

## NZ GEOGRAPHICAL INDICATION (GI)

### EXAMINATION CHECKSHEET

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

<b>Box Reference Number</b>			
<b>1</b>	<b>GI Number:</b> 1021	<b>GI Name:</b> MATAKANA	
<b>2</b>	<b>New Zealand GI correctly selected (cf foreign)</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>3</b>	<b>Goods GI for</b>	<input checked="" type="checkbox"/> Wine	<input type="checkbox"/> Spirit

<b>4</b>	<b>GI correct?</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Comment(s):</b>	
<b>5</b>	<b>Applicant/ Agent details correct</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Comment(s):</b>	
<b>6</b>	<b>Wine or spirit correctly stated</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Comment(s):</b>	
<b>7</b>	<b>Geographical co-ordinates relate to the place of geographical origin to which the GI relates</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Comment(s):</b>	
<b>8</b>	<b>Description of Conditions provided</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> NA	<b>Comment(s):</b>

### 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): Note MATAKANA GI discussed with Karen from Maori Advisory Committee Determined that GI would not be offensive for the purposes of indicating the area as a GI.
15	GI identical to trade mark for	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Comment(s):

	<b>identical goods or services (s14)</b>				
<b>16</b>	<b>GI identical to trade mark for similar goods or services (s15)</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Comment(s):</b>	
<b>17</b>	<b>GI similar to trade mark for identical goods or services (s16)</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Comment(s):</b>	
<b>18</b>	<b>GI similar to trade mark for similar goods or services (s17)</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Comment(s):</b>	
<b>19</b>	<b>Conditions of use Entered (s41)</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> NA	<b>Comment(s):</b>

### Reference Searches

<b>20</b>	<b>Accepto searches saved to MAKO</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Comment(s):</b>
<b>21</b>	<b>Internet searches saved to MAKO</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Comment(s):</b>

## 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): Note descriptive sensory Attributes by Emma Jenkins. "hearsay"
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## Quality, reputation or other characteristic

<p>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 (<b>reg 8(1)</b>).</p> <p>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.</p> <p>The below template includes headings that reflect the type of information that IPONZ typically expects to receive as part of an application (<b>reg 8(2)</b>).</p>
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## 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	<p><b>Comment(s):</b></p> <p>Declarant confirms history of area (Pages 3 and 4):</p> <ul style="list-style-type: none"> <li>• Wine production began in mid-1950s.</li> <li>• Expensive wine being produced in this area since 1980s.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Shift from rural area (farming) towards commuter suburb and recreational/tourism destination.</li> <li>• Majority of vineyards and wineries are now family owned businesses, run by a small number of full time staff. Generally owner operated.</li> <li>• One certified organic and number of other working towards organic status.</li> </ul> <p>The history provided above shows how the reputation for the GI MATAKANA has developed over time.</p>
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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.

<b>24</b>	<p><b>Comment(s):</b></p> <p>The geography of MATAKANA contributes to the sensory characteristics of the wine including the north facing slopes where most of the vineyards are planted containing old well-structured clay rich soils. This is referred to by the declarant in pages 2 and 5.</p> <p>Page 2</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>The geography of the region is defined in the east by two large embayments, Omaha Bay and Kawau Bay, and the almost landlocked inlets of Whangateau Harbour, Matakana River estuary, and Mahurangi Harbour which cut deeply into the landscape from these bays and give the region's seaboard a uniquely convoluted character.</p> <p>The northern, western and southern boundaries of the GI are formed by the major peaks (and the ridges which link them) of the ranges of hills which effectively cut the region off from the rest of the north Auckland peninsula. This region is in effect the catchment for all rivers which run into Omaha Cove (aka Leigh Harbour), Whangateau Harbour, the Matakana River estuary and Mahurangi Harbour.</p> </div> <p>Page 5</p>
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Most of the existing vineyards are planted on north-facing slopes of the rolling countryside and all are on either Warkworth clay & sandy clay loam soils or Whangaripo clay loam soils, both described on the Mangawhai – Warkworth regional soils map as “*moderate to strongly leached and well to moderately well drained yellow brown earths of the rolling and hilly land.*”

Further to the broad description is the following, from Graeme Corlett, Soil scientist:

*The soil on the hills around these parts are old soils -they are developed on approx. 20 million year old (Miocene) Waitemata Sediments consisting of layered sandstones and siltstones derived from quartz-feldspar-rich volcanic material, mostly andesitic in composition. They are quite clay-rich with kaolinite and vermiculite as the main clay constituents. They would be would be classified more technically as Yellow Ultic (YU) soils (that fall within the broader Brown Soils classification that are developed on volcanogenic sediments in humid climates). The YU soils are described as highly weathered soils, with a well-structured, heavy clay enriched subsoil horizon. The soils are acidic and leached with low levels of Ca and other basic cations*

*They would be defined as: old, well-structured clay-rich soils developed on volcanic-derived, sandy and silty sediments.*

Careful site selection ensures that vines are planted on well-drained sites and the suitability of this particular soil type contributes to the stylistic coherence of wines from the MATAKANA GI, despite the diverse selection of grape varieties.

### **Soil composition in the area**

Soil composition in the area may include the soil type or types (such as sandy, clay, silt or loamy soils), and the presence of particular rock (such as gravel, schist or slate). The characteristics of the soil such as its temperature, pH, drainage, salinity and nutrient/mineral profile may also be relevant.

**25**

**Comment(s):**

See box 24 (above)

### 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.

<b>26</b>	<p><b>Comment(s):</b></p> <p>The climate in MATAKA GI allows for ripening of range of grape varieties that favour warmer climate. Allows the area to produce classic French varieties and NZ translations of Italian grape varieties and also less well-known European varieties. Declarant explains MATAKANA GI climate (pages 5, 6 and 7).</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.

<b>27</b>	<p><b>Comment(s):</b></p> <p>Declarant confirms due to difficult terrain there is no mechanical harvesting within the MATAKANA GI and most vines are dry farmed. Note yields are restricted to ensure high quality (pages 9 and 10 )</p> <ul style="list-style-type: none"> <li>• For reasons of quality and due to the difficult terrain, there is no mechanical harvesting within the MATAKANA GI. Instead, all harvesting is carried out by hand.</li> <li>• There is very little irrigation of vines; most vines are dry farmed.</li> <li>• In order to ensure that grapes are of the highest quality within the MATAKANA GI growing environment, yields are typically restricted to between less than 6 tonnes per hectare for red grape varieties and less than 7.5 tonnes per hectare for white grape varieties.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Wines are made in small batches, often predominantly from single vineyards or vineyards owned by the winery. In many cases, wines are made or bottled on the property.</li> <li>• Red wines are typically aged in oak. Red wines are macerated in their skins for extended periods resulting in red wines with significant aging ability.</li> <li>• Unusual varieties, styles and blends are not uncommon within the GI, with some such as Sangiovese setting the benchmark for those styles in New Zealand.</li> </ul>
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### 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.

<b>28</b>	<p><b>Comment(s):</b> The “signature” style in the MATAKANA GI is Merlot-dominant blends, Syrah, Pinot Gris, Chardonnay and Sangiovese. The GI also produces high proportion of Italian red blends (page 9).</p> <p><b>Sensory attributes:</b> The declarant’s evidence includes descriptions of the sensory attributes typically associated with wines from the MATAKANA 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 (pages 10-11).</p>
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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(s):**

**Boundary**

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

Note the geographical indications boundaries claimed include the wider area surrounding Matakana township and include Tawharanui Peninsula and Tawharanui regional park. The evidence suggests that the reputation in the Matakana GI extends throughout the area claimed.

**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.

Premium to ultra-premium market segments/ High production cost/ Ultra-premium product

Declarant confirmed MATAKANA wines are high quality products produced for premium to ultra-premium market (Page 2). High cost of production confirmed on page 4. Limited availability of vineyard sites and high value of land.

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

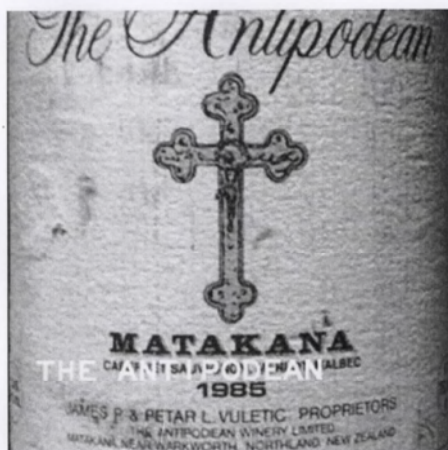
All of these factors dictate that the MATAKANA GI must operate as an ultra-premium wine region; producing to the lower end of the market is not economically viable. Consequently, producers maximise the quality and distinctiveness of wines from the MATAKANA GI in order to retain their position in the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

Ultra-premium priced between US \$15-50 (NZ \$22-73) per bottle. (Page 12)

Wines from the MATAKANA GI are typically positioned at the “ultra-premium” end of the wine market, defined as wines priced between US\$15 – US\$50<sup>2</sup> (NZ\$22 – 73) per bottle. The mean retail price of wines bearing the MATAKANA GI is NZ\$49 per bottle. The range of retail prices is between NZ\$17 and NZ\$220 per bottle, and the median price is NZ\$39 per bottle.

#### Use of the GI in relation to the wine goods

Examples provided in Appendix 1. It has been noted that some of these images provided in appendix 1 are blurry and the GI cannot be read. However, there are sufficient clear images below where the GI MATAKANA can be read as shown below.



Source: <http://www.winesofnz.com/winery/the-antipodean/>



NEW ZEALAND  
INTELLECTUAL  
PROPERTY OFFICE





### Global reputation

62,954 litres of export wine from 2009-2014 using MATAKANA GI. However, given the premium price (as discussed) it assists in showing international usage.

(Page 12)

While production is not large and export quantities are comparatively low, export statistics show that MATAKANA has been used as a GI on 62954 litres of export wine from the vintages 2009-2014. This equates to 83938 x 750 mL bottles or 6994 x 9L cases of wine available for sale on the international market bearing the MATAKANA GI over a 7 year period.<sup>3</sup> The effect of such usage is significant as, through the process of sale, the MATAKANA GI will appear on price lists and catalogues, advertisements, media and consumer tastings, shelf talkers and on restaurant wine lists.

### Reference to GI in text, NZ Wine association

The MATAKANA GI has been referred by the NZ Winegrowers, including in their international marketing events (Page 12 and 13).

### Tourism

Tourism of between 500,000 and 750,000 tourists each year. Declarant confirms at page 3 wine related activities 2<sup>nd</sup> reason attracting visitors to the area.

within the MATAKANA GI. New Zealand Tourism Research Institute (NZTRI) indicated that wine and wine related activities were second only to scenic destinations as to the attractive and appealing aspect of the visitor's time in the region.

Page 11

The MATAKANA GI has a strong reputation for the production of "boutique", ultra-premium wines – particularly full-bodied red wines - in a highly attractive and accessible setting that is a draw-card for tourists. This reputation is attributable to the geographical origin of wines bearing the MATAKANA GI.

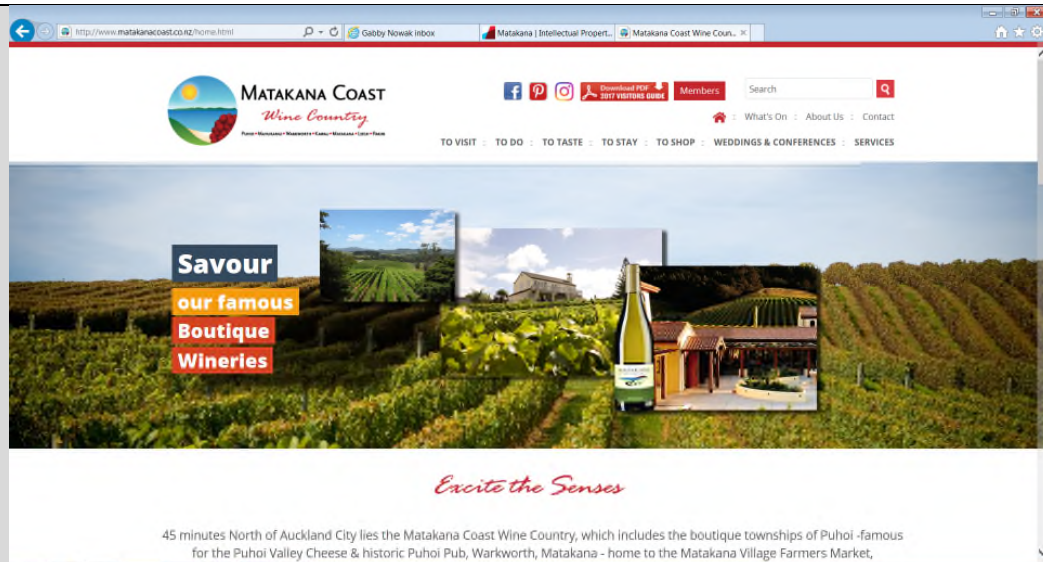
Use of the GI in relation to tourism and publicity materials (as indicated by declarant Page 13)

<http://www.visitmatakana.co.nz/food-wine>

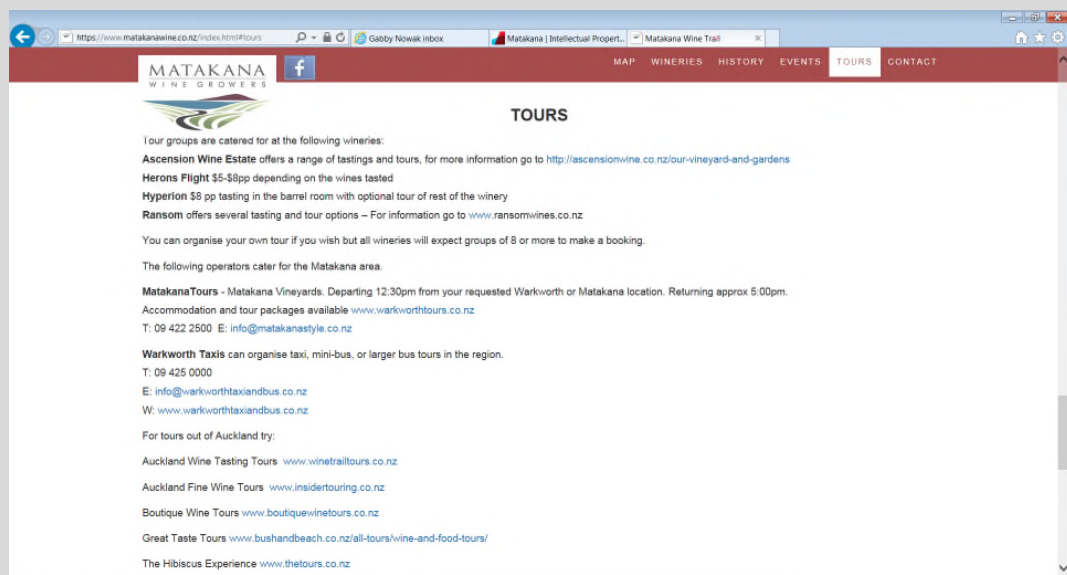


<http://www.matakanacoast.co.nz/home.html>





<https://www.matakanawine.co.nz/index.html>



**Formal recognition of the MATAKANA GI**

Declarant confirms:

MATAKANA in the list for wines exported as an “Appellations of Origin” submitted to the United States Department of the Treasury Bureau of Alcohol Tobacco and Firearms. (Page 13)

Matakana listed in OMAR requirement notice (See Box 30 below).

### **National and international reputation/ awards**

Declarant provides examples in Appendix 2 of the GI being identified as producing high quality wines and confirms wines bearing the MATAKANA GI have won awards.

Appendix 2 examples:

#### **Matakana**

Matakana is one hour's drive north of Auckland. Most vineyards are located within a few kilometres of the sea. Matakana is a popular weekend destination from Auckland and the wineries have a loyal local following.

**Climate:** Moderately warm with relatively high humidity and rainfall, which suits red varieties.

**Plume, the Vineyard  
Restaurant Matakana is a  
must visit destination on any  
matakana wine and food  
journey and for all couples  
taking that next step together  
or for any special events.**



**Other relevant information:**

**30**

**Comment(s):**

OMAR (Overseas Market Access Requirements):

Confirms Matakana is a “winegrowing area in Auckland Region”.

<http://www.foodsafety.govt.nz/password-protected/omars/eun/wine/other/complete.pdf>

**Office research**

Use of the GI in relation to the goods.



[https://www.google.co.nz/search?rls=com.microsoft%3Aen-NZ%3AIE-Address&dcr=0&biw=1536&bih=771&tbm=isch&sa=1&q=matakana+wine&oq=matakana+wine&gs\\_l=psy-ab.3...49297.49429.0.49659.2.2.0.0.0.0.0.0.0....0...1.1.64.psy-ab..2.0.0....0.N5SwJBjVXqM#imgsrc=JNsNo7mZV9vGOM:&spf=1508359892247](https://www.google.co.nz/search?rls=com.microsoft%3Aen-NZ%3AIE-Address&dcr=0&biw=1536&bih=771&tbm=isch&sa=1&q=matakana+wine&oq=matakana+wine&gs_l=psy-ab.3...49297.49429.0.49659.2.2.0.0.0.0.0.0.0....0...1.1.64.psy-ab..2.0.0....0.N5SwJBjVXqM#imgsrc=JNsNo7mZV9vGOM:&spf=1508359892247)



[https://www.google.co.nz/search?rls=com.microsoft%3Aen-NZ%3AIE-Address&dcr=0&biw=1536&bih=771&tbm=isch&sa=1&q=matakana+wine&oq=matakana+wine&gs\\_l=psy-ab.3..0l2j0i24k1l8.6393.7296.0.12119.2.2.0.0.0.0.273.519.2-2.2.0....0...1.1.64.psy-ab..0.2.517....0.BJeFfo2LvD8#imgsrc=FB7xxTQWf6ivZM:&spf=1508360005913](https://www.google.co.nz/search?rls=com.microsoft%3Aen-NZ%3AIE-Address&dcr=0&biw=1536&bih=771&tbm=isch&sa=1&q=matakana+wine&oq=matakana+wine&gs_l=psy-ab.3..0l2j0i24k1l8.6393.7296.0.12119.2.2.0.0.0.0.273.519.2-2.2.0....0...1.1.64.psy-ab..0.2.517....0.BJeFfo2LvD8#imgsrc=FB7xxTQWf6ivZM:&spf=1508360005913)

Food and wine festivals:



[https://www.google.co.nz/search?rls=com.microsoft%3Aen-NZ%3AIE-Address&dcr=0&biw=1536&bih=771&tbm=isch&sa=1&q=matakana+wine&oq=matakana+wine&gs\\_l=psy-ab.3..0l2j0i24k1l8.2291.2291.0.2817.1.1.0.0.0.0.348.348.3-](https://www.google.co.nz/search?rls=com.microsoft%3Aen-NZ%3AIE-Address&dcr=0&biw=1536&bih=771&tbm=isch&sa=1&q=matakana+wine&oq=matakana+wine&gs_l=psy-ab.3..0l2j0i24k1l8.2291.2291.0.2817.1.1.0.0.0.0.348.348.3-)

	<a href="https://www.mipos.govt.nz/1.1.0....0...1.1.64.psy-ab..0.1.346....0.PvOqNc6SLRc#imgrc=oHbvll0XlgWC8M:&amp;spf=1508359932310">1.1.0....0...1.1.64.psy-ab..0.1.346....0.PvOqNc6SLRc#imgrc=oHbvll0XlgWC8M:&amp;spf=1508359932310</a>
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<b>31</b>	<b>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</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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<b>32</b>	<b>Recommend for Acceptance?</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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*This Summary may not explicitly refer to every matter that has been considered by the Examiner*