

GENERAL

OWAA's mandate is to administer the VQA Act in the public interest, regulating the use of prescribed terms, designations and descriptions related to grape origin, winemaking practices, composition and labelling of VQA wines.

Complaints falling within OWAA's mandate generally include:

- Consumer complaints about a wine or label
- Consumer complaints about winery practices related to the VQA regulations such as advertising
- Complaints from industry professionals about winery practices related to the VQA regulations
- Complaints from industry professionals about the substance of the rules and regulations
- Complaints about procedures, such as sensory panels, inspection, reporting etc.
- Complaints about employee behaviour or decisions

Complaints about all issues shall be made using a prescribed form and submitted to the OWAA office. Any complaints received by Board or Committee members shall be referred to staff.

PROCEDURES

Complaints about a Wine

- Identify the nature of the complaint:
 - Wine quality (appearance, aroma, taste) - discernable wine fault?
 - Packaging quality (leakage, contamination)
 - Label declarations (false, misleading, illegible, contradictions)
 - Price, value, customer experience
- Assess relevance to the Appellation Authority's mandate
- Verify whether wine is approved if sufficient information is provided
- If out of scope – refer as appropriate to winery, retailer, LCBO QA, CFIA

- If in scope - request further detail as necessary (photographs, physical sample, purchase date and location...)
- Refer for investigation
- Upon resolution, advise consumer of outcome, with consideration of privacy code

OWAA cannot replace purchased wines or compensate consumers for any product found to be non-compliant, nor can it compel wineries to do so. Consumer remedies include returning wine to LCBO or other retailer or to the winery.

Complaints about a Winery

- Identify the nature of the complaint:
 - Misleading labelling or advertising
 - Customer experience
 - Overall “quality” complaints
- Assess relevance to the Appellation Authority’s mandate and if winery is OWAA member
- If out of scope – refer to winery
- If in scope - request further detail as necessary (photographs, nature of problem)
- Refer for investigation

Complaints about OWAA administration of VQA Act

- Identify the nature of the complaint:
 - Act and Regulations, Rules
 - Policies and procedures (e.g. sensory evaluation, enforcement)
 - Service delivery
 - Employee or volunteer behaviour
- For complaints related to Act, Regulations, Rules, policies, procedures, confirm with the complainant how they apply to the complaint to clarify and understand the nature of the complaint.

- Investigate whether rules etc. were applied properly relevant to the complaint. If yes, explain options and processes to comply, appeal, or amend. Regulatory decisions may be appealed through avenues set out in the regulation (Licence Appeal Tribunal, Ontario Divisional Court).
- For complaints related to service delivery, determine whether service standard was met. If not, refer to investigation to determine why and whether mitigating action is required.
- For complaints related to personal behaviour:
 - Towards employees or contractors, refer to immediate supervisor or Executive Director
 - Towards Executive Director, Directors or committee volunteers, refer to Chair of the Board
 - Towards Chair of the Board, refer to Vice-Chair
- Conduct further investigations as required.