

Australian Grape & Wine Submission to:

Implementation of A-EU Free Trade Agreement - options for protecting wine geographical indications

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Table of Contents

Who we are 3

General Comments 4

Discission paper questions 4

Question 1 - Of the options put in this consultation paper, which is your preferred option to implement the Wine Agreement and A-EUFTA? Please explain why. 4

Question 2 - If Option A is preferred, what features of the current wine GI system should be contained within the Option A 'single system'? 5

Question 3 - If there were a single system for GIs, should wine GIs have a specific advisory committee to consider applications for the registration of wine GIs? 5

Question 4 - If there were a single system for GIs, are wine specific criteria (necessary for wine GIs?) 6

Question 5 - If there were a single system for GIs, should wine GIs continue to have a minimum size (5 vineyards each of 5 hectares collectively producing 500 tonnes)? 6

Question 6 - If there were a single system for GIs, should it be maintained as under the current system, that wine GIs cannot be amended? 6

Question 7 - The new GI system will have the capacity to protect non-wine domestic GIs. Wine GIs are not intended to have a right of veto over the names of new non-wine domestic GIs but are there issues that need to be considered about the relationship between new domestic non-wine GIs and wine GIs? 7

Contacts 8

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Who we are

Australian Grape and Wine Incorporated (Australian Grape & Wine) is Australia's national association of winegrape and wine producers. We represent the interests of the more than 2,000 winemakers and over 5,000 winegrape growers working across Australia's 65 wine regions.

The Australian grape and wine sector is a major contributor to Australia's economy and to rural and regional communities.

The grape and wine sector:

- Supports 203,392 direct and indirect full- and part-time jobs.
- Generates $15 billion in income from direct and flow-on employment.
- Contributes $51.3 billion to Australia's gross output.
- Adds $25.4 billion in value-added to the Australian economy[1].

Wine production is a critical pillar of many regional communities, underpinning local manufacturing, exports, tourism, hospitality and supply-chain businesses.

Australian Grape & Wine works to create a political, social and regulatory environment - domestically and internationally - that enables profitable, innovative and sustainable grape and wine businesses. We provide leadership, strategy, advocacy and practical support across issues affecting growers and producers of all sizes. Our Board decision-making processes require an 80% support threshold, ensuring that industry positions reflect broad and genuine consensus.

Australian Grape & Wine is recognised as a representative organisation under the *Wine Australia Act 2013* and is incorporated under the *SA Associations Incorporation Act 1985*.

[1] AgEconPlus & Gillespie Economics, *Economic Contribution of the Australian Wine Sector 2025*, report prepared for Wine Australia, 7 August 2025, Executive Summary (unnumbered pages).

General Comments

Australian Grape & Wine supports the Australia-European Union Free Trade Agreement (A-EUFTA), and understands Australia's commitments within the agreement relating to geographical indications (Gis). Australian Grape & Wine's position is that any reform must preserve the effectiveness, integrity and specialist expertise of the existing wine GI framework.

The Australian Wine GI system has been operating in Australia for over 30 years. Similar to the arrangements committed to in the A-EUFTA, the current system for wine was developed after the ratification of the Australia-EU Wine Agreement. Since this time Australia's wine sector has adapted to and embraced the use of GIs in its everyday business. The system is tailored to the sector's needs and balances flexibility with rigorous management, enforcement conditions and highly specialised expertise.

On balance, retention of the current Wine Australia wine GI system alongside a new IP Australia administered framework for agricultural and spirit GIs represents the lowest-risk implementation pathway and is most likely to minimise regulatory burden, administrative duplication and transition costs for government and the Australian wine sector.

The comments provided in this response, are provided on behalf of Australian Grape & Wine and have taken into consideration feedback provided by industry stakeholders, state and regional associations, Australian Grape & Wine committees and its board.

Discission paper questions

Question 1 - Of the options put in this consultation paper, which is your preferred option to implement the Wine Agreement and A-EUFTA? Please explain why.

Australian Grape & Wine supports implementation of Australia's obligations under the A-EUFTA and recognises the need for Australia to establish a framework capable of protecting additional agricultural and spirit geographical indications.

The Australian wine sector already operates under a mature, internationally recognised and highly specialised GI system established under the Wine Australia Act 2013 and Wine Australia Regulations 2018. This framework has successfully supported the protection of Australian and foreign wine GIs for more than two decades and has become closely integrated with Australia's Label Integrity Program, export certification framework, and wine compliance arrangements.

Australian Grape & Wine's preferred approach is Option B, maintaining the existing wine GI framework while establishing a separate framework for agricultural and spirit GIs required under the A-EUFTA. This approach minimises transition risk, preserves specialist expertise, avoids duplication and protects confidence in the existing system.

Importantly, the consultation paper has not identified any material deficiency in the current wine GI framework that would justify transferring wine GI registration and administration functions away from the specialist system that currently exists. The wine sector considers preservation of existing regulatory arrangements wherever possible should be a key design principle.

Australian Grape & Wine is concerned that a consolidated model may introduce unnecessary complexity, additional compliance obligations, renewal requirements, governance burdens and costs for regional

organisations without delivering corresponding benefits to wine producers.

If Government ultimately prefers a single-system model, substantial safeguards will be required to ensure wine-specific expertise, enforcement capability and existing rights are preserved, without imposing additional cost.

Question 2 - If Option A is preferred, what features of the current wine GI system should be contained within the Option A 'single system'?

Should the Government proceed with a single GI framework, Australian Grape & Wine considers the following features of the current wine system must be retained:

- Dedicated wine-specific technical assessment processes;
- independent wine industry expertise in GI determinations;
- existing wine GI eligibility criteria;
- the current objection and appeals framework;
- existing protections for grape variety names;
- established processes for managing trade mark conflicts;
- strong protections for pre-existing rights;
- existing standards governing use of GIs on wine labels;
- integration with the Label Integrity Program;
- integration with export controls and compliance systems;
- maintenance of existing wine GI boundaries and registrations;
- preservation of Traditional Expressions, Quality Wine Terms and other protected wine terms.

Australian Grape & Wine further considers that any transition should occur automatically and should not require reapplication, revalidation or unnecessary administrative action by current GI regions. Existing wine GIs should be grandfathered into any future framework. Furthermore, there should not be any set timeframe for the life of a GI (eg – a sunsetting period).

Question 3 - If there were a single system for GIs, should wine GIs have a specific advisory committee to consider applications for the registration of wine GIs?

Yes.

Wine geographical indications are fundamentally different from many other agricultural products. The assessment of wine regions requires specialist expertise relating to viticulture, climate, geography, geology, historic production patterns, regional identity and international wine trade obligations.

The current Geographical Indications Committee, and associated wine-specific expertise, has been central to the credibility and acceptance of Australia's wine GI framework. If wine GIs are incorporated into a broader product-agnostic system, a dedicated wine advisory committee should be maintained to ensure decisions continue to benefit from specialist knowledge and industry confidence.

Australian Grape & Wine considers this a minimum requirement under any consolidated model.

Question 4 - If there were a single system for GIs, are wine specific criteria (necessary for wine GIs?)

Yes.

Wine regions are defined by unique agricultural, geographical and climatic characteristics. The current wine GI framework includes objective criteria which provide certainty, consistency and confidence for both producers and consumers. These criteria have contributed significantly to the strength and integrity of Australian wine regional identities.

Australian Grape & Wine strongly supports retention of wine-specific criteria and does not support the application of generic product-neutral standards to wine GI applications.

The wine sector also considers it important that Australia avoids importing highly prescriptive European-style production rules into the domestic wine GI system. Australia's existing model successfully protects provenance while preserving innovation, flexibility and adaptation to changing market and climatic conditions.

Question 5 - If there were a single system for GIs, should wine GIs continue to have a minimum size (5 vineyards each of 5 hectares collectively producing 500 tonnes)?

Australian Grape & Wine supports retention of objective eligibility criteria for wine regions.

The current threshold requirements have helped ensure that GIs represent genuine wine-producing regions rather than individual commercial operations. They provide confidence that recognised regions have sufficient geographic scale, production activity and industry participation to justify formal recognition.

While a review of the precise thresholds may be appropriate over time, Australian Grape & Wine considers that objective criteria remain an important safeguard and should not be removed without compelling evidence that change is necessary. Any review should occur in consultation with the wine sector and be supported by evidence regarding the impacts on emerging wine regions.

Question 6 - If there were a single system for GIs, should it be maintained as under the current system, that wine GIs cannot be amended?

Australian Grape & Wine supports careful reconsideration of the current arrangements.

While stability and certainty of GI boundaries are critically important, practical experience has demonstrated that the current framework makes amendment or removal of GIs extremely difficult in practice. The inability to deal efficiently with outdated, inactive or problematic registrations may limit the long-term effectiveness of the framework.

Australian Grape & Wine would support a carefully controlled amendment mechanism that:

- preserves the integrity and credibility of existing GIs;
- includes extensive stakeholder consultation;
- protects vested interests and existing producers;
- requires robust evidence to justify changes;
- avoids uncertainty for consumers and markets.

Any amendment process should remain the exception rather than the norm.

Question 7 - The new GI system will have the capacity to protect non-wine domestic GIs. Wine GIs are not intended to have a right of veto over the names of new non-wine domestic GIs but are there issues that need to be considered about the relationship between new domestic non-wine GIs and wine GIs?

Yes.

The relationship between existing wine GIs and future non-wine GIs will be one of the most important design questions within any new Australian GI framework.

Australian Grape & Wine considers that any future system must ensure that established wine GIs are not undermined, diluted or made more difficult to use as a result of subsequent registrations for other products. Existing wine GI rights and established regional identities should be recognised and protected.

Particular consideration should be given to:

- homonymous geographical names;
- overlapping regional boundaries;
- protection of existing wine GI registrations;
- conflicts with trademarks;
- common English words;
- plant variety names;
- producer and consumer confusion;
- coexistence arrangements between different product sectors.

Australian Grape & Wine does not support any framework that would require existing wine GI boundaries to be altered to accommodate the interests of other sectors. Existing wine regions have been established through lengthy consultation, significant investment and decades of market development.

The sector also considers that protection of future GIs should not come at the expense of legitimate use of generic terms, established trade marks, common English words or recognised plant variety names. Appropriate safeguards should be built into any new system from the outset.

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