**Session 3: Winemaking Education**

Questions:

* 1. Where in your regulations is the list of allowed winemaking materials for your economy?
     + 27 CFR 24.176-248
     + Charts listing the materials and processes authorized for the treatment of wine and juice are provided in the regulations at 27 CFR 24.246 and 248.
  2. How are materials added to or removed from the list?
     + TTB receives petitions from domestic industry to add or remove materials. TTB then issues a notice of proposed rulemaking (NPRM) which is open for public comment (by any stakeholders, domestic and international).
     + TTB will then issue a final regulation, and the changes will be reflected in 27 CFR part 24.
  3. On what criteria, or on whose standards, do you base your list of winemaking materials? (for example, OIV, Codex list, JECFA, “ADI not specified”, etc.)
     + TTB looks to the U.S. Food and Drug Administration (FDA) for food safety determinations, and also looks at information provided in industry requests and in comments made in response to its proposed rules.
     + We also look to see if materials are approved in other countries.

**Session 4: Risk-Based Regulatory Intervention & Evidence-Based Review.**

Questions:

1. Does your economy have regulatory impact assessments?
   * Yes. Presidential Executive Order 12866 provides that agencies must assess potential costs and benefits for “significant” rules, and, for those deemed as “economically significant” regulatory actions, agencies are required to perform a cost-benefit analysis and assess the costs and benefits of “reasonably feasible alternatives” to the planned rule.
2. Is there a dedicated agency or government department charged with oversight of potential regulatory impact on the economy, trade and the government?
   * Yes. Since 1981, presidential oversight of rulemaking has required that regulatory impact assessments be performed by executive branch agencies. These assessments, in turn, are to be reviewed by the Office of Information and Regulatory Affairs (OIRA), a statutory office located within the Office of Management and Budget (OMB).
3. Does your economy have periodic reviews of implemented regulations?

* Yes. Federal regulations are subject to review by both the president and Congress under Executive Order 12866 and the Congressional Review Act.
* Executive Order 12866 requires all regulatory agencies to prepare and submit to OMB annual plans to establish regulatory priorities and improve coordination of the presidential administration's regulatory program.

**Session 5: Certificates of Analysis**

**Questions for Economy Regulators:**

1. What is the purpose of the Certificates of Analysis that your economy requires?

* The U.S. requires a Certification of Natural Wine, which includes three analytical parameters, for wines imported from economies that do not have an agreement with us covering enological practices. (Economies that are party to the World Wine Trade Group Agreement on Mutual Acceptance of Oenological Practices are exempt from this requirement.)
* This certification ensures that imported wine was produced either to U.S. standards.

1. What does each of the tests tell you about the safety/authenticity/quality of the wine being imported?

* The test for alcohol content ensures proper classification for labeling (standard of identity) and for tax determination.
* The test for volatile acidity helps ensure proper standard of identity classification.
* The test for total sulfur dioxide exists for health and safety reasons, and the United States has a maximum level of 350 ppm.

1. What is the process for removing certificate of analysis requirements in your economy?

* Unless the law requiring the certification is changed or removed, economies can become exempt from the United States’ required certification by signing an international agreement with the United States covering winemaking practices, such as the WWTG Agreement on Mutual Acceptance of Oenological Practices.

**Session 7: Laboratory Testing of Wine in APEC**

Questions:

* Does your regulatory framework specifically state that wine analysis for imported wines must be done by laboratories within your economy?
  + - * No, if imported wines need a certificate, the wines may be analyzed by the government in the economy of origin, or by a laboratory approved by the government.
* Does your economy specify the laboratory/s that must be used for wine tested in your economy?
  + - * + The wines tested in the U.S. are analyzed by the TTB laboratories.
* Are these laboratories accredited to the ISO17025 international standard?
  + - * + Yes
* Do you accept results from laboratories externally if they are accredited to the ISO17025 standard?
  + - * + For products already in commerce within the United States, no, we do not accept results from external laboratories.
        + TTB does accept results from external laboratories for the analysis portion of the Natural Wine Certificate.

**Session 8: Pesticides and Applicable MRLs in Wine: Development of a Information Tool for Implementing Phytosanitary Programs.**

Question:

1. Is your economy undertaking any current reviews of MRLs for wine?
   * By statute, the U.S. Environmental Protection Agency (EPA) is required to re-evaluate each pesticide once every 15 years. EPA’s re-evaluation schedule for the next year includes approximately 37 pesticide MRLs for which grapes are a commodity.

**Session 9: Wine: Low Risk or No Risk?**

**Questions for Economy Regulators:**

1. Have there been any wine product recalls in your economy since our meeting in Han Noi last year? If so, have any involved imported wine?
   * There have been no U.S. government mandated recalls of wine in the last year.
2. Have there been any recent reports of illicit alcohol activity in your economy? Have any involved domestic or imported wine?
   * There have been no recent reports of illicit wine production or sale in the United States.
3. Has your economy established a mechanism through which illicit alcohol activity can be reported?
   * TTB accepts tips about fraud, tax diversion, or other illegal activities through its website. See [www.ttb.gov](http://www.ttb.gov). The “tips” line is linked in the top right corner.
4. Is it legal to ferment grapes or other fruit to produce beverages for one’s own consumption in your economy?
   * Yes, a family (two or more adults) can producer up to 200 gallons/year for personal use, while a single adult household and produce up to 100 gallons/year. (See 27 CFR 24.75)