

## VQA ONTARIO NEWS & TIPS January 2019

### HAPPY NEW YEAR FROM VQA ONTARIO

### 2019 RESOLUTION: SET YOURSELF UP FOR SUCCESS AT THE TASTING PANEL

#### Tasting Panel Assessment – Understand the process

Over 2500 VQA tastings are conducted each year as part of the VQA wine certification process and peak periods are very busy. The VQA/LCBO service standard is to provide results not later than 3 weeks after receiving the sample, however understanding the process can help you plan your submissions to get reliably faster results.

VQA taste tests are conducted on Mondays and Wednesdays at the LCBO head office sensory evaluation facilities. The number of wines tasted in each session is limited and there are no tastings on holidays falling on a Monday or Wednesday or throughout the month of December. Check the Members News & Announcements page for specific "No Tasting" dates.

Here are some important things to know:

- Wines delivered after 4:00 p.m. are not received by LCBO until the next business day
- Wines arriving at the LCBO on Thursday before 12:00 p.m. will normally be tasted the following Monday. Wines arriving after noon Thursday but before Monday at 12:00 p.m. will normally be tasted on the following Wednesday.
- High volume periods (normally February, March and August) may result in deferred tastings. Samples are handled on a first come first served basis, and if you submit many samples at once they will be distributed over several tasting sessions. Try to prioritize your submissions in busy periods.
- Do not send your bottles to the VQA office - this will result in a delay of at least two days and up to a week.
- Call or email us if you need information or have an urgent need to get a wine through the approval process.

For more information visit: <http://www.vqaontario.ca/Regulations/Processes>

### CHANGES AT THE VQA ONTARIO OFFICE

Please note that, beginning in January 2019, Barbara Dodds will be available on Mondays through Wednesdays only. Barbara will continue to manage all of issues related to finance and accounts and membership renewals. All (non-payment) inquiries related to wine approvals should be directed to Kaitlin Wilson or Katherina Radcliffe. Barbara is a long-serving and dedicated VQAO staff member and has an almost encyclopedic knowledge of the VQA rules and procedures. We wish Barbara lots of enjoyment in that well-deserved bit of extra time to relax!

## VQA ONTARIO PREVAILS AT ONTARIO DIVISIONAL COURT

A decision was recently handed down by Ontario's Divisional Court which is a landmark success for Ontario's VQA system and sets an important precedent that supports the structure of our appellation system and the regulation of appellation terms. The application for judicial review, brought by Royal DeMaria Wines, challenged specific elements of VQA Regulation 405 governing wine approvals, VQA Rules describing the tasting panel process, VQA membership bylaws and the interaction of trademark rights with the VQA legislation. The application was dismissed in its entirety, in a unanimous decision that found VQA requirements and processes to be reasonable and appropriate and within the legal framework set out in the governing legislation.

In brief, it confirms that:

1. A tasting panel process is reasonable;
2. The tasting panel is authorized under current VQA legislation;
3. VQA Ontario's membership by-laws are reasonable and authorized by law;
4. Neither the federal Trade-Marks Act nor the federal Icewine Regulations render the VQA Act or Regulations inoperative.

If you wish to read the full decision and reasoning, it can be found on the CanLII online law database at <http://canlii.ca/t/hwn9n>.