



BILL NO. 126

Government Bill

*1st Session, 64th General Assembly
Nova Scotia
71 Elizabeth II, 2022*

An Act Respecting a Nova Scotia Wine Authority

CHAPTER 6
ACTS OF 2022

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 22, 2022**

The Honourable Greg Morrow
Minister of Agriculture

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

This page is intentionally blank.

An Act Respecting a Nova Scotia Wine Authority

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Nova Scotia Wine Authority Act*.

2 In this Act,

(a) “appellation of origin” means a geographical indication used on products having a specific quality or characteristic due to the geographical environment in which they are produced;

(b) “Minister” means the Minister of Agriculture;

(c) “Nova Scotia wine” means an alcoholic beverage made in the Province with grapes grown in the Province or from grape juice or grape must of those grapes;

(d) “Program” means the Nova Scotia Quality Wine Standards Certification Program;

(e) “Wine Authority” means the Wine Authority designated under Section 3.

3 (1) The Minister may designate a body corporate, operating on a non-profit basis, as the Wine Authority for the purpose of administering this Act and the regulations.

(2) The Minister may revoke the designation of a body corporate as the Wine Authority.

(3) Where the Minister revokes the designation of a body corporate as the Wine Authority, the Minister may appoint a person to act in the place of the Wine Authority until such time as a new body corporate is designated by the Minister.

4 The objects of the Wine Authority are

(a) to establish, administer and enforce an appellation of origin system, known as the Nova Scotia Quality Wine Standards Certification Program, that will allow consumers to identify Nova Scotia wines on the basis of the areas where the grapes are grown, the type of grapes grown and the methods used in making the wine;

(b) to control the use of specified terms, descriptions and designations associated with the Program; and

(c) to educate grape growers, wineries and the public with respect to the Program.

5 The Wine Authority, for the purpose of administration and enforcement of this Act, may

(a) establish an appellation of origin system that includes establishing

(i) standards for the quality and production of Nova Scotia wine,

(ii) standards, guidelines, policy and the regulation of the appellation of origin system of the Nova Scotia grape-growing and wine industry, and

(iii) the production, processing, labelling, classification, composition, promotion and certification of Nova Scotia wine;

(b) conduct audits, monitoring, inspections and investigations and appoint inspectors for such purposes;

(c) establish fees, costs or other charges;

(d) enter into agreements with a third party for the purpose of meeting the objects of the Wine Authority; and

(e) prescribe forms.

6 No person shall sell or offer for sale a product as a Nova Scotia wine unless it meets the requirements of the regulations.

7 (1) Any person who violates this Act or the regulations is guilty of an offence and liable on summary conviction to the penalty provided for in the *Summary Proceedings Act*.

(2) The penalties imposed under this Act are recoverable under the *Summary Proceedings Act*.

8 The Wine Authority shall provide a report to the Minister annually on such terms and in such form as determined by the Minister.

9 (1) The Minister may, with the approval of the Governor in Council, make regulations

(a) respecting the establishment or designation of a wine authority to administer this Act and the regulations;

(b) respecting the application of this Act and the regulations;

(c) respecting the requirements of an appellation of origin system related to the Program, including product criteria, classifications and categories of wine, manner of wine production and quality of wine, and the use of designated terms, descriptions and geographic indications on labels and promotion of wine;

(d) respecting the keeping of records;

(e) respecting the registration, suspension and revocation of persons, grape growers and wineries under the Program;

(f) respecting an appeal process;

(g) giving the Wine Authority additional powers;

(h) respecting the conditions of certification, approval, revocation and appeal of decisions related to wine certifications under the Program;

(i) respecting the appointment of inspectors and inspection powers;

(j) respecting inspections and audits at vineyards, wineries, and product at retail locations by inspectors as related to the Program and the reporting of those inspections and audits;

(k) respecting contracting with entities or persons as needed to perform the duties of the Wine Authority such as inspections and auditing;

(l) respecting fees, levies or charges payable under this Act or the regulations;

(m) respecting the creation of an appeal procedure;

(n) respecting reporting performance of any aspect of the Program;

(o) delegating any of the powers or duties set out in this Act or the regulations to a third party;

(p) respecting enforcement of this Act and the regulations;

(q) defining any word or expression used but not defined in this Act;

(r) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Minister of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*.

10 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
