine, Emma Jenkins, has provided the following descriptions of the sensory attributes typically associated with wines from the WAITAKI VALLEY NORTH OTAGO GI.

Pinot Noir

The dominant, and only red variety of the WAITAKI VALLEY NORTH OTAGO GI. The GI's short, warm summers and long cool dry autumns with notable diurnal shifts give its Pinot Noir an aromatically intense, fine-bodied, varietally pure character with notable but typically balanced acidity. The long growing season and large diurnal shifts enhance varietal character and aromatic intensity and the GI's wines are generally very perfumed with defined Pinot Noir characters of red cherry, raspberry, strawberry, wild herbs and spice. The long, cool, usually stable growing season allows for good flavour development and tannin maturation, though the overall cool climate and moderate sunshine hours means the wines are typically quite delicate in style with fresh acidity. Wines are typically vinified using French oak, which can range in age in size according to desired style and market position. Rosé styles may also be made. WAITAKI VALLEY NORTH OTAGO GI Pinot Noirs are typically positioned at the premium end of the market.

Riesling

The WAITAKI VALLEY NORTH OTAGO GI's notably cool climate with its long, dry growing season is well-suited to Riesling, producing delicate, expressive wines with very good varietal expression of intense citrus, floral and mineral elements. The cool climate with its significant diurnal shifts and long, dry growing season allows very good retention of crisp natural acids whilst generally allowing complete physiological and phenolic ripeness. The GI's generally dry growing season also permits a range of wine styles to be made, from dry, medium and through to late harvest dessert wines, though frost is a hazard for any especially late-picked grapes. Generally, WAITAKI VALLEY NORTH OTAGO GI Riesling

has some residual sugar left to balance the high natural acidity, with off-dry to medium wines most common. Alcohol levels can be as low as 8% abv, or even lower, as the distinctive climatic conditions allow naturally balanced low-alcohol wines with retained residual sugar. Winemaking inputs are typically kept neutral to preserve aromatic and fruit purity.

Pinot Gris

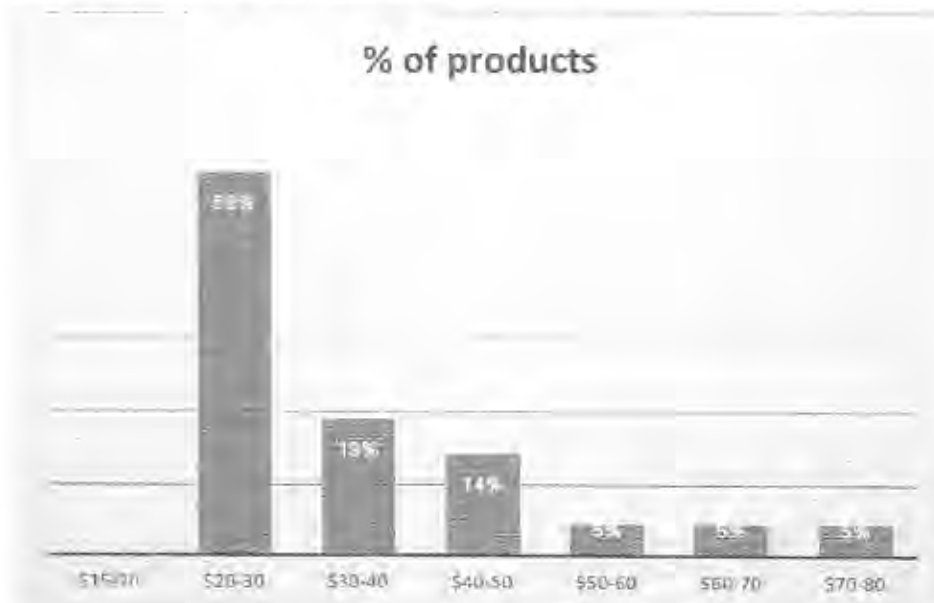
Pinot Gris is well suited to WAITAKI VALLEY NORTH OTAGO GI's cool climate and long growing season, which promotes elegant wines with good balance in a variety that can otherwise ripen early and accumulate sugars and thus high alcohol. The GI's marked diurnal shifts help retain both natural acidity, varietal freshness and intensity and the long, usually dry growing season allows a range of styles through to late harvest. Wines are typically light to medium-bodied with perfumed aromatics and pear, apple, stonefruit, citrus, gingerbread and spice characteristics. Winemaking is generally neutral in style to preserve fruit purity but there may be use of seasoned oak and/or lees work for additional texture and complexity.

Gewürztraminer

There are small plantings of Gewürztraminer in the WAITAKI VALLEY NORTH OTAGO GI, producing delicate, aromatic wines with good varietal character. Wines exhibit perfumed intensity with crisp palates showing good fruit/acid/alcohol balance courtesy of the GI's cool climate, extended growing season with dry autumns, and significant diurnal temperature shifts. Wines may be dry, medium or late harvest. Winemaking would typically seek to preserve the aromatic and palate fruit purity.

Ultra-premium positioning

Wines from the WAITAKI VALLEY NORTH OTAGO GI are typically positioned at the "ultra-premium" end of the wine market, defined as wines priced between US\$15 – US\$50² (NZ\$22 – 73) per bottle. The mean retail price of wines bearing the WAITAKI VALLEY NORTH OTAGO GI is NZ\$ 35 per bottle. The range of retail prices is between NZ\$20 and NZ\$73 per bottle, and the median price is NZ\$31.50 per bottle. No products bearing the WAITAKI VALLEY NORTH OTAGO GI on the retail market are priced below NZ\$20 per bottle. This is illustrated on the table below.



Source: Wine searcher.com

According to key New Zealand wine writer Bob Campbell on average, wines bearing the WAITAKI VALLEY NORTH OTAGO GI scored 89 points on the 100 point scale³, in which scores of between 85 and 89 points are considered: *Very good: a wine with special qualities.*⁴ 30% of WAITAKI VALLEY NORTH OTAGO GI wines are scored at an average of more than 90 points on the 100 point scale: *Outstanding: a wine of superior character and style.* Average scores in this range demonstrate that Waitaki North Otago GI wines are perceived in the market as being of ultra-premium or higher quality levels.

In addition to this several key producers have won gold medals and trophies in significant national and international wine competitions such as the Air New Zealand Wine Awards, New Zealand Easter Show and the International Wine (and Spirit) Challenges in London, Shanghai and Hong Kong.

Reputation

The WAITAKI VALLEY NORTH OTAGO GI has a growing reputation for the production of “boutique”, ultra-premium wines – particularly Pinot Noir and aromatic whites - in a highly attractive and accessible setting that is an increasingly popular destination for tourists wanting to “get off the beaten track”. Lifestyle factors in addition to the wine industry such as cycling, fishing, hiking, horse trekking & skiing make the valley an ideal “get-away” alternative to Central Otago and Canterbury.

The factors outlined above that contribute to the specific characteristics of wines bearing the WAITAKI VALLEY NORTH OTAGO GI also contribute to their reputation. These factors both dictate the necessity for production of ultra-premium, distinctive wines, and provide a suitable environment for the production of such wines. The reputation of wines bearing the WAITAKI VALLEY NORTH OTAGO GI is built upon and justified by the production of ultra-premium, distinctive wines and enhanced by the growing amenity and tourism values of the Waitaki Valley.

Use of the WAITAKI VALLEY NORTH OTAGO GI

The WAITAKI VALLEY NORTH OTAGO GI, either in its full form or its shorter alternative, has been used consistently and continuously on wines since the first commercial releases of wines from this sub-region by Forrest Estate in 2003, Ostler in 2004 and Valli in 2006. Examples of labels bearing the GI in both forms are attached as Appendix 1.

It is important to clarify the reason why both forms of the GI name are used. In the early years of the GI, as it was evolving its identity, the shorter version WAITAKI VALLEY was predominantly used. More recently, the majority of producers have come to prefer the longer name WAITAKI VALLEY NORTH OTAGO, because it serves to clarify that the GI refers to the southern (Otago) side of the Waitaki Valley and to distinguish it from the earlier Waipara Valley GI. However, some producers have opted to maintain use of the shorter alternative WAITAKI VALLEY, and this abridged form is often used by media as well.

While production is not large and export quantities are comparatively low, export statistics show that Waitaki Valley has been used as a GI on 113,929 litres of export wine from the vintages 2006-2017. This equates to 151,905 x 750 mL bottles or 12,658 x 9L cases of wine available for sale on the international market bearing the WAITAKI VALLEY NORTH OTAGO GI over a 10 year period.⁵ The effect

³ Data courtesy of www.wine-searcher.com as at [date]. Scores are an average of points awarded on a 100-point scale by leading wine critics.

⁴ Description is from Robert Parker's *The Wine Advocate*.

⁵ Note that the data only covers exports to June 2017, none of which were vintage 2017 wines.

of such usage is significant as, through the process of sale, the WAITAKI VALLEY NORTH OTAGO GI will appear on price lists and catalogues, advertisements, media and consumer tastings, shelf talkers and on restaurant wine lists.

The national wine industry association, New Zealand Winegrowers (NZW), has long recognised the WAITAKI VALLEY NORTH OTAGO GI and reference to the GI in one or other form has been included in many of NZW's publications which are publicly available and distributed nationally and internationally in hard and soft versions. These include the following examples:

- The NZW Annual Report <https://www.nzwine.com/media/1214/nzw-annual-report-2016.pdf>;
- The NZW Vineyard Register Report: <https://www.nzwine.com/media/4501/2017-vineyard-register.pdf>;
- The www.nzwine.com website;
- NZW pamphlets and materials about the NZ wine industry and its regions, such as: <https://www.nzwine.com/media/6390/a-land-like-no-other.pdf>;
- The New Zealand wine regions map A0 size poster which is widely used including in association with all national and international promotional activities. This map also appears as the sixth panel in the *A Land Like No Other* pamphlet.
- Producers within the WAITAKI VALLEY NORTH OTAGO GI also participate in international marketing events and incoming visitor programmes and events organised through NZW. These frequently feature regional overview tastings and education programmes including WAITAKI VALLEY NORTH OTAGO GI wines as well as participation from producers within the GI. These combined activities have an enormous global reach, covering millions of consumers in NZ, Australia, Europe, North America and Asia. Data on the reach of these events is set out in the NZW 2016 Annual Report referenced above.

While up until this point this developing region has seen each pioneering producer responsible for its own sales and marketing programmes. In 2012 the WVWA organised and conducted the inaugural Waitaki Wine Week in which 9 producers the Waitaki Valley travelled to Auckland, Wellington, Christchurch and Queenstown to promote the region's distinctive wines. The region continues to self-fund its own marketing initiatives at events such as the Whitestone Waitaki Wine & Food Festival held each year in the regional principal town of Oamaru. More initiatives are in the planning.

Formal recognition of the WAITAKI VALLEY NORTH OTAGO GI

While New Zealand has not had a formal registration system for GIs in place, the New Zealand Government has formally recognised the historic shorter version of the GI name, "Waitaki Valley", on several occasions where this has been necessary to facilitate exports. This provides evidence that the WAITAKI VALLEY NORTH OTAGO GI is already recognised by the New Zealand Government to the extent possible under the current New Zealand law, and that such recognition has been accepted by the governments of other countries.

In 2004, the New Zealand Government requested that "Waitaki Valley" be included as a sub-region of Auckland on the European Union's official list of "geographical ascriptions"⁶ to be used on New Zealand wines exported to that market.⁷

⁶ Note that the terminology of "geographical indications" did not come into use internationally until 1995.

⁷ Commission Regulation (EEC) No 632/89 of 10 March 1989 amending for the eleventh time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts, Official Journal L 070 , 14/03/1989 P. 0006 – 0012.

The New Zealand Government included “Waitaki Valley” 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.

In 2008, the New Zealand Government included “Waitaki Valley” as a New Zealand geographical indication for use on wines exported to the European Union in the *European Union: Wine: Overseas Market Access Requirements Notice*.⁸

In 2010, the New Zealand Government included “Waitaki Valley” as a New Zealand geographical indication for use on wines exported to Brazil in the *Brazil Wine Notice of Overseas Market Access Requirements*.⁹

In 2013, the New Zealand Government included “Waitaki Valley” on the list of New Zealand wine regions¹⁰ notified pursuant to Article 4(3)(e) of the World Wine Trade Group *Protocol to the 2007 World Wine Trade Group Agreement on Requirements for Wine Labelling Concerning Alcohol Tolerance, Vintage, Variety, and Wine Regions*.¹¹

Waitaki Valley is included as a New Zealand GI on the International Organisation for Wine and Vine’s *International Database of Geographical Indications*.¹²

Quality reputation of the WAITAKI VALLEY NORTH OTAGO GI

The WAITAKI VALLEY NORTH OTAGO GI is becoming globally recognised as a location for the production of high quality wines. This is demonstrated through recognition of the WAITAKI VALLEY NORTH OTAGO GI in leading national and international wine publications and media, as well as through national and international awards won by wines bearing the WAITAKI VALLEY NORTH OTAGO GI. The fact that the International Wine Challenge in London have had a separate trophy for Waitaki Valley Pinot Noir (as distinct to other NZ Pinot producing regions) since 2010 is testament to this growing reputation.

For example, the current (2nd) edition of Michael Cooper’s *Wine Atlas of New Zealand* dedicates 2 pages specifically to the WAITAKI VALLEY NORTH OTAGO GI, saying among other things: “Acclaimed for a decade for its cool climate Pinot Noirs – pioneered by Forrest, Craggy Range & Ostler and now joined by Valli, Pasquale & Q – Waitaki is also the source of some distinguished Pinot Gris, Riesling and Chardonnay...”

The USA publication “The Wine Spectator” in 2013 referred to the Waitaki Valley as the “coolest unknown wine region in the world” and home to one of their wines¹ of the year, Ostler Caroline’s Pinot Noir 2010.

The Waitaki Valley is also referred to in the 2015 4th Edition of *The Oxford Companion to Wine*, region.”²³

⁸ http://www.trade.gov.govt.nz/passworndirected/omms/eu_wine/otlter/part-1.html

⁹ <http://www.trade.gov.govt.nz/passworndirected/omms/brasil/wine/otlter/part-1.html>

¹⁰ Note that the Protocol does not use the terminology of “geographical indications” although it is understood that GIs fall within the definition of “wine regions” at Article 1(g) of the Protocol.

¹¹ <http://www.wine.org.nz/otlter/part-1.html>

¹² <http://www.ifo.com/otlter/part-1.html>

²³ Robinson, J. and Harding, J. Eds. (2015) *The Oxford Companion to Wine*, 4th Edition, Oxford University Press, Oxford, at p. [xx]

Appendix 2 is a selection of national and international publications and media articles which refer to the WAITAKI VALLEY NORTH OTAGO GI.

Appendix 3 is an indicative list of national and international awards won by wines bearing the WAITAKI VALLEY NORTH OTAGO GI.

Reputation of the WAITAKI VALLEY NORTH OTAGO GI and tourism growth.

The WAITAKI VALLEY NORTH OTAGO GI is an emerging wine region and is enjoying an increase in tourism in general, in particular free independent travellers in the key "Baby boomer" demographic.¹⁴ While not specifically here to visit wineries these individuals are delighted to "discover" a new wine region and often re-visit and re-order following their visit. The upsurge in campervan traffic throughout New Zealand is also being felt in the North Otago region in general. Our pristine lakes, river and relatively sparsely populated region is increasingly sought by those wanting to get off the beaten track and take an extended trip between key destinations within the lower South Island e.g. Christchurch, Dunedin, Central Otago, Queenstown & the Southern lakes.

Increasing tourism activity is beginning to see a rise in visitor numbers particularly along the Alps to Ocean cycleway that runs from Aoraki Mount Cook National Park, via Lakes Pukaki, Ohau, Benmore, Aviemore and Waitaki down the river to its final destination on Oamaru. In the summer of 2015-2016 total numbers on the Alps to Ocean cycle trail were recorded by Tourism Waitaki at close to 18,000. The same body has anecdotally reported that numbers for the 2016-2017 cycling season (Labour weekend to Easter) will double the previous year. Increasing numbers of visitors to the region is beginning to stimulate the accommodation and hospitality sectors. There is significant investment in local tourism to accommodate, entertain and feed this increasing population within the key demographic for premium wine consumption.

In addition to the "Free Independent" destination traveller the valley is also being increasingly used by in-bound tourism operators as an alternative route to the Inland Alpine route from Christchurch to Queenstown.

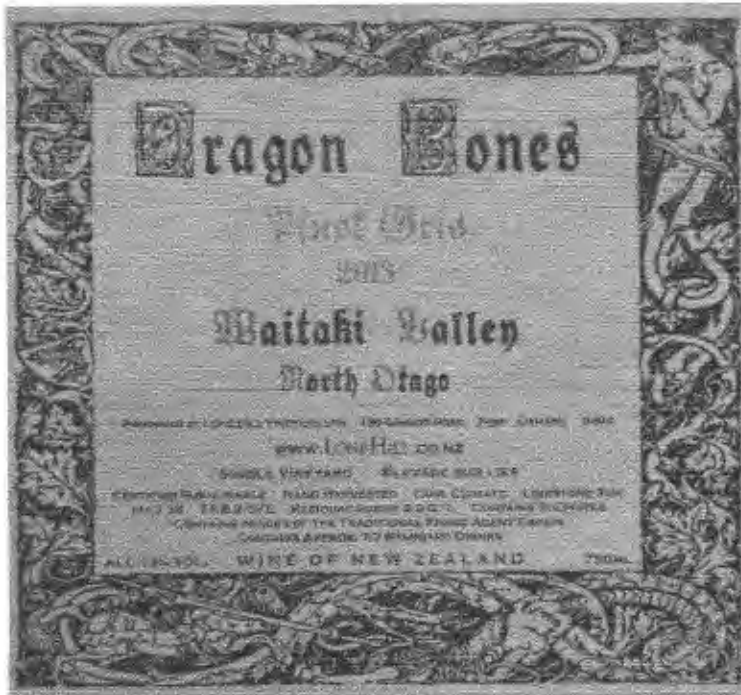
The association with increased tourist activity enhances reputation because it forges a strong link between the wines from the GI and the GI itself.

¹⁴ Source: Tourism Waitaki

Appendix 1: Examples of WAITAKI VALLEY NORTH OTAGO wine labels



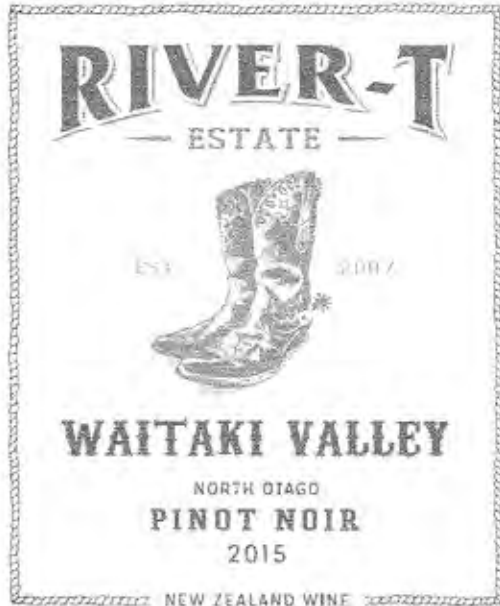
<https://www.wine-searcher.com/wine-171635-0001-forrest-john-forrest-collection-waitaki-pinot-noir-waitaki-valley-new-zealand>



<http://www.lonehill.co.nz/2013-vintage/4589521444>



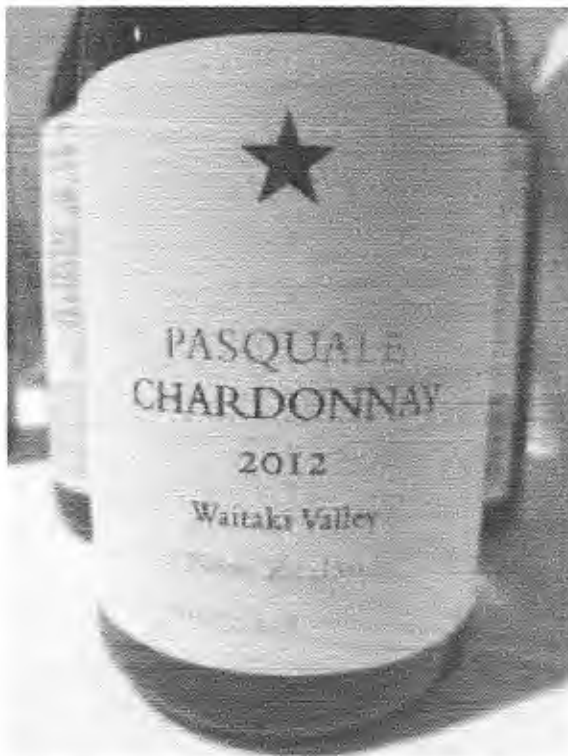
<https://www.ostlerwine.co.nz/shop/product/179744/Ostler-Pinot-Noir-Caroline039-s-2015/>



<http://rivertestate.co.nz/our-labels/>



<http://socialvignerons.com/2015/12/30/2015-q-waitaki-valley-rose-north-otago-new-zealand/>



<http://www.wineanorak.com/newzealand/pasquale.htm>

Appendix 2: National and international publications and media articles referring to the WAITAKI VALLEY NORTH OTAGO GI





MICHAEL COOPER

WINE ATLAS
of New Zealand

Photography by John McDermott

MICHAEL COOPER

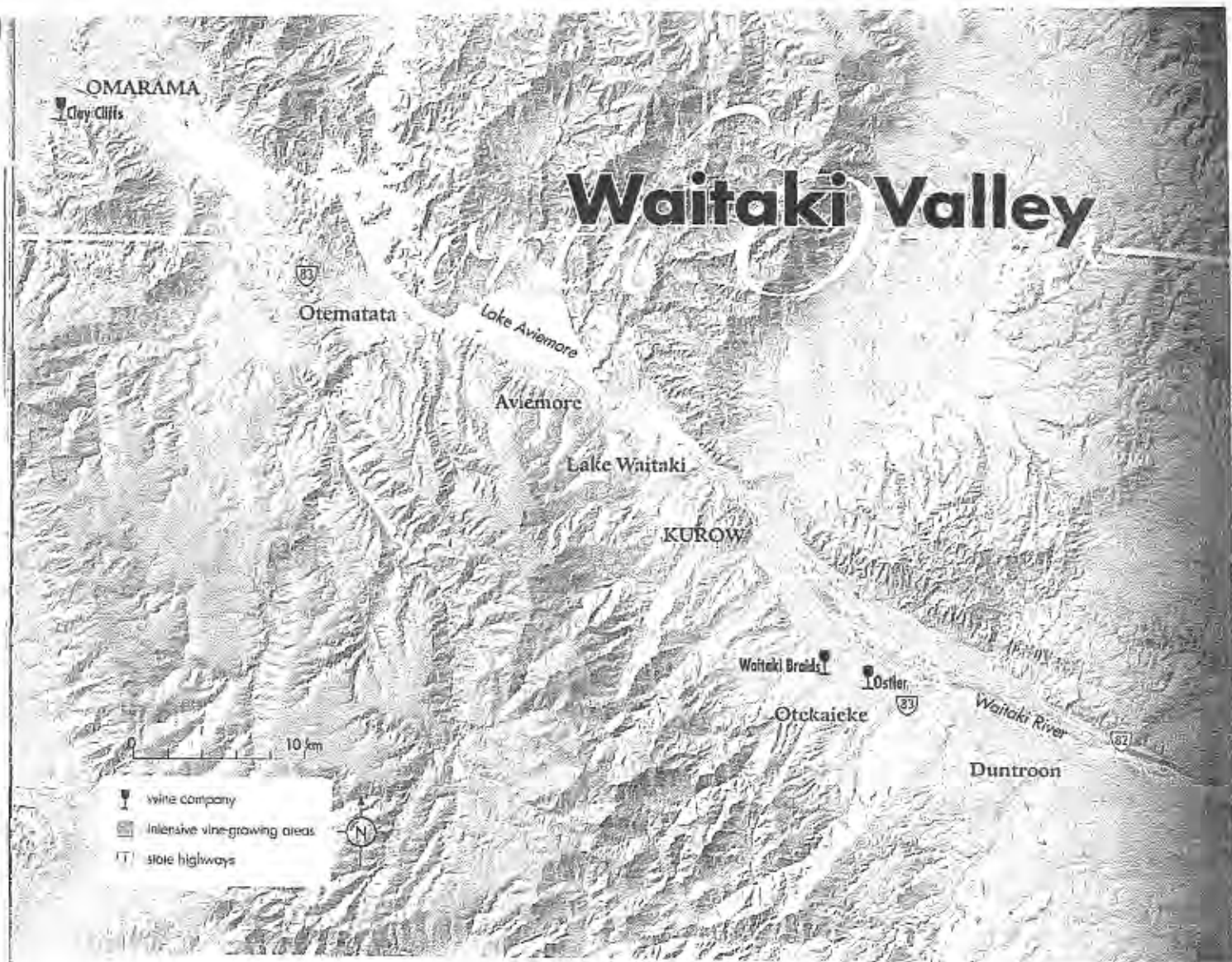
WINE ATLAS
of New Zealand

Second Edition

Text by Michael Cooper
Photography by John McDermott



Hodder Moxley



The Waitaki River (also known as 'the tears of Aorangi'), drains Lakes Tekapo, Ohau and Pukaki, before flowing through the Benmore, Aviemore and Waitaki power stations on its long journey to the sea, north of Oamaru. One of the South Island's great braided rivers, well stocked with trout and salmon, it slices through vast stretches of wool-growing country, with dairy farms and orchards flourishing along its banks for the past 25 years.

'Major Plan for Vineyard Unveiled', trumpeted the front page of the *Otago Daily Times* on 5 December 2000, announcing the purchase of 'up to 2000 hectares' of farmland east of Kurow, to be planted for the most part in Pinot Noir. An unnamed spokesman for an unnamed company linked to Howard Paterson predicted this would make the Waitaki Valley 'the third or fourth largest grapegrowing area in New Zealand by 2003'.

Often described as the richest man in the South Island, who made his fortune by 'converting land to its highest economic use', Paterson died in 2003, but earlier he and his partner, Auckland investment banker Stephen Cozens, had secured contracts over much of the suitable grapegrowing land. Colin Reynolds, the founder of Chase Corporation, a listed property development company which crashed in 1989, was brought in to assist with the development of the project.

The largest grapegrowing venture in the valley has been the 255-hectare Waitaki Valley Estates subdivision at Otiaka, between Kurow and Duntroon. Many of the blocks were sold to wine companies and other investors.

History

North Otago's first commercial vineyard was established in the mid-1980s by Rob and Joan Watson at Omararama Vineyard (now Clay Cliffs Estate). Their first Pinot Gris (140 bottles, produced at the Black Ridge winery), flowed in 1994. The first, Howard Paterson-inspired plantings in the Waitaki Valley, at 150 metres above sea level and 65 kilometres from the coast, were in the Doctors Creek vineyard in January 2001. By late 2002, 4 hectares were established in Pinot Noir, Pinot Gris and Sauvignon Blanc. The Waitaki Valley's first Pinot Noir was produced from the 2003 vintage by Waitaki Valley Estates, followed in 2004 by Ostler Caroline's Pinot Noir and Waitaki Braids Pinot Noir.

Climate

Prevailing north-westerly winds warm the valley, but when cool easterlies funnel in from the coast in the afternoon, temperatures can drop. 'We have more of a maritime than a continental climate here,' says viticulturist Geoff Turner.

'The Upper Waitaki Valley mesoclimate is mainly influenced by the narrowing of the valley below Duntroon,' says viticulturist Steve Harrop. 'This funnel keeps the air constantly moving, reducing the incidence of ground or air frosts.'

'For the hottest sites,' says viticultural consultant Dr David Jordan, 'I estimate the total heat accumulation to be about 920-940 Growing Degree Days (where the Cromwell figure would be about 1010 GDD). This is most suitable for successful commercial grapegrowing.'

According to Greg Hay, of Peregrine Wines in Central Otago, 'the Waitaki sites are warmer than Central Otago from October to December, slightly cooler in January and February, and then warmer again in the critical ripening period of March-April. With the cooler January and February preventing fruit coming in too early, before physiological ripening has occurred, this ability to keep ripening at a slow rate during autumn will be a huge advantage.'

However, there are real risks. Prospects of a normal crop in 2007 were crippled by 'the constant south-easterly throughout the December and January flowering period', reports winemaker John Forrest, who ended up harvesting nothing. Frosts at the start and finish of the growing season are a danger at many sites. Winemaker Michelle Richardson describes the Waitaki Valley as 'not the easiest place to grow grapes'.

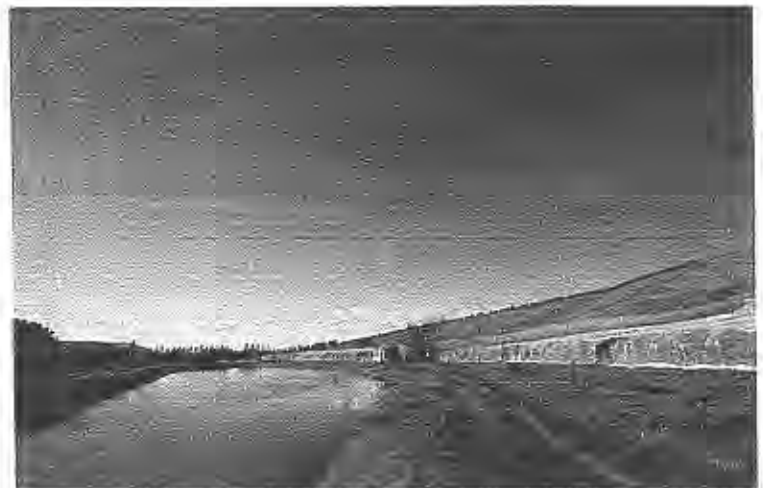
Ostler Vineyards is a key pioneer of Waitaki Valley wines, producing an elegant, vibrantly fruity and supple Pinot Noir and a crisp, concentrated Pinot Gris.

Soils

Limestone soils — quite different from Central Otago's slate and schist — help to create a distinctive *terroir*. The terrace underlying the Waitaki Valley Estates subdivision is a large alluvial fan, where gravel soils have been loaded with limestone washed from chalk ridges to the east and west.

Wine styles

The Pinot Noirs from the Waitaki Valley are floral and supple, with cherry, plum and spice flavours woven with fresh acidity and often a distinctly herbal note. There are those who believe the valley's reputation will ultimately be based on its aromatic white wines — Ostler's deliciously rich 2006 Audrey's Pinot Gris supports the case.



Address Ostler Vineyards,
4626 Kurau-Duntroon Road,
Okevoe/te, Waitaki Valley
www.ostlerwine.co.nz

Owner Ostler Vineyards

Key Wines Caroline's Waitaki Valley Pinot Noir;
Audrey's Waitaki Valley Pinot Gris



WINE OF NEW ZEALAND

Address Waitaki Braids, Grants Road,
Otiake, Waitaki Valley
www.waitakibraids.co.nz

Owners Stephen Cozens, Michelle
Richardson, Peter Gordon,
Michael McGrath

Key Wines Pinot Noir, Riesling



WAITAKI BRAIDS
RIESLING
WAITAKI VALLEY
WINE OF NEW ZEALAND

Ostler

'Intentionally on the climatic edge,' Jim Jerram and his wife, Anne Sinnott, planted their vineyard on north-facing slopes around an old lime quarry downriver from Kurau, west of Duntroon. Ostler takes its name from Jerram's great-grandfather, William Ostler, who after emigrating from Yorkshire in the 1850s became a Waitaki Valley runholder.

A GP and former director of the University of Otago's student health service, Jerram retired from medicine several years ago to focus on Ostler's development. 'Limestone-based soil and long hang-time characterise our site,' he says. Since planting began in 2001, the vineyard has expanded to 3 hectares of densely planted Pinot Noir and Pinot Gris. The wines, launched from the 2004 vintage, are made by Anne's brother, Jeff Sinnott, two hours over the Lindis Pass away at Amisfield winery, in the Cromwell Basin.

Ostler Caroline's Waitaki Valley Pinot Noir is an elegant red with fresh, vibrant, cherry and spice aromas and flavours, cool-climate acidity and good complexity. Audrey's Waitaki Valley Pinot Gris is instantly attractive, with a fine thread of acidity, concentrated, citrusy, peachy flavours and a slightly spicy, long finish.

Apart from the estate-grown wines, there is also a richly scented, citrusy and crisp Grower Selection Pagan Vines Central Otago Pinot Gris, and a tropical fruit-flavoured, concentrated and dry Grower Selection Sagittarius Vineyard Marlborough Sauvignon Blanc.

Waitaki Braids

Stephen Cozens, an Auckland-based investment banker and one of the key developers of viticultural land in the Waitaki Valley, is the driving force behind a small, but ambitious winemaking venture, Waitaki Braids.

Waitaki Braid's single-vineyard wines flow from the company's 8-hectare block in Grants Road, at Otiake, in the heart of the valley, where Pinot Noir, Pinot Gris, Riesling and Chardonnay have been planted. The site has solid chalk at its rear boundary, but approaching the Otiake River, the soils change from a mixture of chalk and clay to rising levels of river gravels, with limestone 'fines'.

In a bid to 'produce food wines, showing elegance, complexity and layers of flavour,' Cozens chose a high-profile group to join him as shareholders in Waitaki Braids, including winemaker Michelle Richardson (see page 310); United Kingdom-based, New Zealand chef Peter Gordon; and Gordon's partner, Michael McGrath. The wines are sold directly to the public via the company's website and at Gordon's restaurants in Auckland, New York and London.

Launched from the 2004 vintage, the Pinot Noir is scented and silky, refined and savoury, with a long finish. The Riesling, made in a medium style, is light-bodied, tight and racy, with strong, lemony, limey, minerally flavours.

Other Producer

Clay Cliffs

On the outskirts of Oamaru — far better known for gliding than wine — Kevin and Christine Woods operate one of New Zealand's highest vineyards, 440 metres above sea level. Founded as Oamaru Vineyard by Rob and Joan Watson, who, after planting their first vines

in the mid-1980s, released their first wine from the 1994 vintage, the sloping vineyard now covers 4 hectares of Pinot Gris, Muscat, Pinot Blanc and Pinot Noir. The range, not made on-site, is marketed under two brands: Clay Cliffs for estate-grown wines, and Mt Cook for wines based on fruit purchased from other growers.

Appendix 3: Indicative list of national and international awards won by wines bearing the WAITAKI VALLEY NORTH OTAGO GI

Ostler Wines - Waitaki Valley – North Otago

PINOT NOIR

Ostler Caroline's Pinot Noir 2008

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

90/100 Stephen Tanzer's International Wine Cellar

Ostler Caroline's Pinot Noir 2009

Gold Medal China Wine & Spirits Awards

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

4 ½ stars Michael Cooper's Buyer's Guide

5 (94/100) stars Bob Campbell's Wine Reviews

Wine of the Week, NZ Herald, 11/8/13

Silver Medal International Wine Challenge, London

Silver Medal International Wine & Spirit Competition

Ostler Caroline's Pinot Noir 2010

Gold & Trophy Shanghai International Wine Challenge

Gold Medal International Wine Challenge, London

Gold Medal NZ International Wine Show

5 stars Michael Cooper's Buyer's Guide

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

5 stars (93/100) Bob Campbell's Wine Reviews

Wine of the Year, Matt Kramer, Wine Spectator, USA

Silver Medal Decanter World Wine Awards

Silver Medal China Wine & Spirits Awards

90/100 Stephen Tanzer's International Wine Cellar

90/100 Robert Parker's Wine Advocate

Ostler Caroline's Pinot Noir 2011

Double Gold & Trophy, Hong Kong International Wine Challenge

Double Gold Medal, International Wine Challenge, London

96 pts, Top 20 NZ Pinots, Decanter Magazine

5 Stars Decanter Magazine, UK

5 Stars Michael Cooper's Wine Reviews

5 stars (94) Bob Campbell Wine Reviews

5 Stars Raymond Chan Wine Reviews

5 stars, Michael Coopers Buyers Guide

Ostler Caroline's Pinot Noir 2013

Gold & Trophy International Wine Challenge, London May 2015

Outstanding Silver, IWSC London Sept 2015

5 Stars (95) Bob Campbell Wine Reviews

5 Star Raymond Chan Wine Reviews

Ostler Caroline's Pinot Noir 2015

Gold & Trophy International Wine Challenge, London May 2017

5 Stars (96) Bob Campbell Wine Reviews

5 Star Raymond Chan Wine Reviews

1 RIESLING

Ostler Blue House Riesling 2010

4 ½ stars Sam Kim's Wine Orbit

18/20 Raymond Chan Wine Reviews

4 stars Michael Cooper's Buyer's Guide

Ostler Blue House Riesling 2011

4 stars, Raymond Chan Wine Reviews

Ostler Blue House "Noble" Riesling 2011

5 stars Raymond Chan Wine reviews

5 stars (93/100) Bob Campbell's Wine Reviews

5 stars, Michael Coopers Buyers guide

5 Stars, Winestate Magazine, Australia

Ostler Blue House Riesling 2012

Gold Medal Royal Easter Show

5 stars, Cuisine Magazine

4 stars, Bob Campbell's Wine Reviews

Silver medal International Wine Challenge, London

4 ½ stars, Winestate Magazine, Australia

92 pts Cameron Douglas Wine Reviews

Ostler Lakeside Riesling 2011

Gold Medal Royal Easter Wine Show

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

4 stars (91/100) Bob Campbell's Wine Reviews

Ostler Lakeside Riesling 2012

5 stars, (91/100) Bob Campbell

Silver medal, International Wine Challenge, London

4 Stars, Michael Cooper's Buyers Guide

4 Stars, Winestate Magazine, Australia

Ostler Lakeside Riesling 2013

94 pts Cameron Douglas MS Wine reviews

2 PINOT GRIS

Ostler Blue House Pinot Gris 2010

4 ½ stars Michael Cooper's Buyer's Guide

4 ½ stars Sam Kim's Wine Orbit

17.5/20 Raymond Chan Wine Reviews

Ostler Blue House Pinot Gris 2011

92/100, AGT Wine Magazine, Australia

4 stars, Raymond Chan Wine Reviews

4 stars (90/100) Bob Campbell's Wine Reviews

Ostler Blue House Pinot Gris 2012

4 stars, Raymond Chan Wine Reviews

Ostler Lakeside Pinot Gris 2011

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

4 ½ stars Michael Cooper The Listener

4 stars Bob Campbell's Wine Reviews

Ostler Lakeside Pinot Gris 2012

95/100 AGT Wine Magazine, Australia

5 stars, (93/100) Bob Campbell's Wine Reviews

5 stars (94/100) Sam Kim's Wine Orbit.

5 Stars, Winestate Magazine, Australia

Ostler Lakeside Pinot Gris 2013

5 Stars (95/100) Sam Kim's Wine Orbit

4 stars (18+) Raymond Chan Wine reviews

Ostler Audrey's Pinot Gris 2009

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

4 stars Bob Campbell's Wine Reviews

4 stars Michael Cooper's Buyer's Guide

Metro Magazine Top 100 wines for Summer

Ostler Audrey's Pinot Gris 2010

5 stars (93/100) Bob Campbell's Wine Reviews

Best Pinot Gris AGT Wine Magazine, Australia

5 stars Sam Kim's Wine Orbit

5 stars Raymond Chan Wine Reviews

5 stars Michael Cooper's Buyer's Guide

Silver Medal International Wine & Spirit Competition

Ostler Audrey's Pinot Gris 2011

4 1/2 Stars Michael Coopers Buyers Guide

4 Stars, Raymond Chan Wine Reviews

4 stars, Bob Campbell's Wine Reviews

Ostler Audrey's "Noble" Pinot Gris 2011

5 Stars Raymond Chan Wine Reviews

4 Stars, Michael Coopers Buyers Guide

4 Stars Winestate Magazine, Australia.

4 stars (91/100) Bob Campbell's Wine Reviews

Ostler Audrey's Pinot Gris 2013

5 Stars, Raymond Chan Wine Reviews

5 stars, Sam Kim's Wine Orbit

4 ½ Stars Michael Coopers Buyers Guide

Ostler Audrey's Pinot Gris 2014

92/100 Bob Campbell MW

Ostler Audrey's Pinot Gris 2015

94/100 Bob Campbell MW

3 GEWURZTRAMINER

Ostler Waitaki Valley Gewurztraminer

5 stars Bob Campbell's Wine Review (1st of 23)

92 /100 Cameron Douglas MS

Declaration

I, Jeffrey Paul Sinnott, of [Redacted] Cromwell,
[Name] [Place of residence]

being a person authorised to present evidence in support of this Application on behalf of the Applicant, solemnly and sincerely declare that:

1. The evidence contained in and with this declaration, including appendices, is true and correct to the best of my knowledge.
2. I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Name: Jeffrey Paul Sinnott

Signature: [Redacted]

Declared at Tarran this 24th day of April 2018.

Before me: Helen Pledger. (Justice of the Peace)

[Name of Justice of the Peace, or solicitor, or other person authorised to take a statutory declaration.]

Signature: [Redacted] (Justice of the Peace. Central Otago.)

Helen L. Pledger, JP
#93256
CENTRAL OTAGO
Justice of the Peace for New Zealand

Supplementary evidence in support of an application for registration of a New Zealand Geographical Indication: WAITAKI VALLEY NORTH OTAGO

Introduction

In the Compliance Report received by Waitaki Valley Winegrowers' (2011) Association Incorporated in response to their application to register the WAITAKI VALLEY NORTH OTAGO GI, the following was noted by the examiner:

Before your application can be accepted, you will need to provide:

Further evidence showing use of WAITAKI VALLEY NORTH OTAGO on wine goods, as opposed to on WAITAKI VALLEY.

The examiner, in the Examination Checksheet, also noted:

In the instances where the longer name WAITAKI VALLEY NORTH OTAGO is used, the WAITAKI VALLEY GI is predominantly separated from the NORTH OTAGO GI by way of another element such as a full stop... or appears on different levels and size... or do not appear together at all...

Response to request for supplementary information

In response we state the following.

1. Introduction: WAITAKI VALLEY / WAITAKI VALLEY NORTH OTAGO GI name is in transition

The Examiner incorrectly refers to "WAITAKI VALLEY GI" and "NORTH OTAGO GI" as two GIs. We do not consider that there are separate winegrowing regions known as Waitaki Valley and North Otago. We have not sought to register "North Otago" as a GI, and do not presently anticipate that anyone would seek to do so. To the best of our knowledge, all of the current grape growing in Otago outside of the Central Otago GI area is conducted within the WAITAKI VALLEY/WAITAKI VALLEY NORTH OTAGO area defined in this application.

As noted in the application, wineries in the region have used on their labels both "Waitaki Valley" and "Waitaki Valley North Otago", with the latter growing in prominence in recent years as the region becomes more aware of the need to ensure it is distinct in the mind of consumers from the New Zealand wine regions of Waipara, Wairarapa, Waimakau, etc.

The examiner is correct to note that in the GI name WAITAKI VALLEY NORTH OTAGO the words "Waitaki Valley" and "North Otago" often appear separated by a dot, a comma, a dash, or sometimes a line break. We consider that these are legitimate variants in current use that ought to be capable of acceptance, because there is no risk that a consumer might be misled or confused as to the origin of the wine by such minor typographical considerations.

As noted below, we are prepared to amend our application if necessary to accommodate the Registrar's interpretation and guidance on this point.

2. Historical use of the typographical variants of WAITAKI VALLEY CENTRAL OTAGO

To date, because there has not been a formal regime in New Zealand for the registration of wine region names, there has been no need for the winegrowers of our region to standardise on any typographical presentation of our region name. The evidence shows that the one wine region is variously referred to using either the two-word or four-word variant, and in many cases the two component halves of the four-word variant “Wāitaki Valley” and “North Otago” are visually separated with a typographical element.

We do not think there is any possibility of consumer confusion as to the true origin of the wine if a winemaker using WAITAKI VALLEY NORTH OTAGO is allowed to choose whether, or how, “Waitaki Valley” and “North Otago” are visually separated. Indeed, the ongoing evolution of our wine region name from “Waitaki Valley” to “Waitaki Valley North Otago” has been precisely because the extra term – in all the ways it is currently used – is intended to reduce consumer confusion as to the origin of the wine.

3. Global practice – compound GI terms

We note that globally it is common for a GI name, or a GI name variant, to be composed as a compound of two elements with a separator. A few examples (drawn mostly from the European E-Bacchus database of Geographical Indications¹) include:

- Crozes – Hermitage (which is the commune of Crozes, northeast of the hill Hermitage) (France)
- Manzanilla – Sanlúcar de Barrameda (Spain)
- Kwazulu – Natal (South Africa)
- Simonsberg – Stellenbosch (South Africa)
- Olifants River *whether or not followed by* Bamboo Bay / Bamboesbaai (South Africa)
- Langeberg – Garcia (South Africa)
- Косовско-метохијски (Republic of Serbia)
- Valle de Curicó *whether or not followed by* Valle del Teno (Chile)
- Valle de San Antonio *whether or not followed by* Valle de Leyda (Chile)
- Valle del Bío-Bío *whether or not followed by* Yumbel (Chile)
- Coteaux du Layon Chaume (*whether or not followed by* Val de Loire) (France)

Historically, the dash, a comma, or a separate line, appears to be the most common visual separator used in compound GI names around the world.

One notable feature of New Zealand label design is its modernity. Our labels commonly feature graphical elements and/or images. In our experience of New Zealand label design, current aesthetics often dictate that a dot, dash, star, comma, or some other symbol is commonly used to separate written elements.

It is unclear to us whether the predominant use of a dash is, in some countries, mandatory, or simply convention. We note that in the European E-Bacchus database, the definition of many compound GI names are simply expressed in the form of “Name1 *whether or not followed by* Name2”.

¹ <http://ec.europa.eu/agriculture/markets/wine/e-bacchus/index.cfm>



For example, in respect of the last French GI listed above, “Coteaux du Layon Chaume (whether or not followed by Val de Loire)” we have located an image of a label (reproduced at right²).

Note that “Val de Loire” appears in small type at the top of the label, while “Coteaux du Layon / 1er Cru / Chaume” appear separately on three lines. In this instance, the two components of the registered GI name are not only on separate lines, but “Premier Cru” has been inserted in the middle of the GI name on its own separate line.

Our understanding is that Wine Australia, in applying the Australian GI law, takes a flexible interpretation of the relationship between the orthography of the registered GI, and its use on the label – allowing, for example, accents to be omitted or be incorrect on the label, and even being prepared to regard fewer than all words of a registered GI as equivalent to the registered GI.



We note that in the South African “Protocol 3 (Geographical Indications)” to the *Economic Partnership Agreement* between the EU and the Southern African Development Community Economic Partnership Agreement States, a phrase used in connection with wine labelling to clarify that flexibility in how two defined terms are presented is “hyphenated or otherwise in visual combination with the term...”. This seems a useful construction, if IPONZ considers that an applicant is required to clarify within the GI name definition that a range of presentations are permissible.

4. Identifying the most appropriate terms to register for our GI name

We would anticipate that over time, winemakers in the WAITAKI VALLEY NORTH OTAGO GI region may gravitate towards use of a just one or two presentations of the GI name; however for now, as the examiner notes, a range of variants are in active use.

In the absence of any formal guidance on the point under the Geographical Indications (Wine and Spirits) Registration Act 2006, we elected to apply to register only two variants of the GI name, anticipating that the different typographical presentations in use would also be acceptable.

If “WAITAKI VALLEY NORTH OTAGO” is not sufficient, and the Registrar considers it necessary to register a more complete description of the range of presentations of the GI name currently in use, we would be prepared to amend our application to cover the alternative GI names currently in use, either as:

Option 1:

“WAITAKI VALLEY; or alternatively

WAITAKI VALLEY *hyphenated or otherwise in visual combination with* NORTH OTAGO”

Option 2:

“WAITAKI VALLEY; or alternatively

² The original of this image can be found at: <https://www.avenuedesvins.fr/vin-aoc-coteaux-du-layon-1er-cru-chaume-coteaux-du-layon-1er-cru-chaume-1990.html>

WAITAKI VALLEY NORTH OTAGO; or alternatively

WAITAKI VALLEY, NORTH OTAGO; or alternatively

WAITAKI VALLEY – NORTH OTAGO; or alternatively

WAITAKI VALLEY • NORTH OTAGO; or alternatively

**WAITAKI VALLEY
NORTH OTAGO"**

We do not consider that Option 2 provides any greater clarity or protection to the consumer than Option 1, and Option 1 is more flexible. Option 1 is therefore our preference.

5. Further evidence of the use of WAITAKI VALLEY NORTH OTAGO.

Attached at Appendix 1 is further evidence, presenting 12 wine labels (in addition to the 9 labels presented in the initial statutory declaration) showing the use of WAITAKI VALLEY NORTH OTAGO (in a number of the different typographical variants) on wine goods. These include labels from a further two wine brands, Bobbing Creek and Black Stilt, not included in the initial statutory declaration.

The small number of wineries in the WAITAKI VALLEY NORTH OTAGO region, the small number of wines they produce, and the young age of the region has made it difficult to gather further examples of the use of the name.

6. Clarification

For the sake of clarity we wish to note that the data and information we provided in our initial application regarding use of the GI "WAITAKI VALLEY NORTH OTAGO" is data and information concerning the use of all variants of the region's name discussed in this statutory declaration. This is because we regard them as equivalent, and because no distinction has been made between the variants in our record keeping (on in the records of MPI, from which we drew the original data on export volumes).

7. Conclusion

The above and attached supports our original application for the registration of WAITAKI VALLEY NORTH OTAGO as a variant GI name for use on wine goods.

As noted in paragraph 4, if the Registrar considers it necessary we would be prepared to amend our application as set out in Option 1 or Option 2; however our preference would be for a more general acceptance by the Registrar that those variants are legitimate variant expressions of the registered GI WAITAKI VALLEY NORTH OTAGO.



Description: 71161 John Forrest Collection Waitaki Valley Chardonnay 2011 - Blank Quantity: 2,500

This proof is an accurate rendition of the final label to be printed in all aspects of copy, excepting that colours are intended as a visual representation only.

Version No. 2 14/06/12
 Depth 85 mm
 Width 82 mm

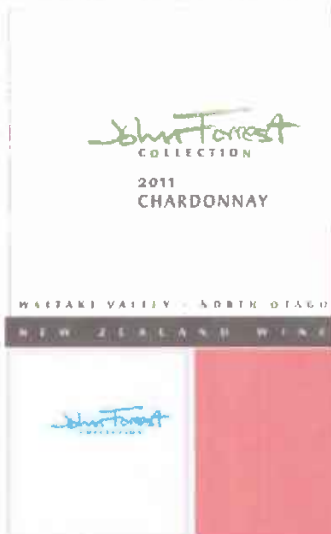
- BLACK
- PANTONE 8701
- HIGH BUILD
- EMBOSS



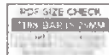
PLEASE CHECK THIS DIGITAL PROOF CAREFULLY.

- This is OK to print
- This is OK to print with correction required
- Corrected version required, see proof needed

Signature: _____
 Date: _____



PLEASE CHECK THIS PROOF CAREFULLY and note that upon signing this proof you, the client, accepts the responsibility for the accuracy of all copy, barcodes, and legal requirements pertaining to this visual.



Description: 71161 John Forrest Collection Waitaki Valley Pinot Gris 2011 - Blank Quantity: 1,500

This proof is an accurate rendition of the final label to be printed in all aspects of copy, excepting that colours are intended as a visual representation only.

Version No. 2 14/06/12
 Depth 85 mm
 Width 82 mm

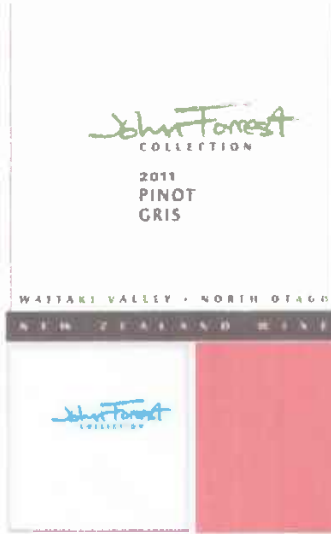
- BLACK
- PANTONE 8701
- HIGH BUILD
- EMBOSS



PLEASE CHECK THIS DIGITAL PROOF CAREFULLY.

- This is OK to print
- This is OK to print with correction required
- Corrected version required, see proof needed

Signature: _____
 Date: _____



PLEASE CHECK THIS PROOF CAREFULLY and note that upon signing this proof you, the client, accepts the responsibility for the accuracy of all copy, barcodes, and legal requirements pertaining to this visual.



Description: 76079 Forrest Pinot Gris 2012 Waitaki Valley Sets Quantity: 2,900

This proof is an accurate rendition of the final label to be printed in all aspects of copy, excepting that colours are intended as a visual representation only.

Version No. 3 1303/14
 Depth 85 mm
 Width 82 mm

- BLACK
- PANTONE 8761
- HIGH GUILD
- EMBOSS

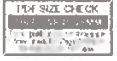


- PLEASE CHECK THIS DIGITAL PROOF CAREFULLY
- This is a OK to print
 - This is a OK to print with someone to make
 - Correct the required as proof needed

Signatures _____
 Date _____



PLEASE CHECK THIS PROOF CAREFULLY and note that upon signing this proof you, the client, accepts the responsibility for the accuracy of all copy, barcodes, and legal requirements pertaining to this visual.





Dragon Bones

Riesling

2014

Waitaki Valley

North Otago

PRODUCED BY LONE HILL VINEYARD LTD. 130 GRANTS ROAD 74RD DUNEDIN NZ

WWW.LONEHILL.CO.NZ

BEERENAU BLEND SINGLE VINEYARD
HAND HARVESTED COOL CLIMATE LIMESTONE SOIL
12.1 G/L CONTAINS SULPHITES
135 G/L





Dragon Bones

Pinot Gris

2014

Waitaki Valley

North Otago

PRODUCED BY LONE HILL VINEYARD LTD. 130 GRANTS ROAD 7KRD DUNEDIN
WWW.LONEHILL.CO.NZ

SINGLE VINEYARD ÉLEVAGE SUR LIES
HAND HARVESTED COOL CLIMATE LIMESTONE SOIL
TA 7.2 G/L RESIDUAL SUGAR 2 G/L CONTAINS SO2
CONTAINS TRACES OF THE TRADITIONAL FINING AGENT CASEIN
CONTAINS APPROX. 7.7 STANDARD DRINKS

13% VOL.

WINE OF NEW ZEALAND

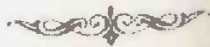
Bobbing Creek

PINOT NOIR

2013

Waitaki Valley

North Otago



13.0% Alc. Vol 750mls 7.7 standard drinks
Contains Sulphites • Produced by Bobbing Creek Wines

WINE OF NEW ZEALAND



