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BRAZIL – THE CYCLE OF REVISION OF THE EXPORT REGULATIONS FOR WINES AND VINE-DERIVED PRODUCTS IS COMPLETE

IN NOVEMBER 2018, BRAZIL STARTED A PROCESS OF REVISION OF THE PROCEDURES AND REQUIREMENTS GOVERNING THE CERTIFICATION FOR THE EXPORT AND IMPORT OF BEVERAGES, PRODUCTS OBTAINED BY ACETIC FERMENTATION, WINES, AND WINE- AND GRAPE-DERIVED PRODUCTS.

The main objectives of this revision – as stated by Brazil – were to prevent deceptive practices and protect consumers, to protect people's health, and to define requirements regarding the quality and safety of food products.

The international community had been informed of this initiative by notification to the WTO's TBT Committee on 14 December 2018 ([G/TBT/N/BRA/853](#)).

This revision of the export regulations raised serious concerns among professionals in the sector. Indeed, the regulatory text proposed ([IN N° 67, DE 18 DE NOVEMBRO DE 2018](#)), set to come into effect on 15 December 2019, specified a list of analytical parameters characterising wines, sparkling wines and other vine-derived products without actually providing a model certificate of analysis for products being brought onto the Brazilian market. There was still uncertainty about whether analytical values for each parameter had to be provided on the exporter's certificate of analysis for every product being imported into Brazil. The analytical parameters characterising vine-derived products included the following:

- The absence of exogenous water
- The absence of colourants and sweeteners
- Heavy metals



Operators in the sector were worried about the considerable increase in costs of the analyses required as of 15 December 2019 to export wines to Brazil. A number of countries did not have the capacity to carry out some of these analyses. This was especially the case for the analysis to demonstrate the absence of exogenous water, which requires countries to have specific databases.

To ease professionals' uncertainties, the Brazilian Ministry of Agriculture, Livestock and Food Supply published [a provisional measure](#), specifying the parameters to be analysed as part of the controls on imported wines for the period from 15 November 2019 to 31 December 2019. This list contained only some of the analytical parameters characterising wine, and was very similar to the list specified in the previous [regulatory text in force](#).

Any ambiguity has now been lifted following the publication in the Brazilian Official Journal of Normative Instruction N° 75 of 31 December 2019, which specifies the control procedures and also indicates the official document upon which the implementation of the new measure is to be based ([Norma Operacional 01 de 24 de janeiro de 2019](#)). [The annex to this standard](#) provides a summary table for each product type, with the analytical parameters, their maximum and minimum permitted limits, and the measurement requirements at different control stages. The summary table for still wines is given below.



Parâmetros Legais		Mín.	Máx.	Obrigatoriedade						
				Laudo estrangeiro	Laudo Pré Certificado de Inspeção de Importação	Laudo para exportação	Laudo para controle do produto nacional	Laudo de análise fiscal	Ação fiscal	
Graduação alcoólica, expressa em %, em v/v, a 20 °C		≥ 8,6	≤ 14	S	S	S	S	S	S	
Teor de açúcar, em g/L	Classificação quanto ao teor de açúcar:	• Seco	-	≤ 4	S	S	S	S	S	S
		• <i>Demi-sec</i> ou Meio-seco	> 4	≤ 25	S	S	S	S	S	S
		• Suave ou Doce	> 25	≤ 80	S	S	S	S	S	S
Acidez total, em mEq/L (pH 8,2)		40	130	S	S	S	S	S	S	
Acidez volátil, em mEq/L		-	20	S	S	S	S	S	S	
Ácido cítrico, em g/L		-	1	N	S	S	S	S	S	
Sulfatos totais, expresso em sulfato de potássio, em g/L	<ul style="list-style-type: none"> • para os vinhos que não passaram por envelhecimento ou passaram por período inferior a 2 anos • para os vinhos que passaram por, no mínimo, 2 anos de envelhecimento 	-	1,2	S	S	S	S	S	S	
		-	1,5	S	S	S	S	S	S	
Cloretos totais, expresso em cloreto de sódio, em g/L		-	0,2	N	S	S	S	S	S	
Cinzas, em g/L	• elaborado com vinho tinto	1,5	-	N	S	S	S	S	S	
	• elaborado com vinho branco e rosé, rosado ou clarete	1,0	-	N	S	S	S	S	S	
Extrato seco reduzido, em g/L	• elaborado com vinho tinto	21	-	S	S	S	S	S	S	
	• elaborado com vinho branco e rosé, rosado ou clarete	16	-	S	S	S	S	S	S	
Água exógena		Ausência		N	N	N	S	S	S	
Corante artificial		Ausência		N	S	S	S	S	S	
Edulcorante		Ausência		N	N	N	N	N	S	
Contaminantes		Mín.	Máx.							
Ocratoxina A, em limite máximo tolerado (LMT), em µg/kg		-	2	N	N	N	N	N	S	
Álcool metílico, em mg/L	• elaborado com vinho tinto	-	400	S	S	S	S	S	S	
	• elaborado com vinho branco e rosé, rosado ou clarete	-	300	S	S	S	S	S	S	
Arsênio, em mg/L		-	0,2	N	N	N	N	N	S	
Chumbo, em mg/L		-	0,15	N	N	N	N	N	S	
Cádmio, em mg/L		-	0,01	N	N	N	N	N	S	
Estanho, em mg/kg, para bebidas enlatadas		-	150	N	N	N	N	N	S	

S: required

N: not required



In fact, it appears the analytical parameters that exporters to Brazil are required to provide in the certificate of analysis are almost the same as those stipulated by the regulatory text that was in force before 15 December 2019 ([IN N°54 de 18 novembro 2009](#)). The apparent differences are as follows:

- Analyses of the colour, clarity, density, pH, degrees Brix and the presence of malvidin diglucoside are no longer required.
 - The measurement of the total dry extract has been replaced with that of the reduced dry extract. The measurement of sulphur dioxide has been removed from the requirements, while the measurements of sulphates and methanol have been added.
- ⇒ The table below illustrates the changes in the analytical parameters required under different regulations since 2009.

Additionally, Brazil raised the question of the need to have a harmonised international system for the issue and exchange of digital quality certificates for vitivincultural products – a sort of international passport for wine, listing the characterising parameters as well as the appropriate measures.

This type of “passport” might not only facilitate trade between countries, but could also allow governments to establish appropriate, necessary rules for product control without detriment to either consumers or producers. An international system for the electronic exchange of this certificate could be considered in the future. The OIV is evidently the most suitable platform for initiating and bringing this type of discussion to a conclusion.

Within the framework of its missions, the OIV shall continue to closely monitor the transposition of its recommendations into national regulatory provisions, and provide assistance to governments to facilitate this transposition of international standards as needed.

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18/11/2009-15/12/2019	15/12/2019-	15/11/2019-31/12/2019	1/1/2020-
IN N° 54, DE 18 DE NOVEMBRO DE 2009 Annex 8	IN N° 67, DE 18 DE NOVEMBRO DE 2018 No model certificate (analytical parameters as of 15/12/2019)	DESPACHO DECISORIO Parameters required for CofAs issued between 15/11/2019 and 31/12/19	IN N° 75 of 31 December 2019; Norma Operacional n° 1 of 24/1/2019 sets out the rules to be applied (Version 31/12/2019) Specification of the parameters to be analysed by type of certificate of analysis ⁽³⁾
Colour ⁽¹⁾⁽²⁾			
Clarity ⁽¹⁾⁽²⁾			
Density at 20°C ⁽¹⁾			
Brix ⁽¹⁾			
Alcoholic strength at 20 °C	Alcoholic strength at 20 °C	Alcoholic strength at 20 °C	Alcoholic strength at 20°C
Total dry extract ⁽²⁾			
	Reduced dry extract	Reduced dry extract (g/L)	Reduced dry extract (g/L)
	Ashes		
Total sugar ⁽²⁾	Sugar content (g/L)	Sugar content (g/L)	Sugar content (g/L)
	Total sulphates (g/L)	Total sulphates (g/L)	Total sulphates (g/L)
Sulphur dioxide ⁽²⁾			
pH ⁽²⁾			
Total acidity ⁽²⁾	Total acidity (mEq/L), pH 8.2	Total acidity (mEq/L), pH 8.2	Total acidity (mEq/L), pH 8.2
Volatile acidity ⁽²⁾	Volatile acidity (mEq/L)	Volatile acidity (mEq/L)	Volatile acidity (mEq/L)
Presence of malvidin diglucoside ⁽²⁾			
Excess carbon dioxide pressure ⁽²⁾			
	Citric acid		
	Chlorides		
	Artificial colourants		
	Sweeteners		
	Methanol (mg/L)	Methanol (mg/L)	Methanol (mg/L)
	Exogenous water		
	Ochratoxin A		
	Arsenic		
	Lead		
	Cadmium		
	Tin (for canned wines)		